

**CITY OF HOMER
HOMER, ALASKA**

City Manager

RESOLUTION 19-084

A RESOLUTION OF THE HOMER CITY COUNCIL APPROVING AN OPERATING AGREEMENT BETWEEN THE KENAI PENINSULA BOROUGH AND SOUTH PENINSULA HOSPITAL INC. DATED JANUARY 1, 2020 AND ALSO APPROVING THE KENAI PENINSULA BOROUGH AND SOUTH PENINSULA HOSPITAL INC.'S REQUEST TO SUBLEASE A PORTION OF THE HOSPITAL TO THE US DEPARTMENT OF VETERANS AFFAIRS ON THE CITY LEASED PROPERTY TRACT A-2, SOUTH PENINSULA HOSPITAL SUBDIVISION 2008 ADDITION, FILED AS PLAT NO. 2008-92.

WHEREAS, The Kenai Peninsula Borough currently has a lease for the City property known as Tract A-2, South Peninsula Hospital Subdivision 2008 Addition, filed as Plat No. 2008-92, until June 30, 2105 in the amount of \$10 for the purpose of running a hospital facility; and

WHEREAS, According to the lease, all subleases or lease assignments must obtain the written consent of the City, which the City will not unreasonably withhold; and

WHEREAS, Homer City Council approved of the sublease and operating agreement between the Kenai Peninsula Borough and South Peninsula Hospital Inc. Board of Directors dated August 28, 2013 through the passage of Resolution 13-103 for the purpose of managing the hospital facility known as South Peninsula Hospital; and

WHEREAS, The August 28, 2013 sublease terminates December 31, 2019; and

WHEREAS, The Kenai Peninsula Borough and South Peninsula Hospital Inc. Board of Directors wish to renew the Operating Agreement with the new term of January 1, 2020 until December 31, 2029; and

WHEREAS, The City Council reviewed the Operating Agreement dated January 1, 2020 at its regular meeting on November 25, 2019; and

WHEREAS, The Kenai Peninsula Borough and South Peninsula Hospital Inc. Board of Directors also request the City's retroactive consent to sublease exam rooms 2115 and 2116, waiting room 2019, and the telecom closet to the US Department of Veterans Affairs starting October 1, 2019 until September 30, 2022 at no cost from the City; and

WHEREAS, The three year sublease with the US Department of Veterans Affairs will be exempt from HCC 18.08.140 (c) and (d); and

WHEREAS, The City supports the Kenai Peninsula Borough and South Peninsula Hospital Inc.'s efforts to provide local access to quality health care for the greater Homer area.

NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby approves the Operating Agreement between the Kenai Peninsula Borough and South Peninsula Hospital Inc. dated January 1, 2020 in which the Kenai Peninsula Borough subleases the following-described property to South Peninsula Hospital, Inc., and also approves the sublease between the Kenai Peninsula Borough and the US Department of Veterans Affairs for the use of exam rooms 2115 and 2116, waiting room 2019, and the telecom closet on the City property also known as Tract A-2, South Peninsula Hospital Subdivision 2008 Addition, Filed as Plat No. 2008-92, Homer Recording District, Third Judicial District, State of Alaska.

PASSED AND ADOPTED by the Homer City Council this 25th day of November 2019.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal note: \$0 for both subleases