

**CITY OF KODIAK
RESOLUTION NUMBER 2023-29**

A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK APPROPRIATING AND TRANSFERRING \$665,000 FROM THE WATER UTILITY FUND, \$285,000 FROM THE GENERAL FUND TO THE MILL BAY ROAD EMERGENCY REPAIRS PROJECT NO. 500046 AND AUTHORIZING A CONSTRUCTION AGREEMENT WITH BRECHAN CONSTRUCTION LLC IN THE AMOUNT OF \$209,655 FOR THE MILL BAY ROAD EMERGENCY REPAIRS PROJECT NO. 500046

WHEREAS, on November 10, 2023, a water main breach occurred in the intersection of Mill Bay Road and Kashevaroff Avenue; and

WHEREAS, the resulting flooding caused significant damage to the pavements on Mill Bay Road from the intersection with Kashevaroff Avenue to Center Avenue and on Kashevaroff Avenue from Mill Bay Road to Mission Road; and

WHEREAS, the work of repairing the damage to the pavements must proceed expeditiously to reduce further potential damages; and

WHEREAS, Brechan Construction, LLC is the only asphalt pavement producer and large project paver in Kodiak; and

WHEREAS, KCC 3.12.070(b) permits the City to issue contracts for services necessitated by an emergency if the delays required to meet bidding requirements would jeopardize the public health, safety, or welfare, and the delays required to meet bidding requirements for the work of repairing the facility would have that effect in this case, and

WHEREAS, the City Manager shall negotiate with the sole source to obtain contract terms that best serves the interests of the City as reflected in KCC 3.12.070 (d); and

WHEREAS, a transfer of \$665,000 from the Water Utility Fund and \$285,000 from the General Fund would be required to complete the project; and

WHEREAS, Article V of the City of Kodiak Charter provides that an appropriation of funds separate from the budget document may be made by resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska:

Section 1. The Fiscal Year 2024 Operating and Capital Budgets are amended by appropriating and transferring \$665,000 from the Water Utility Fund and \$285,000 from the General Fund to a new project, Mill Bay Road Emergency Repairs Project No. 500046:

Transfer From:

<u>Account Description</u>	<u>Amount</u>
Water Utility Fund – Unassigned Fund Balance	\$665,000

General Fund – Fund Balance Appropriations \$285,000

Transfer to:

<u>Account Description</u>	<u>Amount</u>
Mill Bay Road Emergency Repairs Project No. 500046	\$950,000

Section 2. Authorization of a construction agreement with Brechan Construction LLC in the amount of \$209,655 for the Mill Bay Road Emergency Repairs Project No. 500046.

Section 3. This resolution shall become effective upon adoption.



CITY OF KODIAK

A handwritten signature in blue ink, appearing to read "Pat Peary", is written over a horizontal line.

MAYOR

ATTEST:

A handwritten signature in blue ink, appearing to read "Michelle Sturtevant Nelson", is written over a horizontal line.

CITY CLERK

Adopted: November 20, 2023