

1st Reading: March 8, 2021
2nd Reading: March 22, 2021

Presented By:
City Clerk/Planning Commission

Action Taken:
Yes____
No____
Abstain____

CITY OF NOME, ALASKA

ORDINANCE NO. O-21-03-01(S)

AN ORDINANCE AMENDING NOME CODE OF ORDINANCES CHAPTER 2.10 ACQUISITION AND DISPOSAL OF REAL PROPERTY

WHEREAS, the City of Nome owns real property within and around city limits; and,

WHEREAS, Nome Code of Ordinances allows for the disposal of surplus municipal property no longer necessary for municipal purposes by sealed bid; and,

WHEREAS, the sealed bid procedure required by NCO 2.10.050 does not currently align with the City's bidding process for other matters; and,

WHEREAS, the City of Nome wishes to maintain similar practices across departmental bidding procedures so as to simplify practice for residents, businesses and staff; and,

WHEREAS, the Nome Planning Commission has recommended that the Nome Common Council allow limited over-the-counter sales of properties that do not receive responsive bids;

NOW, THEREFORE, be it ordained by the Nome Common Council that Chapter 2.10 of the Nome Code of Ordinances be amended as follows:

Section 1. Classification. This is a Code ordinance.

Section 2. Amendment of Section 2.10.050(a). Title 2, Chapter 10, Section 050(a) of the Nome Code of Ordinances is hereby amended to read as follows [deleted text is ~~overstruck~~; added text is underlined]:

2.10.030 Disposal of real property.

(a) The city council may, by ordinance, provide for the disposal of an interest in any real property which is no longer necessary for municipal purposes. All such

disposals shall be ~~by sealed bid to the highest bidder and shall be made at in~~ accordance with NCO 2.10.050. The current assessed value or at current appraised value shall be the minimum bid price unless otherwise determined by ordinance. Disposal of any fee interest shall be by quitclaim deed.

Section 3. Amendment of Section 2.10.040. Title 2, Chapter 10, Section 040 of the Nome Code of Ordinances is hereby amended to read as follows [deleted text is ~~overstruck~~; added text is underlined]:

2.10.040 Notice of disposal.

(a) A notice of the proposed disposal of any interest in real property shall be published by the city clerk in a newspaper of general circulation ~~not less than thirty days before the date of the bid opening or not less than thirty days before~~ promptly following the date of the passage of the resolution or ordinance authorizing the disposal.

(b) The notice shall include:

- (1) A legal description of the property;
- (2) A description of the city's interest being disposed of;
- (3) Identification of the instrument of conveyance or other method of disposal;
- (4) The value of the city's interest being disposed of, according to current assessment or current appraisal;
- (5) The date of the proposed disposal; ~~and~~
- (6) The time, place and manner in which the proposed disposal shall occur; and
- (7) Any additional terms and conditions the city clerk has reasonably prescribed for a disposal by sealed bid.

Section 4. Amendment of Section 2.10.050. Title 2, Chapter 10, Section 050 of the Nome Code of Ordinances is hereby amended to read as follows [deleted text is ~~overstruck~~; added text is underlined]:

2.10.050 Disposal by sealed bid.

(a) All property sold by sealed bids shall be submitted to bid on an individual lot basis. This subsection shall not be construed to prevent the advertising or sale of more than one lot at the same time. Bids may be submitted on all of the lots advertised for disposal at one time or any one of the lots so advertised. A sealed bid disposal under this section shall be subject to additional terms and conditions the city clerk may reasonably prescribe.

(b) All sealed bids shall be submitted to the city clerk at the city hall in Nome, Alaska. All sealed bids shall be ~~either postmarked, or~~ physically received and date-stamped by the city clerk ~~by 2:59 p.m., within~~ on the thirty-fifth days after the date of the first publication of the notice of disposal. This deadline shall not be extended if the thirty-fifth day is a day city hall is not open for business.

(c) The city clerk shall open all bids publicly in the office of the city clerk at ~~three p.m. eleven a.m.~~ on the thirty- sixth fifth day after the date of the first publication of the notice of disposal, or on the first business day after any thirty-sixth day falling on a weekend or holiday.

(d) The highest responsive and responsible bid shall be accepted by the city unless the city council rejects any or all bids by motion at its next regular meeting or at a special meeting called for the purpose and convened within fourteen days after the date of the bid opening.

(e) Any property offered for sale by sealed bid that is not sold to a bidder shall be available for sale at the minimum bid price over the counter on a first-come, first-served basis for a period of 90 days following the date of the bid opening.

Section 5. Effective Date. This ordinance shall be effective upon passage.

APPROVED and **SIGNED** this 22nd day of March, 2021.

JOHN K. HANDELAND
Mayor

ATTEST:

BRYANT HAMMOND
City Clerk