Resolution 10-41 Approving a Long Term Lease with the Seldovia Bay Ferry, LLC

Resolution ID: 10-41
Resolution Effective Date: Mon May 10th, 2010
Resolution Summary:
A Resolution of the City Council of Homer, Alaska, Approving a Long Term Lease for Lot 21, Homer Spit Subdivision No. 5 Between the City and Seldovia Bay Ferry LLC, an Entity Wholly Owned by Seldovia Village Tribe, for the Purpose of Constructing a Ferry Staging and Loading Area and Public Access Improvements Within the Harbor. City Manager.

CITY OF HOMER
HOMER, ALASKA

City Manager

RESOLUTION 10-41

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, APPROVING A LONG TERM LEASE FOR LOT 21, HOMER SPIT SUBDIVISION NO. 5 BETWEEN THE CITY AND SELDOVIA BAY FERRY LLC, AN ENTITY WHOLLY OWNED BY SELDOVIA VILLAGE TRIBE, FOR THE PURPOSE OF CONSTRUCTING A FERRY STAGING AND LOADING AREA AND PUBLIC ACCESS IMPROVEMENTS WITHIN THE HARBOR.

WHEREAS, The City Council recently adopted Resolution 09-75 which resolved that “the Homer City Council hereby approves the long term leasing of Lot 21, Homer Spit Subdivision No. 5 to the Seldovia Native Tribe for a ferry staging and loading area as described in the Seldovia Native Tribe’s proposal, a copy of which is attached and incorporated herein, subject to the negotiation of satisfactory lease and related agreement terms, and authorizes the City Manager to negotiate the terms of the lease and related agreements; and

WHEREAS, Negotiations regarding the land lease and related public access improvements are now completed to the satisfaction of the parties and the City Administration and City Attorney recommend approval of the attached lease; and

WHEREAS, Section 1.2(C) of the adopted Lease Policies provides that “the City Council has final approval of all leases over six months in duration.”

NOW, THEREFORE, BE IT RESOLVED that the form and content of the lease between the City and Seldovia Bay Ferry LLC, an entity wholly owned by Seldovia Village Tribe, for Lot 21, Homer Spit Subdivision No. 5, a copy of which is attached and incorporated herein, hereby are in all respects authorized, approved and confirmed, and the City Manager hereby is authorized, empowered and directed to execute and deliver the lease to Seldovia Bay Ferry LLC on behalf of the City, in substantially the form and content now before this meeting but with such changes, modifications, additions and deletions therein as he shall deem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of approval of any and all changes, modifications, additions or deletions therein from the form and content of said document now before this meeting, and from and after the execution and delivery of said document, the City Manager hereby is authorized, empowered and directed to do all acts and things and to execute all documents as may be necessary to carry out and comply with the provisions of the lease as executed.

PASSED AND ADOPTED by the Homer City Council this 10th day of May 2010.

CITY OF HOMER

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BETH WYTHE, MAYOR PRO TEMPORE

ATTEST:

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JO JOHNSON, CMC, CITY CLERK

Fiscal Note: $9,800.00 annual base rent with adjustments on January 1, 2015 and every five years thereafter.

Resolution Files Resolution 10-41

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