

Introduced by: City Manager Herron
Date: October 9, 2001
Public Hearing: October 23, 2001
Action: Passed
Vote: Unanimous

CITY OF BETHEL, ALASKA

ORDINANCE #01-37

AN ORDINANCE AUTHORIZING A LEASE FOR PURPOSES OF PROVIDING THE NECESSARY PUBLIC SERVICE OF PROPER USED-BATTERY DISPOSAL

WHEREAS at the request of the City, Korthuis, Inc. d/b/a Napa Auto Parts ("Napa Auto Parts") collects used batteries from all consumers and businesses in Bethel, and ships the batteries to a disposal site for proper disposal, and;

WHEREAS Napa Auto Parts desires to lease space from the City of Bethel at less than fair market value for the purposes of storing used batteries while awaiting shipment on a barge to a disposal site, and;

WHEREAS the lease to Napa Auto Parts at less than fair market value is in the public interest because Napa Auto Parts will be providing a necessary public service through its collection and disposal of used batteries, and;

WHEREAS the lease includes a condition, pursuant to Section 4.08.030(B) of the Bethel Municipal Code, requiring that the interest of the City being disposed of revert to the City in the event that the real property disposed of is not being used to provide the necessary public service justifying the original disposal, and;

WHEREAS prior to approving this lease, the City Council has, pursuant to Section 4.08.010 of the Bethel Municipal Code, considered the recommendations of the Planning Commission regarding this lease, and;

BE IT ORDAINED by the City Council of Bethel, Alaska that:

SECTION 1. Classification. This ordinance is not permanent in nature and shall not be placed in the Bethel Municipal Code.

SECTION 2. Exemption from Notice of Disposal and 180-Day Renewal Request Requirements. The requirement that the City give notice of this lease under 4.08.040 of the Bethel Municipal Code shall not apply to execution of this lease. The requirement that the lessee give 180 days notice of its intent to renew the lease under 4.08.050(C) of the Bethel Municipal Code shall not apply to the lease. Instead, lessee is required to give 60 days notice.

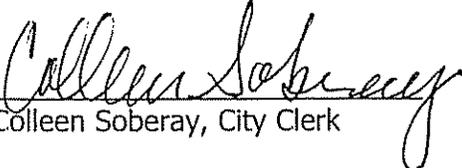
Introduced by: City Manager Herron
Date: October 9, 2001
Public Hearing: October 23, 2001
Action: Passed
Vote: Unanimous

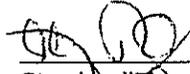
SECTION 3. Authorization of Transfer. In accordance with 4.08.030(B) of the Bethel Municipal Code, the City Manager is hereby authorized to enter into the lease with Korthuis, Inc. d/b/a Napa Auto Parts, which is attached to this Ordinance as *ATTACHMENT A*.

SECTION 4. Effective Date. This ordinance shall become effective immediately.

PASSED AND APPROVED THIS 23rd DAY OF OCTOBER 2001, by a vote of 4 in favor and 0 opposed.

ATTEST:


Colleen Soberay, City Clerk


Stanley "Fundy" Rodgers, Mayor