

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2013-42

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, ALASKA
AUTHORIZING THE LEASE OF APPROXIMATELY 9.58 ACRES OF TIDELANDS IN
ALASKA TIDELANDS SURVEY 1236 TO NORTHERN SOUTHEAST REGIONAL
AQUACULTURE ASSOCIATION, INC.**

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 thereof to any person or circumstance is held invalid, the remainder of this ordinance and application thereof to any person or circumstances shall not be affected thereby.

3. **PURPOSE.** The purpose of this ordinance is to facilitate the continued operation of the NSRAA Medvejie fish hatchery. The lease of the municipally owned ATS 1236 expired in January of 2013.

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

A. The leasing of approximately 9.58 acres of tidelands in Alaska Tideland Survey 1236 to Northern Southeast Regional Aquaculture Association, Inc. is hereby authorized with the following terms:

- 1) The parcel is valued at \$45,750.
- 2) The annual lease payments shall be 4.5% per year of the value of the tidelands (\$2,058.75 per year).
- 3) The lease shall expire on December 31, 2043 and may be considered for renewal prior to the expiration.
- 4) Lease payments shall be adjusted per SGC 18.16.210.
- 5) The lease area is defined by the attached Alaska Tidelands Survey plat

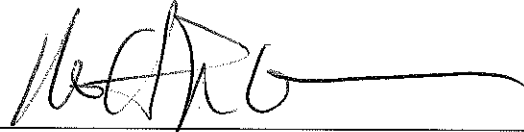
B. This ordinance supercedes any portion of SGC Section 18.16.170 that may be considered in conflict with this ordinance. The lease to be authorized is below the valuation threshold in SGC 18.16.170, is essential for the continuation of local economic infrastructure and has an atypical upland meander line.

C. The Assembly determines that the criteria in Sitka General Code 18.16.130 Preference Rights and Nonpreference Rights do not apply since the City and Borough of Sitka is the upland owner.

D. The administrator is authorized to execute a lease document consistent with the terms of this ordinance, SGC Title 18 that governs tidelands leases, and, existing municipal policies and practices on tideland leases.

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 26th day of November 2013.



Matthew Hunter, Deputy Mayor

ATTEST:



Colleen Ingman, MMC
Municipal Clerk