

CITY OF VALDEZ, ALASKA

RESOLUTION #20-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, AUTHORIZING A LEASE WITH THE VALDEZ MOTOR SPORTS CLUB FOR A 10-ACRE PORTION OF USS 439 (PIPEYARD)

WHEREAS, the City of Valdez is the owner of USS 439; and

WHEREAS, the City entered into a Land Use Permit (LUP) with the Valdez Motor Sports Club dated July 15, 2000, for a 10-acre portion of USS 439 (Pipeyard); and

WHEREAS, the City of Valdez approved four, five-year extensions to this LUP with amendments 1, 2, 3, and 4; and

WHEREAS, Amendment No. 4 to the LUP expired July 14, 2018 and the LUP was not renewed; and

WHEREAS, the Valdez Motor Sports Club wishes to continue to use this 10-acre portion of USS 439 (Pipeyard) to operate and maintain a motor sports staging area and has applied to lease the same 10-acre portion; and

WHEREAS, on December 16, 2019 the Ports and Harbors Commission voted in favor of a recommendation to approve this lease application; and

WHEREAS, on December 26, 2019 the Planning and Zoning Commission voted in favor of a recommendation to approve this application.

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 Valdez Motor Sports Club, Inc. for a 10-acre Portion of USS 439 and authorizes the City Manager or their designee to negotiate said lease.

Section 2. The term of lease shall be for five years, commencing July 15, 2018 and terminating on July 14, 2023 with two, five-year options to renew.

Section 3. The use of the lease shall be for staging for motor sports activities. Specific structures permitted to be maintained on this property are the following:

- a. Storage connex
- b. Control tower
- c. Portable restrooms
- d. Search and rescue trailer

e. Timing shack

Section 4. There shall be no annual rental fee associated with this lease.

Section 5. This agreement may be terminated by the City of Valdez at any time for any reason with a maximum of thirty days (30) written notice to Lessee.

Section 6. This agreement shall contain a non-exclusive use clause to allow for both compatible uses and the use of the Pipeyard for Port or City operations as needed

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 on the city website, twice in an electronic news publication 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 7th day of January, 2020.

CITY OF VALDEZ, ALASKA

Jeremy O'Neil, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk