

Office of the City Clerk

Jo Johnson, CMC, City Clerk
Melissa Jacobsen, CMC, Deputy City Clerk II
Renee Krause, CMC, Deputy City Clerk I



491 E. Pioneer Avenue
Homer, Alaska 99603
(907) 235-3130
(907) 235-8121
ext: 2224, 2226, or 2227
Fax: (907) 235-3143
Email: clerk@ci.homer.ak.us

MEMORANDUM – AGENDA CHANGES/SUPPLEMENTAL PACKET

TO: MAYOR HORNADAY AND HOMER CITY COUNCIL
FROM: JO JOHNSON, CMC, CITY CLERK
DATE: JUNE 25, 2012
SUBJECT: AGENDA CHANGES AND SUPPLEMENTAL PACKET

CONSENT AGENDA

Memorandum 12-100, from Deputy City Clerk, Re: New Liquor License for Pho & Thai Restaurant – Non-objection from Deputy Borough Clerk. Page 1

VISITORS

A. **John Hays**, Climate Change, 15 minutes.

CITY MANAGER'S REPORT

Memorandum 12-110 from Community and Economic Development Coordinator, re: Update on Municipal harbor Grant. Page 3

Resolution 12-043 Capital Improvements in the Harbor Page 5

RESOLUTIONS

Resolution 12-059(S), A Resolution of the City Council of Homer, Alaska, Awarding a Contract to **Jay-Brant General Contractors**, of **Homer, Alaska**, in the Amount of **\$2,228,412** for the Deep Water Dock Fender Replacement Project and Authorizing the City Manager to Execute the Appropriate Documents. Page 7

Memorandum 12-109 from Public Works Director as backup. Page 9

Resolution 12-060(S), A Resolution of the City Council of Homer, Alaska, Awarding a Contract to **Jay-Brant General Contractors**, of **Homer, Alaska**, in the Amount of **\$525,912** for the Beluga Slough Trail Reconstruction Project and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk/Public Works Director. Page 13

Memorandum 12-108 from Public Works Director as backup. Page 15

AGENDA CHANGES/SUPPLEMENTAL AGENDA
June 25, 2012

RECOMMENDATION:

Voice consensus to changes under Agenda Approval.

Fiscal Note: N/A

"WHERE THE LAND ENDS AND THE SEA BEGINS"

To access City Clerk's Home Page on the Internet: <http://clerk.ci.homer.ak.us>



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99663-7520

PHONE: (907) 714-2160 • FAX: (907) 714-2388

Toll-free within the Borough: 1-800-478-4441 Ext. 2160

Email: assemblyclerk@borough.kenai.ak.us



JOHNI BLANKENSHIP
BOROUGH CLERK

June 21, 2012

Ms. Christine Lambert
Records & Licensing Supervisor
Alcoholic Beverage Control Board
5848 E. Tudor Road
Anchorage, Alaska 99507-1286

RE: Non-Objection of New License Application

Business Name	:	Pho & Thai Restaurant
License Type	:	Restaurant Eating Place Public Convenience
License Location	:	City of Homer
License No.	:	5173

Dear Ms. Lambert,

This serves to advise that the Finance Department has reviewed the above referenced application and has no objection to the issuance of this license.

Should you have any questions, or need additional information, please don't hesitate to let us know.

Sincerely,

Michelle Saner, CMC
Deputy Borough Clerk

MS/klr

cc: City of Homer
Applicant
KPB Finance Department
File



**CITY OF HOMER
CITY HALL**

MEMORANDUM 12-110

To: Mayor Hornaday and City Council
 From: Katie Koester, Community and Economic Development Coordinator
 Through: Walt Wrede, City Manager
 Date: June 25, 2012
 Subject: Update on Municipal Harbor Grant

The purpose of this memo is to update the Mayor and Council on the information listed in Resolution 12-043 authorizing the City Manager to issue revenue bonds for the required 50% match portion of the Municipal Harbor Facility Grant Program.

