

Introduced by: Mayor  
Date: 05/05/20  
Hearing: 05/19/20  
Action: Enacted as Amended  
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2020-22**

**AN ORDINANCE AUTHORIZING THE NEGOTIATED LEASE OF RENTAL SPACE  
AT THE NIKISKI COMMUNITY RECREATION CENTER WITH THE  
KENAITZE INDIAN TRIBE**

**WHEREAS,** the Nikiski Community Recreation Center (“NCRC”) is operated and budgeted by the North Peninsula Recreation Service Area (“NPRSA”); and

**WHEREAS,** Kenaitze Indian Tribe (“Kenaitze”) has inquired about renting rooms within the NCRC to be used for youth programs; and

**WHEREAS,** NPRSA staff have identified available space and mutually agreeable terms for entering into a space rental agreement; and

**WHEREAS,** the Kenai Peninsula Borough Planning Commission at its regularly scheduled meeting of May 11, 2020 recommended approval by unanimous consent;

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

**SECTION 1.** That the assembly finds that leasing office space to Kenaitze Indian Tribe pursuant to KPB 17.10.100(I) is in the best interest of the borough.

**SECTION 2.** That the provisions of KPB 17.10.080, KPB 17.10.090 and KPB 17.10.110-.240 governing classification, disposition, and leasing of borough lands and related natural resources shall not apply to this lease of office space.

**SECTION 3.** Based on the foregoing, the mayor is hereby authorized pursuant to KPB 17.10.100(I) to lease NCRC Room #42 and # 43, being 1,792 square feet, at the monthly rental of \$4,856.32 in addition to a monthly rental rate of \$500.00 for shared use of the kitchen, gymnasium and for janitorial services for common use of bathrooms for an initial term of three months, with month-to-month extensions thereafter. The Lease may not be extended beyond one year without further authorization of the assembly. The authorization is for lease solely to Kenaitze Indian Tribe, and it may not assign any rights to negotiate or enter an agreement for lease to any other person or entity. Once entered, the lease may be assigned or subleased pursuant to the terms of the lease agreement.


**SECTION 4.** The mayor is authorized to execute a lease substantially similar in form to the lease form approved by the assembly.

**SECTION 5.** Kenaitze Indian Tribe shall have 60 days from the time of enactment of this ordinance to execute the lease.


**SECTION 6.** That rent revenue from the subject lease shall be deposited in North Peninsula Recreation Service Area account 225.00000.00000.36315.

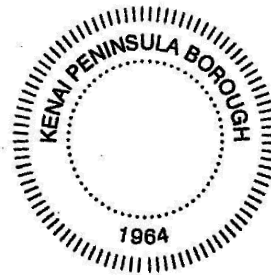
**SECTION 7.** That this ordinance shall take effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 15TH DAY OF MAY, 2020.**

  
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Kelly Cooper, Assembly President

ATTEST:

  
\_\_\_\_\_  
Johni Blankenship, MMC, Borough Clerk



Yes: Bjorkman, Blakeley, Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, Cooper  
No: None  
Absent: None