

Introduced by: C. Manager Williams
Introduction Date: April 23, 2019
Public Hearing: May 14, 2019
Action: Passed
Vote: 7-0

CITY OF BETHEL, ALASKA

Ordinance #19-06

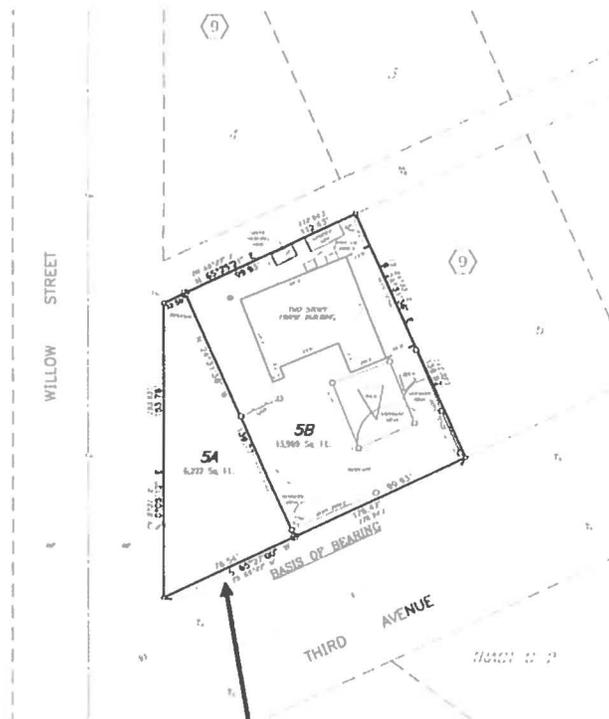
AN ORDINANCE AUTHORIZING THE DISPOSAL VIA LEASE OF LOT 5A BLOCK 9, UNITED STATES SURVEY 3230, PLAT 98-6 (280 THIRD AVE.) PURSUANT TO BMC 4.08.030(C) & 4.08.050(C)

WHEREAS the City of Bethel owns a parcel of land situated 831 River Street;

WHEREAS the legal description for the land is Lot 5A, Block 9, United States Survey 3230, Plat 98-6, Bethel Recording District, Fourth Judicial District, State of Alaska;

WHEREAS the land is situated on Watson's corner next to GCI's large satellite dishes;

WHEREAS the property is pictorially depicted as:



WHEREAS the land has been occupied by General Communication Corp. (GCI) since at least 1998;

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WHEREAS GCI had a lease with the City of Bethel for that lot from July 1, 1998 to July 1, 2003;

WHEREAS there is no City record indicating even one late or missed payment by GCI since it began leasing the land in 1998;

WHEREAS for many years GCI has been reaching out to the City in an attempt to renew the Lease, all to no avail;

WHEREAS while the Bethel Municipal Code (BMC) states that the property is to go to public auction, it also allows for a renewal of a lease, a process which does not go to public auction;

WHEREAS if approved, the lease term would be for five (5) years commencing on June 1, 2019 and ending on May 31, 2024 with two (2) rights of renewal for five (5) years per renewal;

WHEREAS the rent would be \$850 per month as per the appraised fair market value with a CPI increase to occur annually after year two;

WHEREAS under the Lease Agreement the Tenant would be responsible for all of their own utility costs as well as snow removal costs;

WHEREAS pursuant to the Lease Agreement, the Tenant is required to keep the City's land insured with the City named as an additional insured during the entire term of the Lease Agreement;

WHEREAS pursuant to the Lease Agreement, the Tenant is required to indemnify the City;

NOW, BE IT ORDAINED, the City Council authorizes the disposal of the above property via lease of land in Furtherance of Development of Local Trade or Industry.

SECTION 1. Classification. This ordinance is of a general nature and shall not become a part of the Bethel Municipal Code.

SECTION 2. Authorization. Pursuant to Bethel Municipal Code 04.08.050(C) Lease Procedures (Renewal).

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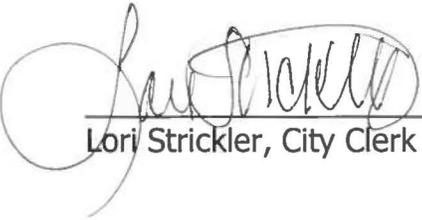
SECTION 3. Effective Date. This Ordinance shall become effective immediately upon passage.

ENACTED THIS 14TH DAY OF MAY 2019, BY A VOTE OF 7 IN FAVOR AND 0 OPPOSED.



Fred Watson, Mayor

ATTEST:



Lori Strickler, City Clerk