

RESOLUTION #2014-07

A RESOLUTION OF INTENT TO LEASE 3,000 s.f. of BOROUGH LAND AT THE SCOWBAY TURNAROUND PROPERTY; PLACING TERMS AND CONDITIONS ON THE LEASE FOR THE LAND; AND EXEMPTING THE LEASE FROM PUBLIC AUCTION

WHEREAS, Stephen Berry has applied to lease 3,000 s.f. of Borough property located in Lot 2 of the Turnaround Subdivision (land located behind the Scow Bay Fire Hall, next to the Island Ventures Lease parcel) for the purpose of operating a commercial marine vessel services area for boat repair and refinishing; and

WHEREAS, at its May 13, 2014 meeting, the Planning Commission reviewed the request in accordance to the Petersburg Municipal Code and made recommendation to the Petersburg Assembly that the land be leased to the applicant, subject to the applicant coordinating the final lease location site with neighboring lease holder John Murgass and Fire/EMS Director Sandy Dixon to address fumes and vapor concerns.

THEREFORE BE IT RESOLVED BY THE PETERSBURG BOROUGH ASSEMBLY:

1. The Assembly accepts the Planning Commission's recommendations and declares 3,000 s.f. of land at Scow Bay Turnaround available for lease.

2. In addition to any mandatory lease terms expressed within Municipal Code, 16.12.140, Special terms and conditions for this land lease are:

A. Any use of the land must be related to marine vessel support services;

B. All use of the land must comply to and adhere to the State of Alaska's "Best Management Practices for Harbor, Marina and Boat Operations", as may be amended from time to time;

C. The initial lease term shall be five years. The lease agreement may not be renewed at the option of Lessee, but at the written mutual consent of both lessee and lesser.

D. The lease will terminate and require the lessee to vacate the premises within 90 days written notice from the Borough that the land is needed for any public purpose.

E. The assessor has yet to value the land, but will provide a value prior to the final lease document being approved. The minimum annual lease payment to the Borough shall be 10% of the assessor's full and true value. This lease payment is in addition to any real property taxes that will be assessed on the property.

F. The lease applicant is required to coordinate final lease location site, with neighboring lease holder John Murgass and Fire/EMS Director Sandy Dixon to address fumes and vapor concerns.

RESOLVED FURTHER, this lease of land shall be exempt from public auction and will be leased to Stephen Berry. Borough staff is authorized to begin final lease preparation.

Passed and Approved by the Petersburg Borough Assembly on June 2, 3014

ATTEST:

Kathy O'Rear, City Clerk

Mark Jensen, Mayor