

CITY OF VALDEZ, ALASKA

RESOLUTION #17-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, AUTHORIZING A LAND LEASE WITH MEGA TRUCKING, LLC FOR TRACT B, ASLS 98-26

WHEREAS, the City of Valdez is the owner of the following real property: Tract B, ASLS 98-26; and

WHEREAS, the City of Valdez has reviewed the application from Mega Trucking, LLC to lease City property; and

WHEREAS, the leased property is to be used for storing gravel, heavy equipment, and refining gravel extracted with all required permitting from the Valdez Glacier Stream bed; and

WHEREAS, Chapter 4.08 of Valdez Municipal Code provides for the lease of lands owned by the City of Valdez; and

WHEREAS, this proposed lease is in conformance with the Valdez Comprehensive Plan and the existing Public Zoning District; and

WHEREAS, this proposed lease enables a private business to extract gravel in conformance with the City's Flood Mitigation priorities; and

WHEREAS, on May 10, 2017 the Valdez Planning & Zoning Commission took action in favor of recommending the City Council approve the lease request from Mega Trucking, LLC.

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

Section 1. The City Manager or her designee is authorized to negotiate this lease with Mega Trucking, LLC for Tract B, ASLS 98-26.

Section 2. The term of this lease will be for 5 years.

Section 3. The use of the property shall be for storing gravel, heavy equipment, and refining gravel from the Valdez Glacier Stream bed.

Section 4. All work pertaining to the extraction of material from the Valdez Glacier Stream must comply with permit conditions and all local, state and federal regulations.

Section 5. The Lessee is required to obtain all applicable local, state and federal permits, including the City of Valdez Floodplain Development Permit and Conditional Use Permit, prior to any gravel extraction.

Section 6. Any fees, fines or mitigation required by said resource agencies for existing or future improvements shall be the sole responsibility of the Lessee.

Section 7. The annual rent shall be 10% of the established, appraised fair market value.

Section 8. In conformance with Valdez Municipal Code Section 4.08.160 this lease shall not be effective until this resolution has been published twice in a local newspaper and has been posted on the City bulletin board and in two other public places in the City for thirty (30) days.

Section 9. This resolution becomes void if the lease is not signed within 120 days from the date of approval of the resolution.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this 6th day of June, 2017

CITY OF VALDEZ, ALASKA

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Ruth E. Knight, Mayor

ATTEST:

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Sheri L. Pierce, MMC, City Clerk