



# CITY OF UTQIAGVIK

“Farthest North Incorporated City”

Introduced by:	Asisaun Toovak
Date:	August 8, 2024
Public Hearing:	
Action:	
Vote:	

## ORDINANCE #07-2024

### AN ORDINANCE APPROVING A LEASE OF CITY LAND TO EVELYN OKESENE d/b/a VEAH’S COFFEE SHOP

**WHEREAS** the City of Utqiagvik (“City”) owns the real property located at Townsite Barrow USS 4615 Block 6 Lot 19, Utqiagvik, Alaska (“the Property”);

**WHEREAS** Evelyn Okesene d/b/a Veah’s Coffee Shop (“Veah’s Coffee Shop”) desire to operate on the Property a fully encased food service establishment vehicle (the “Food Truck”) from which Veah’s Coffee Shop, standing within the frame of the Food Truck, prepares, cooks, sells or serves food or beverages to patrons (the “Business”);

**WHEREAS** Tenant desires to lease from Landlord approximately 600 square feet to park and operate its Food Truck in the southern corner of the Property as depicted by the blue square in Exhibit A (the “Leased Premises”);

**WHEREAS** the terms and conditions of the proposed ground lease agreement between the City and Tenant for the Leased Premises are attached as Exhibit B to this Ordinance (the “Ground Lease”); and

**WHEREAS** the rent to be charged to Tenant for the Leased Premises contemplated in the Ground Lease is the fair rental value and current market value of the Property.

**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 this 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, (1) the City Council finds that the Ground Lease charges a fair rental value, based upon the pro-rata percentage that the Leased Premises comprises the Property and current market values, and (2) the City Council hereby authorizes the terms and

conditions of the Ground Lease and authorizes the Mayor to execute the Ground 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 Ground Lease with Tenant.

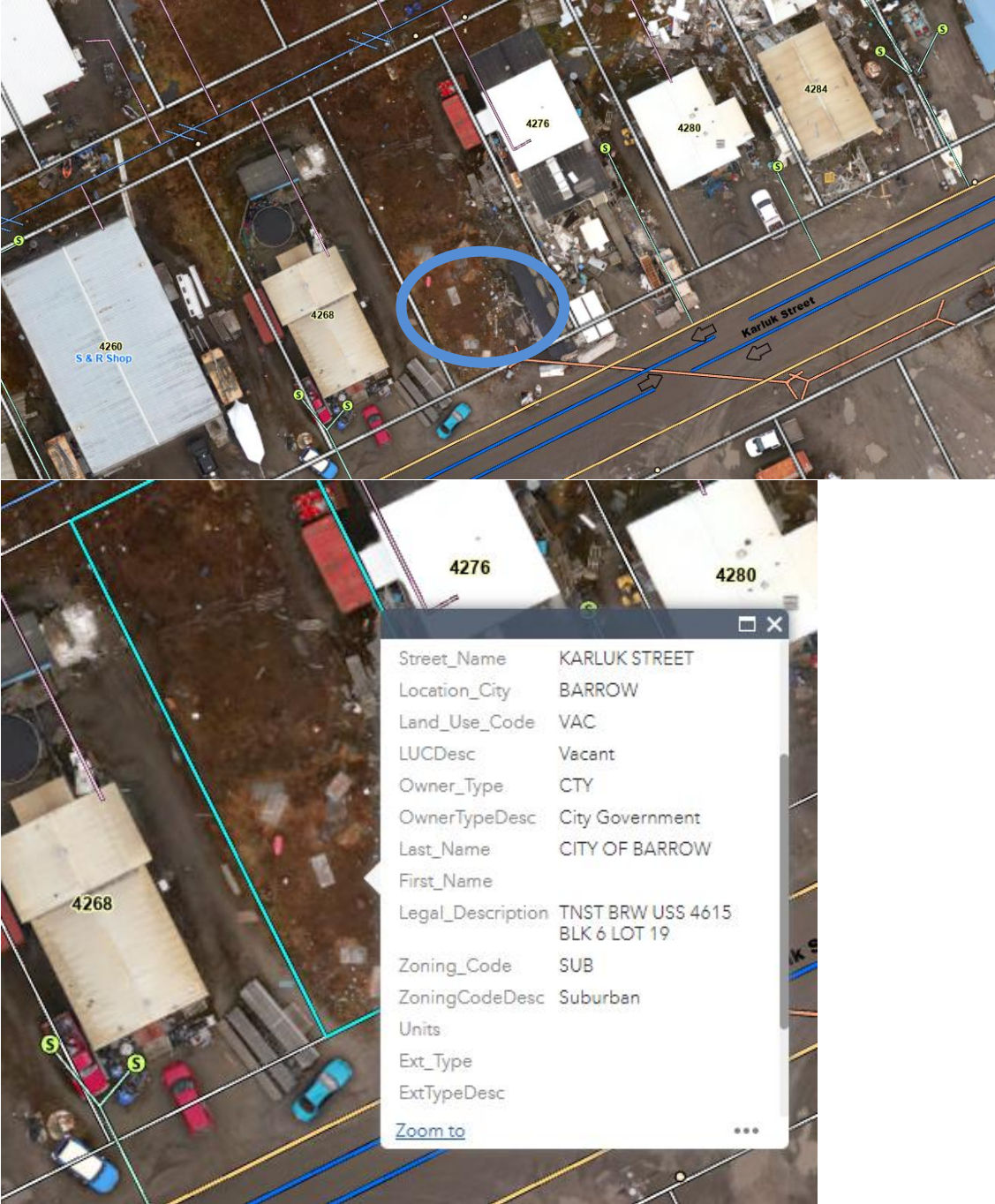
**ENACTED THIS 26<sup>th</sup> DAY OF SEPTEMBER, 2024, by a vote of \_\_\_ in favor and \_\_\_ opposed.**

\_\_\_\_\_  
Asisaun Toovak, Mayor

ATTEST:

\_\_\_\_\_  
Mary V. Patkotak, City Clerk

# Exhibit A Property Diagram



**Exhibit B**  
**Ground Lease Agreement**

**[Attach]**