- 1) **Updated total estimate for Harbor Improvement Projects.** Resolution 12-043 lists the total amount for the three harbor improvements projects (Replacing Ramp 3 and Harbor Floats and System 5 Upgrades), as \$9,094,000. The latest estimate from the engineer is \$9,119,000 (a \$25,000 difference).
- 2) **Do not bond for Denali Commission Waterfront Improvement Grant required local match.** Resolution 12-043 includes the Denali Commission Waterfront Improvement Project required local match of \$110,000 in the bond sale. This grant is for the design and engineering phase of replacing Ramp 3 and Harbor Floats and System 5 upgrades. The City needs to have this phase of the project done before the bond sale to finish the harbor improvement projects on schedule. The Municipal Harbor Grant requires the construction of all projects to be complete 18 months after notice of award. Projects need to be closed out December 2014 for the current application cycle. The recommendation is to not bond for the match and come up with the \$110,000 from a combination of reserves and cruise ship passenger vessel pass through funds from the Borough (\$32,000).
- 3) **Backing out design and engineering costs from the Harbor Improvement Projects.** Design and Engineering expenses are ineligible for the Municipal Harbor Grant Program and cannot be included in the application. Furthermore, that phase of the project needs to be complete by the time the Municipal Harbor Grant funds are awarded to keep the project on schedule.

Project	PnD February Estimate	Design and Engineering	Construction Only Total	50% Construction
Ramp 3	\$795,000	\$62,000	\$733,000	\$366,500
Harbor Float Replacement	\$7,353,000	\$570,000	\$6,783,000	\$3,391,500
System 5	\$971,000	\$75,000	\$896,000	\$448,000
TOTAL	\$9,119,000	\$707,000	\$8,412,000	\$4,206,000

The Denali Commission grant will cover over half the design and engineering expenses. The City needs to come up with \$235,000 (including local match for Denali Commission grant) for the remainder. This cannot be included in a bond because of timing issues. The recommendation is that these funds come from reserves. An amendment to the current budget will come before you next meeting (July 23rd) reflecting this change.

Design and Engineering	
Denali Commission	\$440,000
KPB CPV funds	\$32,000
City of Homer (Reserves)	<i>\$235,000</i>
TOTAL	\$707,000

- 4) **Remove Load and Launch Ramp from the Municipal Harbor Grant Application.** Alaska Department of Fish and Game (ADF&G) has identified federal funds to replace the Load and Launch ramp, a 3.5 million dollar project. The City is expected to come up with a 25% match for the construction portion of the project (\$787,500). The City may not use the Load and Launch Ramp federal grant funding as a match for the Municipal Harbor Grant because:
- a. The city does not have solid proof of funding for the grant application (such as an award letter). ADF&G is unsure when the funding will come through for this project.
 - b. It is unlikely the Load and Launch Ramp can be completed in the 18 month time frame the Municipal Harbor Grant requires (by December 2014).

The City may consider bonding for the entire \$787,500 local match for the construction phase of the Load and Launch Ramp. This would increase the amount the City needs to bond for to just shy of \$5 million. Resolution 120943 authorizes the City to bond for up to 5 million dollars.

Bond Sale	
50% Construction \$ for 3 Projects	\$4,206,000
Load and Launch Ramp	\$787,500
TOTAL	<i>4,993,500</i>

CITY OF HOMER
HOMER, ALASKA

Howard, Lewis, Wythe

RESOLUTION 12-043

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, ACCEPTING AND APPROVING RECOMMENDATIONS SUBMITTED BY THE PORT AND HARBOR IMPROVEMENT COMMITTEE REGARDING CAPITAL IMPROVEMENTS IN THE HARBOR AND THE FUNDING THEREOF AND AUTHORIZING THE CITY MANAGER TO PREPARE THE DOCUMENTS NECESSARY FOR GRANT FUNDING, A REVENUE BOND SALE, AND THE FEE ADJUSTMENTS NECESSARY TO SERVICE THE BONDS.

WHEREAS, The Homer City Council created the Port and Harbor Improvement Committee through adoption of Resolution 11-60; and

WHEREAS, The Committee scope of work included identifying priority port and harbor capital projects that could be financed through the sale of revenue bonds and to prepare a "revenue bonding plan"; and

WHEREAS, The Committee has held meetings on a regular basis since August of 2011, reviewed and analyzed relevant information and facts, prepared a proposal as a basis for public discussion, conducted public outreach activities, and prepared a final recommendation to the Council; and

WHEREAS, The Committee recommends that the City prepare grant applications and sell bonds for the following projects at a total cost of \$9,094,000 (includes Denali Grant contribution of \$330,000); the City would fund one half of the amount (\$4,547,000 plus \$110,000 (City's 25% match requirement of the Denali Grant of \$440,000) for a total of \$4,657,000 through the sale of revenue bonds:

