

Kenai Peninsula Borough



**Assembly Meeting
May 1, 2012
7:00 P.M.**

Assembly Chambers, 144 North Binkley Street, Soldotna

May 2012

Monthly Planner

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday																																											
<div style="border: 1px solid black; padding: 5px; background-color: #f0f0f0; margin-bottom: 10px;"> <p style="text-align: center; margin: 0;">Apr 2012</p> <table style="width: 100%; border-collapse: collapse; font-size: small;"> <tr> <th>S</th><th>M</th><th>T</th><th>W</th><th>T</th><th>F</th><th>S</th> </tr> <tr> <td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td> </tr> <tr> <td>8</td><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td> </tr> <tr> <td>15</td><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td> </tr> <tr> <td>22</td><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td> </tr> <tr> <td>29</td><td>30</td><td></td><td></td><td></td><td></td><td></td> </tr> </table> </div>	S	M	T	W	T	F	S	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30						1	2	3	4	5		
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June 2012

Monthly Planner

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May 2012 - December 2012

Assembly Yearly Planner

May 2012						
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MAY

- 1 Assembly Meeting
- 15 Assembly Meeting
- 28 Borough Holiday: Memorial Day

20 Assembly Meeting

22 Borough Holiday: Thanksgiving

23 Borough Holiday: Thanksgiving

Nov 2012						
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JUNE

- 5 Assembly Meeting
- 19 Assembly Meeting

DECEMBER

4 Assembly Meeting

24 Borough Holiday: Christmas Eve

25 Borough Holiday: Christmas

Dec 2012						
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JULY

- 3 Assembly Meeting
- 4 Borough Holiday: Independence Day

13 7/13-7/17 NACo Annual Conf. (New Mexico)

AUGUST

- 7 Assembly Meeting
- 21 Assembly Meeting

28 Primary Election

Jan 2013						
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SEPTEMBER

3 Borough Holiday: Labor Day

4 Assembly Meeting

18 Assembly Meeting (Homer)

Feb 2013						
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OCTOBER

2 Borough Election

9 Assembly Meeting

23 Assembly Meeting

Mar 2013						
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NOVEMBER

6 General Election

12 11/12-11/16 AML Annual Conf. (Anchorage)

Borough Holiday: Veterans Day

Apr 2013						
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Assembly Meeting Schedule

TUESDAY, MAY 1, 2012

- 2:30 PM Finance Committee**
- 4:00 PM Lands Committee**
- 4:15 PM Policies and Procedures Committee**
- 7:00 PM Regular Assembly Meeting**

Above listed meetings will be held in:

Assembly Chambers
George A. Navarre Kenai Peninsula Borough Administration Building
144 North Binkley Street, Soldotna, Alaska

May 1, 2012	2:30 PM	Assembly Chambers George A. Navarre Kenai Peninsula Borough Administration Building, Soldotna
Bill Smith, Chair	Ray Tauriainen, Vice Chair	All Assembly Members

AGENDA

ITEMS NOT APPEARING ON THE REGULAR MEETING AGENDA

1. Non-Departmental Budget Presentations
 - a. CARTS (10 minutes)
 - b. Kenai Peninsula Tourism Marketing Council (10 minutes)
 - c. Kenai Peninsula Economic Development District (10 minutes)
 - d. University of Alaska – SBDC Program (10 minutes)

M. PUBLIC HEARINGS ON ORDINANCES

1. Ordinance 2011-19-83: Appropriating \$26,145.80 from Fund Balance for the Purchase of Supplies and Equipment by the Lowell Point Emergency Service Area (Mayor, McClure)52
2. Ordinance 2011-19-84: Appropriating \$40,000 from the General Government Capital Project Fund to Provide Additional Funding for Remodeling of the Legal and Finance Departments and \$40,000 for ADA Upgrades at the Borough Administration Building (Mayor).....55
7. Ordinance 2012-11: Authorizing the Acceptance of the FY2013 Late-Filed Senior Citizen Grant Application for the Seldovia Senior Citizen Program (Mayor)198

O. NEW BUSINESS

1. Bid Awards
 - *a. Resolution 2012-033: Authorizing Road Service Area Capital Improvement Project: Ravenwood Street #W7RAV Contract Award and Allocation (Mayor).....203

*b.	<u>Resolution 2012-034</u> : Authorizing Road Service Area Capital Improvement Project: Yale Street and Princeton Avenue #W6YAL Contract Award and Allocation (Mayor).....	208
*c.	<u>Resolution 2012-035</u> : Authorizing Road Service Area Capital Improvement Project: Ruffed Grouse Road #W1RUF Contract Award and Allocation (Mayor)	213
*d.	<u>Resolution 2012-036</u> : Authorizing Road Service Area Capital Improvement Project: Juel Avenue, Nielson Street and Kenaitze Avenue #W1JUE Contract Award and Allocation (Mayor)	218
*e.	<u>Resolution 2012-037</u> : Authorizing Road Service Area Capital Improvement Project: Golden Eagle Avenue and Chisik Street #C5GOL Contract Award and Allocation (Mayor).....	223
2. Resolutions		
*c.	<u>Resolution 2012-040</u> : Authorizing Community Revenue Sharing Program Expenditures for the Unincorporated Community of Nanwalek (Mayor)	234
*d.	<u>Resolution 2012-041</u> : Authorizing Unexpended Funds from the Port Graham Landfill Feasibility Study Capital Project Be Transferred to the Central Peninsula Landfill Truck Scale Replacement Capital Project to Cover Cost in Excess of the Budgeted Amount (Mayor)	237
3. Ordinances		
*a.	<u>Ordinance 2011-19-86</u> : Accepting and Appropriating a Grant in the Amount of \$432,837 from the State of Alaska Division of Homeland Security and Emergency Management on Behalf of the Road Service Area to Complete a Catch Basin and Culvert Drainage Project (Mayor) (Hearing on 06/05/12).....	240
*d.	<u>Ordinance 2012-19</u> : Appropriating Funds for Fiscal Year 2013 (Mayor) (Hearings on 05/15/12 and 06/05/12)	257
	<i>[Clerk's note: Finance Director requested 20 minutes for budget presentation.]</i>	
4. Other		
*a.	Requesting a Formal Assembly Protest to the Renewal of the Following Liquor License Due to Unpaid Taxes	263
	<u>Business Name</u>	<u>Location</u>
	Trophy King Lodge	Anchor Point, AK

*Consent Agenda Items

May 1, 2012	4:00 PM	Assembly Chambers George A. Navarre Kenai Peninsula Borough Administration Building, Soldotna
Sue McClure, Chair	Brent Johnson, Vice Chair	Ray Tauriainen

AGENDA

M. PUBLIC HEARINGS ON ORDINANCES

- 6. Ordinance 2012-10: Authorizing a Land Exchange to Facilitate a Joint Plan of Subdivision with Cook Inlet Region, Inc. for Widgeon Woods Phase 2 Subdivision (Mayor).....179

*Consent Agenda Items

Policies and Procedures Committee

May 1, 2012	4:15 PM	Assembly Chambers George A. Navarre Kenai Peninsula Borough Administration Building, Soldotna
Mako Haggerty, Chair	Charlie Pierce, Vice Chair	Linda Murphy

AGENDA

K. MAYOR’S REPORT17

- 1. Assembly Requests/Responses – None.
- 2. Agreements and Contracts
 - a. Authorization to Award Contract for Professional Services for the Homer High School Track Renovation to USKH, Inc.18
 - b. Request for Waiver of Formal Bidding Procedures for Purchase of Portable Generator from Totem Equipment & Supply, Inc.20
 - c. Authorization to Award a Contract for the Playground Equipment Package for the North Peninsula Recreation Center Community Playground to Playcraft Direct.....21
 - d. Authorization to Award Contract for Solid Waste Facilities Water Monitoring Program Professional Services to Shannon & Wilson23
- 3. Other
 - a. Revenue Expenditure Report March, 2012.....24
 - b. Budget Revisions March, 2012.....27
 - c. Project Reports March 31, 201232
 - d. Investment Portfolio Report March 31, 201251

M. PUBLIC HEARINGS ON ORDINANCES

- 3. Ordinance 2012-07: Amending KPB Titles 2—Administration, 4—Elections and 16—Service Areas to Provide that All Kenai Peninsula Borough Service Area Boards are Appointed Instead of Elected (Murphy)60
Ordinance 2012-07 (Knopp/Johnson) Substitute: Amending KPB Title 16—Service Areas to Provide for the Board Members of Each Service Area to be Appointed Instead of Elected Subject to Approval by the Voters of Each Service Area (Knopp, Johnson)98
- 4. Ordinance 2012-08: Amending the Borough Code to Revise Assembly and School Board District Boundaries and Providing for Truncation of the Term for Assembly Seat Number 2, Kenai (Redistricting Committee).....138
- 5. Ordinance 2012-09: Amending KPB 4.50.015 and Designating Absentee By-Mail Precincts as Authorized in Alaska Statute 29.26.010 (Knopp at the Request of the Borough Clerk)174

O. NEW BUSINESS

- 2. Resolutions
 - *a. Resolution 2012-038: Supporting the Seward/Kenai Peninsula Highway Transportation Corridor Safety Initiative (Mayor).....228
 - *b. Resolution 2012-039: Urging the North Pacific Fishery Management Council to Adopt Measures that Reduce the Halibut Prohibited Species Catch in the Gulf of Alaska Groundfish Fisheries (Haggerty, Smith).....231
- 3. Ordinances
 - *b. Ordinance 2012-13: Stating Non-Objection to the Lowell Point Volunteer Fire Department Being Recognized by the State as a Volunteer Fire Department to Provide Fire Protection in the Lowell Point Area of the Kenai Peninsula Borough (McClure) (Hearing on 06/05/12).....244
 - *c. Ordinance 2012-14: Amending KPB 16.20.010 to Revise the Legal Description of the Kachemak Emergency Service Area Boundary to Make it Consistent with the Recently Amended Kachemak City Boundary Legal Description Due to Annexation (Mayor) (Hearing on 06/05/12).....248

4. Other

- *b. Requesting a Formal Assembly Protest to the Renewal of the Following Liquor License Due to Non-Compliance of Borough Ordinances and Regulations265

<u>Business Name</u>	<u>Location</u>
Longmere Lake Liquor Store	Sterling, AK

*Consent Agenda Items

Assembly Agenda

May 1, 2012 - 7:00 PM

Regular Meeting

Borough Assembly Chambers, Soldotna, Alaska

*Gary Knopp
Assembly President
Seat 1 - Kalifornsky
Term Expires 2012*

*Charlie Pierce
Assembly Vice President
Seat 5-Sterling/Funny
River
Term Expires 2014*

*Mako Haggerty
Assembly Member
Seat 9 - South Peninsula
Term Expires 2012*

*Brent Johnson
Assembly Member
Seat 7 - Central
Term Expires 2013*

*Sue McClure
Assembly Member
Seat 6 - East Peninsula
Term Expires 2012*

*Linda Murphy
Assembly Member
Seat 4 - Soldotna
Term Expires 2013*

*Hal Smalley
Assembly Member
Seat 2 - Kenai
Term Expires 2014*

*Bill Smith
Assembly Member
Seat 8 - Homer
Term Expires 2014*

*Ray Taurainen
Assembly Member
Seat 3 - Nikiski
Term Expires 2013*

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. INVOCATION

D. ROLL CALL

E. COMMITTEE REPORTS

F. APPROVAL OF AGENDA AND CONSENT AGENDA

(All items listed with an asterisk (*) are considered to be routine and non-controversial by the Assembly and will be approved by one motion. There will be no separate discussion of these items unless an Assembly Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.)

G. APPROVAL OF MINUTES

*1. April 17, 2012 Regular Assembly Meeting Minutes 1

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

1. A Commending Resolution Recognizing the Center for Alaskan Coastal Studies, formerly known as China Poot Bay Society, for 30 Years of Service (Haggerty, Mayor) 13

2. Mayor’s Proclamation Declaring May, 2012 as “Motorcycle Awareness Month” 15

3. Mayor’s Proclamation Declaring May, 2012 as “Litter Awareness Month” 16

I. PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

1. David B. Thomas, PE “Matti’s Farm” (10 minutes)

J. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA (3 minutes per speaker; 20 minutes aggregate)

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L. ITEMS NOT COMPLETED FROM PRIOR AGENDA – None.

M. PUBLIC HEARINGS ON ORDINANCES (Testimony limited to 3 minutes per speaker)

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N. UNFINISHED BUSINESS - None.

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2. Resolutions

- *a. Resolution 2012-038: Supporting the Seward/Kenai Peninsula Highway Transportation Corridor Safety Initiative (Mayor) (Referred to Policies and Procedures Committee).....228
- *b. Resolution 2012-039: Urging the North Pacific Fishery Management Council to Adopt Measures that Reduce the Halibut Prohibited Species Catch in the Gulf of Alaska Groundfish Fisheries (Haggerty, Smith) (Referred to Policies and Procedures Committee)231
- *c. Resolution 2012-040: Authorizing Community Revenue Sharing Program Expenditures for the Unincorporated Community of Nanwalek (Mayor) (Referred to Finance Committee).....234
- *d. Resolution 2012-041: Authorizing Unexpended Funds from the Port Graham Landfill Feasibility Study Capital Project Be Transferred to the Central Peninsula Landfill Truck Scale Replacement Capital Project to Cover Cost in Excess of the Budgeted Amount (Mayor) (Referred to Finance Committee).....237

3. Ordinances

- *a. Ordinance 2011-19-86: Accepting and Appropriating a Grant in the Amount of \$432,837 from the State of Alaska Division of Homeland Security and Emergency Management on Behalf of the Road Service Area to Complete a Catch Basin and Culvert Drainage Project (Mayor) (Hearing on 06/05/12) (Referred to Finance Committee).....240

- *b. Ordinance 2012-13: Stating Non-Objection to the Lowell Point Volunteer Fire Department Being Recognized by the State as a Volunteer Fire Department to Provide Fire Protection in the Lowell Point Area of the Kenai Peninsula Borough (McClure) (Hearing on 06/05/12) (Referred to Policies and Procedures Committee)244
- *c. Ordinance 2012-14: Amending KPB 16.20.010 to Revise the Legal Description of the Kachemak Emergency Service Area Boundary to Make it Consistent with the Recently Amended Kachemak City Boundary Legal Description Due to Annexation (Mayor) (Hearing on 06/05/12) (Referred to Policies and Procedures Committee)248
- *d. Ordinance 2012-19: Appropriating Funds for Fiscal Year 2013 (Mayor) (Hearings on 05/15/12 and 06/05/12) (Referred to Finance Committee)257

4. Other

- *a. Requesting a Formal Assembly Protest to the Renewal of the Following Liquor License Due to Unpaid Taxes (Referred to Finance Committee).....263

