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**CITY OF HOMER  
HOMER, ALASKA**

City Manager/  
Public Works Director

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**ORDINANCE 20-61(A)(S)**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, REPEALING EMERGENCY ORDINANCE 20-58 AND AMENDING THE 2020- CAPITAL BUDGET AND AUTHORIZING EXPENDITURE OF UP TO ~~\$300,000~~ **\$20,000** FROM THE HART-ROAD FUND TO DESIGN AND CONSTRUCT REMEDIAL SOLUTIONS FOR THE HORIZON COURT LANDSLIDE.

WHEREAS, On August 24, 2020 the Homer City Council approved Emergency Ordinance 20-58, declaring the landside and potentially imminent road failure at Horizon Court constitutes an emergency; and

WHEREAS, Pursuant to Homer City Code 1.08.040, emergency ordinances are effective for 60 days; and

WHEREAS, Repealing Emergency Ordinance 20-58 and enacting Ordinance 20-61(S) allows the City's notice and public hearing and extends the project beyond 60 days; and

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

WHEREAS, A portion of the road has sloughed off, creating a landslide into a water-soaked ravine, thereby creating a hazard to the traveling public and putting the road at high risk of complete failure resulting in ~~an continuing~~ emergency situation until the project remediation can be completed; and

WHEREAS, The City will make emergency repairs to the road, these repairs are a short-term solution, to keep the road from immediate failure, ~~while a long term solution is engineered and constructed~~; and

WHEREAS, ~~The City needs to be positioned to take immediate action in the event the earth continues to move and complete road failure occurs or when the engineered solution is ready for implementation~~; and

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

43 WHEREAS, The HART Manual identify various criteria for projects that may be  
44 considered for HART funding; and

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46 WHEREAS, The criteria, which would be met by repairing Horizon Court, include  
47 protecting “life, safety and traffic flow”.

48 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

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50 Section 1. The Homer City Council of Homer, Alaska, hereby repeals Emergency  
51 Ordinance 20-62-~~58~~ upon the effective date of this ordinance.

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53 Section 2. The City Council directs the City Manager and staff to execute a short-term  
54 solution, ~~while a long term solution is designed and constructed.~~

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56 Section 3. The City Council declares the landside and potentially imminent road failure  
57 at Horizon Court constitutes a continuing emergency and authorizes the City Manager per HCC  
58 3.16.060, to execute exemptions to the procurement procedures set forth in Homer City Code  
59 Chapter 3.16, to expedite the procurement of contracts necessary to remediate the ~~continuing~~  
60 emergency ~~with short term and long term solutions.~~

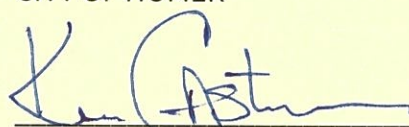
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62 Section 4. The City of Homer’s 2020 Capital Budget is hereby amended by appropriating  
63 ~~up to \$300,000~~ **\$20,000** from the HART-Roads Fund for the Horizon Court Road Repair Project.

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
	HART Roads	<del>\$300,000</del> <b><u>\$20,000</u></b>

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68 Section 5. This ordinance reaffirms the ~~\$300,000~~ appropriation approved by Emergency  
69 Ordinance 20-58. Any additional funding for this project must be appropriated by the City  
70 Council.

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72 Section 6. This is a budget amendment ordinance, is not permanent in nature, and shall  
73 not be codified.

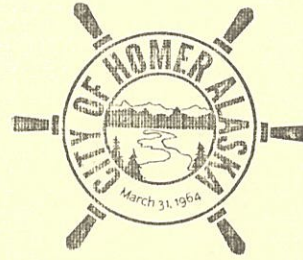
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75 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 12th day of October, 2020.

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77 CITY OF HOMER  
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81 KEN CASTNER, MAYOR  
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85 ATTEST:

86 *Renee Krause*

88 MELISSA JACOBSEN, MMC, CITY CLERK



90 YES: 6

91 NO: 0

92 ABSTAIN: 0

93 ABSENT: 0

94  
95 First Reading: 9/14/20

96 Public Hearing: 9/28/20

97 Second Reading: 10/12/20

98 Effective Date: 10/13/20

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100

101 Reviewed and approved as to form:

102 *[Signature]*

104 Robert Dumouchel, City Manager

105

106 Date: 16 OCT 20

*[Signature]*

Michael Gatti, City Attorney

Date: 10/27/2020