Seldovia City Council

Laydown

July 23, 2018

NOTES

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Lot 2

1989 - 000165-0
BOOK 30 PAGE 628
also @ 2008 - 000138-0

State of Alaska

Patent

No. 10139

Know Ye By These Presents that the Grantor, the STATE OF ALASKA, pursuant to A.S. 38.05.610, and the regulations promulgated thereunder, in consideration of the sum of TEN AND NO/100 DOLLARS lawful money of the United States, and other good and valuable consideration, now paid, the receipt whereof is hereby acknowledged, hereby grants and conveys to the Grantee, the CITY OF SELDOVIA, whose mailing address of record is P.O. Drawer B, Seldovia, Alaska 99663, Grantee's successors and assigns, all that real property situated in the Seldovia Recording District, State of Alaska, and described as follows:

TOWNSHIP 8 SOUTH, RANGE 14 WEST, SEWARD MERIDIAN

SECTION 29: LOT 2.

CONTAINING 21.58 ACRES, MORE OR LESS.

ACCORDING TO THE MAP APPROVED BY THE U.S. SURVEYOR GENERAL'S OFFICE IN JUNEAU, ALASKA ON APRIL 6, 1921.

Subject to:

Valid existing easements and reservations.

A right-of-way easement for a road, 60 feet wide, ADL 38489.

X Unrestricted public use and access. If the Director of the Division of Land and Water Management of the Department of Natural Resources determines that the Grantee or Grantee's successors in interest have failed to observe this condition, the Director may declare a forfeiture of this conveyance and title hereby conveyed shall thereupon revert to the State of Alaska.

Save and Except, those restrictions appearing in the Federal Patent or other conveyance by which the Grantor acquired title;

And Further, the Grantor hereby expressly saves, excepts and reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, all oils, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils of every name, kind or description, and which may be in or

upon said lands above described, or any part thereof, and the right to explore the same for such oils, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils, and it also hereby expressly saves and reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right to enter by itself, its or their agents, attorneys, and servants upon said lands, or any part or parts thereof, at any and all times for the purpose of opening, developing, drilling, and working mines or wells on these or other lands and taking out and removing therefrom all such oils, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils, and to that end it further expressly reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right by its or their agents, servants and attorneys at any and all times to erect, construct, maintain, and use all such buildings, machinery, roads, pipelines, powerlines, and railroads, sink such shafts, drill such wells, remove such soil, and to remain on said lands or any part thereof for the foregoing purposes and to occupy as much of said lands as may be necessary or convenient for such purposes hereby expressly reserving to itself, its lessees, successors, and assigns, as aforesaid, generally all rights and power in, to, and over said land, whether herein expressed or not, reasonably necessary or convenient to render beneficial and efficient the complete enjoyment of the property and rights hereby expressly reserved.

To Have And To Hold the said land, together with the tenements, hereditaments, and appurtenances thereunto appertaining, unto the said Grantee and Grantee's successors and assigns forever.

In Testimony Whereof the State of Alaska has caused these presents to be executed by the Director of the Division of Land and Water Management, Department of Natural Resources, State of Alaska, pursuant to delegated authority, this 21st day of November, 1988.

By: Carol L. Shobe
Carol L. Shobe
For Gary G. Gustafson, Director
Division of Land and Water Management

State of Alaska)
) ss.
THIRD Judicial District)

This Is To Certify that on the 21st day of November, 1988, appeared before me CAROL L. SHOBE, the person who has been lawfully delegated the authority of Gary G. Gustafson, the Director of the Division of Land and Water Management, Department of Natural Resources, State of Alaska, to execute the foregoing document; that Carol L. Shobe executed said document under such legal authority and with knowledge of its contents; and that such act was performed freely and voluntarily upon the premises and for the purposes stated therein.

Witness my hand and official seal the day and year in this certificate first above written.

Notary Public in and for the State of Alaska
My Commission Expires: [illegible]

89-165

RECORDED - ~~FILED~~ 13-
Juneau REC. DIST.
DATE 7-12- 19 89
TIME 12 15 P. M.
Requested by City of Juneau
Address Box 2 b
Juneau 99803

PATENT No. 10139
ADL No. 71540
Location Index:
T. 8 S., R. 14 W., S.M.
Section 29

Page 2 of 2
Rtn + to

499191

(2)

Lot 1

BOOK 21 PAGE 150
Seldovia Recording District

QUITCLAIM DEED
(Statutory Form)

THE GRANTOR, KENAI PENINSULA BOROUGH, for and in consideration of the sum of ONE ($1.00) DOLLAR and other good and sufficient considerations does hereby convey and quitclaim to the GRANTEE, CITY OF SELDOVIA, ALASKA, all its right, title and interest in the following real property located in the Seldovia Recording District, Third Judicial District, State of Alaska, more fully described as:

> Lot one, Section 29, T8S, R14W, Seward Meridian, containing 47.84 acres more or less.

