ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2012-16

An Ordinance Authorizing the Disposal of Gravel From Municipal Property to Secon Through a Negotiated Sale.

WHEREAS, the City and Borough of Juneau has gravel resources in Hidden Valley that have been permitted for extraction but have not been mined; and

WHEREAS, Secon has a gravel extraction operation in Hidden Valley that adjoins the City and Borough extraction area; and

WHEREAS, Secon proposes to amend its gravel extraction plan through the Planning Commission review process to include a portion of municipal property; and

WHEREAS, the expansion of the Secon extraction area will maximize the use of its property, and gravel resources, and accomplish an improvement to the City and Borough property, in preparation for the full utilization of municipal gravel resources at a later date; and

WHEREAS, Secon will incur the cost of developing this area, including clearing, mining, drainage and final contouring; and

Presented by: The Manager
Introduced: Drafted by: J.W. Hartle

-1-  Ord. 2012-16
WHEREAS, the sale of the material to Secon will be a negotiated sale as it holds the only legal access to this mining face.

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Payment and consideration. Per the terms of a material sale contract, Secon will pay the City and Borough $2.41 per ton for sand and gravel materials. The term of the contract shall be for 10 years. An annual adjustment equal to the change in Anchorage CPI, or an adjustment equal to the rate increase that the City and Borough applies to other municipal material sources, shall apply to the per ton rate. The Manager shall include such other terms as are in the public interest.

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this day of 2012.

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Bruce Botelho, Mayor

Attest:

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Laurie J. Sica, Clerk