

NON-CODE ORDINANCE

Prepared by: City Attorney  
Requested by: Recreation & Cultural Services Manager  
Introduced: June 27, 2005  
Public Hearing: July 11, 2005  
Amended: July 11, 2005  
Adopted: July 11, 2005

Vote: Cox, Ewing, O'Neil, Sande in favor; Straub absent; Seat C vacant

**CITY OF WASILLA  
ORDINANCE SERIAL NO. 05-57**

**AN ORDINANCE OF THE WASILLA CITY COUNCIL AUTHORIZING THE LEASE TO SPIRIT HOCKEY, LLC OF SPACE WITHIN THE MULTI-USE SPORTS COMPLEX TO OPERATE A JUNIOR HOCKEY TEAM; AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER THE LEASE; AND PROVIDING FOR RELATED MATTERS.**

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WHEREAS, Spirit Hockey, LLC proposes to operate a junior hockey team at the Wasilla Multi-Use Sports Complex, and has requested to lease space in the Multi-Use Sports Complex for this purpose; and

WHEREAS, WMC 5.32.110.A.2 provides that the Mayor may, with the approval of the City Council by ordinance, negotiate a lease of City land without public auction or sealed bid if the lease is for a beneficial new industry; and

WHEREAS, the Council finds that a junior hockey team would be a beneficial new industry for the City of Wasilla, and that the approval of the lease is in the best interest of the City of Wasilla and its residents; and

WHEREAS, there has been presented to the City the form of a Lease and Facility Use Agreement between Spirit Hockey, LLC and the City, which provides for the City to lease space in the Wasilla Multi-Use Sports Complex to Spirit Hockey, LLC on the terms and conditions set forth therein and in this ordinance.

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

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

\* **Section 2. Authorization of lease.** Based upon the findings stated above, the City is authorized to lease space in the Multi-Use Sports Complex to Spirit Hockey, LLC under the terms and conditions set forth in the Lease and Facility Use Agreement that now is before this meeting. The lease is authorized notwithstanding any provision of Wasilla Municipal Code Chapter 5.32 to the contrary.

\* **Section 3. Authorization of Lease and Facility Use Agreement.** The form and content of the Lease and Facility Use Agreement hereby are in all respects authorized, approved and confirmed, and the Mayor hereby is authorized, empowered and directed to execute and deliver to the counterparty the Lease and Facility Use Agreement 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 shall to her seem 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 document now before this meeting, and from and after the execution and delivery of said document, the Mayor 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 and Facility Use Agreement as executed.

\* **Section 4. Authority of Officers.** The Mayor, the Deputy Mayor, the City Clerk, and the Deputy City Clerk each is authorized and directed to do and perform all things and determine all matters not determined by this ordinance, to the end that the

City may carry out its obligations under the Lease and Facility Use Agreement and this ordinance.

\* **Section 5. Effective date.** This ordinance shall take effect upon adoption of the Wasilla City Council.

ADOPTED by the Wasilla City Council, Alaska, on July 11, 2005.

  
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DIANNE M. KELLER, Mayor

ATTEST:

  
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KRISTIE SMITHERS, MMC  
City Clerk

[SEAL]



**CITY OF WASILLA  
LEGISLATION STAFF REPORT**

**RE: ORDINANCE SERIAL NO. 57: AUTHORIZING THE LEASE TO SPIRIT HOCKEY L.L.C. OF SPACE WITHIN THE MULTI-USE SPORTS COMPLEX TO OPERATE A JUNIOR HOCKEY TEAM, AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER THE LEASE AND, PROVIDING FOR RELATED MATTERS.**

Agenda of: June 27, 2005

Date: June 27, 2005

Originator: Recreation and Cultural Services Manager

Route to:	Department	Signature/Date
	Police	
	Recreational and Cultural Services Library, Museum	<i>[Signature]</i> 6/27/05
	Public Works Planning	
X	Finance *signature required	
X	Clerk	<i>[Signature]</i> 6/27/05

REVIEWED BY MAYOR DIANNE M. KELLER: *[Signature]*

FISCAL IMPACT:  yes\$ or  no

Funds Available  yes  no

Account name/number:

Attachments: Lease Agreement with Spirit Hockey, L.L.C.

**SUMMARY STATEMENT:** Spirit Hockey L.L.C. is proposing to operate a junior A hockey team in Wasilla and has requested to lease space at the Multi-Use Sports Complex for the upcoming ice hockey season, July 1, 2005 through June 30, 2006. Junior A hockey is the highest level of amateur hockey governed by USA Hockey, the National Governing Body for ice hockey in the United States.

This hockey team will play in the North American Hockey League with 19 other teams. Areas of the country where other teams are located include Fairbanks, Montana, North Dakota, Minnesota and Texas. The teams from these areas and others will be traveling to Wasilla to play games. The average attendance during this first year is expected to be 1,000 to 1,200 for each game and playing a 27 game schedule. A Junior A Hockey Team will also enhance the economic value of local businesses. For example the visiting teams will rent more than 350 rooms at local motels during the season and eat many of its meals at local restaurants.

The team has requested office and storage space as well as the ice rink for practicing and playing games. Revenues for the space, ice rental and concessions are expected

to reach and perhaps exceed \$60,000 during the first year. Administration believes it is in the best interest of the City and the facility to enter into a lease agreement with the Spirit Hockey Team. The attached lease agreement defines the rules under which the Spirit Hockey, L.L.C. can operate within the Multi-Use Sports Complex.

Administration requests Council to authorize the Mayor to enter into a lease agreement with the Spirit Hockey, L.L.C. for leasing space and operating a junior hockey team in the Multi-Use Sports Complex.