SUBJECT TO the following reservations and conditions:

1. Right of way, ADL 25085, of Homer Electric Association for electric distribution line 100 feet in width.

2. The property herein conveyed shall be devoted to public use. If at any time the property or any part of it is used for other than public purposes, the property shall immediately revert to the Grantor. The reverter may be evidenced by filing in the Recorder's Office by the Grantor a statement of reverter for condition broken. *

DATED: April 4, 1968.

KENAI PENINSULA BOROUGH
BY: George H. Navarre

STATE OF ALASKA)
THIRD JUDICIAL DISTRICT) SS:

THIS IS TO CERTIFY that on the 4th day of April, 1968, at Seldovia Alaska, before me personally appeared George H. Navarre, whom I know, and he acknowledged to me that he executed the foregoing Quitclaim Deed for and in behalf of KENAI PENINSULA BOROUGH a municipal corporation, that he is the Borough Chairman of said municipal corporation and is authorized to so execute; that he knew the contents thereof and that the same was his act.

IN WITNESS WHEREOF, I hereunto set my hand and seal.

76-226

RECORDED - ~~FILED~~ 5 Th
Seldovia REC. DIST.
DATE 12-20-1976
TIME 3:30 P M
Requested by City/Seldovia
Address Seldovia, Ak. 754050

Notary Public in and for Alaska
My commission expires: 5/12/68

(3)

ALASKA
2009-000201-0
Recording Dist: 313 - Seldovia
12/31/2009 11:26 AM Pages: 1 of 4

Tentative Approval

Lots 1+2

Please record this cover page as the first page of the document. Document should be indexed as follows:

RECORDING DISTRICT: Seldovia

DOCUMENT TYPE: **Deed**

FILE TYPE/NUMBER: GS-1188

GRANTOR:

1. United States of America
2. Department of the Interior
3. Bureau of Land Management

GRANTEE:

1. State of Alaska
2. Department of Natural Resources
3. Division of Mining Land and Water

LEGAL DESCRIPTION:

SEE DOCUMENT.

AFTER RECORDING RETURN TO:
State of Alaska
Department of Natural Resources
Division of Mining, Land & Water
Realty Services/Title Administration
550 W. 7th Avenue, Suite 1050A
Anchorage, AK 99501-3579

STATE BUSINESS NO CHARGE

(5)

IN REPLY REFER TO:

ALO: L6

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Land Office
555 Cordova Street
Anchorage, Alaska

JAN - 3 1964

DECISION

State of Alaska	:	Anchorage 057388
Division of Lands	:	State Selection 6.1
344 Sixth Avenue	:	Section 6(b), Act of July 7,
Anchorage, Alaska	:	1958 (72 Stat. 339 - 343)
	:	as amended

Lands Proper for Selection
Tentative Approval Given

On June 13, 1962, the State of Alaska filed selection application Anchorage 057388 for all of Township 8 South, Range 14 West, Seward Meridian, excluding prior valid rights, claims or patented lands.

The following selected lands meet the criteria for compactness; are unreserved, are not known to be occupied or appropriated under the public land laws, including the mining laws; are not valuable for hot or medicinal springs, and otherwise conform to the requirements of the Act, except exceeding the shore-space limitation on navigable waters, which is hereby waived (43 CFR 77):

Township 8 South, Range 14 West, Seward Meridian:

Section 20: Lot 1, NE¼SW¼SE¼
Section 29: Lots 1 and 2, NE¼, SE¼NW¼, N½SE¼, SE¼SE¼
Section 30: Lot 3
Section 32: N½SE¼, SE¼SE¼
Section 33: E½, E½NW¼, NW¼NW¼, E½SW¼NW¼

Total surveyed acreage: 1,053.52 acres

Township 8 South, Range 14 West, Seward Meridian (Unsurveyed)

Section 13: All, excluding A. 049072, A. 048910, A. 049123, A. 049101 A. 051263 A. 042197 A. 032845 A. 030919 A. 048909
Section 14: All
Section 15: All, excluding U. S. Survey 3378, A. 048964
Section 16: All
Section 21: All
Section 22: All, excluding U. S. Survey 3378
Section 23: All
Section 24: All, excluding patented U. S. Surveys 3373 3907 3253 A. 051258 A. 032427, A. 030919 A. 032845 A. 057405

INTEGRATED INTO NEW RECORDS

Section 25 thru 28: All
Section 30: All unsurveyed portion, excluding patented U. S. Survey 3108
Section 31: All unsurveyed portion, excluding patented U. S. Survey 3374, A. 052282
Section 34 thru 36: All

Total unsurveyed acreage: Approximately 6,917.00 acres.

In view of the foregoing, the lands agregating approximately 7,970.52 acres, as shown on approved, revised protraction sheet S16-19, officially filed July 16, 1963, are considered proper for acquisition by the State and are hereby tentatively approved. Patent to the unsurveyed lands will issue to the State after the same are officially surveyed.

When the lands are patented to the State, the patent will contain a reservation for canals and ditches under the Act of August 30, 1890 (26 Stat. 391); and a reservation to the United States of a right-of-way for the construction of railroads, telegraph and telephone lines under the Act of March 12, 1914 (36 Stat. 305).

Enclosed is a status plat of protracted Township 8 South, Range 14 West, Seward Meridian.

Alfred P. Steger

Alfred P. Steger
Chief, Lands Section

Enclosure:
Plat

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(8)

Cassidi Cameron

From: Scott Ogan <scottogan@mtaonline.net>
Sent: Monday, July 23, 2018 11:29 AM
To: Cassidi Cameron
Subject: Meeting tonight

Cassidi,

I'm hoping to give you a site tour today before the meeting. I'll stop by I'm a few minutes to see when you may be available.

There are some important highlights and changes I am asking for.

1. I have met with concerned citizens and listened their ideas about developing the only public bluff property in Seldovia. I AGREED to NOT develop the bluff property N of the last bathroom. This is such an awesome cultural site, and I think the value of retaining it in a natural state, to the community needs to be considered. My guests will be blown away by the natural beauty too.

I want to move it further South into the already developed portion of the RV Park, which has many many options. Until my builder gets on site to evaluate, it is premature to propose an exact launch location, but I agreed to keep it in the already developed portion of the RV Park. One Council member seems greatly relieved that I modified my original plan to address this.

The launch location will be a very minimal "postage stamp" sized impact. We will harness up in town and transport guests via passenger van to and from the site to mitigate traffic and activity impacts. (and collect sales tax on all in town purchases)

2. I decided to look for a private site to develop the treehouse rentals. These are worth about $80K each, and it makes sense to spend that $ on land I own.

3. I am willing to, as part of a negotiated contract, discuss a per head RV Park user fee to compensate the city and it's citizens for the use of the public space. This is addition to the local taxes that will be collected on each purchase.

In conclusion,

4. I want a, keep it simple, one run zipline from a to be determined location by my builder, that allows the flexibility to develop the lower site back in the trees to make a really unique, exciting and awesome experience for our visitors and locals alike.

The advantages of this site over the mountain site:

A. No access issues
B. Lower development costs
C. Lower price point for guests
D. Shorter guest processing to return day boat guests back to town in time for additional shopping, spending.
E. Shorter tour times great for developing exceptional tour packages, like beach naturalist tours, kayak tours, zip dip sip tours, (zip line, kayak followed by wine tasting).

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F. With an affirmative decision and quick contract negotiations, we can and will open spring 2019. Most of the issues were worked out on the mountain lease. It should not take too long. Time is of the essence to get the project planned and built for a spring opening.
G. My DOT AP consultant advised me to STAY AWAY from crossing the AP property with burdensome FAA stipulations.

Scott Ogan

Sent from my iPad

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Heidi Geagel

Subject: FW: Comments for city council meeting

From: Tamara Reiser <[redacted]>
Sent: Friday, July 20, 2018 3:58 PM
To: Heidi Geagel <cityclerk@cityofseldovia.com>
Subject: Comments for city council meeting

Dear Mayor Lent and Seldovia Council members,

As a resident of Homer I had the pleasure to visit your lovely town recently. I hope to visit at least once every summer, I did not know what I was missing! However, I've heard that there is a proposal to install a zip line up at the RV park.

What a horrible idea. I enjoyed the quiet beauty of that place while watching and listening to the birds in the forest and along the shoreline. I don't believe man-made entertainment objects fit in with the area at all. Those who enjoy that RV park are more likely to want to get away from that kind of thing and enjoy Seldovia as it is.

I do hope this project is not built there.

Thank you. I can't imagine what it's like to live in such a peaceful place as your town.

