



CITY OF UTQIAGVIK

"Farthest North Incorporated City"

Introduced by:	Asisaun Toovak, Mayor
Date:	May 23, 2024
Public Hearing:	
Action:	
Vote:	

CITY OF UTQIAGVIK, ALASKA

ORDINANCE #06-2024

AN ORDINANCE APPROVING AN AMENDED AND RESTATED GROUND LEASE WITH CHATARABAL SAICHOL D/B/A B&C JAVA, TO EXTEND THE TERM, INCREASE THE RENT, AND EXPAND THE PERMITTED FACILITIES

WHEREAS the City of Utqiagvik (the "City") leases land to Chatarabal Saichol d/b/a B&C Java ("Tenant") for the purposes of operating a drive-through coffee shop,;

WHEREAS Tenant desires to amend and restate its Current Ground Lease to add a restroom and washing space facilities on the Property as depicted on Exhibit B;

WHEREAS the terms and conditions of the proposed amended and restated ground lease agreement between the City and Tenant are attached as Exhibit C to this Ordinance (the "Amended and Restated Ground 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 of Utqiagvik Code of Ordinances ("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 Amended and Restated Ground 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) and (B), and 13.12.050 of the Code, the City Council hereby:

- (1) finds that the Amended and Restated Ground Lease charges a fair rental value, and current market value of the leased land for its intended purposes;
- (2) authorizes the terms and conditions of the Amended and Restated Ground Lease to supersede and replace the Current Ground Lease; and
- (3) authorizes the Mayor to execute the Amended and Restated Ground Lease.



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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 Amended and Restated Ground Lease with Tenant.

ENACTED THIS 23rd DAY OF May, 2024, by a vote of __ in favor and __ opposed.

Asisaun Toovak, Mayor

ATTEST:

Mary V. Patkotak, City Clerk



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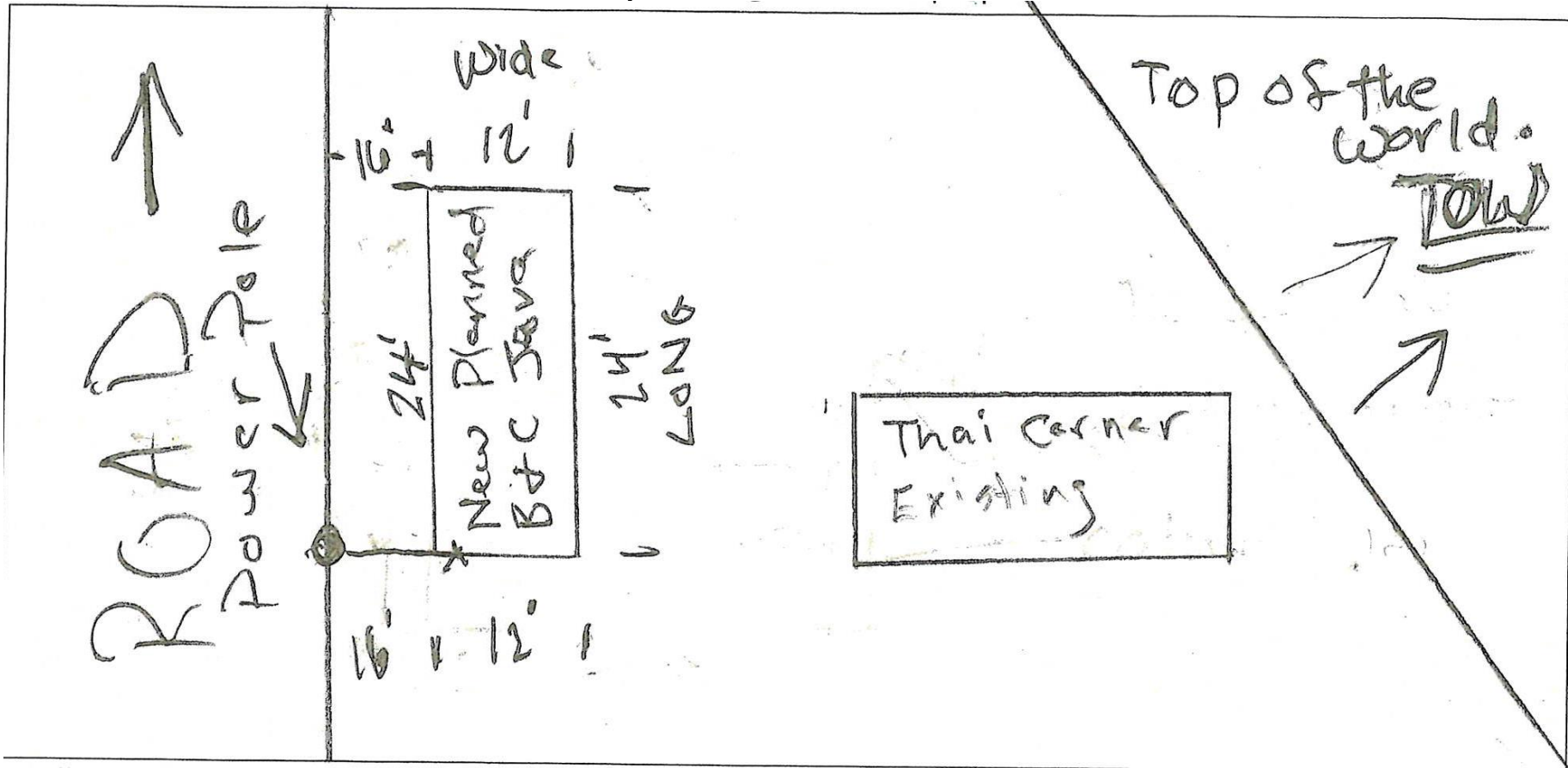
**Exhibit A
Current Ground Lease
[Attached]**



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Exhibit B Depiction of Leased Premises





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Exhibit C Amended and Restated Ground Lease

[Attached]