



# Fairbanks North Star Borough

Parks and Recreation Department

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## MEMORANDUM

TO: Fairbanks North Star Borough Assembly

THROUGH: Bryce Ward, Mayor *Bryce Ward*

FROM: Mike Bork, Parks and Recreation Director

DATE: February 25, 2021

SUBJECT: Ordinance 2021-11  
Partnership agreement with the Fairbanks Junior Ice Dogs for Use of the Big Dipper Ice Arena

The attached Ordinance requests authorization for the Mayor to enter into a three (3) year term agreement with two (2) renewal options of one (1) year each, tentatively agreed to by the Fairbanks North Star Borough and the Fairbanks Junior Ice Dogs, Inc. (Ice Dogs). The Ice Dogs will be granted portions of the facility to be used exclusively and portions to be used on a temporary basis. Some fees outlined in appendix E of the 2020-21 budget are waived in lieu of services provided by the Ice Dogs on game days. The Ice Dogs will pay negotiated fees to the Borough for the right to sell arena advertising.

The agreement includes a provision allowing for the renegotiation of use and advertising fees if the Borough implements facility occupancy restrictions with regard to the ongoing COVID-19 pandemic.

The Fairbanks Ice Dogs have been the anchor tenant at the Big Dipper Ice Arena since 1999. They have cultivated a very popular junior hockey program that provides inspiration and opportunities for local youth hockey players. The Ice Dogs have proven to be a successful and beneficial partner to the Parks and Recreation Department

I urge adoption of this ordinance.

Attachments: Ordinance



By: Bryce J. Ward, Mayor  
Introduced: February 25, 2021

FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2021 - 11

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE FAIRBANKS JUNIOR ICE DOGS INCLUDING A LEASE OF PORTIONS OF THE BIG DIPPER ICE ARENA AND PORTIONS OF THE HEZ RAY SPORTS COMPLEX AT LESS THAN FAIR RENTAL VALUE AND A WAIVER OF FNSBC TITLE 16 FOR AN AUTHORIZATION TO SELL ADVERTISING SPACE AT THE BIG DIPPER ICE ARENA TO OPERATE A YOUTH HOCKEY PROGRAM

WHEREAS, The Fairbanks North Star Borough (Borough) holds good and equitable title to the facilities known as the Big Dipper Ice Arena (Big Dipper); and

WHEREAS, The Fairbanks Junior Ice Dogs, Inc. (Ice Dogs) have successfully operated a junior hockey team out of the Big Dipper for over 20 years; and,

WHEREAS, The Ice Dogs provide a significant public benefit by bringing a high-quality junior hockey environment to Fairbanks and providing leadership opportunities, community service, skill development, and advancement opportunities for youth athletes from the Borough; and

WHEREAS, The Ice Dogs request a non-exclusive use agreement for portions of the Big Dipper in order to host hockey practices, camps, tournaments, and games as well as activities in support of these events, including vending of certain concessions; and

AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

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31           WHEREAS, The Ice Dogs request an exclusive lease at less than Fair Rental  
32 Value of portions of the Big Dipper for the purposes of a team room, coaches' room,  
33 meeting space, and equipment and concession storage; and

34  
35           WHEREAS, The Ice Dogs request the option of selling certain advertising  
36 space at the Big Dipper; and

37  
38           WHEREAS, The Ice Dogs request a Partnership Agreement with an initial  
39 three (3) year term, and two (2) renewal options of one (1) year each; and

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41           WHEREAS, The Ice Dogs propose to pay standard user fees for ice rental,  
42 labor rates and room rentals and to provide certain services in exchange for the waiver  
43 of fees on gross receipts; and

44  
45           WHEREAS, FNSBC 20.16.020(D) states the Assembly may authorize the  
46 Mayor to grant a lease on Borough land for less than fair rental value only if the ordinance  
47 authorizing the lease contains a finding that the lease is for a compelling public purpose  
48 or use and a statement of the facts on which the finding is based.

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50           NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks  
51 North Star Borough:

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

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56           Section 2. Approval of Partnership Agreement. The Assembly hereby  
57 approves the Partnership Agreement with the Ice Dogs, including leasing a portion of the

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58 Big Dipper Ice Arena; a non-exclusive use agreement; and the right to sell advertising  
59 space at this facility.

60 A. Notwithstanding the fees stated in Appendix E, User Fee Schedule, the  
61 Mayor is authorized to agree to a negotiated rate with the Ice Dogs for  
62 advertising within the Big Dipper.

63 B. The Mayor is authorized to waive fees, including the 15% fee on gross  
64 receipts from ticket sales/admission fees and non-alcohol sales location  
65 concessions, in exchange for other services provided for by the Ice Dogs  
66 under the Agreement.

67  
68 Section 3. Lease authorization. The Borough Mayor or his delegate is  
69 hereby authorized to take all actions necessary to enter into a lease with the Ice Dogs  
70 for the storage area on the map attached as Exhibit A and on the following areas of the  
71 Big Dipper Ice Arena:

- 72 A. Team Room
  - 73 i. Team Room 123
- 74 B. Concession Stands
  - 75 i. Concession Stand 130
  - 76 ii. Concession Stand 219
- 77 C. Lounge
  - 78 i. Lounge 116B
- 79 D. Storage Rooms
  - 80 i. Storage Room 116C
  - 81 ii. Storage Room 116E
  - 82 iii. Storage Room 116F
  - 83 iv. Janitor Room 221 (portions only).

84 The rental rate will be one dollar (\$1.00) per year, for an initial term of four (3) years,  
85 with two (2) renewal options of one (1) year each.

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Section 4. Determination of a compelling public purpose or need. The Assembly hereby finds that authorizing this Agreement, including the grant of a lease at less than fair rental value, meets the conditions of a compelling public purpose or need based on the following facts:

1. The Ice Dogs provide the Borough’s youth with the opportunity to develop an athletic skill and to learn lessons in hard-work, teamwork, resiliency, and leadership.
2. The Ice Dogs provide the Borough’s community with collaborative social events and a community spirit.

Section 5. Waiver of FNSBC Title 16. To the extent that FNSBC Title 16 otherwise requires that the right to sell advertising space is subject to its provisions, it is hereby waived.

Section 6. Authorization. The Borough Mayor or his delegate is hereby authorized to take all actions and execute all documents necessary to enter into a partnership agreement with the Fairbanks Junior Ice Dogs, Inc., including a non-exclusive use agreement and a lease at less than Fair Rental Value, of portions of the Big Dipper Ice Arena, for an initial term of three (3) years, with two (2) renewal options of one (1) year each.

Section 7. Effective Date. This ordinance is effective at 5:00 p.m. on the first Borough business day following its adoption.

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

\_\_\_\_\_  
Mindy O’Neill  
Presiding Officer

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116  
117 ATTEST:  
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119 \_\_\_\_\_  
120 April Trickey, CMC  
121 Borough Clerk

APPROVED:  
  
Approved by JSD  
\_\_\_\_\_  
Jill S. Dolan  
Borough Attorney

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