1 **CITY OF HOMER** 2 HOMER, ALASKA 3 City Manager 4 **EMERGENCY ORDINANCE 12-17** 5 AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF 6 7 HOMER, ALASKA, APPROPRIATING \$30,000 FROM THE 8 PORT AND HARBOR RESERVES TO MAKE EMERGENCY 9 REPAIRS AND/OR REPLACE DAMAGED FLOAT PILES IN 10 THE HOMER HARBOR AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER TO THE 11 12 EXISTING CONTRACT WITH PACIFIC PILE AND MARINE 13 TO CONDUCT THE HARBOR FLOAT PILING REPAIR AND 14 REPLACEMENT WORK IN AN AMOUNT NOT TO EXCEED 15 \$30,000. 16 17 WHEREAS, R and S floats in the Homer harbor have pilings that are severely damaged 18 from corrosion to the point that their structural integrity may be in question; and 19 20 WHEREAS, Quick repair and replacement actions are necessary in order to avoid 21 potential liability, loss of revenue, loss of service to customers, and a potential closure of these 22 floats; and 23 24 WHEREAS, The damage to these piles is known to the Council, the Port and Harbor Commission, and the Harbor Improvement Committee and the work is part of the proposed 25 improvements to be financed by grants and the sale of revenue bonds; and 26 27 28 WHEREAS, The piles are in such bad condition that it is not advisable to wait until the 29 Fall of 2013 to replace them; the likely scenario if Council relies on grants and a bond sale; and 30 31 WHEREAS, The Council recently adopted Resolution 12-028 which awarded a contract 32 to repair damaged fenders on the Deep Water Dock to Pacific Pile and Marine; and 33 34 WHEREAS, Pacific Pile and Marine will be bringing a barge with a mounted crane to Homer to do the fender work and this equipment is uniquely suited to do the work in the harbor 35 36 on the damaged piles; and 37 38 WHEREAS, A change order to the existing contract for fender repair to include repair of 39 the damaged piles would save money by eliminating mobilization costs and address a potential 40 public safety issue in an expedited manner; and 41 42 WHEREAS, An emergency appropriation allows the company to plan for and if 43 necessary, acquire materials prior to its arrival in Homer next week; and 44

WHEREAS, The City Attorney has indicated that if the City pays for this work from its

own depreciation funds, it may be possible to reimburse the fund with bond sale proceeds later.

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NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF HOMER: 47 48 49 Section 1. The Homer City Council hereby appropriates \$30,000 from the Port and Harbor depreciation reserves for emergency repairs to float piles in the Homer harbor as follows: 50 51 52 Expenditure 53 Account No. Description **Amount** \$30,000 54 Float Repair and Replacement 456-380-5261 55 56 Section 2: This ordinance is a budget amendment only, is not of a permanent nature, and 57 shall not be codified. 58 59 Section 3: The Council finds that an emergency exists for the reasons stated above and to 60 protect public health and safety. 61 62 Section 3. Upon enactment, the City Manager is authorized to execute a change order to 63 the existing contract with Pacific Pile and Marine to conduct the harbor float piling repair and 64 replacement work in an amount not to exceed \$30,000. 65 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 23<sup>rd</sup> day of April, 66 67 2012. 68 69 CITY OF HOMER 70 71 72 73 74 ATTEST: 75 76 77 78 79 THNSON, CMC, CITY CLERK 80 YES: 81 NO: 82 83 ABSTAIN: 84 ABSENT: 85 First Reading: 4/23/12 86 87 Public Hearing: Second Reading: 88 Effective Date: 4/23/12 89 90 91

Page 3 of 3 EMERGENCY ORDINANCE 12-17 CITY OF HOMER

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97	Walt Wrede, City Manager	Thomas F. Klinkner, City Attorney
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99	Date: 4/25/12	Date: 4-27-12
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