

CITY OF VALDEZ, ALASKA

RESOLUTION #19-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, AUTHORIZING A GRAVEL EXTRACTION LEASE WITH RSR CONTRACTING, LLC FOR A 37 ACRE PORTION OF TRACT A, ASLS 79-116

WHEREAS, RSR Contracting seeks to extract gravel at this site and obtained a conditional use permit for gravel extraction (CUP #19-01) from the Planning & Zoning Commission on March 13, 2019; and

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

WHEREAS, the Planning and Zoning Commission approved a recommendation to authorize a new gravel extraction lease with RSR Contracting, LLC for a 37-acre portion of Tract A, ASLS 79-116 (1500 Airport Road) on April 24, 2019

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 a new lease for a 37-acre portion Tract A of ASLS 79-116 (1500 Airport Road) with RST Contracting, LLC.

Section 2. The term of this lease will be five years with an option to renew for an additional five years.

Section 3. The rental rate will be a minimum rent of three thousand dollars (\$3,000.00) paid annually. Gravel removed by the Lessee during that calendar year will then be credited against the rent payment at the established per cubic-yard price. Upon the removal of \$3,000 worth of gravel, Lessee shall then make payments for gravel removed at the established cubic-yard price.

Section 4. The use of the property is for gravel extraction, as approved in CUP 19-01 by the Planning & Zoning Commission on March 13, 2019 for 37 acres.

Section 5. Upon approval of this lease, a survey will be completed to establish a metes and bounds description of the lease area.

Section 6. A Phase I Environmental Site Assessment will be completed at the commencement and termination of this lease.

Section 7. Pursuant to Valdez Municipal Code 4.08.100 Innes Associates, RSR Contracting, LLC is responsible for the cost of the survey and Phase I Environmental Site Assessment.

Section 8. 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 8th day of May, 2019.

CITY OF VALDEZ, ALASKA

Jeremy O'Neil, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk