Memorandum 13-032 Re: Tract 1-A, Fishing Hole Subdivision #2

Memorandum ID: 13-032
Memorandum Status: Approved

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TO: Mayor Wythe and Homer City Council
FROM: Walt Wrede
DATE: February 20, 2013
SUBJECT: TRACT 1-A, Fishing Hole Subdivision # 2

At the last meeting on February 11, the Council heard a presentation from the Wooden Boat Society about its desire to lease land on Tract 1-A, sometimes referred to as the Pier One Lot. Several Council members inquired about what the proper steps and process would be for it to formally consider a lease proposal on this property. It was agreed that I would provide a memorandum outlining the steps and recommending a course of action.
There are several steps Council should take in order to stay consistent with the provisions contained in the Code, the Lease Policies, and the Land Allocation Plan:
1. Make the Land Available for Lease: Every year the Council revises and approves the Land Allocation Plan. An important part of this process is establishing which City parcels are available for lease. With the exception of the Pier One lease, Tract 1-A is currently not available for lease. Council could make it available by passing a Resolution amending the Land Allocation Plan. As part of the resolution approval process, Council should also consider 1) How much land to make available for lease, 2) the location 3) whether it is only available to non-profits that meet zoning and other land use regulation requirements, and 4) Whether to make the property available to Wooden Boat Society exclusively or RFP it as preferred by the Lease Policies.
2. Forward Instructions to the Lease Committee. The instructions would include information about the land now available for lease, and depending upon what Council decides, the instructions could include requesting recommendations about exclusive use, direction to issue an RFP, and direction to develop a new set of evaluation criteria specific to non-profits.
3. Follow the Process: Regardless of whether the City chooses to go with an RFP or an exclusive opportunity to lease for the Wooden Boat Society, there is a formal process to follow already established in the Lease Policies. For example, the RFP, proposal, review, and recommendation to Council process is well established. Similarly, if the Council wishes to go “sole source” so to speak, without the benefit of an RFP, it must make and adopt findings about why it is in the public interest to do so. The Lease Committee is required to make recommendations to Council in that circumstance also.

RECOMMENDATION: The first step is to consider whether to make the property, or a portion of it, available for lease. This involves amending the Land Allocation Plan. The City Clerk reminded me that Council is scheduled to have a workshop on the Land Allocation Plan with the affected Commissions in late March. That would be the perfect time to discuss this and get input from the Commissions at the same time. The Council could take action if it chooses when it amends and approves the Land Allocation Plan at the following meeting. I would recommend deferring action until that time.

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