

# Kenai Peninsula Borough

## Planning Department – Land Management Division

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### MEMORANDUM

**TO:** Kelly Cooper, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** Charlie Pierce, Mayor *CP*  
Max Best, Planning Director *MB*

**FROM:** Marcus Mueller, Land Management Officer *mm*

**DATE:** November 21, 2019

**RE:** Ordinance 2019- 37, Amending KPB 17.10.120, Terms of a Land Sale, to Address Kenai Peninsula Borough Employee and Contractor Participation in Land Disposal Methods (Mayor)

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Policies regarding borough management of lands and resources are outlined within KPB 17.10.010. Paragraph 17.10.010(A)(6) provides for "the orderly disposal of lands and resources in a manner which is fair to all".

The Land Management Division recommends that amendments to KPB 17.10.120, Terms of a Land Sale, be adopted to maintain a high standard of fairness with regard to management of borough lands. Other agencies, including the Alaska Department of Natural Resources and the Trust Land Office of the Alaska Mental Health Trust Authority, have policies similar to those recommended here to ensure fair processes for land disposal. The recommended amendments would support the borough's policy to maintain a fair process by removing areas with potential for conflicts of interest or advantage, or the public perception thereof, for borough employees and borough contractors.

This ordinance includes additional restrictions regarding those qualified to participate in land disposals offered by the borough. The proposed code changes will lessen or remove the possibility of conflicts of interest regarding the participation of borough employees and borough contractors in borough land sales. The purpose of this ordinance is to ensure a fair process is in place for employees and contractors who would like to participate in borough land sales.

Your consideration of this ordinance is appreciated.