

CITY OF VALDEZ, ALASKA

RESOLUTION #17-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, AUTHORIZING A TIDELAND LEASE WITH VALDEZ FISHERIES DEVELOPMENT ASSOCIATION FOR APPROXIMATELY 3.5 ACRES OF ATS 564 AND PARCEL A, ATS 564

WHEREAS, the City of Valdez is the owner of ATS 564 and Parcel A, ATS 564; and

WHEREAS, Valdez Fisheries Development Association wishes to lease approximately 3.5 acres of these parcels for the storage of net pens; and

WHEREAS, on May 10, 2017 the Planning & Zoning Commission approved a recommendation to lease this property; and

WHEREAS, on May 15, 2017 the Ports & Harbor Commission approved a recommendation to lease this property; and

WHEREAS, upon approval of an ordinance rezoning the property from Conservation to Light Industrial, this use will be in conformance with the zoning and the Comprehensive Plan; and

WHEREAS, Valdez Municipal Code provides for Tideland leases to have an initial term of 21 years and up to six five-year extensions; and

WHEREAS, Valdez Fisheries Development Association has three other leases with the City of Valdez all scheduled to expire in 2066; and

WHEREAS, the initial term of this lease will be 19 years with six five-year extensions so it expires at the same time as the other leases.

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 of a 3.5 acre portion of ATS 564 and Parcel A, ATS 564 with Valdez Fisheries Development Association.

Section 2. The initial term of the lease with be 19 years with six, five-year extensions

Section 3. The rental rate will be based on 10% of the fair market appraised value. Upon approval of the lease, and following a survey, the property will be

appraised. The rental rate for the first five years of the lease will be 10% of the appraised value. The property will be re-appraised every five years and the rental rate adjusted accordingly. Valdez Fisheries Development Association is responsible for the cost of the appraisal.

Section 4. The property must be surveyed to determine the boundaries and actual size of the parcel. Upon approval of the lease the property will be surveyed and platted. Valdez Fisheries Development Association is responsible for the cost of the appraisal.

Section 5. The use of this property will be for the placement, operation, maintenance and storage of net pens.

Section 6. Effectiveness of this lease is conditional upon approval of an ordinance changing the zoning from Conservation to Light Industrial.

Section 7. 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 5th day of July, 2017.

CITY OF VALDEZ, ALASKA

Ruth E. Knight, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk