

2025-0203 Proposed revision

(**and Underlined** items are additions. Strikeout items are deletions.)

CITY OF GUSTAVUS, ALASKA RESOLUTION CY25-XX

A RESOLUTION BY THE CITY OF GUSTAVUS CLARIFYING THE ROLE OF THE CITY OF GUSTAVUS AND THE SOUTHEAST ALASKA LAND TRUST IN THE GUSTAVUS NATURAL LANDS LEASE PROJECT **(RENAMED THE GUSTAVUS BEACH MEADOWS PROJECT)**

WHEREAS, The City of Gustavus endorses and supports the goal of this community project to secure continuing public and wildlife access to the Gustavus Beach Meadow lands on both sides of Dock Road; and,

WHEREAS, the project has evolved since original conception from a temporary lease for public use of the lands to a temporary conservation easement that will enable continued public use, and in light of public comments, concerns, and suggestions, some clarification of the City's role in this community project is appropriate; and,

WHEREAS, Resolution CY24-12 on May 13, 2024 established the Conservation Lands Advisory Committee ("CLAC") to provide recommendations, strategies, and supporting documentation to the City on oversight and conservation lands within the City boundaries; and,

WHEREAS, CLAC in partnership with the Southeast Alaska Land Trust ("SEALT") applied for an Endowment Fund grant for the Gustavus Natural Lands Lease Project (the "Project") **to forestall competitive offers and** to allow time to investigate, pursue, and obtain funding for a temporary conservation easement on lands privately held by the DeBoer family; and,

WHEREAS, it is intended that SEALT obtain the temporary conservation easement and in cooperation with the DeBoer family manage and enforce its provisions for the benefit of the community of Gustavus; and,

WHEREAS, following the submission of the Endowment Fund application, CLAC was advised that because the application was submitted by a City committee, it needed to comply with Resolution CY22-20 requiring advance approval by the City Council of a project scoping plan for grant proposals over \$15,001. Accordingly, CLAC prepared a project scoping document ("PSD")

which was introduced on the agenda for the Dec. 16, 2024 Council meeting in advance of Resolution CY24-19 regarding approval of Endowment Fund Grant awards; and,

WHEREAS, through the proposal development and submission process, there were some inconsistencies, such as in terminology of lease vs conservation easement, between the PSD and documents filed supporting the Endowment Fund award, including the Endowment Fund application (Gustavus Natural Lands Project – An Introduction) and a letter from SEALT dated December 9, 2024. This resulted in some members of the public concern misconstruing that the funding was intended for a City project to purchase and manage privately-held lands; and,

WHEREAS, At the December 16th General Meeting, the City Council approved a Scoping Document for the Gustavus Natural Lands Lease Project and awarded \$21,036.32 from the 2024 Endowment Fund Grants (Resolution CY24-19), which was less than the requested amount. Consequently, the required Endowment Fund Grant Post-Award Update was filed with the City Treasurer on January 6, 2025, which specified that, with the reduced amount, the City Endowment Fund grant would then pay SEALT for the top two items of the proposal only, including the two lease payments and legal review. (The update should have stated explicitly that review is a standard measure for such land trust transactions and is required by SEALT’s Counsel, not to be provided by the City of Gustavus Attorney). The update also advised the City Treasurer, that as suggested by SEALT and approved by the CLAC, the project name would henceforth be changed to the: Gustavus Beach Meadows Project, and,

WHEREAS, additional clarification is needed to ~~clear up confusion in~~ regarding the roles and responsibilities of SEALT and CLAC in this community project, ~~, variously described as project manager, partner, consultant and liaison, and in references to project management and unauthorized operational expenditures (attorney fees); and,~~

WHEREAS, ~~in order to clarify the roles and responsibilities of SEALT and CLAC~~ an amendment of the PSD is necessary to demonstrate its alignment of its planning design in accordance with City ordinances and the terms of the Endowment Fund grant;

NOW THEREFORE BE IT RESOLVED, that the Gustavus City Council adopts the following clarifications for incorporation as an amendment to the PSD as follows:

1. The Gustavus Natural Lands Lease Project (**now renamed Gustavus Beach Meadows Project**) is not a project of the City of Gustavus **is a community project conducted cooperatively with SEALT within the City of Gustavus boundaries, proposed and monitored by the City's Conservation Lands Advisory Committee, in support of community objectives.**
2. **SEALT is the lead partner, providing expertise and substantial supplementary funding, negotiating, and crafting the terms of a conservation easement supporting the interests of the community of Gustavus.**
3. **Ownership of the beach meadow tracts involved will remain with the existing private owners. The City of Gustavus has no plan or authorization to take ownership of the properties.**
4. **Land management of the tracts will remain the responsibility of the private property owners but will be informed by the conditions of the conservation easement held by SEALT during the term of the easement.**
5. CLAC serves as **an** advisory partner, consultant, and liaison with SEALT and interested parties **to assure Endowment grant funds are used effectively, in accordance with the terms of the grant agreement, and that the interests of the community of Gustavus are understood and achieved.**
6. The PSD provides planning and guidance on achieving the goal of long-term conservation of high-value natural property to the community of Gustavus, and its visitors, but does ~~does~~ not vest the authority or responsibility in the City or **in** CLAC to manage the property or enforce the terms of the easement.
7. **Upon passage of this Resolution, a revised PSD that fully incorporates these amendments and fully updates the name, description, and post-award budget for the two-year project may be submitted for Council consideration at the next General Meeting.**
8. **The authority of this resolution will expire with the expiration of the temporary conservation easement.**

PASSED and APPROVED by the Gustavus City Council this _____ day of _____, 2025, and effective upon adoption.

Sally A. McLaughlin, Mayor

Attest: Liesl M. Barker, City Clerk