Tami Reiser
Homer, AK

(11)

Heidi Geagel

Subject: FW: Proposed Zipline

From: George Matz <[redacted]>
Sent: Monday, July 23, 2018 10:23 AM
To: Dean Lent <lent@cityofseldovia.com>; Vivian Rojas <rojas@cityofseldovia.com>; Kris Lethin <lethin@cityofseldovia.com>; John Colberg <colberg@cityofseldovia.com>; Perley Morrison <morrison@cityofseldovia.com>; Bobbi Sweat <Sweatt@cityofseldovia.com>; Jeremiah Campbell <campbell@cityofseldovia.com>; Cassidi Cameron <citymanager@cityofseldovia.com>
Subject: Proposed Zipline

To: Seldovia City Council
From: George Matz
Re: Proposed Zipline

I am aware of a proposal to build a zipline at the city campground. While I think a zipline might have some attraction for Seldovia if built in the right place, I don't think the campground is the right place. The presence of the facility here would essentially privatize public land for private gain. Furthermore, its presence on the bluff would deny campground users of the same pleasant view that zipline users would monopolize if the project is built.

When my wife and I are able to get ferry reservations to take our car from Homer to Seldovia, we always use the campground. It's a quiet and enjoyable place, but the presence of a zipline would certainly change that.

As previously stated, a zipline might be an attraction for Seldovia, but it should be built on private land. Proposing to build it in a city campground seems to be an attempt by the developer to not pay the full cost of developing the project.

Sincerely,
George Matz
PO Box [redacted]

(12)

July 23, 2018

City Council members-

I urge you to reject Seldovia Bay Adventures' proposal to construct a zip line and tree house rentals on city property in the vicinity of the RV Park and Outside Beach. While I understand the need for the city to take steps to encourage economic activity in Seldovia, Outside Beach, in my opinion, is the wrong location for this type of development.

Outside Beach is one of the best ***natural*** treasures of Seldovia. It is a widely shared and much loved community asset - a place for picnics, large and small – a place for beach combing – a place for tide pooling – even a place for quite reflection as the summer sun sinks below the horizon across Cook Inlet.

The proposed zipline and associated development would inject an ***amusement park*** atmosphere into this quiet haven. By contrast, the previous version of this proposal - to construct a zipline along a remote hillside between the reservoir and the airport - had this going for it; it did no harm to one of our most cherished community natural assets.

Here's an idea. I understand that the developer owns land across Seldovia Bay in the vicinity of Raby's Spit. Why wouldn't that be an excellent venue for this type of development, if the originally proposed site near the airport is not viable? A side trip across the bay to that remote location could prove to be an additional attraction for summer visitors to our town.

I urge you to please do your part to ensure that future generations of Seldovians can continue to enjoy the undisturbed natural beauty of Outside Beach.

Thank you for your consideration.

Ted Moore

Ted Moore

231 Fulmore Street

To the City

RE: Land lease for treehouses & zipline
in the campground and RV park

To whom it may concern,

From the packet for the July 23rd city council meeting I learned that Seldovia Bay Adventures wants to lease land in the city's campground / RV park for construction of a zipline and treehouses.

I would like to explain how many of us locals use this particular part of the Outside beach.

The slight bight south of "the Rock" (a name given on the map in the packet) is protected from any northerly winds and much enjoyed by the locals for picnics and gatherings.
The proposed site for the zipline landing platform is adjacent to this part of the beach.

The road from the beach takes you up to the campground/ RV park, then to the trails along the bluff with the views of Seldovia Bay and Cook Inlet.
The proposed upper zipline launch site is at one of these beautiful spots and it will have three treehouses.

If the zipline construction comes through, some portion of the trail areas will be restricted or lost to the current users.

Overall this area of the Outside beach is enjoyed for a quieter extended walk and gatherings by locals and pets alike.

We pick berries and there are numerous trails just below where the lower zipline platform will be.

I see tent campers on the wooded side along the road there in the summer. They enjoy the beach, beauty and the quiet.

One of them told me that he loved Seldovia because there are no theme parks.

The zipline would create disturbances and commotion for the current area users and the nature/environment.

I ask you to deny the lease of the land & not to support the zipline proposal

Sincerely,

Sachiko Scott

P.O. Box 15
Seldovia, Alaska 99663

July 23, 2018

Mr. Scott Ogan has a very good eye for a gorgeous seeming unused piece of Real Estate. The problem is this piece of Real Estate is being fully used by this community.
It is here that we come to regain our peace and sanity from a busy world. We walk the beach with our pets, we build our campfires here. We cook salmon, burgers and weenies. We meet with friends and have beach parties and on occasion raise hell. We bring visitors who marvel at the peace and the views of Augustine, Iliamna and other mountains across the inlet, the ocean, birds and sea life, and Northern lights. We do this year round.
Others enjoy this piece of Real Estate. They land on top of trees and rocks. They watch for fish and game and eat their catch here. They hang out, visit, quarrel and do their thing here. They make nests and raise their young.
It is bad Karma to mess with the EAGLE'S.
The powers that be are very critical of those that do and have serious legal and financial consequences.
That this community is even considering selling one of its crown jewels and receiving in return a circus like atmosphere and a few shekels is totally inconceivable to me. This land belongs to future generations.
I wish Mr. Scott Ogan well with his endeavors but not here, not in this place.

Joseph Fleckenstein

Chapter 6.18
Real Property--Sale or Disposal

Sections:

6.18.010 Authority--City. A. The City may sell, convey, exchange, transfer, donate, dedicate, direct or assign to use, or otherwise dispose of city-owned real property by any lawful mean or conveyances or reserve the right to refuse to sell property to anyone owing the City taxes, property taxes, sales tax, assessments or any other taxes levied by the City of Seldovia. (Ord. 95-07)

B. The City Manager shall be the agent of the City for all such dispositions. (Ord. 78-2(part), 1978)

6.18.030 Form. The City may sell or dispose of real property by warranty or quitclaim deed, easement, grant, permit, license, deed of trust, mortgage, contract of sale of real property, plan dedication, lease, certificate of redemption, or any other lawful method or mode of conveyance. Any instrument requiring execution by the City shall be signed by the Mayor and attested by the Clerk. The form of any instrument shall be approved by the attorney. (Ord. 78-2(part), 1978)

6.18.040 Rights and powers. The City shall have and may exercise all rights and powers in the sale and disposal of real property as if the City were a private person. The City may sell or dispose of any real property, including property acquired or held for or devoted to a public use, when, in the judgment of the Council, it is no longer required for City purposes. (Ord. 78-2(part), 1978)

6.18.050 Public and charitable conveyances. The City may sell, donate or exchange with the United States, the state of Alaska, any political subdivision, or a non-profit organization, municipally owned real property without a public sale and for less than the fair market value, whenever in the judgment of the Council expressed by ordinance it is advantageous to the City to make the conveyance.

(Ord. 78- 2(part), 1978)

6.18.060 Property exchanges. The Council may approve after public notice the conveyance and exchange of a parcel of city property for an equivalent parcel of property owned by another person subject to such conditions as the Council may impose on the exchange, whenever in the judgment of the Council expressed by ordinance it is advantageous to the City to make the property exchange. (Ord. 78- 2(part), 1978)

6.18.070 Grants for federal and state programs. The Council, by ordinance, may grant or devote real property no longer held for a public purpose to the United States, the state of Alaska, a political subdivision, or an agency of any of these governments, for a consideration agreed upon between the City and the grantee without a public sale if the grant or devotion is advantageous to the City. Any approval of a federal or state program providing for the participation or cooperation of the City by grant or devotion of the real property is a sale of that real property for the consideration stated in the program. (Ord. 78-2(part), 1978)

6.18.080 Sale or disposal of industrial sites. A. The City may sell, lease, or dispose of sites acquired for new industries benefiting the City upon the terms and conditions as the Council considers advantageous to the civic welfare of the City, to a person who agrees to install, maintain and operate a beneficial new industry.

B. The City, in order to make sites available for new commercial developments which promote a substantial public interest, may acquire and hold real property, either inside or outside the corporate limits, and may sell, lease or dispose of it, on terms and conditions the Council considers advantageous to the City, to persons who agree to construct or operate such new commercial developments. (Ord. 78-2(part), 1978)

6.18.090 Change of use. Real property acquired or purchased for one city purpose may be appropriated, transferred, assigned or directed without public sale to another city purpose, whenever the Council determines that the purpose for which the property was acquired or purchased no longer exists, or the property is no longer used or useful for the purpose. No formal conveyance is necessary to dispose of the real property to another city purpose, and the disposition may be made to another purpose with or without legal consideration for the disposition. The City may sell, convey or otherwise dispose of real property no longer used or useful in the operation of a city-owned utility. Real property no longer needed for the purpose for which the real property was acquired or purchased, or utility property no longer used or useful in the operation of a city-owned utility, is no longer property owned, held for or devoted to a public use, and may be sold or disposed of as provided in this title if the Council determines the real property is not useful to the City for any other purpose. (Ord. 78-2(part), 1978)

6.18.100 Real property as security. The Council may pledge, mortgage, or otherwise secure city real property for the payment of city bonded or other indebtedness when required as authorized by law. (Ord. 78-2(part), 1978; Ord. 89-5 Sec. 2, 1989)

6.18.110 Procedure for sale. A. Value established. Prior to sale or disposal of real property or an interest in real property, the City Manager shall establish the fair value of the property, based on borough assessed value, subject to approval by the City Council. A parcel of real property retaining an estimated value in excess of twenty-five thousand dollars shall, in addition, be appraised by an independent professional appraiser prior to sale.

