

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2021-21

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AUTHORIZING THE LEASE
OF UPPER GRANITE CREEK LEASE AREA 5, A 6.7 ACRE PORTION OF LOT 1, U.S.
SURVEY 3670**

1. CLASSIFICATION. This ordinance is not of a permanent nature and is not intended to become a part of the Sitka General Code.

2. SEVERABILITY. If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. PURPOSE. The purpose of this ordinance is to facilitate the lease of approximately six and seven tenths (6.7) acres of Lot 1, U.S. Survey 3670, referred to as Upper Granite Creek Lease Area 5 to Marble Island, LLC.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka.

A. The leasing of Lease Area 5 is hereby authorized with the following terms:

- 1) The development and operation of the site shall be consistent with the lessee's response to the Request for Proposals published for development of the property.
- 2) The lessee shall follow their approved Waste Area Management Plan, Sitka Conditional Use Permit 05-15 and all applicable required permits.
- 3) The lessee shall remit as royalty to the City and Borough of Sitka \$0.50 per cubic yard of all material accepted to the site and all native material removed from the site.
- 4) The lessee shall charge \$4.80 per cubic yard for waste disposed at the site.
- 5) The lease term is for five (5) years, with two (2) five (5) year renewal options subject to approval by Lessor Assembly subsequent to renegotiating disposal price, royalty, and any other provisions of the Lease that require negotiation upon renewal.

B. The Administrator is authorized to execute a lease document consistent with the terms of this ordinance, SGC Title 18 that governs municipal leases, and existing municipal policies.

C. The requirement to competitively bid leases of municipal real property as outlined by Sitka General Code 18.12.010(E) has been satisfied by the open Request for Proposals process.

5. EFFECTIVE DATE. This ordinance shall become effective on the day after the date of its passage.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of
Sitka, Alaska, this 10th day of August, 2021.

Steven Eisenbeisz, Mayor

ATTEST:

Sara Peterson, MMC
Municipal Clerk

1st reading: 7/27/2021

2nd and final reading: 8/10/2021

Sponsor: Administrator