

CITY OF VALDEZ, ALASKA

RESOLUTION #19-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, AUTHORIZING A LEASE WITH THE VALDEZ EMERGENCY ASSISTANCE & FOOD BANK FOR A PORTION OF TRACT D, USS 447

WHEREAS, the City of Valdez entered into a Use Agreement dated June 6, 1997 with the Valdez Emergency Assistance & Food Bank (Food Bank) for a Portion of Tract D, USS 447; and

WHEREAS, the City of Valdez approved Amendment No. 1 on September 19, 2002 to extend the agreement for a term of five years commencing June 23, 2002 and terminating May 31, 2007; and

WHEREAS, the City of Valdez approved Amendment No. 2 on June 18, 2007 to extend the agreement for an additional five year term commencing June 1, 2007 and terminating May 31, 2012; and

WHEREAS, the City of Valdez approved Amendment No. 3 to extend the agreement for an additional five year term commencing June 1, 2012 and terminating May 31, 2017; and

WHEREAS, the Use Agreement expired May 31, 2017 and was not renewed and does not contain a holdover provision; and

WHEREAS, Community Development Staff reached out to the Food Bank to correct this discrepancy and the Food Bank wishes to continue the agreement and provided application to lease the site.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that:

Section 1. The City Council of the City of Valdez, Alaska authorizes a lease with the Valdez Emergency Assistance & Food Bank for a Portion of Tract D, USS 447 and authorizes the City Manager or her designee to negotiate said lease.

Section 2. The term of lease shall be for five years, commencing June 1, 2017 and terminating on May 31, 2022 with five, five-year options to renew.

Section 3. The use of the lease shall be for the maintenance and operation of the Valdez Food Bank facility.

Section 4. The rental fee shall be \$1 per year.

Section 5. In conformance with Valdez Municipal Code Section 4.08.160 this lease shall not become effective until public notice has been given for at least thirty days. This resolution shall be posted twice in a newspaper in the city and shall be posted on the official city bulletin board and two other public places in the city for thirty days prior to the effective date of the lease.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this 2nd day of January, 2019.

CITY OF VALDEZ, ALASKA

Jeremy O'Neil, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk