

By: Administration
Adopted: January 25, 2016
Vote: Burney, Graham, O'Barr, Wall, Wilson in favor
Sullivan-Leonard absent

**City of Wasilla
Resolution Serial No. 16-01**

A resolution of the Wasilla City Council authorizing the Mayor to execute a five year land use agreement with the Wasilla Youth Soccer Association for use and improvements of the soccer facility at the Bumpus Ballfield complex.

WHEREAS, the Wasilla Youth Soccer Association has used a portion of the Bumpus Ballfield complex for youth soccer under land use agreements since 2002; and

WHEREAS, a new land use agreement is needed for Wasilla Youth Soccer Association to continue using and making improvements to the soccer facility; and

WHEREAS, the Wasilla Youth Soccer Association has successfully implemented their soccer program at this facility since 2002; and

WHEREAS, the Wasilla Youth Soccer Association has successfully maintained the soccer facility since 2002; and

WHEREAS, the Wasilla Youth Soccer Association has successfully obtained grant funding for improvements to the facility including a new soccer field recently constructed.

NOW, THEREFORE, BE IT RESOLVED, the Wasilla City Council hereby authorizes the mayor to execute a five year land use agreement with the Wasilla Youth Soccer Association for use and improvements of the soccer facility at the Bumpus Ballfield complex.

ADOPTED by the Wasilla City Council on January 25, 2016.


BERT L. COTTLE, Mayor

ATTEST:

JAMIE NEWMAN, MMC, City Clerk

[SEAL]

CITY COUNCIL LEGISLATION STAFF REPORT

Resolution Serial No. 16-01: Authorizing the Mayor to execute a land use agreement with the Wasilla Youth Soccer Association for use and improvements of the soccer facility at the Bumpus Ballfield complex.

Originator: Mayor Bert L. Cottle

Date: January 13, 2016

Agenda of: January 25, 2016

Route to:	Department Head	Signature	Date
X	Recreation & Cultural Services Director		1/13/16
X	Public Works Director		1/13/16
X	Finance Director		1/13/16
X	Deputy Administrator		1/13/16
X	City Clerk		1/13/16

Reviewed by Mayor Bert L. Cottle: _____

 1:13:2016

Fiscal Impact: yes no

Account name/number:

Attachments: Land Use Agreement (3 pages)

Summary Statement: The Wasilla Youth Soccer Association has used a portion of the Bumpus Ballfield complex for youth soccer under use agreements since 2002. A new agreement is needed for Wasilla Youth Soccer Association to continue using and making improvements to the soccer facility. The Wasilla Youth Soccer Association has been successful in implementing their soccer programs, maintaining the soccer facility, and obtaining grant funding for improvements.

Staff Recommendation: Adopt Resolution Serial No. 16-01.

LAND USE AGREEMENT

This LAND USE AGREEMENT is made and entered into by and between the City of Wasilla and the Wasilla Youth Soccer Association.

The parties hereby agree as follows:

Section 1. Location

The City of Wasilla owns real property known as the Bumpus Recreation Area more particularly described as: NE1/4 of the SW1/4 of Section 5, Township 17 North Range 1 West, Seward Meridian, Alaska.

Section 2. Purpose

The Wasilla Youth Soccer Association wishes to continue using the soccer complex pursuant to the terms and conditions of this land use agreement. This agreement is for the general purpose of conducting recreational sports events and activities connected to and related therewith, and for no other purpose.

Section 3. Description

The Wasilla Youth Soccer Association does hereby agree the soccer complex consists of the area located within the NE1/4 of the SW1/4 of Section 5, T17N R1W S.M. south of Mystery Avenue and all improvements including the fields, fencing, and parking lots, and excluding the area used by the water utility as shown in Exhibit A.

Section 4. Term

The term of this agreement shall be for five years, with five year extensions available commencing on the first day of March 2016, and ending on the twenty eighth day of February 2021, unless terminated by either party upon 30 days written notice for failure to comply with the terms and conditions of the agreement.

Section 5. Conditions

5.1 Wasilla Youth Soccer Association is responsible for construction and maintenance of the soccer fields.

5.2 Wasilla Youth Soccer Association is responsible to provide a certificate of insurance annually covering the use with the City of Wasilla named as additionally insured.

5.3 The soccer complex shall be open to the public when not in use by the Wasilla Youth Soccer Association.

5.4 Wasilla Youth Soccer Association shall coordinate construction activities with the City of Wasilla Public Works Department.

5.5 Wasilla Youth Soccer Association shall comply with the City of Wasilla Park Use Rules as defined in Wasilla Municipal Code 12.24.

5.6 The City of Wasilla shall provide water for irrigation of the soccer fields.

Section 6. Notices

Any notices required to be sent in accordance with the terms and conditions of this agreement shall be sent in writing to the parties at the following addresses:

City of Wasilla
290 E. Herning Avenue
Wasilla, Alaska 99654

Wasilla Youth Soccer Association
PO Box 873302
Wasilla, Alaska 99687

Section 7. Entire Agreement

This agreement with exhibits constitutes the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior or contemporaneous agreements, oral or written, between the parties. No modifications, amendments, deletions, additions or alterations of this agreement shall be effective unless in writing and signed by the parties. This agreement shall not be construed more strictly against one party than the other.

City of Wasilla

Mayor, Bert L. Cottle date

Wasilla Youth Soccer Association

WYSA Board President date



EXHIBIT A