

SUBJECT: A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY DIRECTING THE MANAGER TO TERMINATE THE NOTICES TO QUIT BY JUNE 30, 2023, SERVED ON OCTOBER 10, 2022, AND ALLOW CONTINUED TENANCY UNDER THE CURRENT RENTAL AGREEMENTS UNTIL DECEMBER 31, 2024, FOR THE TENANTS LOCATED AT 24690 W HOLSTEIN AVENUE AND 18455 S GUERNSEY ROAD.

AGENDA OF: June 20, 2023

Assembly Action: Adopted with Hale, Dowers, Bernier opposed. (SP) 6/20/23.

AGENDA ACTION REQUESTED: Present to the Assembly for consideration.

Route To	Signatures
Originator	X <u>WS</u>
Finance Director	X <u>Chapman</u>
Borough Attorney	X <u>NS</u>
Borough Manager	X <u>WB</u>
Borough Clerk	X <u>Jam 6/12/23 SP</u>

ATTACHMENT (S): Resolution Serial No. 23-071 (1 pp)

**SUMMARY STATEMENT:** The Borough acquired two farms within the Point MacKenzie area as part of the Port MacKenzie Rail Extension (PMRE) project in 2013. Two tenants occupy these farms. As the Borough is exploring alternatives and ways to wrap up various segments of this project, the Borough Manager directed staff to dispose of the properties, according to MSB Code, through a competitive sale.

Borough staff provided a notice to vacate the premises, and initially, it was decided to give a 60-day notice, which would have given the tenants a vacate date in December 2022 to be out of the homes. The initial discussion with the tenants took place on September 21, 2022. After conversations with the families on October 6, 2022, staff decided that June 30, 2023, would be more acceptable for the families to vacate the two farms. This gives the tenants

nine months' notice and gets them through the winter.

The Borough agreed to offer the tenant, Mr. Berger-Hermes, first right of refusal to purchase the properties at fair market value based on a third-party appraisal that the Borough would pay to have done. As per Title 23, any Borough land sales should first go through the sealed bid auction (competitive) process. If parcels don't sell during a competitive bid process, they can be offered in a subsequent "over-the-counter sale" and sold for a "first-come, first-serve" basis for the minimum bid price set by Assembly ordinance for the sealed bid auction.

The time and costs of overseeing these properties are not in the best interests of the Borough. The intent is to sell the properties and return them to private hands.

**RECOMMENDATION OF ADMINISTRATION:** Respectfully request approval.