

**CITY OF HOMER
HOMER, ALASKA**

City Manager/Port Director

ORDINANCE 25-67

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
APPROVING A SUBLEASE BETWEEN ALASKA CUSTOM SEAFOODS,
INC. AND WIND AND TIDE LLC DBA PENINSULA SEAFOODS
OCCUPYING A PORTION OF THE BUILDING SPACE FOR AN OFFICE
AND ADDITIONAL SHARED SPACE AS WELL YARD SPACE
CONSISTING OF SHARED PARKING SPACES AND SPACE FOR AN
ICE-MAKING MACHINE AND EQUIPMENT STORAGE ON THE
PROPERTY T7S R13W SEC 1 SEWARD MERIDIAN HM 0920050
HOMER SPIT SUBDIVISION NO. TWO AMENDED LOT 88-4, AND
AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE
THE APPROPRIATE DOCUMENTS.

WHEREAS, The City Manager previously approved a short-term, 12-month sublease
agreement between Alaska Custom Seafoods, Inc. and Wind and Tide LLC, dba Peninsula
Seafoods, for office and yard space, including shared use of six parking spaces; and

WHEREAS, Wind and Tide LLC, dba Peninsula Seafoods, has requested additional yard
space for the placement of an ice-making machine and equipment storage, as well as the
option to extend the term of the sublease beyond the original 12-month period; and

WHEREAS, The Lessee, Alaska Custom Seafoods, Inc., has reviewed and agreed to the
additional usage of yard space and extension of the sublease term; and

WHEREAS, Wind and Tide LLC, dba Peninsula Seafoods, has submitted the required
information and documentation in support of the new sublease application; and

WHEREAS, The proposed expansion of yard space is consistent with the permitted uses
under the Prime Lease, conforms to applicable land use regulations, and is anticipated to
provide a beneficial service to the local commercial fishing industry, thereby serving the public
interest.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1: The Homer City Council approves this ordinance of the City Council of Homer,
Alaska approving a sublease between Alaska Custom Seafoods, Inc. and Wind and Tide LLC
dba Peninsula Seafoods, occupying a portion of the building space for an office and additional
shared space as well as yard space consisting of shared parking spaces, space for an ice-

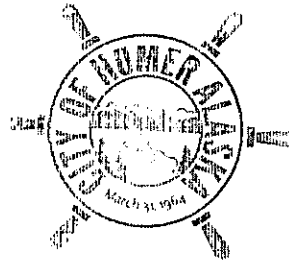
making machine and equipment storage on the property entitled T 7S R 13W SEC 1 Seward Meridian HM 0920050 Homer Spit Sub No Two amended Lot 88-4, and authorizing the City Manager to negotiate and execute the appropriate documents.

CITY OF HOMER

RACHEL LORD, MAYOR

ATTEST:

AMY WOODRUFF, CITY CLERK



YES: 6

NO: 0

ABSTAIN: 0

ABSENT: 0

First Reading: November 10, 2025

Public Hearing: November 24, 2025

Second Reading: November 24, 2025

Effective Date: November 25, 2025



MEMORANDUM

Ordinance 25-67, An Ordinance of the City Council of Homer, Alaska Approving a Sublease Between Alaska Custom Seafoods, Inc/ and Wind and Tide LLC DBA Peninsula Seafoods Occupying a Portion of the Building Space for an Office and Additional Space, and Yard Space for an Ice Making Machine and Equipment Storage on the Property T7S R13W Sec1 Seward Meridian HM 0920050 Homer Spit Subdivision No. Two Amended, Lot 88-4 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Port Director.

Item Type: Backup Memorandum
Prepared For: Mayor Lord and City Council
Date: October 30, 2025
From: Mark Bowman, Port Property Associate
Through: Melissa Jacobsen, City Manager

Peninsula Seafoods currently holds a short-term, 12-month sublease for office space and yard space, including shared use of six parking spaces and approved by the City Manager.

This application seeks approval to add two primary items to the Sublease:

1. Sublease Extension: To allow the current short-term sublease to be extended beyond its initial 12-month term, as determined by and mutually agreed to by the Lessee and Sublessee.
2. Additional Yard Space use and purpose: To approve the inclusion of expanded yard space to accommodate the ice-making machine and other essential equipment storage as determined by and by mutually agreed to by the Lessee and Sublessee.

A diagram outlining the conceptual layout for the expanded yard space, post-equipment transfer, has been provided.

The Lease Team along with the City Manager discussed the placement of the ice-making machine, involving a Conex, and determined that the ice-making machine with Conex would not be considered a building, fixture or improvement, for the purpose of this Sublease. This exempts it from Section 6.07 of the Prime Lease requiring that "all such items of any nature whatsoever constructed or maintained on the Property by Tenant will be and remain the property of Tenant." The ice-making machine and Conex can therefore remain the property of the Sublessee without violating the terms of the Prime Lease.

RECOMMENDATION: Approve the Sublease between Alaska Custom Seafoods Inc and Wind and Tide LLC DBA Peninsula Seafoods