

Sponsored by:
Jon Erickson, Borough Manager
Introduced:
10-01-2020
Public Hearing Date:
10-01-2020
Date of Approval:
10-01-2020

CITY AND BOROUGH OF YAKUTAT
EMERGENCY ORDINANCE 20-677

A NON CODE EMERGENCY ORDINANCE APPROPRIATING THE SUM OF TWENTY SIX THOUSAND NINE HUNDRED FORTY ONE DOLLARS AND NO CENTS (\$26,941.00) FROM THE BOROUGH'S CARES ACT SPECIAL REVENUE FUND TO THE YAKUTAT SCHOOL DISTRICT.

WHEREAS, the Yakutat Borough has been allocated the amount of \$1,579,859.03 from funds received by the State of Alaska under the Coronavirus Aid, Relief, and Economic Security (CARES) Act and appropriated those funds pursuant to Assembly Ordinance #2020-676; and

WHEREAS, the Yakutat School District has now submitted a request for funds related to the ongoing public health emergency, in the amount set out in Attachment A hereto, and the Assembly wishes to provide those funds.

THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF YAKUTAT, ALASKA as follows:

Section 1. **Codification.** This is a budget ordinance and shall not be codified.

Section 2. **Purpose.** The purpose of this Emergency Ordinance is to appropriate funds from the Borough's CARES Act Special Revenue Fund to the Yakutat School District.

Section 3. **Substantive Provisions:**

1. The Assembly hereby appropriates from the CARES Act Special Revenue Fund the amount of Twenty Six Thousand Nine Hundred Forty One Dollars and No Cents (\$26,941.00) to the Yakutat School District, to be used by the District for costs and expenses incurred in responding to and planning for the covid-19 public health emergency.

2. This amends Ordinance #2020-676, Section 3, paragraph G, by reducing that appropriation to \$43,059.

3. Additional funding to the Yakutat School District, as necessary and needed to address the unanticipated costs of the covid-19 public health emergency, is hereby approved, up to a cumulative amount not exceeding \$70,000, to be reallocated from unspent funds from the appropriations set out in paragraphs A through S of Ordinance #2020-676.

Section 4. Severability. If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application of other persons or circumstances shall not be affected.

Section 5. Effective Date. This Ordinance shall be effective immediately upon adoption.

PASSED AND APPROVED THIS 1ST DAY OF OCTOBER, 2020.

CITY AND BOROUGH OF YAKUTAT, ALASKA

C. Bremner

CINDY BREMNER
MAYOR

Alfredo Munoz Jr.
ALFREDO MUNOZ JR.
BOROUGH CLERK

YakCode\Ord285



Agreement between the City and Borough of Yakutat and the Yakutat School District Relating to CARES Funding

Dated: October 2, 2020

AGREEMENT

The City and Borough of Yakutat (hereinafter the "Borough") and the Yakutat School District (hereinafter the "District") hereby agree as follows:

Section I. The Borough agrees to provide the District economic support in the amount of Twenty Six Thousand Nine Hundred Forty One Dollars and No Cents (\$26,941.00), under the terms and conditions outlined in this Agreement and Assembly Ordinances 20-677 and 20-676.

Section II. The District shall use the funds provided under this Agreement only to pay for, or to reimburse District for, Eligible Expenses incurred as a result of economic harm sustained due to the public health emergency stemming from the Coronavirus Disease 2019 (COVID-19). The funding received under this Agreement shall be used for no purpose other than payment of Eligible Expenses.

Section III. Eligible Expenses means only those necessary expenses incurred or expected to be incurred as a result of the public health emergency stemming from COVID-19 during the period March 11, 2020 through December 30, 2020. The use of the funds on ineligible expenses will result in the termination of this Agreement; the District is required to reimburse to the Borough the amount of funds spent on ineligible expenses.

Section IV. Funds must be expended in compliance with this Agreement and applicable federal, state and local law.

Section V. The District must establish and maintain adequate accounting for the use of the funds provided. The District shall retain financial and other records relating to the performance of this Agreement for a period of six (6) years from the date funds are received, or until final resolution of any audit findings, claims, or litigation related to the funds, whichever is later.

Section VI. It is understood and agreed that this Agreement is solely for the benefit of the parties to the Agreement and gives no right to any other party. The District, its successors and assigns, will indemnify, defend, and hold harmless the Borough, and its authorized agents, officials and employees, from all claims, actions, proceedings, costs, damages, or expenses of any nature whatsoever, including attorney fees, by reason of the acts or omissions of the District, its subcontractors, assigns, agents, contractors, licensees, invitees, employees, or any person whomever arising out of or in connection with any acts or activities conducted under or pursuant to, or authorized by, or otherwise related to this Agreement.

Section VII. No officer or employee of the Department of Commerce, Community and Economic Development shall have any personal or pecuniary gain or interest, direct or indirect, in any contract, subcontract, or the proceeds thereof, for work to be performed in connection with this Agreement. The assistance provided under this Agreement shall not be used in payment of any bonus or commission for the purpose of obtaining approval or concurrence under this Agreement provided, however, that reasonable fees of bona fide technical consultant, managerial, or other such services, other than actual solicitation, are not hereby prohibited if otherwise an Eligible Expense.

Section VIII. Should actual Eligible Expenses paid during the term of this Agreement total less than the full amount of the funds provided, the District will return the unexpended amount to the Borough on or by December 30, 2020.

Section IX. The District may not discriminate against any employee or applicant for employment because of race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy, or parenthood. The District shall post in a conspicuous place, available to employees and applicants for employment, a notice setting out the provisions of this paragraph. The District shall include the provisions of this EEO article in every contract relating to this Agreement.

Signatures

| District | Borough |
|--|---|
| Signature  | Signature  |
| Printed Name and Title PATRICIA HUTCHERSON, SUPERINTENDENT | Printed Name and Title Don Erickson |
| Date 10/5/20 | Date 10/5/20 |



RECEIVED

SEP 24 2020

CITY & BOROUGH
YAKUTAT

Yakutat School District

District Office (907) 784-3317

Fax (907) 784-3446

City & Borough of Yakutat

429 Forest Hwy.

P.O. Box 429

Yakutat, Alaska 99689

Dr. Jon Erickson
Borough Manager
P.O. Box 160
Yakutat, Alaska 99689

Dear Dr. Erickson:

As the superintendent of the Yakutat School District, I am submitting this letter to request financial assistance for additional supplies and human capital due to COVID-19. As you are aware, Yakutat School District currently has Ninety-seven (97) students enrolled in the district and this year we have incurred some unusual expenses due to COVID-19. The items listed below are for supplies we have had to purchase on a continuous bases because our students require certain items for health and safety in the school environment. The list of school supplies and equipment are listed below:

1. Disposable masks- \$3,000.00
2. Hand sanitizer - \$2,500.00
3. Crayons - \$500.00
4. Acrylic Sneeze Guard Desktops-\$4,530
5. Electrostatic Sprayer - \$4,000.00
6. Signage and tape for social distancing - \$2,000.00
7. Clorox Disinfecting Wipes - \$2,500.00
8. Mobile handwashing sink for Kindergarten \$2,000.00
9. Water bottles for all students-\$500.00
10. Water jugs with spout, 5 gallons -\$500.00
11. Doorbell for school due to building being locked -\$250.00
12. Part-time custodian 20 hours a week for 3 months-\$4,661.00

I am requesting \$26,941.00 to cover reoccurring orders related to COVID-19.

Thank you for your consideration.

Sincerely,

Patricia Hutcherson, Ph.D.

Superintendent

Yakutat School District

Yakutat, Alaska 99689