



CITY OF KOTZEBUE NOTICE

Regular City Council Meeting Agenda

May 02, 2024 at 5:15 PM

City Hall Chambers – 258 A Third Avenue

THE PUBLIC IS ENCOURAGED TO ATTEND.

For residents who want to participate telephonically call: **1-800-315-6338**; access code:

49401#

I. Call to Order

II. Roll Call

III. Invocation/Moment of Silence

IV. Pledge of Allegiance

V. Adoption of The Agenda

VI. Citizen Comments

VII. Correspondence

VIII. Unfinished Business

a) Cape Blossom Road Update

b) Swan Lake Update

IX. New Business

a) **ORDINANCE NO. 24-03**, A NON-CODE ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KOTZEBUE APPROVING THE SALE OF A PORTION OF CITY-OWNED REAL PROPERTY LOCATED WITHIN LOT 10, BLOCK 13, USS 2863 TO THE NATIVE VILLAGE OF KOTZEBUE ("NVK") FOR THE FAIR-MARKET VALUE OF ONE HUNDRED AND SEVENTY THOUSAND DOLLARS AND NO CENTS (\$170,000).

b) **Ambler Road Final Supplemental EIS**

c) **Letter of Interest**-Local Beverage Control Board/Local Regulatory Authority-Jonathan Heft

X. Council Members Comments

Seat F: Vacant

Seat G: Johnson Greene

Seat B: Derek Haviland-lie

Seat D: Saima Chase

Seat C: Joshua Hadley

Seat E: Kathy Sherman

Seat A: Ernest Norton

Youth Representative: Finnian Sweeney

XI. Executive Session

XII. Adjournment



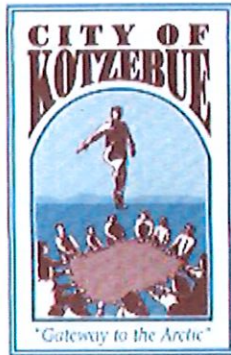
CITY OF KOTZEBUE NOTICE

**MAYOR SAIMA CHASE HAS
SCHEDULED THE NEXT REGULAR CITY
COUNCIL MEETING FOR
THURSDAY, MAY 2, 2024 AT 5:15**

***IN THE COUNCIL CHAMBERS LOCATED AT
258 A Third Avenue***

THE PUBLIC IS ENCOURAGED TO ATTEND
FOR RESIDENTS WHO WANT TO PARTICIPATE TELEPHONICALLY CALL
1-800-315-6338 ACCESS CODE 49401#

Posted: 04-24-2024
City Hall/ City FB Page
KOTZ Radio
Department Heads
P.O.
Bank
A.C



CITY OF KOTZEBUE NOTICE

**MAYOR SAIMA CHASE HAS
SCHEDULED A PUBLIC HEARING OF
NON-CODE ORDINANCE 24-03 FOR THE
NEXT REGULAR CITY COUNCIL
MEETING ON
THURSDAY, MAY 2, 2024 AT 5:15
IN THE COUNCIL CHAMBERS LOCATED AT
258 A Third Avenue**

This Ordinance 24-03 is entitled:

"A NON-CODE ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KOTZEBUE APPROVING THE SALE OF A PORTION OF CITY-OWNED REAL PROPERTY LOCATED WITHIN LOT 10, BLOCK 13, USS 2863 TO THE NATIVE VILLAGE OF KOTZEBUE ("NVK") FOR THE FAIRMARKET VALUE OF ONE HUNDRED AND SEVENTY THOUSAND DOLLARS AND NO CENTS (\$170,000).

[A copy of the proposed Ordinance 24-03 is attached hereto]

THE PUBLIC IS ENCOURAGED TO ATTEND
FOR RESIDENTS WHO WANT TO PARTICIPATE TELEPHONICALLY CALL
1-800-315-6338 ACCESS CODE 49401#

Posted: 04/25/2024
City Hall/ City FB Page
KOTZ Radio
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Bank
A.C



**CITY OF KOTZEBUE, ALASKA
ORDINANCE NO. 24-03**

ENTITLED: "A NON-CODE ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KOTZEBUE APPROVING THE SALE OF A PORTION OF CITY-OWNED REAL PROPERTY LOCATED WITHIN LOT 10, BLOCK 13, USS 2863 TO THE NATIVE VILLAGE OF KOTZEBUE ("NVK") FOR THE FAIRMARKET VALUE OF ONE HUNDRED AND SEVENTY THOUSAND DOLLARS AND NO CENTS (\$170,000).

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF KOTZEBUE, ALASKA:

Section 1. This is a Non-Code Ordinance pursuant to Kotzebue Municipal Code ("KMC") **3.12.010 Acquisition of real property** which provides in pertinent part "*B. ...disposal of real property shall be approved...by ordinance if the property is valued at fifty-five thousand dollars to one million, one hundred thousand dollars...*"

Section 2. The Native Village of Kotzebue is the Tribal Government serving the Inupiaq people of Qikiqtagruk and wishes to purchase certain City-owned property from the City of Kotzebue and has obtained funding for the construction of a building to house a Nikaitchuat Iļisaḡviat Inupiaq Immersion School and Tribal offices.

Section 3. The City of Kotzebue by Trustee's Deed dated August 22, 1958, is the owner of that portion of lot 10, block 13, USS 2863, described as beginning at the corner no. 8, USS 2863A, Kotzebue Townsite, thence S. 45° 59' E., 200 feet, thence S. 44° 01' W., 173.06 feet, thence N. 45° 59' W., 200 feet, thence N. 44° 01' E. 173.06 feet to the beginning, containing 34,612 square feet.

Section 4.

The portion of City-owned real property sought by the Native Village of Kotzebue is located within City Limits and is described as the easterly portion of lot 10, block 13, USS 2863 conveyed by the 1958 Trustee's Deed referenced above and bordered by Lagoon Street and Fourth Avenue excluding the westerly portion of the City-owned Ashley Johnson-Barr Park and which portion sought by the Native Village of Kotzebue is measured at 110.02 linear feet by 173.98 linear feet for a total area of 19,141 square feet of the City-owned portion of lot 10, block 13 and that portion has been appraised at value of \$170,000 by a Certified Residential Real Estate Appraiser of the Appraisal Company of Alaska and the Native Village of Kotzebue has agreed to pay for a formal metes and bounds survey from a qualified Alaska surveyor which sets out a legal description of the property to be purchased starting from a point of beginning, then traces the outline of the property's boundary lines until there is closure in the legal description and provide the City of Kotzebue a copy of this survey as a condition subsequent to the purchase of the City's property set forth herein. The Native Village of Kotzebue and City of Kotzebue will work together on the documentation necessary to complete this purchase with the Native Village of Kotzebue paying for the filing/recording of same.

The Ashley Johnson-Barr Park and its immediately adjoining environs are not available for purchase by the Native Village of Kotzebue, so only that portion of the property adjacent to the east of the park as described above will be conveyed to the Native Village of Kotzebue once that property has been properly subdivided following the City of Kotzebue applicable subdivision requirements. Although the Native Village of Kotzebue will not own Ashley Johnson-Barr Park, the Native Village of Kotzebue shall under covenant take full and complete responsibility for the maintenance, upgrades, safety, and well-being of the park and fully indemnify and hold harmless the City of Kotzebue from any and all claims and costs resulting from any harm or loss associated with the park as a condition subsequent.

Section 5. If by December 31, 2027, the Native Village of Kotzebue has not fully constructed the proposed building to house a Nikaitchuat Iḷisagviat Inupiaq Immersion School and Tribal offices, the ownership of the property will revert to the City of Kotzebue and the Native Village of Kotzebue will complete and file the necessary documentation to effectuate this reversion and the Native Village will be refunded its payment of \$170,000 in its entirety without any costs and/or interest. Furthermore, if at any time after the purchase of the property described herein by the Native Village of Kotzebue, the Native Village of Kotzebue decides to sell the property it has purchased as described herein, the City of Kotzebue shall be given the right of first refusal to the real property purchased by the Native Village of Kotzebue as described herein at the fairmarket value of the real property at that time.