B. Notice--public sale. Notice inviting bids shall be published twice, in a newspaper of general circulation in the City with the first such publication being at least thirty days preceding the last day set for the receipt of bids, and be posted in three public places in Seldovia. The newspaper notice required herein shall name the clerk, recite the legal description of the property to be sold, and shall state:

1. Where bid forms may be secured, the closing time for submission of bids and place of submission, the time and place for opening bids, and other information which may be required for the particular item; or
2. The time and place of public auction.

C. Bids--public sale. Sealed bids, if required by the notice, shall be submitted personally or by mail to the clerk, and shall be identified as bids on the envelope. Mailed bids shall not be accepted unless postmarked prior to closing time for submission or verified by other means to closing time for submission or verified by other means of communication. The property or interest in property to be sold shall be sold to the best bidder if sealed bids are required, or to the highest bidder if the sale is conducted by public auction; no bid under the established fair value may be accepted except as provided in this chapter.

D. Terms. The purchaser at a competitive bid sale, public auction, or over the counter sale shall immediately pay to the City ten percent (10%) or more of his bid. The balance of the purchase price shall be paid within thirty (30) days or all rights to the property shall be forfeited. (Ord. 83-4, 1983; Ord. 89-5 Sec. 3, 1989)

6.18.120 Best bidder--Defined. A. "Best bidder," in Section 6.18.110(C), means that bidder whose bid and whose submitted plans for the use of the property to be sold are considered to have best met the land use plans of the City and the financial interest of the City as property owner. In evaluating the bids and plans, the City Manager shall be consulted and the following shall be considered:

1. The bid price for the property;
2. The compatibility of the proposed use with the general land use plan of the City; and
3. The ability of the bidder to meet his financial obligation and to carry out the plan.

B. If any bid other than the highest bid is accepted, there shall be submitted to the unsuccessful higher bidder or bidders a written statement setting forth the reason for refusing the bid or bids, within ten days. The minutes of the Council relating to the matter are a sufficient statement. (Ord. 78-2(part), 1978)

6.18.130 Rejection of bids for sale--Subsequent actions. Council Powers. If the sale is by sealed bid, the Council may:

A. Reject defective or nonresponsive bids;

B. Reject all bids;

C. Authorize negotiation by the City Manager with bidders whose bids and plans are substantially equal and most approximate best bids; or

D. Reschedule the sale for bidding, after making substantial changes in the specifications for plans to give sufficient notice of the deficiencies found in the proper submitted bids.

E. Provide for over the counter sales. (Ord .83-4, 1983; Ord. 78-2(part), 1978)

6.18.133 Property purchase application. Applications for purchase must include the following items:

A. Land use plans;

B. Plot plans;

C. Building plans to include elevations;

D. Timetable for development. (Ord. 83-4, 1983)

6.18.135 Property development plan implementation. Developer must complete development plans within two years of the date of purchase agreement. The City Council may extend the time upon formal application of the developer to the Council. (Ord. 83-4, 1983)

6.18.140 Procedure for lease. A. Value Established. Prior to leasing real property or an interest in real property the City Manager shall establish a minimum acceptable annual rental value.

B. Notice.

1 . Notice inviting bids shall be posted in three public places in Seldovia at least one week proceeding the last day set for receipt of bids.

2. If disposal of land or interest in land is authorized by negotiated lease as defined in SMC section 6.18.160, an ordinance approving the disposal shall be given in the same manner as for other ordinances and a public hearing shall be held.

C. Bids. Sealed bids shall be submitted to the clerk by mail or in person on; or prior, to the time and date specified in the notice inviting bids and shall be identified as bids on the envelope.