- Ramp 3 Gangway and Approach
- Harbor Float Replacement
- System 5 Upgrades
- Load and Launch Ramp; and"

41 WHEREAS, The Committee recommends that the Council bond for a full \$5 Million so
42 that unforeseen contingencies and increases in the costs of construction and materials can be
43 addressed; and

44
45 WHEREAS, The Committee recommends that the following fees be increased in order to
46 generate the revenue needed to service the bonds and increase contributions to the depreciation
47 reserves:

- 48 • Fuel Wharfage
- 49 • Moorage
- 50 • Ice
- 51 • Dockage

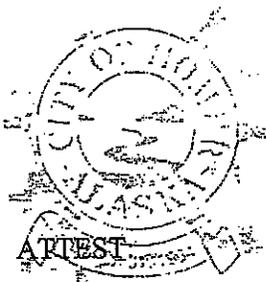
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53 WHEREAS, Detailed information on the proposed projects, fee increases, and bond
54 payments is included in the attached Memorandum 12-076 from the Committee.

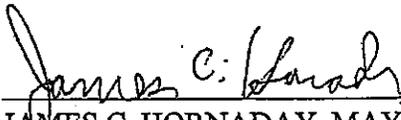
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56 NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby accepts
57 and approves the recommendation provided by the Port and Harbor Improvement Committee as
58 described in Memorandum 12-076, a copy of which is attached and incorporated herein; and

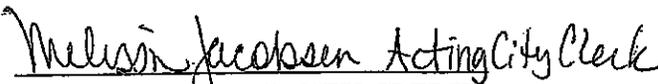
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60 BE IT FURTHER RESOLVED that the Council authorizes the City Manager to begin
61 implementing these recommendations by preparing the documents necessary for a grant
62 application, bond sale application, and the necessary resolutions to adjust the fee schedule and
63 Port and Harbor Tariff.

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65 PASSED AND ADOPTED by the Homer City Council this 14th day of May, 2012.

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67 CITY OF HOMER



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71 JAMES C. HORNADAY, MAYOR

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76 JO JOHNSON, CMC, CITY CLERK

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79 Fiscal Note: Bond debt: \$4,274,500.00.

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Clerk/
4 Public Works Director

5 RESOLUTION 12-059(S)
6

7 A RESOLUTION OF THE CITY COUNCIL OF HOMER,
8 ALASKA, AWARDED A CONTRACT TO JAY-BRANT
9 GENERAL CONTRACTORS, OF HOMER, ALASKA, IN THE
10 AMOUNT OF \$2,228,412 FOR THE DEEP WATER DOCK
11 FENDER REPLACEMENT PROJECT AND AUTHORIZING
12 THE CITY MANAGER TO EXECUTE THE APPROPRIATE
13 DOCUMENTS.
14

15 WHEREAS, A legislative grant for the purpose of constructing Cruise Ship Dock and
16 Passenger Facility Improvements has been secured through Department of Commerce,
17 Community, and Economic Development; Division of Community and Regional Affairs in the
18 amount of \$6,000,000; and
19

20 WHEREAS, The sum of \$2,150,000 is set aside for the Deep Water Dock fender
21 improvements; and
22

23 WHEREAS, The City completed the design of the project in early 2012; and
24

25 WHEREAS, The scope of the bid included a base bid with items 1 – 13 and additive
26 alternative items 14 – 21; and
27

28 WHEREAS, In accordance with the Procurement Policy the Invitation to Bid was
29 advertised in the Homer Tribune on May 23 and 30, 2012, in the Peninsula Clarion on May 31,
30 2012, posted on the Clerk's home page, and sent to in-state plans rooms; and
31

32 WHEREAS, Staff reviewed the bid proposals and determined that the additive alternative
33 items could be included in the award, as there are funds available from the overall project
34 budget; and
35

36 WHEREAS, Sealed proposals were due by 2:00 p.m. on Friday, June 22, 2012 and three
37 bids were received; and
38

39 WHEREAS, Bids were opened and reviewed and the firm of Jay-Brant General
40 Contractors was determined to be the low responsive bidder; and
41

42 WHEREAS, This award is not final until written notification is received by Jay-Brant
43 General Contractors of Homer, Alaska, from the City of Homer.
44

45 NOW, THEREFORE, BE IT RESOLVED, that the City Council of Homer, Alaska,
46 approves the award of the construction contract for the Deep Water Dock Fender Replacement
47 Project to the firm of Jay-Brant General Contractors, of Homer, Alaska, in the amount of

48 \$2,228,412 and authorizes the City Manager to execute the appropriate documents to complete
49 construction.

50 PASSED AND ADOPTED by the Homer City Council this 25th day of June, 2012.
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CITY OF HOMER

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JAMES C. HORNADAY, MAYOR

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61 ATTEST:

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JO JOHNSON, CMC, CITY CLERK

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67 Fiscal Note: \$2,228,412, Project No. 415-926, Deep Water Dock Fender Replacement.



CITY OF HOMER
PUBLIC WORKS
3575 HEATH STREET HOMER, AK 99603

TELEPHONE (907)235-3170
FACSIMILE (907)235-3145

MEMORANDUM 12-109

To: Walt Wrede, City Manager
From: Carey Meyer, Public Works Director
Date: June 22, 2012
Subject: **Deep Water Dock Fender Replacement
Construction Contract Award Recommendations**

The City opened bids for this project on June 22, 2012, 3 bids were opened and read:

Contractor	Base Bid	Additive Bid	Total Bid
West Construction Co.	\$1,776,400	\$455,220	\$2,231,620
Jay-Brant Contractors LLC	\$1,802,142	\$426,270	\$2,228,412
Pacific Pile & Marine, LP	\$1,918,880	\$578,940	\$2,497,820
Engineer's Estimate	\$1,957,100	\$350,700	\$1,957,100

Jay-Brant Contractors LLC was found to be the low responsive bidder. Public Works has reviewed the qualifications of Jay-Brant Contractors LLC. and finds that the firm is qualified to complete the work. The project is funded primarily by a CCIAP grant; the City's local bidder's preference does not apply.

This contract, if awarded to the low responsive bidder.

Recommendations:

The City Council award the construction contract for the Deep Water Dock Fender Replacement to Jay-Brant Contractors LLC, of Anchorage, Alaska in the amount of **\$2,228,412**; and authorize the City Manager to execute all appropriate documents to complete construction.

Fiscal note: 415-926 (Deep Water Dock Fender Replacement)

CITY OF HOMER

BID TALLY SHEET: **PROJECT:** Deep Water Dock Fender Replacement
Due Date and Time: June 22, 2012 @ 2:00 p.m. **PROJECT No:** _____
City Clerk's Office _____

Bidder No.	Bidder Name and Address	Part B / Part A	Bid Amount / Additive Alternate Amt.
1.	West Construction 6120 A St. Anchorage, AK 99518	✓/✓	\$2,234,620.00
2.	Jay Brant 460 Grubstake Homer, AK 99603	✓/✓	\$2,228,412.00
3.	Pacific Pile & Marine 700 S. Riverside Dr. Seattle, WA 98108	✓/✓	\$2,497,820.00
4.			
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6.			

City Engineer's Estimate if applicable: \$1,957,100

Staff Present: Engineering Technician Hrachiar, Harbormaster, Hawkins, Deputy City Clerk Jacobsen, Accounting Technician Earls

Comments: _____

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Clerk/
4 Public Works Director

5 RESOLUTION 12-060(S)
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7 A RESOLUTION OF THE CITY COUNCIL OF HOMER,
8 ALASKA, AWARDED A CONTRACT TO JAY-BRANT
9 GENERAL CONTRACTORS, OF HOMER, ALASKA, IN
10 THE AMOUNT OF \$525,912 FOR THE BELUGA SLOUGH
11 TRAIL RECONSTRUCTION PROJECT AND AUTHORIZING
12 THE CITY MANAGER TO EXECUTE THE APPROPRIATE
13 DOCUMENTS.
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15 WHEREAS, A Community Coastal Impact Assistance Program (CCIAP) grant has been
16 secured through Department of Commerce, Community, and Economic Development; Division
17 of Community and Regional Affairs in the amount of \$448,116 for the reconstruction of the
18 Beluga Slough Trail; and
19

20 WHEREAS, Additional grant funds were obtained from the U.S. Fish and Wildlife
21 Service in the amount of \$25,000; and from the Kenai Peninsula Borough in the amount of
22 \$65,000; and
23

24 WHEREAS, The City completed the design of the project in 2011 (\$30,000), meeting the
25 matching requirements for the project grants; and
26

27 WHEREAS, In accordance with the Procurement Policy the Invitation to Bid was
28 advertised in the Homer News on May 24 and 31, 2012, in the Peninsula Clarion on May 31,
29 2012, posted on the Clerk's home page, and sent to in-state plans rooms; and
30

31 WHEREAS, Sealed proposals were due by 2:00 p.m. on Thursday, June 21, 2012 and
32 three bids were received; and
33

34 WHEREAS, Bids were opened and reviewed and the firm of Jay-Brant General
35 Contractors was determined to be the low responsive bidder and found to be qualified to
36 complete the work; and
37

38 WHEREAS, This award is not final until written notification is received by Jay-Brant
39 General Contractors of Homer, Alaska, from the City of Homer.
40

41 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska,
42 approves the award of the construction contract for the Beluga Slough Reconstruction Project to
43 Jay-Brant General Contractors of Homer, Alaska, in the amount of \$525,912 and authorizes
44 the City Manager to execute the appropriate documents to complete construction.
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46 PASSED AND ADOPTED by the Homer City Council this 25th day of June, 2012.
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CITY OF HOMER

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JAMES C. HORNADAY, MAYOR

ATTEST:

JO JOHNSON, CMC, CITY CLERK

Fiscal Note: \$525,912, Project No. 151-772, Beluga Slough Trail Reconstruction



CITY OF HOMER
PUBLIC WORKS
 3575 HEATH STREET HOMER, AK 99603

TELEPHONE (907)235-3170
 FACSIMILE (907)235-3145

MEMORANDUM 12-108

To: Walt Wrede, City Manager
 From: Carey Meyer, Public Works Director
 Date: June 21, 2012
 Subject: **Beluga Slough Trail Reconstruction
 Construction Contract Award Recommendations**

The City opened bids for this project on June 21. Three bids were opened and read:

Contractor	Bid Amount	Firm Location
Steiner's North Star Construction	\$ 545,247.00	Homer, AK
Herndon Construction LLC	\$ 633,971.07	Homer AK
Jay-Brant General Contractors	\$ 525,912.00	Homer, AK
Engineer's Estimate	\$ 415,991.00	

Jay-Brant General Contractors was found to be the low responsive bidder. Public Works has reviewed the qualifications of Jay-Brant General Contractors and finds that the firm is qualified to complete the work. The project is funded primarily by a CCIAP grant; the City's local bidder's preference does not apply.

The low bid is 26% over the engineer's estimate. Normally, this would preclude awarding the contract.

Since this project was designed, additional funding has been acquired. Although Public Works had hoped to use these additional funds to extend the project; the following funds are available to construct the project as bid:

Original Funding	\$ 448,116	CIAP grant (DCCED)
Additional Funds	\$ 25,000	U.S. F&W Service (Partners for Fish and Wildlife Program)
Additional Funds	<u>\$ 65,832</u>	Kenai Peninsula Borough
Total Available	\$ 538,948	

This contract, if awarded to the low responsive bidder, would be within the available funding.

Recommendations:

The City Council award the construction contract for the Beluga Slough Reconstruction Project to Jay-Brant General Contractors, of Homer, Alaska in the amount of \$525,912; and authorize the City Manager to execute all appropriate documents to complete construction.

Fiscal note: 151-772 (Beluga Slough Trail Reconstruction)

CITY OF HOMER

BID TALLY SHEET: PROJECT: Beluga Slough Trail

Due Date and Time: June 21, 2012 2:00 p.m. PROJECT No: **151-772**
City Clerk's Office

Bidder No.	Bidder Name and Address	Part B / Part A	Bid Amount / Additive Alternate Amt.
1.	Steiner's North Star Construction P.O. Box 1708 Homer, Alaska 99603	✓/✓	\$545,247.00
2.	Herndon Construction LLC P.O. Box 262 Homer, AK 99603	✓/✓	\$633,971.07
3.	Jay-Brant General Contractors 460 Grubstake Avenue Homer, AK 99603	✓/✓	\$525,912.00
4.			
5.			
6.			

City Engineer's Estimate if applicable: \$415,991.00

Staff Present: Engineering Technician Hrachiar, Deputy City Clerk Krause, Accounting Technician Earls,
PW Dir Carey Meyer

Comments: _____

