

1 By: Bryce J. Ward, Mayor
2 Introduced: 02/25/2021
3 Advanced: 02/25/2021
4 Adopted: 03/11/2021
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6 FAIRBANKS NORTH STAR BOROUGH
7
8 ORDINANCE NO. 2021 – 06
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10 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT AT
11 LESS THAN FAIR MARKET VALUE WITH THE GOLDEN HEART SOFTBALL ASSOCIATION
12 FOR USE OF PORTIONS OF TRACT G-1A, SOUTH DAVIS PARK SUBDIVISION (SOUTH
13 DAVIS PARK) AND A HEZ RAY SPORTS COMPLEX (ON DAVIS ROAD WEST OF LATHROP
14 STREET)
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16 WHEREAS, The Fairbanks North Star Borough (Borough) holds good and
17 equitable title to Tract G-1A, South Davis Park Subdivision and HezRay Sports Complex
18 as shown on the attached exhibit maps; and
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20 WHEREAS, The Borough and Golden Heart Softball Association (GHSA)
21 entered into their first use agreement in 1988 and has provided a quality softball
22 educational program benefiting the citizens of Fairbanks for many decades; and
23

24 WHEREAS, GHSA is committed to continue providing the community with
25 the benefits and opportunities of a softball program that improves health and well-being,
26 concentration, judgment, sense of responsibility, shared enjoyment with friends and
27 family, and a sense of belonging to a community with shared interests; and
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29 WHEREAS, GHSA desires to continue their operations in the community and
30 the Borough proposes to grant a lease for use of Borough owned land in support of GHSA
31 activities, with an initial term of four (4) years, and two (2) renewal options of four (4)
32 years each; and
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34 WHEREAS, All maintenance and utility responsibilities for the facilities in
35 question will fall to the GHSA; and
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37 WHEREAS, FNSBC 20.16.020(D) states the Assembly may authorize the
38 Mayor to lease Borough land for less than fair rental value only if the ordinance
39 authorizing the lease contains a finding that the lease is for a compelling public purpose
40 or use and a statement of the facts on which the finding is based; and
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42 WHEREAS, Land Management has reviewed records for the property and
43 there are no existing mining claims or other third-party interests know to Land

44 Management within the proposed lease area which Land Management believes impact or
45 are impacted by the proposed lease; and

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47 WHEREAS, Those with a known land interest in adjoining properties have
48 been notified of the proposed lease.

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

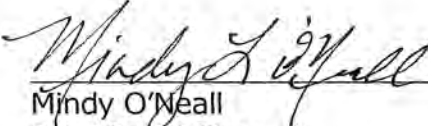
- 59 1. GHSA has faithfully served the community in partnership with the Borough
60 for over 30 years promoting public health and well-being through
61 recreational softball.
62 2. With over 70 men, women, and coed teams, GHSA provides organized
63 recreational opportunities for a wide variety of Borough residents while
64 making use of existing public facilities.

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66 Section 3. Authorization. The Borough Mayor or his delegate is hereby
67 authorized to take all actions necessary to enter into a new lease with GHSA on portions
68 of Tract G-1A, South Davis Park Subdivision (South Davis Park) and Hez Ray Sports
69 Complex as shown on attached exhibit maps, at a rental rate of one dollar (\$1.00) per
70 year, for an initial term of four (4) years, with two (2) renewal options of four (4) years
71 each.

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

ADOPTED THE 11TH DAY OF MARCH 2021.

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Mindy O'Neall
Presiding Officer

ATTEST:


April Trickey, CMC
Borough Clerk

Yeses: Williams, Cash, Tomaszewski, Lyke, Cooper, Sanford, Wilson, O'Neall
Noes: None
Other: Lojewski (Excused)



 Lease Area

310 155 0 310 Feet




Exhibit Map "A"

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT AT LESS THAN FAIR MARKET VALUE WITH THE GOLDEN HEART SOFTBALL ASSOCIATION FOR USE OF PORTIONS OF TRACT G-1A, SOUTH DAVIS PARK SUBDIVISION (SOUTH DAVIS PARK) AND HEZ RAY SPORTS COMPLEX

