



# FAIRBANKS NORTH STAR BOROUGH Land Management Div.

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## MEMORANDUM

TO: Fairbanks North Star Borough Assembly

THROUGH: Bryce Ward, Borough Mayor *Or for BW*

FROM: Daniel Welch, Acting Natural Resources Development Manager

DATE: February 25, 2021

SUBJECT: ORDINANCE NO. 2021-07

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT AT LESS THAN FAIR MARKET VALUE WITH THE FAIRBANKS ADULT AMATEUR BASEBALL LEAGUE FOR USE OF A PORTION OF TRACT A, WEST VALLEY SUBDIVISION, SECTION 6, T.1S., R.1W., F.M. (WEST VALLEY HIGH SCHOOL)

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The attached Ordinance requests authorization for the Mayor to enter into a 4-year term lease at less than fair market value with The Fairbanks Adult Amateur Baseball League (FAABL) for storage of one shipping container (Connex) located on West Valley High School grounds.

FAABL has been operating their league for several years practicing and playing at West Valley and providing assistance with maintenance of the playing fields.

FNSBC 20.16.020 (D) states the Assembly may authorize the Mayor to lease Borough land for less than fair rental value only if the ordinance authorizing the lease contains a finding that the lease is for a compelling public purpose or use, and a statement of the facts on which the finding is based. Fairbanks Adult Amateur Baseball League offers a continuing contribution to the community with recreational opportunities for the community, and provides the school district with assistance in maintaining the West Valley High School playing fields.

We ask for your support for the passage of the attached ordinance authorizing the Mayor to enter into a new lease with the Fairbanks Adult Amateur Baseball League.

We support this ordinance and urge its adoption.

1 By: Bryce J. Ward, Mayor  
2 Introduced: 02/25/2021  
3

4 FAIRBANKS NORTH STAR BOROUGH  
5  
6 ORDINANCE NO. 2021 – 07  
7

8 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT AT  
9 LESS THAN FAIR MARKET VALUE WITH THE FAIRBANKS ADULT AMATEUR BASEBALL  
10 LEAGUE FOR USE OF A PORTION OF TRACT A, WEST VALLEY SUBDIVISION, SECTION  
11 6, T.1S., R.1W., F.M. (WEST VALLEY HIGH SCHOOL)  
12

13 WHEREAS, The Fairbanks North Star Borough (Borough) holds good and  
14 equitable title to a portion of Section 6, T.1S, R.1W, F.M., described as Tract A, West  
15 Valley Subdivision, according to plat filed March 16<sup>th</sup>, 2000 as plat No. 2000-30 of the  
16 Fairbanks Recording District, and as shown on the attached exhibit maps; and  
17

18 WHEREAS, The Fairbanks Adult Amateur Baseball League (FAABL) is a local  
19 non-profit, that promotes and encourages the sport of baseball among the citizens of the  
20 Fairbanks community; and  
21

22 WHEREAS, FAABL has partnered for many years with West Valley High  
23 School personnel in the maintenance of the playing fields, being granted casual use of  
24 the fields by the school district in exchange for those services; and  
25

26 WHEREAS, FAABL has requested and the Borough has agreed on execution  
27 of a lease for storage of one shipping container to house baseball gear and field  
28 maintenance equipment with an initial term of four (4) years, and two (2) renewal options  
29 of four (4) years; and  
30

31 WHEREAS, FNSBC 20.16.020(D) states the Assembly may authorize the  
32 Mayor to lease Borough land for less than fair rental value only if the ordinance

33 authorizing the lease contains a finding that the lease is for a compelling public purpose  
34 or use and a statement of the facts on which the finding is based; and

35  
36 WHEREAS, Land Management has reviewed records for the property and  
37 there are no existing mining claims or other third-party interests know to Land  
38 Management within the proposed lease area which Land Management believes impact or  
39 are impacted by the proposed lease; and

40  
41 WHEREAS, Those with a known land interest in adjoining properties have  
42 been notified of the proposed lease.

43  
44 NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks  
45 North Star Borough:

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47 Section 1. This ordinance is not of a general and permanent nature and  
48 shall not be codified.

49  
50 Section 2. Determination of a Compelling Public Purpose or Need. The  
51 Assembly hereby finds that granting this lease at less than fair market rental value meets  
52 the conditions of a compelling public purpose based upon the following facts:

- 53 1. FAABL has faithfully served the community in partnership with the Borough  
54 for several years promoting, developing, supervising, and voluntarily  
55 assisting in all lawful ways, the interest of those who participate in Amateur  
56 Baseball in the Interior of Alaska.
- 57 2. Through proper guidance and exemplary leadership, FAABL assists citizens  
58 in developing the qualities of citizenship, discipline, teamwork and physical  
59 wellbeing through baseball.

60 3. FAABL has agreed to providing maintenance on playing fields located at  
61 West Valley High School and being granted casual use of the fields by the  
62 school district in exchange for those services.

63  
64 Section 3. Authorization. The Borough Mayor or his delegate is hereby  
65 authorized to take all actions necessary to enter into a new lease with FAABL on Tract A,  
66 West Valley Subdivision, Plat 2000-30, a portion of Section 6, T.1S, R.1W, F.M. (West  
67 Valley High School) as shown on attached exhibit map, at a rental rate of one (1) dollar  
68 per year, for an initial term of four (4) years, with two (2) renewal options of four (4)  
69 years each.

70  
71 Section 4. Effective Date. This ordinance is effective at 5:00 p.m. on the  
72 first Borough business day following its adoption.

73  
74 ADOPTED THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2021.

75  
76  
77  
78 \_\_\_\_\_  
79 Mindy O'Neall  
80 Presiding Officer

81 ATTEST:

82 APPROVED:

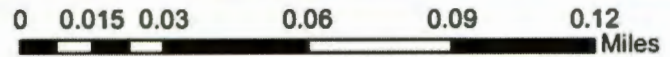
83  
84 \_\_\_\_\_  
85 April Trickey, CMC  
86 Borough Clerk

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88 \_\_\_\_\_  
89 Approved by JSD  
90 Jill S. Dolan  
91 Borough Attorney

# Exhibit Map "A"



Lease Area



AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A 2-YEAR LEASE WITH THE FAIRBANKS ADULT AMATEUR BASEBALL LEAGUE FOR STORAGE OF CONNEX LOCATED ON WEST VALLEY HIGH SCHOOL GROUNDS

