



CITY OF UTQIAGVIK

Farthest North Incorporated City

Introduced by:	Asisaun Toovak, Mayor
Date:	February 29, 2024
Public Hearing:	
Action:	
Vote:	

CITY OF UTQIAGVIK, ALASKA

ORDINANCE #01-2024

AN ORDINANCE APPROVING A RESIDENTIAL LEASE WITH SHELDON CURTIS WRIGHT FOR THE RENTAL HOME LOCATED AT 1807 MOMEGANA STREET

WHEREAS the City of Utqiagvik (the "City") owns a single-family residential house (the "Rental Home"), located at 1807 Momegana Street, Utqiagvik, AK 99723, on the property described as:

Lot 15, Block 21, as shown on the official plat of U.S. SURVEY 4615, BARROW TOWNSITE, as accepted by Chief, Division of Engineering, for the Director, on September 2, 1964; records of the Barrow Recording District, Second Judicial District, State of Alaska (the "Property");

WHEREAS the City leases the Rental Home to tenants for a 1 year term with an option to renew each year for up to 20 years and a rental price that increases by 3% each year as required by Sections 13.12.040(A) and (B) of the City's Code of Ordinances (the "Code");

WHEREAS the City also leases parts of the Rental Home and Property to The Alaska Wireless Network, LLC ("AWN") pursuant to that certain Ground Lease dated November 2, 2023 (the "AWN Ground Lease") for the purpose of operating a cell phone tower;

WHEREAS pursuant to that certain Colocation Agreement dated December 11, 2023 with AWN (the "Colocation Agreement"), the Rental Home also currently houses AWN's collocated telecommunications equipment, with rights to access and use portions of the Rental Home; and

WHEREAS the City desires to lease the Rental Home to Sheldon Curtis Wright, ("Tenant") pursuant to the terms and conditions contained in the residential lease agreement attached hereto as Exhibit A (the "Lease").

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

SECTION 1. Classification. This ordinance is not permanent or general in nature and shall not be placed in the City's Code.

SECTION 2. Inapplicability of Code Provisions. The requirement for an appraisal in Sections 13.12.020(A) of the Code, and the requirement for a lease auction in Section 13.12.060 of the Code shall not apply to the Lease as the parcel has been assessed by a tax assessor during the year in which the property is being leased, consistent with Section 13.12.020(B) of the Code.

SECTION 3. Council Approval. In accordance with Sections 13.12.010, 13.12.030(A), 13.12.040, and 13.12.050 of the Code, the City Council hereby: (1) finds that the rent charged to Tenant under the Lease is the fair rental value and current market value of the Rental Home; (2) authorizes the terms and conditions of the Lease provided for in Exhibit A; and (3) authorizes the Mayor to execute the Lease.

SECTION 4. Effective Date. This ordinance shall become effective immediately upon adoption and shall have retroactive effect back to the first date that the City administration began to negotiate the terms and conditions of the Lease with Tenant.

ENACTED THIS 28th DAY OF MARCH, 2024, by a vote of ___ in favor and ___ opposed.

Asisaun Toovak, Mayor

ATTEST:

Mary V. Patkotak, City Clerk

Exhibit A
Residential Lease Agreement

[Attached]