

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

3 City Manager

4 **RESOLUTION 20-117**

5
6 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
7 APPROVING A LEASE ASSIGNMENT ORIGINALLY HELD BY HARBOR
8 LEASING LLC AND ASSUMED BY ALASKA GROWTH CAPITAL BIDCO,
9 INC. TO SALMON SISTERS HOLDINGS LLC AND AUTHORIZING THE
10 CITY MANAGER TO NEGOTIATE AND EXECUTE THE APPROPRIATE
11 DOCUMENTS FOR A NEW TWENTY YEAR LEASE WITH OPTIONS
12 FOR TWO CONSECUTIVE FIVE YEAR RENEWALS FOR A PORTION
13 OF LOT 12C, PORT INDUSTRIAL SUBDIVISION NO. 4, PLAT 99-43,
14 AT AN ANNUAL RATE OF \$29,785.32.

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16 WHEREAS, Alaska Growth Capital BIDCO (“AGC”) has requested to transfer its leasehold
17 interest assumed from Harbor Leasing, LLC to Salmon Sisters Holdings, LLC as a result of their
18 pending, time sensitive sale; and

19
20 WHEREAS, Per Section 14.04 (f) of the lease originally held by Harbor Leasing LLC, as
21 mortgagee AGC has the right to assign or transfer the estate to Salmon Sisters Holdings, LLC
22 upon obtaining the City’s consent, which will not be unreasonably withheld or delayed; and

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24 WHEREAS, HCC 18.08.160 Assignment (b) states the City Manager must make a
25 determination that a lessee is in full compliance with a lease before an assignment will be
26 effective; and

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28 WHEREAS, Salmon Sisters Holdings, LLC submitted a lease application pursuant Homer
29 City Code (HCC) 18 and will provide the City with any required additional documents prior to
30 Port and Harbor Advisory Commission review and execution of the lease; and

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32 WHEREAS, HCC 18.08.70 and HCC 18.08.160 (c) 5. requires the Port and Harbor Advisory
33 Commission review of the proposal prior to Council approval; and

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35 WHEREAS, Given the pending, time sensitive sale of the improvements from AGC to
36 Salmon Sisters Holdings, LLC, HCC 18.08.70 and HCC 18.08.160 (c)5. are waived so that lease
37 assignment approval is contingent upon receiving all required materials and a positive
38 recommendation from the Port and Harbor Advisory Commission; and

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40 WHEREAS, Per both Section 14.04 (f) of the current lease and HCC 18.08.160 (4), Council
41 shall approve or deny the request for lease assignment via resolution.

42 NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby approves the
43 lease assignment from Alaska Growth Capital BIDCO to Salmon Sisters Holdings, LLC, and
44 authorizes the City Manager to negotiate and execute a new lease for a twenty year term with
45 options for two consecutive five year renewals on a portion of Lot 12C, Port Industrial
46 Subdivision No. 4, Plat 99-43, at an annual base rent of \$29,785.32.

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48 BE IT FURTHER RESOLVED that the City Manager will make a determination that AGC is
49 in full compliance with a lease before an assignment to Salmon Sisters Holdings, LLC will be
50 effective.

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52 BE IT FURTHER RESOLVED that the lease assignment to Salmon Sisters Holdings, LLC is
53 contingent upon the City receiving all required documents and a positive recommendation
54 from the Port and Harbor Advisory Commission.

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56 PASSED AND ADOPTED by the Homer City Council on this 9th day of November, 2020.

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58 CITY OF HOMER
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61 _____
62 KEN CASTNER, MAYOR

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64 ATTEST:
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67 _____
68 MELISSA JACOBSEN, MMC, CITY CLERK

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70 Fiscal Note: \$29,785.32 annually