Section 6. As a condition precedent for the purchase of this property, the Native Village of Kotzebue by a duly passed Resolution of its Tribal Council shall waive its sovereign immunity for the limited, express purpose of enforcing the terms and conditions of this Non-Code Ordinance and any subsequent Agreements for the purchase of the City of Kotzebue’s property described herein. Said Resolution shall be provided to the City of Kotzebue on or before the Public hearing set for this Non-Code Ordinance on May 2, 2024.

ENACTED this 2nd day of May, 2024.

CITY OF KOTZEBUE

Saima Chase, Mayor

[SEAL]

ATTEST:

Rosie Hensley, City Clerk

ATTESTATION: I, Rosie Hensley, Clerk for the City of Kotzebue, hereby attest that the above Ordinance, No. 24-03, was duly presented to the Kotzebue City Council, duly published and that a valid public hearing was held and that it was duly enacted on May 2, 2024.

Introduction: April 18, 2024
Published/Posted: April 12, 2024
Public Hearing: May 2, 2024
Passage: May 2, 2024

Rosie Hensley

From: Tessa Baldwin
Sent: Friday, April 19, 2024 10:45 AM
To: City Council
Cc: Joe Evans; Rosie Hensley
Subject: FW: Ambler Road Final Supplemental EIS is now available in ePlanning

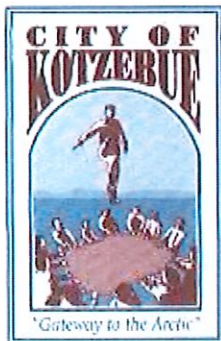
Dear Members of the Council,

Please find below the final EIS for Ambler Road. If the council sees fit to respond, we can place it on the next agenda as there is 30 days to respond.

I will cc Joe and Rosie to see if there is interest in placing this on the agenda for May 2.

Thank you,

Tessa Baldwin
City Manager
City of Kotzebue
258A Third Avenue
PO Box 46, Kotzebue, AK 99752
Work: 907-442-5101
Cell: 907-412-3571
Fax: 907-442-3742



From: Beyersdorf, Geoff <gbeyersd@blm.gov>
Sent: Friday, April 19, 2024 7:27 AM
Cc: Chad Ricklefs <Chad.ricklefs@swca.com>; Brittany Sahatjian <brittany.sahatjian@swca.com>; McIntosh, Stacie J <s05mcint@blm.gov>; Roach, Emma K <eroach@blm.gov>; Balsler, Teri L <tbalsler@blm.gov>
Subject: Ambler Road Final Supplemental EIS is now available in ePlanning

Today, the Bureau of Land Management’s (BLM) Alaska State Office released the [final supplemental environmental impact statement \(EIS\)](#) evaluating the Ambler Road project proposed by the Alaska Industrial Development and Export Authority (AIDEA).

The BLM identified “No Action” as its preferred alternative, finding that each of the other alternatives significantly and irrevocably impact resources, including those supporting important subsistence uses, in ways that cannot be adequately mitigated.

The Record of Decision for AIDEA’s proposal will be made no less than 30 days after the supplemental EIS officially publishes in the Federal Register.

For more information on today’s announcement, please see the Department of Interior new release: <https://www.doi.gov/pressreleases/biden-harris-administration-takes-critical-action-protect-alaska-native-subsistence>

Thank you

Geoff

District Manager
Fairbanks District Office
907-474-2216

"Integrity is choosing courage over comfort; it's choosing what's right over what's fun, fast or easy; and it's practicing your values, not just professing them."- Brene Brown



April 15, 2024

Letter of Interest for Local Beverage Control Board/Local Regulatory Authority

Dear Council Members,

I would like to express my interest in serving on the Local Beverage Control Board/Local Regulatory Authority for the City of Kotzebue. I have been a resident of Kotzebue since 2021 and plan on continued growth within this community. Currently, I manage AC Auto and I am on the City Planning Commission. I would like to contribute my time and knowledge to the community and believe that I can provide unique insight to the Local Beverage Control Board/Local Regulatory Authority. I am 28 years old and have had more experience than most my age and I plan to use my knowledge to help improve this city in which I have made my home.

Thank you for your consideration,

Jonathan Heft
mrjeheft@live.com
(602)535-9816
893 Caribou Dr, Unit 3
Kotzebue, AK, 99752