



## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Office of the City Clerk

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# Memorandum

## Agenda Changes/Supplemental Packet

TO: MAYOR CASTNER AND HOMER CITY COUNCIL  
FROM: MELISSA JACOBSEN, MMC, CITY CLERK  
DATE: NOVEMBER 25, 2020  
SUBJECT: SUPPLEMENTAL PACKET

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### **NEW BUSINESS**

Resolution 20-127, A Resolution of the City Council of Homer, Alaska Strongly Opposing Alternative 4 in the Public Review Draft Environmental Assessment/Regulatory Impact Review for Proposed Amendment XX to the Fishery Management Plan for the Salmon Fisheries in the EEZ off Alaska that would Close all Federal Water in Cook Inlet to Commercial Salmon Fishing and Finding that Implementation of Alternative 4 would have a Significant Adverse Impact on the Economy of Homer. Mayor/City Council.

Written public comments

### **COMMENTS OF THE AUDIENCE**

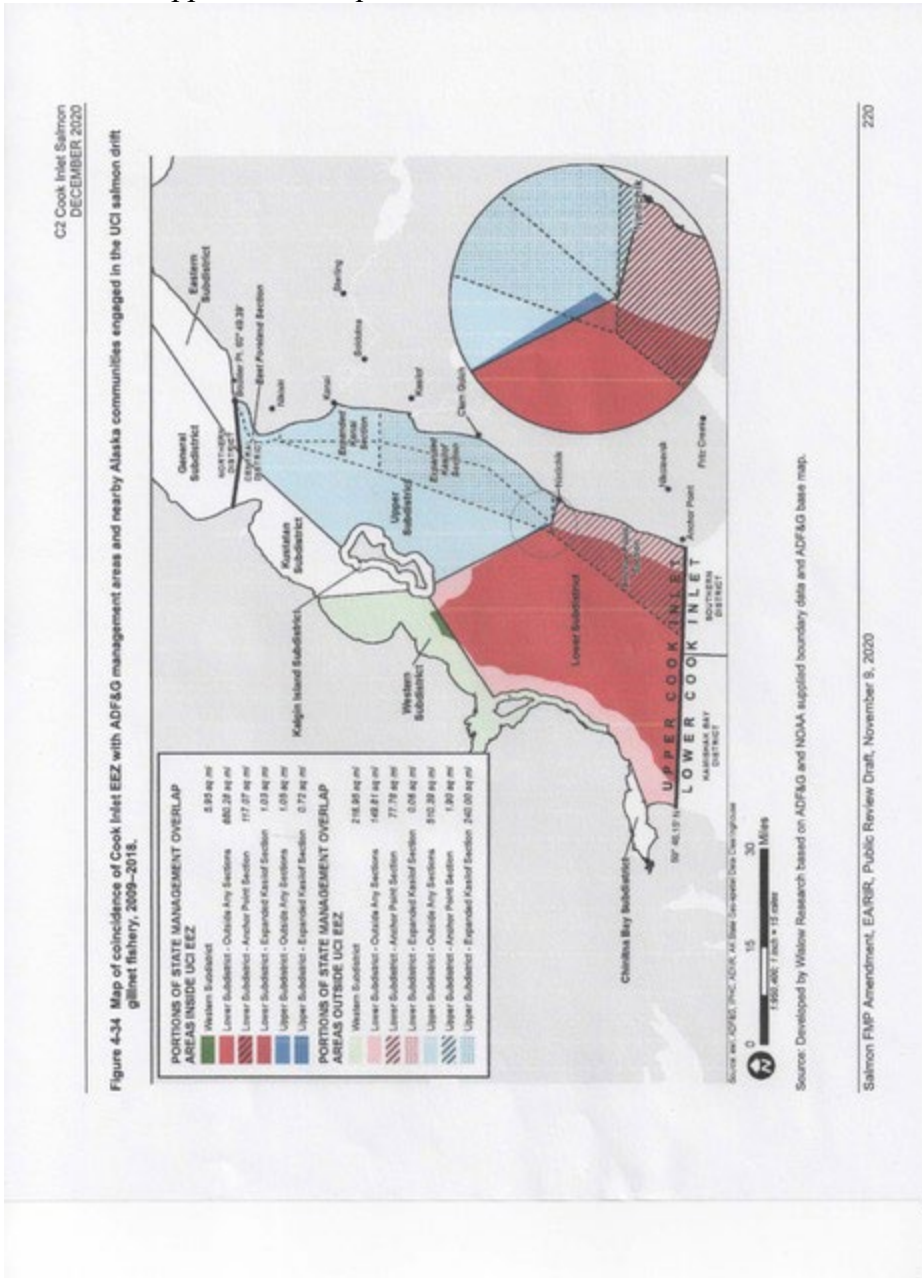
Written public comments

**From:** [Robert Ruffner](#)  
**To:** [Mayor Email](#)  
**Subject:** EEZ  
**Date:** Wednesday, November 25, 2020 12:48:47 PM