D. Public Lease. The property or interest in property to be leased shall be leased to the best responsive bidder.

E. Duration. Leases shall be set upon approval by the City Council on a case by case basis.

F. Lack of Bids. In the event a qualifying bid is not received, the City Manager is authorized to negotiate a lease of the property. (Ord. 81-1(part), 1981)

G. Renewal. If, at the expiration of any lease of any lands hereunder, the lessee desires a renewal lease on the land, properties, or interests covered thereby, he or she shall, not sooner than one hundred eighty (180) days prior to the expiration, make application for a renewal lease in writing on forms provided entitled "Application for Renewal of Lease," certifying under oath as to the character and value of all improvements existing on the lands, properties or interests therein, the purpose for which he or she desires to renew the lease, and such other information as the mayor shall upon recommendation of the planning commission and direction of the Council issue a renewal of the lease to the lease. The date that the application for renewal of lease is presented to the office of the City Manager, as evidenced by the date stamped thereon, whether delivered or forwarded by regular, certified or registered mail, shall be binding.

6.18.150 Rejection of bids for lease--Subsequent actions. If the lease is by sealed bid the City Manager may:

A. Reject defective or nonresponsive bids;

B. Reject any or all bids;

C. Negotiate a lease with bidders who bids and plans are substantially equal and most approximate a best bid. (Ord. 81-1(part), 1981)

6.18.160 Negotiated leases.

A. The City Manager, with the approval of the Council by Ordinance, may negotiate a lease of City land without public auction or sealed bid and without voter ratification under the following conditions:

1. The lease is for a beneficial new industry or economic development;

B. An application to lease City lands for a beneficial new industry or economic development under this subsection shall be made by completing an application to lease City land and shall include a complete business plan for development and use of the property requested.

1. The City may from time to time, make such other requirements as it deems proper before the issuance of such leases. For example, but limited to; length of the lease or terms for payment.

C. The lessee's failure to develop and use the land in accordance with the approved plan may result in revocation of the lease.

D. Renewal. Renewal of negotiated leases under this section are subject to the conditions set forth in Section 6.18.140 G.

Heidi Geagel

From: Turner, Michele <MicheleTurner@kpb.us>
Sent: Monday, July 23, 2018 11:47 AM
To: Cassidi Cameron
Cc: Heidi Geagel
Subject: Public Records Request

Hi Cassidi,

This serves to respond to your public records request dated July 18, 2018.

The Finance Department has informed us that the direct road maintenance costs for the SRSA outside the city was $50,621.66 in FY18, the other departmental costs are not tracked by area, and therefore we are unable to provide total costs for the Seldovia Area including overhead and other departmental costs.

Please let us know if you have any questions.

Have a great day,

Michele Turner, CMC
Deputy Clerk / Records Manager
(907) 714-2165 direct

KENAI PENINSULA BOROUGH
144 North Binkley Street
Soldotna, Alaska 99669

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City of Seldovia
P.O. Drawer B, Seldovia, Alaska 99663
Phone: (907) 234-7643, Fax: (907) 234-7430
email: citymanager@cityofseldovia.com
website: www.cityofseldovia.com

To: Mayor and Seldovia City Council
From: Cassidi Cameron CC
Subject: City Manager's Report
Date: July 23, 2018

Report

- WTP Update
- Water Infrastructure Repair Projects/ Public Works
- Police Update
- HEA Generator update; July 8th power outage
- SOCC Coordinator
- End of Year Financials
- SFL Negotiation
- NorSea
- Drinking Water Source Protection Plan – Alaska Rural Water Association/DEC
- KPEDD Economic Overview

Cassidi Cameron

From: Shelley, Bruce <Bshelley@HomerElectric.com>
Sent: Friday, July 20, 2018 9:34 AM
To: Cassidi Cameron
Subject: RE: Generator

Dear Cassidi,

I know how you must feel trying to field constant questions concerning the poor operation of the newly upgraded generator in Seldovia to your council. In order to cut through all the technical jargon associated with generators, it would best stated that the challenges to date as "Final System Tweaking". Our generation techs are finding they need to make adjustments to the initial generator setup perimeters. Some of these problems have caused us return back to the manufacturer to find the right settings to meet our specific operational needs in Seldovia. We have also had some challenges with communicating with the generator which has posed some issues with starting. Let me assure you the HEA Team has a list of items they are investigating, some have been remedied already, some need the manufacturer's input and others are still being troubleshot. They have a checkoff sheet they are going through.

I hope this information is helpful as you address the council. I wanted to spare you all the technical jargon that was provided me. Let me know if you need any further help with questions that may arise.

Bruce

From: Cassidi Cameron [mailto:citymanager@cityofseldovia.com]
Sent: Thursday, July 19, 2018 1:14 PM
To: Shelley, Bruce <Bshelley@HomerElectric.com>
Subject: Generator

Hi Bruce –

Hope you are well and you had an enjoyable vacation.

