

Introduced by: Mayor  
Date: 02/16/21  
Hearing: 03/02/21  
Action: Enacted as Amended  
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2021-08**

**AN ORDINANCE AUTHORIZING LEASES OF SPACE AT THE KENAI RIVER  
CENTER BUILDING WITH THE STATE OF ALASKA DEPARTMENT OF FISH AND  
GAME AND DEPARTMENT OF NATURAL RESOURCES AND REPEALING  
ORDINANCE 2020-30**

- WHEREAS,** federal appropriations were provided for the construction and operation of the borough's Donald E. Gilman Kenai River Center ("Kenai River Center"); and
- WHEREAS,** the Kenai River Center is designed to increase coordination and communication between permitting agencies in order to streamline the permitting process for landowners, improve protection of the Kenai Peninsula's natural resources, and serve as a source of information and education for landowners and others concerned with resource management; and
- WHEREAS,** staff within the borough's planning department, the State of Alaska Department of Fish & Game, and the State of Alaska Department of Natural Resources currently occupy the facility; and
- WHEREAS,** the Kenai Peninsula Borough and the State of Alaska desire to continue to utilize the Kenai River Center for its designed purpose; and
- WHEREAS,** entering into new lease agreements with the State of Alaska would provide for the continued use of space by each agency and would protect the interests of each party; and
- WHEREAS,** this ordinance will also repeal ordinance 2020-30, which approved cooperative leases at the river center, provided that rent shall be \$1.00 per annum, and stated that the cooperative leases shall be subject to a shared services agreement; and
- WHEREAS,** a repeal of ordinance 2020-30 is necessary because following negotiations with state officials there will no longer be a shared services agreement and rent will be greater than \$1.00, and instead the state will pay a monthly rent attributable to the square footage space occupied by the lessee under shared space terms set by the lease; and
- WHEREAS,** the Kenai Peninsula Borough Planning Commission at its regularly scheduled meeting of February 22, 2021, recommended approval by unanimous consent;

**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

**SECTION 1.** That Ordinance 2020-30, an ordinance authorizing cooperative leases of space at the Kenai River Center building with the state of Alaska Department of Fish and Game and Department of Natural Resources, is hereby repealed.

**SECTION 2.** That the mayor is hereby authorized, pursuant to KPB 17.10.100(D), to enter into leases, in substantially the form as the ones attached for approval, to the State of Alaska Department of Fish and Game and to the Department of Natural Resources, within the following described real property situated in the Kenai Recording District, Third Judicial District, State of Alaska, described as follows:

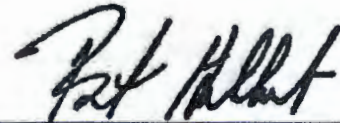
Tract 1A, Soldotna Airport Property Funny River Road  
Realignment Addn. Part One, Plat No. 2011-22, located at 514  
Funny River Road, Soldotna, Alaska

**SECTION 3.** That the cooperative leases are authorized pursuant to KPB 17.10.100(D) as leases in cooperation with a government entity, and the provisions of KPB 17.10.140 do not apply to these leases.

**SECTION 4.** The mayor is authorized to negotiate and sign any documents necessary to effectuate this ordinance.

**SECTION 5.** That this ordinance shall become effective immediately upon enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 2ND DAY OF MARCH, 2021.**



Brent Hibbert, Assembly President

ATTEST:



John Blankenship, MMC, Borough Clerk



Yes: Bjorkman, Carpenter, Chesley, Cox, Derkevorkian, Duane, Elam, Johnson, Hibbert

No: None

Absent: None