



## CITY OF WASILLA

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Requested by: Administration  
Prepared by: Administration

Non-Code Ordinance

### ORDINANCE SERIAL NO. 93-34

AN ORDINANCE OF THE CITY OF WASILLA, ALASKA AUTHORIZING A NEGOTIATED SUB-LEASE WITH THE WASILLA LIONS CLUB FOR THE ALASKA RAILROAD DEPOT.

BE IT ORDAINED AND ENACTED BY THE CITY OF WASILLA, ALASKA AS FOLLOWS:

SECTION I. Classification. This ordinance is a non-code ordinance.

SECTION II. Purpose. To allow replacement of an existing lease with Wasilla Lions Club to adjust terms and conditions to reflect the present situation.

SECTION III. Findings of Fact.

- (1) WMC 7.16.110, Negotiated Leases, sets forth the procedures to authorize the Mayor to negotiate a lease of city property without public action and voter ratification if the lease is for a public purpose...to a not-for-profit corporation.
- (2) The City's rights to the depot are contained in a lease from the Alaska Railroad dated September 30, 1982 with supplements dated December 29, 1982 and April 20, 1993.
- (3) The existing and proposed uses of the depot are for a public purpose through the public services of the Wasilla Lions Club.
- (4) The terms and conditions of the existing sub-lease dated September 27, 1982 from the City to the Lions have not been met by the Lions nor demanded by the City and include:
  - a. The \$100.00 annual lease fees have not be paid to the City for the years 1983 - 1993.
  - b. Insurance costs of about \$200.00 per year have not been paid to the City for years 1982 - 1993.
  - c. Written permission for not-for-profit third party rentals have not been requested by the Lions nor approved by the City.
  - d. Full market rent was to have been paid by the Lions beginning October 1, 1992 and has not.
- (5) Wasilla Lions Club has made significant improvements to the building and significant donated money and materials have been used to restore the building under the guidance of the Lions.
- (6) The depot building is listed on the National Register of Historic Buildings.
- (7) The Wasilla Lions Club has a plan to further restore and upgrade the depot.
- (8) Federal and other grant funds may be available to pay for the restoration project.
- (9) The depot building abuts the Alaska Railroad main line and presents a serious accident risk to persons assembling near the depot and walking to and from the depot.

**SECTION IV. Enactment** The Mayor is hereby authorized to negotiate an agreement with the Wasilla Lions Club to sub-lease the City's leasehold interest in the ARRC Wasilla Depot Building under the following general terms:

- (1) The existing sub-lease shall be cancelled.
- (2) New sub-lease will be subject to the terms and conditions of the ARRC - City lease.
- (3) The lease will be for the maximum term provided in WMC 7.16.110 of 10 years and be renewable on 180 days notice.
- (4) Because of its historic nature, concerns about fire safety and use as a public building, no smoking will be permitted in the structure.
- (5) the lease will be for a nominal yearly fee.
- (6) The Lions shall prepare and submit for written City approval a written plan of renovation for the building.
- (7) Third party rentals of the building shall meet specific non-profit criteria and be reported by the Lions on a form provided by the City.
- (8) The City will include the building in its general property insurance at no cost to the Lions.
- (9) The Lions Club shall provide liability insurance with the City as an additional named insured and hold the City harmless from claims arising out of the Lions use or use by others of the building.
- (10) Subject to availability of funds, the City will cooperate with the Lions to secure grants to restore and upgrade the structure consistent with standards for buildings on the National Historic Register.
- (11) Safety issues will be dealt with including controlling parking, protecting pedestrians from passing trains and carefully controlling the use so as not to exceed the safe capacity of the building and its surrounding area.

**SECTION V. Effective Date.** This ordinance becomes effective upon adoption by the Wasilla City Council.

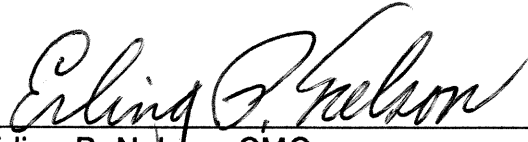
Introduction 06/28/93

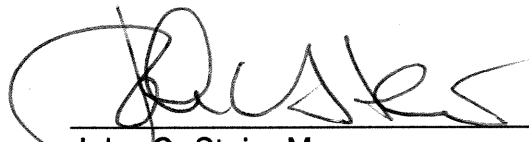
Public Hearing 07/26/93

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ADOPTED by the Council of the City of Wasilla on this 9th day of August,  
1993.

ATTEST:

  
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Erling P. Nelson, CMC  
City Clerk

  
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John C. Stein, Mayor