

**An Ordinance of the Haines Borough authorizing the Borough Manager to negotiate a lease with Alaska Marine Lines, Inc. for a specified parcel of Borough property for a roll-on/roll-off facility (ro-ro) for loading and unloading freight in Lutak Inlet.**

**WHEREAS**, the Haines Borough Assembly on 7/10/18 adopted Resolution 18-07-764 endorsing a Memorandum of Understanding with Alaska Marine Lines, Inc. for the lease of tidelands and uplands to support construction of a marine freight transfer facility in Lutak Inlet; and

**WHEREAS**, the lease premises were professionally appraised in October 2018; and

**WHEREAS**, Haines Borough Code ("HBC") 14.16.090 provides that, "No land shall be leased for an annual rent less than \$500.00 or 10 percent of the appraised value of the land and any improvements thereon owned by the borough, whichever is more"; and

**WHEREAS**, HBC 14.16.160 provides that upon authorization by the assembly by non-code ordinance, the manager may commence negotiations for the lease of Borough land; and

**WHEREAS**, the final lease terms are subject to approval by the assembly by ordinance; and

**WHEREAS**, the Borough Attorney will draft a lease for consideration by both parties containing the essential terms outlined in HBC 14.16.180, and the negotiations will be for the purpose of determining the area and value of the lease premises,

**NOW, THEREFORE, BE IT ENACTED**, by the Haines Borough Assembly, that it is hereby determined to be for a public purpose and in the public interest of the Haines Borough to authorize the Borough Manager to negotiate a lease with Alaska Marine Lines, Inc. for a specified parcel of Borough property for a roll-on/roll-off facility (ro-ro) for loading and unloading freight in Lutak Inlet.

Section 1. Classification. This ordinance is a non-code ordinance.

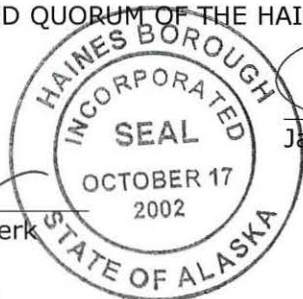
Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

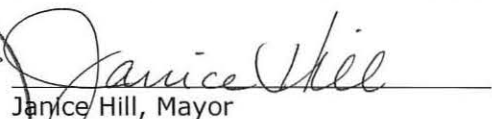
Section 3. Effective Date. This ordinance shall become effective immediately upon adoption.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 26<sup>th</sup> DAY OF FEBRUARY, 2019.

ATTEST:

  
Alekka Fullerton, CMC, Borough Clerk



  
Janice Hill, Mayor

Date Introduced: 01/22/19  
Date of First Public Hearing: 02/12/19  
Date of Second Public Hearing: 02/26/19 - Adopted