<u>Business Name</u>	<u>Location</u>
Trophy King Lodge	Anchor Point, AK

- *b. Requesting a Formal Assembly Protest to the Renewal of the Following Liquor License Due to Non-Compliance of Borough Ordinances and Regulations (Referred to Policies and Procedures Committee)265

<u>Business Name</u>	<u>Location</u>
Longmere Lake Liquor Store	Sterling, AK

P. PUBLIC COMMENTS AND PUBLIC PRESENTATIONS (3 minutes per speaker)

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

- 1. May 15, 2012 Regular Assembly Meeting 7:00 PM Soldotna

R. ASSEMBLY COMMENTS

S. PENDING LEGISLATION (This item lists legislation which will be addressed at a later date as noted.)

1. Resolution 2011-108: Approving a New Senior Clerk Typist Classified Position in the River Center Department (Mayor) (Referred to Policies and Procedures Committee) *TABLED 01/17/12*
2. Ordinance 2011-36: Amending KPB 14.40.155 Temporary Road Closure, to Clarify and Expand the Reasons and Procedure for Closing Borough Roads and Rights-of-Way (Mayor) (Referred to Policies and Procedures Committee) *TABLED 12/06/11*
3. Ordinance 2011-19-82: Appropriating Supplemental Funding to the Borough's Health Insurance Fund to Cover Estimated Cost to be Incurred to the Borough's Health Care Plan for FY2012 (Mayor) (Hearing on 05/15/12) (Referred to Finance Committee)
4. Ordinance 2011-19-85: Appropriating \$45,058.74 in Donations for the Nikiski Community Playground Project (Mayor) (Hearing on 05/15/12) (Referred to Finance Committee)
5. Ordinance 2012-06: Amending KPB 21.18.081, 21.18.100 and 21.18.140 to Permit Certain Structures in Tidally Inundated Areas, and Conditionally Permit Certain Structures Within the Habitat Protection District and Adding Definitions (Smith, Haggerty) (Final Hearing on 05/15/12) (Referred to Policies and Procedures Committee)
6. Ordinance 2012-12: Reducing Disposal Fees for AIMM Technologies, Inc. for up to 3,000 tons of Special Waste (Mayor) (Hearing on 05/15/12) (Referred to Policies and Procedures Committee)

T. INFORMATIONAL MATERIALS AND REPORTS

U. NOTICE OF NEXT MEETING AND ADJOURNMENT

The next meeting of the Kenai Peninsula Borough Assembly will be held on May 15, 2012, at 7:00 P.M. in the Borough Assembly Chambers, Soldotna, Alaska.

This meeting will be broadcast on KDLL-FM 91.9 (Central Peninsula), KBBI-AM 890 (South Peninsula), K201AO-FM 88.1 (East Peninsula).

Copies of agenda items are available at the Borough Clerk's Office in the Meeting Room just prior to the meeting. For further information, please call the Clerk's Office at 714-2160 or toll free within the Borough at 1-800-478-4441, Ext. 2160. Visit our website at www.borough.kenai.ak.us for copies of the agenda, meeting summaries, ordinances and resolutions.

Kenai Peninsula Borough

Assembly Meeting Minutes

April 17, 2012

Regular Meeting - Seward, Alaska

CALL TO ORDER

A Regular Meeting of the Kenai Peninsula Borough Assembly was held on April 17, 2012, in the Seward City Hall Council Chambers, Seward, Alaska. President Knopp called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance was recited followed by the invocation given by Ron Nitz from the Resurrection Lutheran Church.

There were present:

Gary Knopp, Presiding
Mako Haggerty
Brent Johnson
Sue McClure
Linda Murphy

Charlie Pierce
Hal Smalley
Bill Smith
Ray Tauriainen

comprising a quorum of the assembly.

Also in attendance were:

Colette Thompson, Borough Attorney
Johni Blankenship, Borough Clerk
Shellie Saner, Deputy Clerk

COMMITTEE REPORTS

Assembly Member Smith said the Finance Committee met and discussed its agenda items.

(07:01:06)

Assembly Member McClure said the Lands Committee met and discussed its agenda items.

Assembly Member Haggerty said the Policies and Procedures Committee met and discussed its agenda items.

Assembly Member Smalley said the Legislative Committee met and discussed its agenda item.

MOTION:

Murphy moved to authorize our NACo Representative, Assembly Member Hal Smalley to attend the Western Interstate

Region (WIR) Conference in Sante Fe, New Mexico May 14-19, 2012.

MOTION PASSED: Unanimous.

APPROVAL OF THE AGENDA AND CONSENT AGENDA

MOTION TO APPROVE AGENDA: Pierce moved for the approval of the agenda and consent agenda. (07:23:44)

[Clerk's Note: President Knopp passed the gavel to Vice President Pierce and declared a conflict with Resolution 2012-029 and Resolution 2012-031 as he was the owner of G&H Construction, he noted that had bid on the projects outlined in Resolution 2012-028 and Resolution 2012-030. Vice President Pierce ruled a conflict did exist. President Knopp abstained from discussion and voting on Resolution 2012-029 and Resolution 2012-031.]

Vice President Pierce called for additions, corrections or deletions to the agenda or consent agenda.

Copies having been made available to the public, Borough Clerk Johni Blankenship noted by title only the resolutions and ordinances on the consent agenda.

- April 3, 2012 Regular Assembly Meeting Minutes
- Resolution 2012-028: Authorizing Road Service Area Capital Improvement Project: Georgine Lake Road #N5GEO Contract Award and Allocation (Mayor) (Referred to Finance Committee)
- Resolution 2012-029: Authorizing Road Service Area Capital Improvement Project: Wanda Drive and Range View Court #N5WAN Contract Award and Allocation (Mayor) (Referred to Finance Committee)
- Resolution 2012-030: Authorizing Road Service Area Capital Improvement Project: Ramona Road and Sondra Road #N5RAM Contract Award and Allocation (Mayor) (Referred to Finance Committee)
- Resolution 2012-031: Authorizing Road Service Area Capital Improvement Project: Gemstone Street #N2GEM Contract Award and Allocation (Mayor) (Referred to Finance Committee)
- Resolution 2012-032: Accepting Communication Equipment from the State of Alaska Division of Homeland Security and Emergency Management on Behalf of Central Emergency Services (Mayor) (Referred to Policies and Procedures Committee)
- Ordinance 2011-19-82: Appropriating Supplemental Funding to the Borough's Health Insurance Fund to Cover Estimated Cost to be Incurred to the Borough's Health Care Plan for FY2012 (Mayor) (Hearing on 05/15/12) (Referred to Finance Committee)

- Ordinance 2011-19-83: Appropriating \$26,145.80 from Fund Balance for the Purchase of Supplies and Equipment by the Lowell Point Emergency Service Area (Mayor, McClure) (Shortened Hearing on 05/01/12) (Referred to Finance Committee)
- Ordinance 2011-19-84: Appropriating \$40,000 from the General Government Capital Project Fund to Provide Additional Funding for Remodeling of the Legal and Finance Departments and \$40,000 for ADA Upgrades at the Borough Administration Building (Mayor) (Shortened Hearing on 05/01/12) (Referred to Finance Committee)
- Ordinance 2011-19-85: Appropriating \$45,058.74 in Donations for the Nikiski Community Playground Project (Mayor) (Hearing on 05/15/12) (Referred to Finance Committee)
- Ordinance 2012-11: Authorizing the Acceptance of the FY2013 Late-Filed Senior Citizen Grant Application for the Seldovia Senior Citizen Program (Mayor) (Shortened Hearing on 05/01/12) (Referred to Finance Committee)
- Ordinance 2012-12: Reducing Disposal Fees for AIMM Technologies, Inc. for up to 3,000 tons of Special Waste (Mayor) (Hearing on 05/15/12) (Referred to Policies and Procedures Committee)
- Petition to Vacate Brant Drive, a 25-Foot Public Right-of-Way Easement within Tract A-100-E1, as Recorded within Book 17 Page 256 Homer Recording District; also Shown on Brant Subdivision (Plat HM81-14); within Section 2, Township 6 South, Range 14 West; Seward Meridian, Alaska and Within the Kenai Peninsula Borough; KPB File 2012-029; Location: Off Diamond Ridge Road, Homer Area (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the referenced vacation by unanimous consent during its regularly scheduled March 26, 2012 meeting.]

- Petition to Vacate the West 3-Feet of the 33-Foot Waxwing Way Right-of-Way Adjacent to Tract 1, Veil O'Mist Subdivision No. 3 Dedicated by (Plat KN 74-66); within Section 6, Township 5 North, Range 8 West, Seward Meridian, Alaska and within the Kenai Peninsula Borough AND Vacate the West 3-Feet of the 33-Foot Section Line Easement Underlying the Above Proposed Right-of-Way Vacation Adjacent to Tract 1 of Veil O'Mist Subdivision No. 3 (Plat KN 74-66); All Within Section 5, Township 5 North, Range 8 West, Seward Meridian, Alaska; and within the Kenai Peninsula Borough; KPB Files 2012-023 and 2012-024; Location: On Waxwing Way in Sterling (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the referenced vacation by unanimous consent during its regularly scheduled March 26, 2012 meeting.]

- Approving the Application for Restaurant Designation Permit Filed by Alaska Roadhouse Company dba Alaska Roadhouse Bar and Grill (Referred to Finance Committee)
- Authorizing an Application of Transfer, Ownership and Relocation of Liquor License Filed by Wes Sherrill dba Moose Pass Inn (Referred to Finance Committee)

Vice President Pierce called for public comment with none being offered.

AGENDA APPROVED AS AMENDED: Without objection.

[Clerk's Note: Vice President Pierce returned the gavel to President Knopp.]

COMMENDING RESOLUTIONS AND PROCLAMATIONS - None.

PRESENTATIONS WITH PRIOR NOTICE - None.

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

(07:30:56)

President Knopp called for public comment.

Jenny Olendorff, PO Box 3918, Soldotna, addressed the Assembly regarding the Tobacco Intervention Network educating students in Kenai Peninsula Borough schools.

Marine Sheehan, Bayview Apartment, Seward, addressed the Assembly regarding teens smoking.

There being no one else who wished to speak, the public comment period was closed.

MAYOR'S REPORT

(07:37:53)

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
 - a. Authorization to Award Contract for Nikolaevsk Fire Station Standby Generator to Cook Inlet Lighting
 - b. Authorization to Award Contract for the Purchase of a Compact Track Loader to Craig Taylor Equipment
 - c. Authorization to Award Contract for Hazardous Waste Collection Contract Services to Emerald Alaska, Inc.
 - d. Authorization to Award Contract for Central Peninsula Hospital Radiation Oncology Center Professional Design Services to Soderstrom Architectures, Ltd.
3. Other
 - a. Litigation Status Report
 - b. Spruce Bark Beetle Program Monthly Status Report March, 2012

ITEMS NOT COMPLETED FROM PRIOR AGENDA - None.

PUBLIC HEARING ON ORDINANCES

(07:42:14)

Ordinance 2011-19-79: Appropriating Commercial Passenger Vessel Tax Proceeds Received from the State of Alaska in the Amount of \$357,552.50 and Allocating \$324,865 to the City of Seward and \$32,687.50 to the City of Homer (Mayor) (Referred to Finance Committee)

MOTION: Smith moved to enact Ordinance 2011-19-79.

President Knopp called for public comment with none being offered.

VOTE ON MOTION TO ENACT:

Yes: Haggerty, Johnson, McClure, Murphy, Pierce, Smalley, Smith, Tauriainen, Knopp

No: None

Absent: None

MOTION TO ENACT PASSED: 9 Yes, 0 No, 0 Absent

(07:44:16)

Ordinance 2011-19-81: Accepting and Appropriating a Grant in the amount of \$230,220 from the State of Alaska Division of Homeland Security and Emergency Management to Complete a Local Hazard Mitigation Plan Annex in the Seward Bear Creek Flood Service Area (Mayor) (Referred to Finance Committee)

MOTION: Smith moved to enact Ordinance 2011-19-81.

President Knopp called for public comment with none being offered.

MOTION: Smith moved to amend Ordinance 2011-19-81 as follows:

The sixth whereas to read, "at its meeting on February 13, 2012 the SBCFSA Board of Directors' [RECOMMENDED] motion to approve this ordinance failed;"

MOTION TO AMEND PASSED: Unanimous.

VOTE ON MOTION TO ENACT AS AMENDED:

Yes: Haggerty, Johnson, McClure, Murphy, Pierce, Smalley, Smith, Tauriainen, Knopp

No: None

Absent: None

MOTION TO ENACT AS AMENDED PASSED: 9 Yes, 0 No, 0 Absent

Ordinance 2012-06: Amending KPB 21.18.081, 21.18.100 and 21.18.140 to Permit Certain Structures in Tidally Inundated Areas, and Conditionally Permit Certain Structures Within the Habitat Protection District and Adding Definitions (Smith, Haggerty) (Referred to Policies and Procedures Committee)

[Clerk's Note: Motion to enact Ordinance 2012-06 was on the floor from the April 3, 2012 meeting.]

President Knopp called for public comment.

The following person spoke in support of the amendments to Ordinance 2012-06.

Tim Dillon, Seldovia City Manager

There being no one else who wished to speak, the public comment period was closed.

MOTION:

Haggerty moved to amend Ordinance 2012-06 as follows:

Title to read, "An Ordinance Amending KPB 21.18.025(B) 21.18.081, [21.18.100], and 21.18.140 to Permit Certain Structures in Tidally Inundated Areas, and Conditionally Permit Certain Structures within the Habitat Protection District and Adding Definitions"

Insert a new Section 1 to read, "That KPB 21.18.025 (B) is hereby amended as follows:

B. In addition to the water bodies listed in 21.18.025(A), all anadromous waterbodies within the municipal boundaries of the Kenai Peninsula Borough which are listed in the "Atlas and Catalogue of Waters Important for Spawning, Rearing, or Migration of Anadromous Fish" as periodically updated and published by the Alaska Department of Fish and Game[, EXCLUDING ALL PORTIONS OF WATERWAYS FOUND WITHIN THE SEWARD-BEAR CREEK FLOOD SERVICE AREA.] are subject to this chapter as of January 1, 2012, excluding the following:

1. All portions of waterways found within the Seward-Bear Creek Flood Service Area are

exempt from KPB 21.18.

2. Braided Channels, Tide Dominated Deltas, Estuaries and Lagoons which are primarily seawater and are identified as anadromous in the State of Alaska Atlas and Catalogue of Waters Important for Spawning, Rearing, or Migration of Anadromous Fish are exempt from KPB 21.18.”

Renumber existing section accordingly.

MOTION TO AMEND PASSED:

Unanimous.

MOTION:

Haggerty moved to amend Ordinance 2012-06 as follows:

Newly renumbered Section 2 to read, “That KPB 21.18.081(B) is hereby amended by adding a new provision as follows:

...

10. A principal structure or an addition to a principal structure may be approved within the habitat protection district provided all the following standards are met:

a. The parcel boundaries were defined prior to January 1, 2012.

b. The parcel [IS SUBJECT TO A CITY BUILDING CODE AND] is served by a public sewer system or sewage holding tank or septic system, provided the holding tank or septic system are located entirely outside the habitat protection district.

c. The parcel has an area of .3 acres or less and less than 4,000 square feet of total developed impervious coverage.

d. The parcel has less than 4,000 square feet of suitable development area outside the habitat protection district.

[D] e. On the portion of the parcel within the habitat protection district, the total impervious coverage may not exceed 50% of the area able to sustain native vegetation, or [5,000] 3,000 square feet of area able to sustain native vegetation, whichever is less.

[E] f. The standard for development is to first utilize suitable parcel areas outside the habitat protection district [AS A PREFERRED ALTERNATIVE TO DEVELOPMENT WITHIN A HABITAT PROTECTION DISTRICT.] Within the habitat protection district, it is preferred to minimize impact by preserving the nearshore areas which may sustain native vegetation.”

MOTION TO AMEND PASSED:

Unanimous.

MOTION:

Haggerty moved to amend Ordinance 2012-06 as follows:

Delete newly renumbered Section 3 to read, “[THAT KP.B 21.18.100 IS HEREBY AMENDED BY ADDING A NEW SECTION E. AS FOLLOWS:

...

E. BUILDING PERMITS ISSUED BY A CITY FOR AREAS SUBJECT TO TIDAL INUNDATION, BETWEEN MEAN HIGH WATER AND MEAN HIGHER HIGH WATER, WILL CONSTITUTE A DETERMINATION THAT THE REQUIREMENTS OF KP.B 21.18 ARE SATISFIED AND THE PROJECT IS EXEMPT FROM KP.B 21.18 APPLICATION.]”

Renumber remaining sections accordingly.

MOTION TO AMEND PASSED:

Unanimous.

MOTION:

Haggerty moved to amend Ordinance 2012-06 as follows:

Insert the following additional definitions to newly renumbered Section 3, KP.B 21.18.140:

AF. "Mile Zero" The downstream beginning

point of the anadromous waters identified in 21.18, and the riparian zone defined as the habitat protection district. On riverine systems subject to tidal inundation, Mile Zero begins at the elevation of mean high tide, where not otherwise designated by KPB code or prior designations.

AG. "Estuary" means a semi-enclosed coastal body of water with a free connection to the sea and in which seawater is measurably diluted with freshwater derived from land drainage.

AH. "Braided Channels" means the intertwined branches or secondary channels of a river or stream and characterized by the separation and rejoining of two or more channels separated by bars or islands.

AI. "Lagoon" means relatively shallow bodies of water, mostly-enclosed, with an oceanic source, separated by a low-lying swatch of land, such as a spit or barrier island. This oceanic source may be continual or episodic, such as storm-induced overwash, and generally has a different salinity as a result of its restricted access.

AJ. "Tide Dominated Delta" means a river delta subject to tidal inundation as well as tidal and storm erosion which may be mainly submarine with prominent bars or ridges.

MOTION TO AMEND PASSED:

Unanimous.

MOTION TO POSTPONE:

Haggerty moved to postpone Ordinance 2012-06 until May 15, 2012.

VOTE ON MOTION TO POSTPONE:

Yes:

Haggerty, Johnson, McClure, Murphy, Pierce, Smalley, Smith, Tauriainen, Knopp

No:

None

Absent:

None

MOTION TO POSTPONE PASSED:

9 Yes, 0 No, 0 Absent

(08:00:10)

Ordinance 2012-07: Amending KPB Titles 2 Administration, 4 Elections and 16 Service Areas to Provide that All Kenai Peninsula Borough Service Area Boards are Appointed Instead of Elected (Murphy) (Final Hearing 05/01/12) (Referred to Policies and Procedures Committee)

[Clerk's Note: Motion to enact Ordinance 2012-07 was on the floor from the April 3, 2012 meeting.]

President Knopp called for public comment with none being offered.

MOTION TO POSTPONED: Pierce moved to postpone Ordinance 2012-07 until May 1, 2012.

VOTE ON MOTION TO POSTPONE:

Yes: Haggerty, Johnson, McClure, Murphy, Pierce, Smalley, Smith, Tauriainen, Knopp

No: None

Absent: None

MOTION TO POSTPONE PASSED: 9 Yes, 0 No, 0 Absent

UNFINISHED BUSINESS - None.

NEW BUSINESS - None.

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

(08:10:53)

President Knopp called for public comment with none being offered.

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

(08:11:12)

The next meeting of the Kenai Peninsula Borough Assembly was scheduled for May 1, 2012, at 7:00 p.m. in the Borough Assembly Chambers, Soldotna, Alaska.

ASSEMBLY COMMENTS

(08:11:27)

Assembly Member Tauriainen noted that he was encouraged to see the number of items for the Kenai Peninsula Borough that were included in the State of Alaska Capital Budget.

