

**CITY OF WHITTIER, ALASKA
RESOLUTION 2026-038**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA,
DECLARING CERTAIN CITY PROPERTY INTERESTS AVAILABLE FOR LEASE,
REJECTING COMPETITIVE BIDDING FOR THOSE PROPERTY INTERESTS,
ADOPTING THE LEASE APPLICATION PROCESS FOR THOSE PROPERTY
INTERESTS, AND ESTABLISHING CRITERIA FOR REVIEW OF LEASE
APPLICATIONS ON THOSE PROPERTIES**

WHEREAS, the City of Whittier (“City”) owns or controls certain real property interests that may be leased in accordance with Whittier Municipal Code Chapter 3.38, “Lease of City Lands”; and

WHEREAS, the City adopted new laws governing the lease of interests in City property in 2023; and

WHEREAS, certain long-term leases or leasehold interests have expired or have been temporarily extended while the City Council considers how to proceed with the affected parcels; and

WHEREAS, the City Council has considered whether the affected parcels should be made available through competitive bidding, direct negotiation, or the lease application process; and

WHEREAS, it is in the best interest of the City to make the parcels identified in this resolution available for lease through the lease application process and to reject competitive bidding for those parcels at this time; and

WHEREAS, the lease application process will allow the City Manager to receive and evaluate lease applications while preserving the City Council’s authority to determine whether any proposed lease award is in the best interest of the City; and

WHEREAS, review of lease applications should consider not only anticipated lease revenue, but also capital investment, prior lease history, employment, tax revenues and other financial benefits, consistency with applicable laws and planning documents, other opportunities for use of the property, and other social, policy, and economic considerations; and

WHEREAS, this resolution is not intended to create an automatic right to lease City property, an entitlement to any specific lease award, or an obligation by the City to approve any lease application; and

WHEREAS, this resolution is intended to provide parcel-specific direction regarding the availability and disposition method for the parcels identified herein.

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NOW, THEREFORE, THE WHITTIER CITY COUNCIL HEREBY RESOLVES:

Section 1. Parcels Declared Available for Lease. The City Council hereby declares the following City parcels available for lease through the lease application process:

A. Parcel ID: 110451

Legal Description: Lot 2, Harbor View

B. Parcel ID: 110441

Legal Description: Lots 3 & 4, Harbor View

C. Parcel ID: 110449

Legal Description: Lot 5A, Harbor View

D. Parcel ID: 110388

Legal Description: Lots 12 & 13, Harbor Triangle

For purposes of this resolution, these property interests may be referred to collectively as the "Parcels at Issue."

Section 2. Competitive Bidding Rejected. The City Council hereby rejects competitive bidding as the disposition method for the Parcels at Issue.

Section 3. Lease Application Process Adopted. The City Council hereby adopts the lease application process as the disposition method for the Parcels at Issue. The City Manager is authorized and directed to accept lease applications for the Parcels at Issue, review such applications, and bring forward a recommendation to the City Council regarding any proposed lease award.

Section 4. Applications. Any person or entity seeking to lease one or more of the Parcels at Issue shall submit a complete lease application to the City Manager on the lease application form available at City Hall and/or on the City's website.

Section 5. City Manager Review and Recommendation. The City Manager shall follow Whittier Municipal Code Chapter 3.38 in the review of all lease applications submitted for the Parcels at Issue. The City Manager shall include all lease applications submitted on a parcel at issue in the City Council meeting packet when recommending award of a lease on that parcel. The City shall post a notice that the Parcels at Issue are available for lease by lease application. The notice shall include the date the lease becomes available for lease if the parcel is currently subject to a lease or lease that has not yet expired.

Section 6. Evaluation Criteria. The City Manager and City Council shall consider the following criteria when reviewing lease applications submitted under this resolution:

1. The applicant's past capital investment, if any, and any binding commitment to future capital investment on the property;

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2. The applicant's financial condition and prior lease history, if any;
3. The number of persons employed and the prospect for future employment;
4. Tax revenues and other financial benefits to the City anticipated in the future if a new lease is executed without competitive bidding;
5. Consistency of past use, if any, and intended future use with all applicable laws, including land use codes and regulations, the comprehensive plan, and any applicable economic development or planning documents;
6. Other opportunities for use of the property that may provide greater benefit to the public; and
7. Other social, policy, and economic considerations as determined by the City Council.

The City Council may consider other factors so long as those factors support legitimate public interests and are not based solely on the personal interest of an applicant.

Section 7. Multiple Applications. If more than one complete and timely lease application is submitted for the same Parcel at Issue, the City Manager shall evaluate all such applications as provided in WMC Chapter 3.38. The City Manager shall submit all complete and timely applications for that parcel to the City Council, together with the City Manager's recommendation regarding which application, if any, should be approved.

Section 8. City Council Action. Notwithstanding the lease award process identified in WMC Chapter 3.38, the City Council may approve an application, deny an application, approve an application with conditions, request additional information, or take such other action as the City Council determines is in the best interest of the City. No lease for any Parcel at Issue shall be awarded or executed unless approved by the City Council. The City Council may impose any conditions on approval that the City Council finds necessary to serve the public interest.

Section 9. No Right to Lease. No applicant has a right to a lease of City property. No applicant has an existing property interest in approval of a lease application under this resolution. Submission of a lease application does not obligate the City to award a lease, negotiate a lease, or approve any particular use of a Parcel at Issue. The City reserves the right to reject any or all applications if the City Council determines that doing so is in the best interest of the City.

Section 10. Relationship to Other Law. Applications submitted under this resolution shall be subject to all applicable requirements of Whittier Municipal Code Chapter 3.38 and all other applicable federal, state, and local laws. Nothing in this resolution is intended to repeal, amend, or otherwise modify Whittier Municipal Code Chapter 3.38 except to provide parcel-specific direction regarding the Parcels at Issue. Nothing in this resolution limits the City Manager's authority to administer, manage, or enforce existing leases, short-term leases, lease extensions, permits, holdover provisions, or other property-related matters as otherwise authorized by law.

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Section 11. Effective Date. This resolution shall be effective immediately upon adoption.

PASSED AND APPROVED by a duly constituted quorum of the Whittier City Council
on this _____ day of _____, 2026.

Victor Shen
Mayor

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Shelby Carlson
Acting City Clerk

(City Seal)