

Code Ordinance

By: Council Member Nikki Velock  
Introduced: November 14, 2022  
Public Hearing: November 28, 2022  
Adopted: November 28, 2022  
Yes: Brown, Graham, Johnson, Rubeo, Velock  
No: None  
Absent: Sullivan-Leonard

**City of Wasilla  
Ordinance Serial No. 22-38**

**An Ordinance Of The Wasilla City Council Repealing Wasilla Municipal Code (WMC) Chapter 5.24 Entitled "Grant Programs" In Its Entirety.**

**Section 1. Classification.** This ordinance is of a general and permanent nature and shall become part of the Wasilla Municipal Code.

**Section 2. Repeal of Chapter.** WMC Chapter 5.24, Grant programs, is hereby repealed in its entirety:

~~5.24.010 Grant conditions.~~

~~Grants of city funds or pass-through legislative grants to nonprofit groups will be disbursed through agreements containing at a minimum the following conditions:~~

~~A. The grantee:~~

- ~~1. Will spend the grant only for the purposes specified in the agreement;~~
- ~~2. Will allow, on request, an audit by the city of the uses made of the grant;~~
- ~~3. Assures that, to the extent consistent with the purpose of the appropriation, the facilities and services provided with the grant will be available for use of the general public;~~
- ~~4. Will return to the city all grant funds received for construction of a public facility if the city, upon reviewing the documentation provided and other evidence, determines that substantial, ongoing work on the project has not begun within one year of the date it was appropriated;~~

Bold & Underline, added. ~~Strikethrough, deleted~~

~~5. Will, for all grants for construction of a public facility, operate and maintain the facility for its practical life and that it will not look to the city to operate or maintain the facility or pay for its operation or maintenance;~~

~~6. Will, for all grants of \$10,000 or less, provide the city, annually and within 90 days of receipt of funds and project completion, with a financial report;~~

~~7. Will, for all grants greater than \$10,000, submit a monthly financial report until the project is completed. A final financial report is due within 90 days of project completion;~~

~~8. Will retain for a period of three years after project completion all contracts, invoices, materials, payrolls, personnel records, conditions of employment, and other data relating to matters covered by the grant;~~

~~9. Will return all unexpended grant moneys and receipts of expenditures to date to the city within 90 days of project completion or organization dissolution, whichever is earlier;~~

~~10. Will not allow any of the grant moneys to be used for the purpose of lobbying activities before the Alaska Legislature;~~

~~11. Will comply with the minimum wage and employment provisions of Alaska's public construction contract law as set out in AS 36.05.010 (copies of which are available through the Department of Labor) (Davis-Bacon Wage Act applies to all construction contracts involving public funds);~~

~~12. Will comply with all applicable Wasilla Municipal Code sections;~~

~~13. Will, prior to entering into any contract for construction activity of any nature, provide the city a copy of the contractor's license, bond and~~

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insurance. The grantee will obtain from the contractor a certified copy of the payroll submitted to the Alaska Department of Labor.

~~B. These conditions do not apply to pass-through grants under the state revenue sharing program or small amounts allocated from council contingency.~~

~~C. City council may adopt a nonreoccurring grant program if it determines by ordinance that such a program is in the best interest of city residents and funding for the program is available. The ordinance implementing a grant program under this section shall include the dollar amount available for the program and the criteria for its award. A grant program under this section need not apply the grant conditions in subsection (A) of this section.~~

~~5.24.020 Payment terms.~~

~~Payment terms will be negotiable.~~

**Section 3. Effective Date.** This ordinance shall take effect upon adoption.

ADOPTED by the Wasilla City Council on November 28, 2022.

  
Glenda D. Ledford, Mayor

ATTEST:

  
Jamie Newman, MMC, City Clerk

[SEAL]


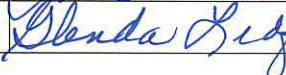
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**City of Wasilla**  
**Legislative Staff Report**  
**Ordinance Serial No. 22-38**  
 (Code Ordinance)

**Repealing Wasilla Municipal Code (WMC) Chapter 5.24 Entitled "Grant Programs" In Its Entirety.**

Originator: Council Member Nikki Velock  
 Date: 10/25/2022

Agenda of: 11/14/2022

Route to:	Department Head	Signature	Date
X	Finance Director		11/2/22
X	Deputy Administrator		11/2/22
X	City Attorney		11/14/22
X	City Clerk		11/2/22
X	Mayor		11/2/22

**Fiscal Impact:**  yes or  no

**Attachments:** Ordinance Serial No. 22-38 (3 pages)

**Summary Statement:** This Ordinance seeks to repeal WMC Chapter 5.24, Grant Programs. On October 24, the motion to Postpone Indefinitely Ordinance Serial No. 22-33 passed in effect killing the Ordinance, which sought to appropriate \$400,000 to fund the Community Grant Program as adopted by Ordinance Serial No. 22-28.

Repealing the Chapter would eliminate a formal grant award program procedure, reflecting Council's intent to "stay out of the grant program" business. Any consideration by Council regarding assistance for specific events or organizations would be subject to limitations and requirements that apply to appropriations and expenditures.

**Proposed Action:** Introduce and set the Ordinance for public hearing.