

CITY OF VALDEZ, ALASKA

RESOLUTION #19-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, AUTHORIZING CITY OF VALDEZ STAFF TO ENTER INTO A PURCHASE AGREEMENT TO TAKE TITLE TO THE MEALS HILL PROPERTY, AUTHORIZING COMPLETION OF DUE DILIGENCE ON THE PROPERTY, AND AUTHORIZING THE SIGNING OF ALL DOCUMENTS NECESSARY FOR THE CITY TO RECEIVE TITLE TO THE PROPERTY

WHEREAS, The City of Valdez was presented with the opportunity to take title to the Meals Hill Property, comprising approximately 184 acres and located within the City Limits, described as Tracts C & E Port Valdez Subdivision ("Property"); and

WHEREAS, the Property contains excellent habitat for species injured by the Exxon Valdez Oil Spill (EVOS) and its protection would contribute to Exxon Valdez Oil Spill Trustee Council (EVOSTC) goals, including habitat protection and establishment of recreational properties; and

WHEREAS, Great Land Trust (GLT), an Alaskan non-profit organization that works throughout South Central Alaska to conserve lands and waters essential to the quality of life and economic health of Alaskan communities, recognized the high-value habitat and recreational benefits associated with the Property and pursued funding to purchase it for conservation; and

WHEREAS, EVOSTC authorized the purchase of the Property, along with funding for initial enhancements to establish a City Park; and

WHEREAS, GLT obtained an appraisal on the property, which valued it at \$3,150,000; and

WHEREAS, GLT presented the concept of establishing a City park to the City Council of the City of Valdez and to staff; and

WHEREAS, on October 3rd, 2017, the City Council of Valdez passed resolution 17-42, which stated the City Council's support for the acquisition and permanent protection of the Property, recognizing that permanent protection of the Property would result in habitat, recreation, and tourism to the City of Valdez; and

WHEREAS, GLT has since presented to the City Council, providing updates on the project, and has met with various staff members, all of whom are enthusiastic about the many community benefits associated with this project; and

WHEREAS, all parties involved in the conveyance of the Property, including the seller, Port Valdez Company; the State, which would convey payment to the Seller; the City of Valdez, which would take ownership of the property; and the federal government, which would hold a permanent conservation easement restricting use of the property to conservation and recreation purposes, are poised to enter into a purchase and sale agreement authorizing expenditure of EVOSTC funds to purchase the Property from Seller and convey it to the City of Valdez for use as a City park; and

WHEREAS, the funds authorized by EVOSTC to purchase the Property will expire as of May 1, 2019 if at that time the parties have not yet entered into a purchase and sale agreement; and

WHEREAS, all parties have had an opportunity to review a draft purchase and sale agreement, as well as a draft warranty deed conveying the Property and the draft conservation easement to be held by the federal government; and

WHEREAS, the parties expect to come to final terms on the purchase and sale agreement before May 1, 2019, with the draft deed and draft conservation easement included as attachments; and

WHEREAS, after the parties enter into a purchase and sale agreement, GLT would assist the City of Valdez with completion of due diligence on the Property, including the review of all title encumbrances, contracting a Phase I environmental site assessment, and coordination with all parties involved in the conveyance; and

WHEREAS, staff for the City of Valdez will have the opportunity to review all due diligence to ensure taking title to the Property would not convey any undue risk to the City of Valdez; and

WHEREAS, after such time, and so long as taking title to the Property would not expose undue risk to the City of Valdez, City of Valdez staff will need authorization to accept title to the Property.

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

The City Council of the City of Valdez recognizes the benefit to the community of taking title to the Property and ensuring its permanent protection; and

Section 1. The city manager or her designee is authorized to enter into a purchase and sale agreement with the above-described parties to execute all documents necessary to receive title to the Property.

Section 2. The city manager or her designee is authorized to complete and review due diligence on the property with the assistance of GLT.

Section 3. The title to the Property will be encumbered by a conservation easement.

Section 4. Agreement to all the above stipulations is contingent on the city manager or her designee determining that doing so does not present undue risk to the City of Valdez.

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

CITY OF VALDEZ, ALASKA

Jeremy O'Neil, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk