

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

Erickson/Hansen

3  
4 **ORDINANCE 24-20(A)**

5  
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA  
7 AMENDING HOMER CITY CODE SECTION 18.08.040 COUNCIL  
8 APPROVAL OF LEASES.  
9

10 WHEREAS, The City of Homer owns real property throughout the City, including on the  
11 Homer Spit; and  
12

13 WHEREAS, The City-owned property on the Homer Spit contains significant economic  
14 and non-economic value for the City and its residents; and  
15

16 WHEREAS, The Homer City Code 18.08.005 states purposes of the City's property leasing  
17 program to be to "maximize the value of City assets" and to "provide the highest and best use  
18 of City-owned property; and  
19

20 WHEREAS, The City often enters long-term leases with terms of 20-35 years and options  
21 for five year renewals; and  
22

23 WHEREAS, Pursuant to Homer City Code 2.64.040 Duties and responsibilities of the  
24 Commission, the Port and Harbor Advisory Commission (PHC) is to act in an advisory capacity  
25 on the development of the City port and harbor facilities and consideration may include the  
26 physical facilities, possible future development and recommendations on land use within the  
27 port and harbor areas; and  
28

29 WHEREAS, The PHC analyses of city owned property located on the Homer Spit should  
30 assist the City Council and Manager in Port and Harbor lease activity; and  
31

32 WHEREAS, It is in the best interests of the City for the City Council and City Manager to  
33 receive advisory comments from the PHC on proposals for Homer Spit leases.  
34

35 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:  
36

37 Section 1. Homer City Code Section 18.08.040 Council approval of leases, is hereby  
38 amended as follows:  
39

40 18.08.040 Council approval of leases.

41 a. All long-term leases for more than five years shall be approved by Council via  
42 ordinance. All long-term leases for five years or less shall be approved by Council via



43 resolution. **All leases, including but not limited to, lease extensions, renewals and**  
44 **options, on the Homer Spit shall receive advisory review by the Port & Harbor**  
45 **Advisory Commission prior to submission to the Council or the City Manager for**  
46 **approval. Tthe Council and the City Manager may forego this requirement if either**  
47 **finds time is of the essence or if the best interests of the City requires otherwise**  
48 **for the leasing activity. This requirement does not apply to subleases.**  
49

50 b. The City Manager may execute short-term leases without Council approval when the  
51 City Manager determines that a short-term lease is in the best interests of the City and  
52 notifies the Council in writing of the short-term lease and its essential terms.  
53

54 c. Short-term leases are not required to go through the competitive bidding process  
55 unless the short-term lease would result in the lease of City-owned property to the  
56 same lessee for more than one consecutive year.  
57

58 d. Except as expressly provided in this chapter, property leased by the City from a third  
59 party that is available for sublease or the lease of space in City-owned buildings located  
60 on real property owned by a third party is exempt from this chapter.  
61

62 Section 2. This Ordinance is of a permanent and general character and shall be  
63 included in the City Code.

64  
65 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this 22nd day of April, 2024.  
66

67 CITY OF HOMER

68 *Ken Castner*

69  
70 KEN CASTNER, MAYOR

71 ATTEST:

72 *Renee Krause*  
73  
74 RENEE KRAUSE, MMC, ACTING CITY CLERK  
75

76 YES: 5  
77 NO: 0  
78 ABSTAIN: 0  
79 ABSENT: 1  
80

81 First Reading: 4/8/24  
82 Public Hearing: 4/22/24  
83 Second Reading: 4/22/24  
84 Effective Date: 4/23/24

