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**CITY OF HOMER
HOMER, ALASKA**

City Manager/
Public Works Director

ORDINANCE 20-40(A)

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF HOMER,
ALASKA, DECLARING THE FAILURE OF THE WOODARD CREEK
CULVERTS ON FAIRVIEW AVENUE TO CONSTITUTE AN EMERGENCY
AND AUTHORIZING ~~EMERGENCY PROCUREMENT PROCEDURES~~
AMENDING THE 2020 CAPITAL BUDGET AND AUTHORIZING
EXPENDITURE OF UP TO \$500,000 350,000 FROM THE HART-
ROAD FUND FOR THE WOODARD CREEK CULVERT
REHABILITATION PROJECT.

WHEREAS, Water from Woodard Creek is conveyed under Fairview Avenue in two aluminum culverts, which are owned/maintained by the City of Homer; and

WHEREAS, The culverts have experienced extensive corrosion and one failed, allowed gravel from Fairview Avenue's road bed to fall into the culvert and get washed away, thereby causing a sinkhole in Fairview Avenue; and

WHEREAS, The City closed a portion of Fairview Avenue and made emergency repairs, but a permanent solution is necessary; and

~~WHEREAS, The most effective, time-efficient and least disruptive way to rehabilitate the culverts is to "slip line" the existing culverts with a fiberglass lining, which is installed in the culverts as they lay in place; and~~

WHEREAS, While the second Woodard Creek culvert has not yet failed, it has visibly corroded in the same manner as the first culvert and thus, the second culvert should be rehabilitated at this time as well; and

~~WHEREAS, There is only one contractor in the State of Alaska, Frawner Corporation, that performs slip lining installation services; and~~

~~WHEREAS, The materials required for the slip lining require a long lead time, making it necessary to execute a sole source contract with Frawner Corporation as soon as possible so the Frawner Corporation can order the materials so the slip lining can be done in a timely manner before the rainy season commences in the fall.~~

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

43 ~~Section 1.~~ Based on the foregoing WHEREAS clauses, which shall also function as a
44 Statement of Facts, the Homer City Council finds that the failure of the Woodard Creek culverts
45 under Fairview Avenue constitutes an emergency, per HCC 1.08.040.
46

47 ~~Section 2.~~ The City Manager is authorized, per HCC 3.16.060, to execute an exemption
48 to the procurement procedures set forth in Homer City Code Chapter 3.16, by issuing a sole
49 source contract for the repair/rehabilitation of the Woodard Creek Culverts.
50

51 ~~Section 3:~~ This is a budget amendment ordinance, is not permanent in nature, and shall
52 not be codified.
53

54 **WHEREAS, The repairs are fragile and could be damaged by a storm event laden**
55 **with high water and debris, which could cause the road to fail again; and**
56

57 **WHEREAS, The City Council needs to decide what a permanent solution should**
58 **look like, so implementation can be expedited; and**
59

60 **WHEREAS, There are two options for implementing a permanent solution; and**
61

62 **WHEREAS, The first option is to “slip line” the existing culverts with a fiberglass**
63 **lining, which is installed in the culverts as they lay in place; and**
64

65 **WHEREAS, Frawner Corporation is the only contractor that slip lines existing**
66 **culverts, in the state of Alaska, which if this option is chosen would necessitate a sole**
67 **source contract with this contractor; and**
68

69 **WHEREAS, The City received a quote, in the amount of \$152,000, from Frawner**
70 **Corporation to design, fabricate and install slip lining for both culverts; and**
71

72 **WHEREAS, This quote did not include costs for traffic control, a**
73 **performance/payment bond, permits and other incidentals that a government public**
74 **works contract requires and we are in the process of working with Frawner to price out**
75 **these elements; and**
76

77 **WHEREAS, We estimate these “soft costs” will add approximately another 20% to**
78 **the project, bringing the estimated cost to \$182,400; and**
79

80 **WHEREAS, Frawner Corporation needs at least six weeks to design and procure**
81 **materials that are customized for our specific application; and**
82

83 **WHEREAS, There is another option, which involves replacing the existing two**
84 **culverts with a large arch culvert, thereby allowing the creek to flow naturally and**
85 **increase hydraulic capacity; and**

86
87 **WHEREAS, The Woodard Creek Watershed Management Plan, promulgated by the**
88 **Woodard Creek Coalition and incorporated into the 2018 Homer Comprehensive Plan**
89 **identifies as a “Project for Future Consideration”, “working with the City of Homer to**
90 **daylight Woodard Creek at Fairview Avenue”;** and

91
92 **WHEREAS, Woodard Creek has already been day-lighted at Spruceview Avenue and**
93 **Soundview Avenue; and**

94
95 **WHEREAS, Now would be the best time to act on the objective of daylighting**
96 **Woodard Creek as part of a permanent solution to the Fairview Avenue culvert failure;**
97 **and**

98
99 **WHEREAS, The conceptual cost estimate to design, furnish and install the large**
100 **arch culvert could be in the range of \$300,000 –~~\$500,000~~ \$350,000 and wouldn’t be**
101 **completed until mid-2021;**

102
103 **WHEREAS, The City Council adopted Resolution 17-038, on April 24, 2017,**
104 **amending the Homer Accelerated Roads and Trails Program (HART) Policy Manual; and**

105
106 **WHEREAS, The HART Manual identify various criteria for projects that may be**
107 **considered for HART funding; and**

108
109 **WHEREAS, The criteria, which would be met by repairing Fairview Avenue, include:**

- 110 • **Improves life, safety and traffic flow**
- 111 • **Corrects deficiencies of existing systems**
- 112 • **Corrects Drainage Problems**

113 **NOW, THEREFORE, THE CITY OF HOMER ORDAINS:**

114
115 **Section 1. The City Council declares the failure of the Woodard Creek Culvert at**
116 **Fairview Avenue to constitute an emergency.**

117
118 **Section 2. The City Council directs the City Manager and staff to execute a**
119 **permanent solution to the Fairview Avenue culvert failure at Woodard Creek, which**
120 **Select option (a) slip lines the existing two culverts or (b) daylights the Creek.**

Section 3. The City Manager is authorized, per HCC 3.16.060, to execute exemptions to the procurement procedures set forth in Homer City Code Chapter 3.16, to expedite the procurement of contracts to implement the preferred option.

Section 4. The City of Homer's 2020 Capital Budget is hereby amended by appropriating up to \$500,000 350,000 from the HART-Roads Fund for the Woodard Creek Culvert Rehabilitation Project.

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
	<u>HART Roads</u>	<u>\$500,000 350,000</u>

Section 5. This is a budget amendment ordinance, is not permanent in nature, and shall not be codified.

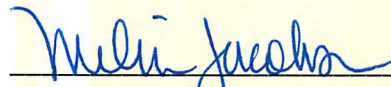
ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 1st day of July, 2020.

CITY OF HOMER



KEN CASTNER, MAYOR

ATTEST:



MELISSA JACOBSEN, MMC, CITY CLERK

YES: 6

NO: 0

ABSTAIN: 0

ABSENT: 0

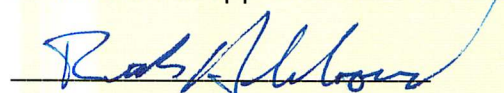
First Reading: 7/1/2020

Public Hearing: Emergency ordinance

Second Reading:

Effective Date: 7/1/2020

Reviewed and approved as to form:



Rick Abboud, Acting City Manager

s/Michael Gatti/

Michael Gatti, City Attorney

Date: _____

Date: 7/30/20