

Presented by: The Manager
Introduced: 06/27/2005
Drafted by: J. Stone /
J.W. Hartle

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2316

A Resolution Approving the Purchase of the Real Property, Leasehold Interest and Personal Property Associated with DeHart's Marina at Above Appraisal Value, and to Support Funding for \$500,000 in Marine Passenger Fees as a Portion of the Down Payment.

WHEREAS, the Docks and Harbors Board desires to purchase the property known as DeHart's Marina, described as Lot 3C, according to the subdivision of U.S. Survey No. 2664 and Alaska Tidelands Survey No. 16, according to Plat 2003-15, and personal property thereon, and the leasehold interest for Alaska Tidelands Survey No. 1118, according to Plat 86-35, all within Juneau Recording District, First Judicial District, State of Alaska, for the price of \$2.6 million; and

WHEREAS, pursuant to CBJ 85.02.060, the Docks & Harbors Board cannot purchase land without approval by the Assembly by resolution; and

WHEREAS, pursuant to CBJ 53.04.020, purchase of land at greater than appraisal value requires Assembly approval; and

WHEREAS, the Docks and Harbors Board financing plan calls for the use of \$500,000 of marine passenger fees as part of the down payment; and

WHEREAS, the Board believes that paying more than the appraised value is justified in that the appraisal value of \$1,350,000 did not include the fuel tank farm, fuel float, equipment, and the travel lift; and

WHEREAS, the Board believes that paying more than the appraised value is justified because the appraisal did not value assemblage of City lands in this area and that, with the purchase of this property, the waterfront development opportunities are greatly enhanced; and

WHEREAS, the Board believes that paying more than the appraised value is justified because the appraisal did not consider the loss of this property for public boating access if it were to be sold to a private party, and that the Board believes that this parcel is crucial for maintaining public boating access in Juneau's prime boating area; and

WHEREAS, the Board believes that paying more than the appraised value is justified because the appraisal may not be a good indicator of market value for this purchase because waterfront properties in Juneau are undergoing an increase in value beyond the past inflation rate of waterfront property sales; and

WHEREAS, impacts from cruise ship tourism have resulted in safety concerns at Statter Harbor due to overcrowding and traffic movement; and

WHEREAS, construction of a separate cruise ship tourism bus and boat loading facility on the existing DeHart's Marina site will greatly enhance the safety of passengers and tour boat and bus operators; and

WHEREAS, the separation of cruise ship tourists from boat launch activities will greatly improve the safety of tourists and local boat owners; and

WHEREAS, safe ingress and egress of cruise ship tourism-related vehicles into Statter Harbor can be greatly improved with construction of a new driveway; and

WHEREAS, current DeHart Marina operational practices and leases will remain in effect until the Docks and Harbors Board develops new regulations and such regulations are approved by the Assembly.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. The Assembly approves the purchase of the real and personal property and tidelands interest associated with the DeHart's Marina at above appraised market value for the price of up to \$2.6 million, and that it supports funding \$500,000 of Marina Passenger Fees to assist in the down payment of the property.

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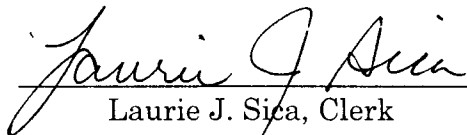
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Section 2. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this 27th day of June, 2005.


Bruce Botelho, Mayor

Attest:


Laurie J. Sica, Clerk