

1 **CITY OF HOMER**  
2 **HOMER, ALASKA**

3  
4 City Manager

5 **ORDINANCE 16-53**

6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
7 AUTHORIZING THE CITY MANAGER TO ISSUE A REQUEST FOR  
8 PROPOSAL FOR LOT 11, HOMER SPIT SUBDIVISION NO. 5, FOR A  
9 LONG-TERM COMMUNICATIONS TOWER LEASE AND AMENDING  
10 THE FY 2016 OPERATING BUDGET BY APPROPRIATING FUNDS IN  
11 THE AMOUNT OF \$12,500.00 FROM PORT AND HARBOR  
12 DEPRECIATION RESERVES TO FUND TOWER CONSULTANT  
13 SERVICES WITH CITYSCAPE CONSULTANTS, INC.  
14

15 WHEREAS, Resolution 15-030(A) authorized the City Manager to issue a request for  
16 proposal (RFP) for Homer Spit No. 5 Lot 11 for a long term cell tower lease; and  
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18 WHEREAS, On June 29, 2015, Resolution 15-049 awarded a twenty year lease with two  
19 five-year options on a portion of Lot 11, Homer Spit Subdivision, No. 5 to SpitwSpots Inc. of  
20 Homer, Alaska, and authorized the City Manager to execute the appropriate documents; and  
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22 WHEREAS, On August 3, 2016 negotiations with SpitwSpots were terminated after  
23 failure to come to an agreement that both parties found mutually beneficial; and  
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25 WHEREAS, Since August 2016, the City has received letters of interest from four  
26 different companies interested in constructing a tower on Homer Spit No. 5 Lot 11; and  
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28 WHEREAS, It is the policy of the City of Homer for a letter of interest to trigger Council  
29 to consider authorizing a request for proposal; and  
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31 WHEREAS, Moving forward without additional delay on this project is important so  
32 that a tower can be up by the next construction season to serve the great demand for  
33 increased communications capacity in Homer; and  
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35 WHEREAS, Due to the complexity of tower regulations and requirements, staff  
36 recommends hiring a professional wireless communications firm to facilitate the request for  
37 proposal process and subsequent negotiations; and  
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39 WHEREAS, Hiring a third party will allow for an expert and objective analysis of all  
40 RFPs which will be both beneficial to the City of Homer and the businesses submitting  
41 proposals; and

42 WHEREAS, CityScape Consultants, Inc. has extensive experience in Alaska handling  
43 tower negotiations with municipalities such as Juneau and the MatSu Borough and is  
44 qualified to facilitate the process for the City of Homer.

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46 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

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48 Section 1. The City Council of Homer, Alaska, authorizes the City Manager to issue a  
49 request for proposal for a long-term tower lease on a portion of Lot 11, Homer Spit  
50 Subdivision No. 5.

51  
52 Section 2. The Homer City Council hereby amends the FY 2016 Operating Budget by  
53 appropriating \$12,500.00 from Port and Harbor Depreciation Reserves to hire CityScape  
54 Consultants, Inc. to facilitate the lease negotiations, including request for proposal, selection  
55 process, and siting of the tower and equipment.

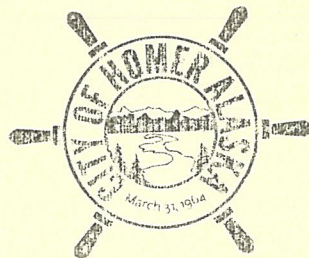
56  
57 Expenditure:

58 <u>Account</u>	59 <u>Description</u>	60 <u>Amount</u>
59 456-380	60 Consultant services for 61 communications tower	62 \$12,500.00

63 Section 3. This is a budget amendment ordinance only, is not permanent in nature,  
64 and shall not be codified.

65 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 24<sup>th</sup> day of October, 2016.

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67 CITY OF HOMER




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BRYAN ZAK, MAYOR

ATTEST:

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JO JOHNSON, MMC, CITY CLERK

82 YES: 6  
83 NO: 0  
84 ABSTAIN: 0  
85 ABSENT: 0

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87 First Reading: 10/10/16  
88 Public Hearing: 10/24/16  
89 Second Reading: 10/24/16  
90 Effective Date: 10/25/16

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92 Reviewed and approved as to form:

93  
94 Mary K Koester  
95 Mary K. Koester, City Manager

Holly C. Wells  
Holly C. Wells, City Attorney

96  
97 Date: 10-26-16

Date: 11-7-16

98  
99 Fiscal Note: \$12,500.00 from Port and Harbor Depreciation Reserves (456-380).