

CITY AND BOROUGH OF SITKA

RESOLUTION NO. 2019-11

**A RESOLUTION OF THE CITY AND BOROUGH OF SITKA APPROVING
THE SALE OF THE ADMINISTRATION BUILDING AT GARY PAXTON INDUSTRIAL PARK
TO PATRICK BARKER, JR.**

WHEREAS, the Assembly established Gary Paxton Industrial Park ("GPIP") in Sitka General Code ("SGC"), Chapter 2.38, by Ordinance 00-1568; and

WHEREAS, Ordinance 00-1568 states: "PURPOSE. Unlike other property owned by the municipality, the former Alaska Pulp Corporation mill site was acquired not for governmental purposes from the state or federal government, but for economic development and disposal. In general the property will not be used for public improvements. It will be leased or sold to individuals and corporations to develop business opportunities and provide jobs. For that reason, it is important to enact a procedure for property management and disposal at the site which more closely corresponds to private sector disposals;" and

WHEREAS, SGC 2.38.020.A established the GPIP Board of Directors ("Board") which "...shall generally exercise all powers necessary and incidental to operation of all GPIP facilities in the public interest and in a sound business manner...;" and

WHEREAS, SGC 2.38.080.A provides that the Board when exercising its powers is "[s]ubject to state laws and municipal ordinances...;" and

WHEREAS, the Board when exercising its powers is subject to the Sitka Home Rule Charter, Section 11.14(b), which provides that the disposal of municipal property shall be by "...competitive bid...unless the assembly finds that competitive bidding is inappropriate...;" and

WHEREAS, SGC 2.38.080.A.7 provides that the Board shall "...dispose of tideland, submerged land and all other land ... subject to GPIP administration..." and in SGC 2.38.080.A.7.a states that "any sale ... shall be subject to approval of the Assembly by resolution;" and

WHEREAS, the Board decided to sell Lot 23, Block 4, Sawmill Cove Park Resubdivision No.1, Plat No. 2008-27, building and real property (commonly known as and hereinafter referred to as the "Administration Building") by competitive bid through Request for Bids, as authorized under SGC 3.16.026.B, advertised on or about January 8, 2019; and

WHEREAS, the Board received two bids to purchase the Administration Building; and

WHEREAS, the Board reviewed and evaluated the two bids and determined that the high responsive, responsible and qualified bidder was Patrick Barker, Jr.; and

WHEREAS, the Board, through the Municipal Administrator, has entered into a Purchase And Sale Agreement Between City And Borough of Sitka, Alaska, And Patrick Barker, Jr. ("Agreement"), on Friday May 3, 2018, submitted herewith, which they now seek approval for pursuant to SGC 2.38.080.A.7; and

WHEREAS, the Board recommends to the Assembly to approve the sale and the Agreement; and

55 **WHEREAS**, Patrick Barker, Jr., is offering to pay \$20,000.10 for the Administration Building,
56 which the Board believes is good and fair value as determined by competitive bid.
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58 **NOW, THEREFORE, BE IT RESOLVED** that the Assembly for the City and Borough of Sitka
59 hereby approves the sale of the Administration Building and the corresponding Agreement
60 submitted by the Board, said sale to be in accordance with the terms of the Agreement.
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62 **PASSED, APPROVED AND ADOPTED** by the Assembly of the City and Borough of Sitka,
63 Alaska, on this 14th day of May, 2019.
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Gary L. Paxton, Mayor

68 ATTEST:

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Melissa Henshaw, CMC
Deputy Municipal Clerk

73 1st and final reading 5/14/19

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75 Sponsor: Administrator