

Presented by: The Manager
Introduced: 09/22/2003
Drafted by: J.W. Hartle

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2003-42

An Ordinance Authorizing The Manager to Negotiate and Execute a Lease With an Option to Purchase a Portion of U.S. Survey 3760 for a Parking Lot.

WHEREAS, numerous privately-owned parcels in the vicinity of Amalga and Huffman harbors are accessed by water or footpath only, and

WHEREAS, many of the property owners currently park their vehicles in the crowded public parking lot at the boat harbor and walk to their properties, and

WHEREAS, for several years property owners at Amalga and Huffman harbors have been working together in an effort to improve vehicular access and parking to serve their properties, and have recently formed the Amalga and Huffman Harbors Community Association to address such issues, and

WHEREAS, the Community Association has proposed developing a driveway that would extend from the harbor parking lot across private properties and CBJ land, and constructing a parking lot for neighborhood use on CBJ land at the end of that driveway, and

WHEREAS, establishing a separate parking lot for neighborhood use away from the existing harbor lot would relieve congestion of the public parking lot, and

WHEREAS, CBJ 53.09.260(a) authorizes the negotiated lease and sale of CBJ land, and

WHEREAS, the Assembly, by motion, authorized staff to enter negotiations at its meeting March 10, 2003, and

WHEREAS, the Assembly Lands Committee reviewed this proposal at its meetings of March 10, 2003, and August 11, 2003, recommending approval with conditions included in the ordinance, and

WHEREAS, the Planning Commission reviewed this proposal at its meeting of August 26, 2003, and recommended approval, and

WHEREAS, a companion resolution will be introduced authorizing issuance of an easement for the proposed driveway.

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NOW, THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This is a noncode ordinance.

Section 2. Authorization to Lease. The Manager is authorized to negotiate and execute a lease of approximately 0.26 acres within U.S. Survey 3760 for a parking lot for use by the residents of the Amalga and Huffman harbors area.

(a) The CBJ shall lease a fraction (approx. 0.26 acres) of U.S. Survey 3760 to the Amalga and Huffman Community Association, subject to the following conditions:

- (1) Use of the lease site shall be for the sole purpose of parking vehicles.
- (2) The lease term is for twenty years.
- (3) Rent shall be fair market value.
- (4) No vehicle repair work shall be allowed on the leased site.
- (5) No structures shall be constructed on the leased site.
- (6) Lessee shall be responsible for obtaining any pertinent local, state, or federal permits.

(7) Lessee shall provide a survey of the leased site, in accordance with CBJ surveying standards.

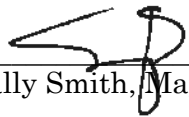
(b) The lease shall include a purchase option that will allow the owner of Lot 7 or 7A, U.S. Survey 3288, property that abuts the leased parcel, to purchase the parking lot lease site. The purchase option shall include the following conditions:

- (1) The option may be exercised at any time after the parking lot has been constructed.
- (2) The purchase price shall be fair market value established at the time of purchase.
- (3) The purchaser shall be responsible for subdividing the CBJ parcel and attaching it to purchaser's adjoining lot.
- (4) Prior to closing, the purchaser shall provide CBJ with evidence of a long term leasing arrangement between the purchaser and the Community Association for the parking lot.

(c) The Manager may include such other terms as the Manager determines to be in the public interest.

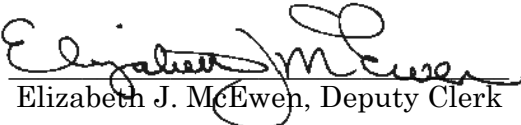
Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this 13th day of October, 2003.



Sally Smith, Mayor

Attest:



Elizabeth J. McEwen, Deputy Clerk

Vote: Unanimous