

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2021-40

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AUTHORIZING THE LEASE OF TRACT A, ATS 1327 AND A PORTION OF TRACT B, ATS 1327, MUNICIPAL TIDELANDS SEAWARD OF 1406 SAWMILL CREEK ROAD TO SHARON WILLIAMSON AND LISA WILLIAMSON**

**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 11,493 square feet of municipally owned tidelands referred to as Tract A, ATS 1327 and a portion of Tract B, ATS 1327 located seaward of 1406 Sawmill Creek Road.

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

- A. The leasing of this property is hereby authorized with the following terms:
  - 1) The development and operation of the site shall be consistent with the pertinent zoning provisions as specified in Title 22 of the Sitka General Code ("SGC").
  - 2) The annual rent payment shall be six percent (6%) of the total value of the lease area as determined by the Municipal Assessor. The first annual rent payment shall be \$6,150.00. The rent will be adjusted annually using the All Urban Consumers (CPI-U) for Anchorage, Alaska.
  - 3) The lease term is for thirty (30) years, with one (1), five (5) year renewal option at the same terms as outlined above subject to approval by Lessor Assembly.
- 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 Assembly has found that the requirement to competitively bid leases of municipal real property as outlined by SGC 18.12.010(E) is inappropriate due to the location of the parcel which renders it of true usefulness to only one party, the upland property owner.

**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 9<sup>th</sup> day of November, 2021.

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ATTEST:

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Jessica Earnshaw  
Acting Municipal Clerk

1<sup>st</sup> reading 10/26/2021  
2<sup>nd</sup> and final reading 11/9/2021

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Steven Eisenbeisz, Mayor