

Introduced by: Mayor
Date: 06/02/20
Hearing: 06/16/20
Action: Enacted as Amended
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
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**

- 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 the Kenai River Center currently occupy the facility; and
- WHEREAS,** the Kenai River Center has operated under a cooperative interagency lease and shared services agreement structure since 2005; 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 cooperative 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,** continuing with a shared services agreement would allow the occupants to equitably share certain operation, maintenance and long-term costs and would provide for the most economical continuation of services; and
- WHEREAS,** the Kenai Peninsula Borough Planning Commission at its regularly scheduled meeting of June 8, 2020, recommended approval by unanimous vote;

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

SECTION 1. That the mayor is hereby authorized, pursuant to KPB 17.10.100(D), to enter into cooperative leases, in substantially the form as the one attached for approval, of a negotiable square footage of office space to the State of Alaska Department of Fish and Game and 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 2. That the cooperative leases shall grant the lessee full use and enjoyment of proportionately allocated shared use areas along with available staff and visitor parking, with all respective appurtenances under the lessee for the duration of the lease. Shared use areas shall include all common areas and facilities such as storage and locker areas, fenced parking, conference rooms and meeting rooms. Shared use areas may also include primary work areas for any of the following types of personnel employed by lessee or employed by another member of the Kenai River Center: administrative support, education and outreach, temporary, part-time, or volunteer.

SECTION 3. That the cooperative leases are authorized pursuant to KPB 17.10.100(D), and the provisions of KPB 17.10.140(A) do not apply to these cooperative leases.

SECTION 4. That each lease will be for an initial term of five (5) years, and include two additional five (5) year renewal options.

SECTION 5. That the annual rent for each lease shall be \$1.00 per annum for the duration of the lease.

SECTION 6. That the cooperative leases shall be subject to a Shared Services Agreement between the Kenai Peninsula Borough, the State of Alaska Department of Fish and Game, and State of Alaska Department of Natural Resources, in substantially the form as the one attached hereto, which allocates space to each party and which allocates costs to each party for shared operation, maintenance and projected long-term maintenance costs of the Kenai River Center premises proportionately to the space allocations.

SECTION 7. The mayor is authorized to negotiate and sign any documents necessary to effectuate this ordinance.

SECTION 8. That this ordinance shall become effective immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 16TH DAY OF JUNE, 2020.

Kelly Cooper, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

Yes: Bjorkman, Blakeley, Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, Cooper

No: None

Absent: None