1 **CITY OF HOMER** 2 HOMER, ALASKA 3 City Manager/ 4 **Public Works Director** 5 **ORDINANCE 20-58** 6 7 AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF HOMER. 8 ALASKA, DECLARING THE LANDSLIDE ON HORIZON COURT TO CONSTITUTE AN EMERGENCY AND AMENDING THE 2020- CAPITAL 9 10 BUDGET AND AUTHORIZING EXPENDITURE OF UP TO \$300,000 11 FROM THE HART-ROAD FUND TO DESIGN AND CONSTRUCT 12 REMEDIAL SOLUTIONS. 13 14 WHEREAS, Horizon Court is a road that was not built to City standards, but was accepted for City maintenance as part of the statutory annexation process; and 15 16 17 WHEREAS, a portion of the road has sloughed off, creating a landslide into a watersoaked ravine, thereby creating a hazard to the traveling public and putting the road at high 18 19 risk of complete failure; and 20 21 WHEREAS, the City will make emergency repairs to the road, these repairs are a shortterm solution, to keep the road from immediate failure, while a long term solution is 22 23 engineered and constructed; and 24 25 WHEREAS, the City needs to be positioned to take immediate action in the event the 26 earth continues to move and complete road failure occurs or when the engineered solution is 27 ready for implementation; and 28 29 WHEREAS, The City Council adopted Resolution 17-038, on April 24, 2017, amending the Homer Accelerated Roads and Trails Program (HART) Policy Manual; and 30 31 32 WHEREAS, The HART Manual identify various criteria for projects that may be 33 considered for HART funding; and 34 WHEREAS, the criteria, which would be met by repairing Horizon Court, include 35 36 protecting "life, safety and traffic flow". 37 NOW, THEREFORE, THE CITY OF HOMER ORDAINS: 38 39 Section 1. The City Council declares the landside and potentially imminent road failure 40 at Horizon Court constitutes an emergency. 41 42 Section 2. The City Council directs the City Manager and staff to execute a short-term 43 solution, while a long term solution is designed and constructed.

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Section 3. The City Manager is authorized, per HCC 3.16.060, to execute exemptions to 44 the procurement procedures set forth in Homer City Code Chapter 3.16, to expedite the 45 procurement of contracts necessary to remediate the emergency, with short term and long 46 47 term solutions. 48 49 Section 4. The City of Homer's 2020 Capital Budget is hereby amended by appropriating up to \$300,000 from the HART-Roads Fund for the Horizon Court Road Repair Project. 50 51 52 Account No. Description Amount 53 HART Roads \$300,000 54 55 This is a budget amendment ordinance, is not permanent in nature, and Section 5. 56 shall not be codified. 57 58 Section 6. That no action taken herewith precludes the City Council from taking any 59 later action that may cause a local improvement district to be formed. 60 61 Section 7. This is an emergency ordinance of general character and will be effective for 62 60 days in accordance with HCC 1.08.040. 63 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 24 day of August, 2020. 64 65 66 CITY OF HOMER 67 68 69 KEN CASTNER, MAYOR 70 ATTEST: 71 72 73 MELISSA JACOBSEN, MMC, CITY CLERK 74 YES: 6 75 76 NO: O 77 ABSTAIN:0 78 ABSENT: O 79 80 Reviewed and approved as to form: 81 82 Robert Dumouchel, City Manager 83 Michael Gatti, City Attorney 84 Date: 28A4620 85 Date: