

**CITY OF CORDOVA, ALASKA
ORDINANCE 1208**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF CORDOVA, ALASKA,
AUTHORIZING THE CITY MANAGER TO ENTER INTO A TWENTY-YEAR LEASE WITH
THE UNITED STATES FOREST SERVICE (USFS), FOR A PORTION OF PROPERTY
DESCRIBED AS A ROUGHLY 4,500 SQUARE FOOT PORTION OF LOT 3, BLOCK 7A,
TIDEWATER DEVELOPMENT PARK**

WHEREAS, it is in the City of Cordova’s interest to lease a portion of Lot 3, Block 7A, Tidewater Development Park See Exhibit A (“Property”) to United States Forest Service (USFS), for the uses specified in the lease agreement; between the City of Cordova, Alaska (“City”) and USFS attached to this ordinance as Attachment A (“Lease”); and

WHEREAS, since the creation of the Chugach National Forest and Cordova Ranger District in 1907, the USFS has been a member and partner of this community; and

WHEREAS, the USFS manages 3.32 million acres of forest lands in Prince William Sound and the Cooper River Delta and plays an essential role in managing the region’s natural resources; and

WHEREAS, the USFS Cordova Ranger District is headquartered in Cordova with personnel and all operations based in the City; and

WHEREAS, the USFS has leased the same portion of the harbor to perform core functions since 1965; and

WHEREAS, providing the USFS with safe, secure, and reliable moorage and storage space will assist and enable the USFS to continue to effectively manage and protect the resources in our region; and

WHEREAS, the USFS has agreed to pay City a fair market value established by independent review of \$10,000 annually; and

WHEREAS, a lease termination clause has been included allowing the City to terminate the lease with 16 months’ notice, allowing for North Harbor improvements to take place when needed.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cordova, that:

Section 1. The City Manager is authorized and directed to lease the Property to USFS in accordance with the terms in the Lease as attached as Exhibit A to this ordinance. The form and content of the Lease now before this meeting is in all respects authorized, approved and confirmed by this ordinance, and the City Manager hereby is authorized, empowered and directed to execute and deliver the Lease reflecting the terms in the Lease 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 documents now before this meeting, and from and after the execution and delivery of said documents, 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.

Section 2. The disposal of the property interest authorized by this ordinance is subject to the requirements of City Charter Section 5-17. Therefore, if one or more referendum petitions with signatures are properly filed within one month after the passage and publication of this ordinance, this ordinance shall not go into effect until the petition or petitions are finally found to be illegal and/or insufficient, or, if any such petition is found legal and sufficient, until the ordinance is approved at an election by a majority of the qualified voters voting on the question. If no referendum petition with signatures is filed, this ordinance shall go into effect one month after its passage and publication.

Section 3. This ordinance shall be enacted in accordance with Section 2.13 of the Charter of the City of Cordova, Alaska, and published within ten (10) days after its passage.

1st reading: July 5, 2023

2nd reading and public hearing: August 2, 2023

PASSED AND APPROVED THIS 2nd DAY OF AUGUST 2023.



David Allison, Mayor

ATTEST:

Susan Bourgeois, CMC, City Clerk