I wanted to reach out to you and see if the engineers have figured out the issue with our generator not being able to remote start the last few times we have had an outage. Was the technician able to pinpoint the issue our generator was having during this last outage? Would love to know and being able to report the council and community.

BTW – for your info – our council meetings have changed – they are now on the 2nd and 4th Monday of each month and they start at 6pm.

Looking forward to your response.

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City of Seldovia
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Phone: (907) 234-7643, Fax: (907) 234-7430
email: citymanager@cityofseldovia.com
website: www.cityofseldovia.com

July 26, 2018

NORSEA
Simon Pederson
14734 Olde Millpond Court
Fort Myers, Florida 33908

Dear Mr. Pederson,

It was wonderful meeting you and Harald last month; we are excited about your endeavors and vision for the City of Seldovia and want to extend our deep support in your efforts.

As you know, Seldovia is strategically located to help facilitate the success of Norsea's energies with regards to wild salmon and has the potential for value added industry as well as processing. This probable relationship presents an opportunity that would fit into the City of Seldovia's economic and developmental goals.

If there is anything that the City of Seldovia can do to assist your project to come to fruition, please feel free to contact me directly. The City of Seldovia's City Council wants to be sure to be of any assistance that Norsea may need.

I look forward to further communications with you in the near future.

Kind Regards,

Cassidi Cameron

Cassidi Cameron
City Manager
City of Seldovia

City of Seldovia
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Phone: (907) 234-7643, Fax: (907) 234-7430
email: citymanager@cityofseldovia.com
website: www.cityofseldovia.com

July 26, 2018

NORSEA
Harald Holmen
117 E. Louisa Street Unit 537
Seattle, Washington 99102

Dear Mr. Holmen,

It was wonderful meeting you and Simon last month; we are excited about your endeavors and vision for the City of Seldovia and want to extend our deep support in your efforts.

As you know, Seldovia is strategically located to help facilitate the success of Norsea's energies with regards to wild salmon and has the potential for value added industry as well as processing. This probable relationship presents an opportunity that would fit into the City of Seldovia's economic and developmental goals.

If there is anything that the City of Seldovia can do to assist your project to come to fruition, please feel free to contact me directly. The City of Seldovia's City Council wants to be sure to be of any assistance that Norsea may need.

I look forward to further communications with you in the near future.

Kind Regards,

Cassidi Cameron

Cassidi Cameron
City Manager
City of Seldovia

Comments on Scott Ogan's Proposed Zip Line Development at the RV Park
July 23, 2018

Dear Seldovia City Council,

My name is Cindy Mom, I live at 176 Water Street. I'm the owner of Seldovia Nature Tours, which I started up this year. I offer natural and cultural history walking tours in town, on the Otterbahn and Rocky Ridge Trails, and at Outside Beach and the RV Park. As such, I am operating a business here in Seldovia that's involved with ecotourism and the use of these public natural areas. An essential ingredient for the success of my business is the continued existence of intact natural areas that are publicly accessible and undeveloped. This is habitat for the birds, plants, and animals that my clients want to see. This is the wild and scenic character of Seldovia that my clients want to experience. If our public lands get developed, there goes my business.

So, although I'm not necessarily opposed to the concept of a zip line in general, it has to be in the right location. That location should be on private land. Not only am I 100% opposed to locating the zip line on the cliff top by the RV park, or in fact, anywhere on the RV Park or Outside Beach properties -- I am opposed to locating a zip line, overnight accommodations, or any other development of private for-profit structures on public land. I think that public park land, whether it's a national park, a state park, or a city property, needs to stay open, accessible, and undeveloped. It should not be privatized.

I've heard people say the RV Park and Outside Beach are "underutilized." I have to tell you that not only is this place used and loved by local residents and visitors, it's also a favorite spot for my tour clients. Just one week ago, I took a group of 18 people to the exact spot where Scott's diagram shows, "1 Acre Glamping Tree House Zip Line launch deck." We stood there under the big trees and quietly enjoyed the view of Augustine, Iliamna and Redoubt. We looked down to see Pigeon Guillemots and Harlequin Ducks on the cliffs and in the water below us. My clients used the words "magical" "stunning" "amazing" "we were entranced"– how would this change if this area was developed with structures? How would the feel of the place be altered, knowing there are security cameras installed in the trees, to "capture violators," as Scott Ogan's proposal says. Sounds like private property to me. My business, which already exists and is already paying Seldovia taxes, will be harmed by the development of this – or any other – of our public lands.

Cynthia R Mom