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Mayor,

The EEZ is approx. 1000 sq. miles



Robert Ruffner  
394-4664



**From:** [Milne via City of Homer Alaska Official Website](#)  
**To:** [Department Clerk](#)  
**Subject:** Written Testimony Submittal  
**Date:** Wednesday, November 25, 2020 12:50:12 PM

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Written Testimony for City Council

Name: Malcolm Milne  
Email: milnemarine@yahoo.com  
Phone: 9073666296  
Residency: Non-City Resident

City Council Meeting to Participate In:  
Special Meeting (if scheduled)  
Wed, 11/25

Public Comments Upon Matters Already on the Agenda - Citizen may comment on regular agenda items not scheduled for public hearing such as Consent Agenda items, Memorandums, Pending Business, New Business, Resolutions, and Ordinances to be introduced.

Written Testimony:

The North Pacific Fisheries Association represents over 60, mostly Homer based commercial fishermen. Many of our members participate in the Upper Cook Inlet Commercial Salmon Drift Fishery. We fully support and appreciate the Resolution being considered. In our opinion the resolution is well written and clearly conveys the potential impacts of the proposed action. Thank you for taking this up in a special meeting. Sincerely, Malcolm Milne, President, North Pacific Fisheries Association

Electronic Signature: Malcolm Milne

Submitted on Wednesday, November 25, 2020 - 12:49pm

The results of this submission may be viewed at: <https://www.cityofhomer-ak.gov/node/60081/submission/44561>

**From:** [Mary Griswold](#)  
**To:** [Melissa Jacobsen](#)  
**Subject:** Spit lease considerations  
**Date:** Wednesday, November 25, 2020 8:28:36 AM

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(Please include in the Special Meeting supplemental packet for the second comments of the audience opportunity)

From Resolution 20-117 S: “The Port and Harbor Advisory Commission met on November 18th to review the proposed lease application and made a motion to recommend support of the lease transfer from AGC to Salmon Sisters Holdings LLC, and support the request from salmon sisters to negotiate a lease rate reduction with the city manager, public purpose justifications being: 1) Bringing the property out of bankruptcy default and making it profitable, and 2) bringing a new business enterprise to Homer that is locally owned. . .”

More details emerged from the fog surrounding this substitute resolution at Monday’s city council meeting:

1) Authorizing a rent reduction in order to bring the property out of bankruptcy is not a public purpose, but a boon to the private business involved—perhaps the bank. We learned that the city is receiving its full rent payments from the bank holding the lease. It would be a financial setback for the city to accept a rate reduction and of no benefit to the city taxpayers. This is not a “valuable public purpose.”

2) Authorizing a rent reduction in order to bring a new business enterprise to Homer that is locally owned is in conflict with the city’s lease policy. There is no local preference for city leases. In fact Chapter 18.08 states that the city will lease property in a fair and nondiscriminatory way:

### **18.08.005 Purpose.**

The purpose of this chapter is to ensure that the lease of City-owned property maximizes the value of City assets and that the City awards leases that provide the highest and best use of City-owned property. It is the policy of the City to lease its property in a fair and nondiscriminatory way. [Ord. [18-16\(S\)\(A\)](#) § 1, 2018].

Furthermore, the Port and Harbor web page tab “Available Land for Lease on the Spit” does

not include this parcel to let potentially interested businesses know they could lease it.

It also emerged during council discussion that Salmon Sisters request additional lease concessions that are not allowed under current city code.

The original Resolution 20-117 was a good opportunity for the city and Salmon Sisters. They apparently negotiated with the bank for an acceptable purchase of the buildings, in whatever state of disrepair. These buildings sit on the lease site, but are not part of, the city land lease agreement. I heard no mention of deficiencies in the land itself. The lease assignment at the established rate would let the bank off the hook and ensure the continued level of revenue for the city. It would allow Salmon Sisters to proceed with their plans for a vibrant business in a well-suited location. And it would represent sound public policy.