



## Agenda Statement

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**Type:** New Business      **Status:** Passed

**File created:** 3/21/2022      **In control:** City Council

**On agenda:** 5/17/2022      **Final action:** 5/17/2022

**Title:** Approval of Temporary Access Agreement with Rydor Enterprises, LLC, Camicia Creek Landholdings, LLC, and Brandon Reese, for Access of Parcels A-1, A-2 and B, ASLS 79-116 and Tract C of Rydor Subdivision 2019 Addition Across City of Valdez Property.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. TEMPORARY ACCESS AGREEMENT GLACIER STREAM EAST 2022.pdf, 2. RES 21-20.pdf

Date	Ver.	Action By	Action	Result
5/17/2022	1	City Council	approved	Pass

### **ITEM TITLE:**

Approval of Temporary Access Agreement with Rydor Enterprises, LLC, Camicia Creek Landholdings, LLC, and Brandon Reese, for Access of Parcels A-1, A-2 and B, ASLS 79-116 and Tract C of Rydor Subdivision 2019 Addition Across City of Valdez Property.

**SUBMITTED BY:** Paul Nylund - Senior Planner/GIS Technician

### **FISCAL NOTES:**

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

### **RECOMMENDATION:**

Approve temporary access agreement with Rydor Enterprises, LLC and Camicia Creek Landholdings for access of parcels A-1, A-2 and B, ASLS 79-116 and Tract C of Rydor Subdivision 2019 Addition across City of Valdez property.

### **SUMMARY STATEMENT:**

On June 2, 2008, the Valdez City Council passed Resolution 08-25 authorizing access to Parcels A-1, A-2 and, ASLS 79-116 through city property over the Alpetco Road to Ryan McCune (Rydor Enterprises). In 2021 Brandon Reese requested that he be added to this resolution in order to access this property, as well as to Tract C of Rydor Subdivision 2019 Addition. Tract C was purchased by Rydor Enterprises from the City of Valdez in 2019 and was then transferred to Camicia Creek Landholdings, of which Brandon Reese is part. Resolution 08-25 granted Ryan McCune authorization to access his 100 acres of property for the purposes of development but in the time since 2008 the

situation in this area had changed. The number of companies and individuals involved had increased, the size of the private property doubled, and the traffic across city property increased. Due to these changes, along with the period of time that has passed since the authorization, the City Clerk and City Attorney determined that the most appropriate method to add Camicia Creek Landholdings was to repeal and replace Resolution 08-25 with a new resolution, Resolution 21-20.

Resolution 21-20 was approved on May 18<sup>th</sup>, 2021, and has expired as of December 31<sup>st</sup>, 2021. The hope was that the City of Valdez would work with the land owners to establish a more permanent solution for access to these parcels using the information contained in an access study that was commissioned by the city in summer of 2021. As of the time of this agenda statement, the access study has not yet been finalized and there have been no major advances in establishing formal platted access to the private parcels. This new agreement will grant continued access to the private property over City of Valdez owned land.

AK Department of Fish and Game Habitat Section has determined that a Fish Habitat Permit is required for the crossing of Corbin Creek by equipment and large vehicles for the purpose of development of the private parcels. Currently Fish Habitat Permit FH20-II-0084 grants Rydor Enterprises permission to cross Corbin Creek with heavy equipment, trucks, and ATVs. It is the responsibility of Camicia Creek Landholdings and Brandon Reese, to obtain written approval from the ADF&G Habitat Section in the form of a permit amendment or additional permit, for any activity that significantly deviates from the approved plan.

Planning Department staff recommends that the City Council approve this agenda item and authorize the City Manager to execute this access agreement with Camicia Creek Land Holdings, Rydor Enterprises, and Brandon Reese, providing temporary access across City of Valdez owned property for the purpose of development. Staff has included an expiration date of December 31, 2023 with the intention that the agreement be revisited in the fall of 2023. At that time, staff is hopeful that a permanent ROW can be platted.