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**CITY OF HOMER
HOMER, ALASKA**

City Manager

RESOLUTION 14-082(A)

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING CHAPTERS TWO AND SIX OF THE PROPERTY MANAGEMENT POLICIES AND PROCEDURES (LEASE POLICIES) TO PROVIDE FOR PORT AND HARBOR ADVISORY COMMISSION REVIEW OF LEASE COMMITTEE RECOMMENDATIONS ON THE LEASE POLICIES AND ON LEASE PROPOSALS AND SUCCESSFUL BIDDERS BEFORE THOSE RECOMMENDATIONS ARE SUBMITTED TO THE CITY COUNCIL.

WHEREAS, The Port and Harbor Enterprise Fund receives lease revenues from leases on City owned properties immediately adjacent to the Port and Harbor; and

WHEREAS, How municipally owned lands adjacent to the Port and Harbor are managed and leased has a direct impact on the operations, efficiency, productivity, and profitability of the Port and Harbor Enterprise; and

WHEREAS, It is appropriate that the Property Management Policies and Procedures (Lease Policies) be amended to provide a meaningful role for the Port and Harbor Advisory Commission with respect to leasing policies generally and recommendations from the Lease Committee on individual leases.

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. Section 2.2(B) of the City of Homer Property Management Policy and Procedures (Lease Policy) is amended to read as follows:

B. The Lease Committee is responsible for:

- Reviewing the Lease Policies and Procedures as needed and making recommendations to the City Council. Prior to making recommendations to the City Council on the Lease Policies and Procedures, the Lease Committee shall consult with and seek comments from the Port and Harbor Advisory Commission when the lease property is on land on the Homer Spit surrounding the Port and Harbor area.
- Advising the City Manager or designee as to the terms, purposes, stipulations and negotiation approach to proposed leases
- Reviewing all proposed leases and making recommendations to the City Council

44 Section 2. Section 6.2 of the City of Homer Property Management Policy and
45 Procedures (Lease Policy) is amended to read as follows:

46
47 6.2 PROCEDURES

48 A. All lease proposals shall be evaluated and scored by the Lease Committee.

49 B. The Criteria for evaluating proposals shall include but is not limited to the
50 following:

51 1. Compatibility with neighboring uses and consistency with applicable
52 land use regulations including the Comprehensive Plan.

53 2. The development plan including all proposed phases and timetables.

54 3. The proposed capital investment.

55 4. Experience of the applicant in the proposed business or venture.

56 5. Financial capability or backing of the applicant including credit history,
57 prior lease history, assets that will be used to support the proposed development.

58 6. The number of employees anticipated.

59 7. The proposed rental rate.

60 8. Other financial impacts such as tax revenues, stimulation of related or
61 spin-off economic development, or the value of improvements left behind upon
62 termination of the lease.

63 9. Other long term social and economic development.

64 C. Lease Rental Rates

65 1. The determination of lease rental rates is addressed in Chapter 7.

66 D. After evaluating and scoring the proposals, the Lease Committee shall make a
67 recommendation on a successful bidder to the City Council. The recommendation shall be
68 contained in the form of a memorandum from the City Manager to the City Council that
69 appears on the consent calendar of a regular meeting agenda. If a recommendation to approve
70 a proposal is adopted, the Manager or his designee shall finalize a lease document for
71 presentation to Council for approval. If the Council approves the lease, it will not be executed
72 until the period for reconsideration under section 8.3 passes.

73 E. Prior to submitting a recommendation from the Lease Committee to the City
74 Council on a lease proposal or successful bidder when the lease property is on land on the
75 Homer Spit surrounding the Port and Harbor area, the City Manager shall provide the
76 recommendation to the Port and Harbor Advisory Commission for review and comment. The
77 Commission may, at its discretion, provide recommendations to the City Manager and to the
78 City Council. After receiving the Commission recommendations, the City Manager may refer
79 the matter back to the Lease Committee if appropriate and warranted.

80 F. Final approval of long term leases (more than six months) rests with the City
81 Council. The Council shall either:

82 1. Approve the proposed lease

83 2. reject the proposed lease; or

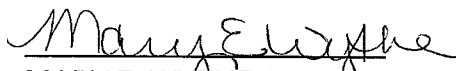
84 3. remand the unapproved lease to the Manager with comments

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86 PASSED AND ADOPTED by the Homer City Council on this 28th day of July 2014.

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CITY OF HOMER


MARY E. WYTHE, MAYOR

ATTEST:



JO JOHNSON, MMC, CITY CLERK

Fiscal Note: N/A