Assembly Member McClure thanked the Assembly for enacting Ordinance 2011-19-79 on behalf of the City of Seward, she thanked the City of Seward for their hospitality. She stated Seward Legislative Information Office was located in the SeaView Plaza, and noted the April showers were needed to control the dust.

Assembly Member Murphy thanked the City of Seward for their hospitality, she stated she had lived in Seward for twenty five-years and it was always like coming home. She noted the poor conditions of the Sterling Highway between Soldotna and Seward.

Assembly Member Haggerty thanked Assembly Member Smith for the hard work he had put into Ordinance 2012-06, he noted it was a complicated ordinance; however, it was put in place to protect the salmon, a species that could not attend the meetings and speak for itself. He noted that Seldovia City Manager, Tim Dillon had shown dedicated commitment to Seldovia with is continued involvement with the Assembly and Ordinance 2012-06. He reminded everyone that on April 24, 2012 there was going to be a recycling effort of electronics, making a tour of Port Graham, Nanwalek and Seldovia. He congratulated Homer resident Randy Wiest for finishing the Boston Marathon.

Assembly Member Johnson thanked the City of Seward for their hospitality, and stated he enjoyed meeting the City Council Members. He stated he was the Vice Chair of the Lands Committee, Sue McClure was the Chair and it had been a pleasure being taught by her.

Assembly Member Smith thanked the City of Seward for their hospitality. He stated his appreciation for Mayor Navarre traveling to Juneau and his representation of the Kenai Peninsula Borough needs.

Assembly Member Smalley thanked the City of Seward for their hospitality, he noted that Seward was a favorite place of one of his grandsons. He thanked Assembly Member Smith, the River Center Staff, Administration and Seldovia for the efforts put into Ordinance 2012-06 to get all of the problems corrected. He noted that Ordinance 2012-06 was not popular when it when it was first introduced; however, continued work is fixing it. He thanked Mayor Navarre for his efforts in Juneau, and noted it had made a difference in what would be happening on the Peninsula.

Vice President Pierce said the efforts of Mayor Navarre in Juneau were evident in the State of Alaska Capital Budget. He stated that the borough funds spent to travel to Juneau in an effort to represent the constituents needs clearly made a difference. He thanked the City of Seward for their hospitality.

President Knopp thanked the City of Seward for their hospitality, and noted how much he enjoyed coming to Seward. He thanked Mayor Navarre and Chief of Staff Paul Ostrander for the work done in Juneau. He thanked Assembly Member Smith for the amendments made to Ordinance 2012-06. He stated during his time on the Assembly there had been three administration, and each administration had strived to do their best. He stated that the Williams administration had lowered mill rates and shifted the tax burden, Carey had done some nice things, and now Mayor Navarre was doing great thing early on in his tenure. He noted the benefits to the Kenai Peninsula Borough having the current representation in Juneau. He noted the monies received from the state benefited everyone economically.

ADJOURNMENT

With no further business to come before the assembly, President Knopp adjourned the meeting at 8:25 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of April 17, 2012.

Johni Blankenship, MMC, Borough Clerk

Approved by Assembly: _____

Introduced by: Haggerty, Mayor
Date: 05/01/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
COMMENDING RESOLUTION**

**A RESOLUTION COMMENDING THE CENTER FOR ALASKAN COASTAL
STUDIES, FORMERLY KNOWN AS CHINA POOT BAY SOCIETY, FOR 30 YEARS
OF SERVICE**

1 **WHEREAS,** the Center for Alaskan Coastal Studies, formerly the China Poot Bay Society, was
2 founded in 1982 by Michael and Diane McBride with the intent to build an
3 informed citizenry who will act as a wise steward of our coastal resources; and

4 **WHEREAS,** the Center for Alaskan Coastal Studies is a non-profit scientific and educational
5 organization designed to foster responsible interaction with our natural
6 surroundings and to generate knowledge of the unique marine and coastal
7 ecosystems of Kachemak Bay through science-based environmental education
8 and stewardship; and

9 **WHEREAS,** the Center's goals are to educate the public regarding man's relationship with the
10 environment, to conduct research to make informed decisions on the development
11 of Kachemak Bay, to coordinate and distribute information on activities affecting
12 the goals of the Center, and to preserve a portion of the Kachemak Bay coastal
13 habitat in as natural a state as possible; and

14 **WHEREAS,** the Center provides an array of educational and environmental services and
15 resources including school and summer youth programs, guided tours, beach
16 clean-ups and coastal monitoring including the annual Kachemak Bay Coastwalk
17 which is a shoreline survey designed to document environmental changes and the
18 impact of human activity; and

1 **WHEREAS**, the protection of our coastal resources is vital to the sustainability of the Kenai
2 Peninsula Borough and its communities;

3 **NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI**
4 **PENINSULA BOROUGH:**

5 **SECTION 1.** That the Kenai Peninsula Borough Assembly commends and congratulates the
6 Center for Alaskan Coastal Studies in their accomplishments.

7 **SECTION 2.** That a copy of this resolution be provided to the Center for Alaskan Coastal
8 Studies.

9 **SECTION 3.** This resolution becomes effective upon its adoption.

10 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 1ST**
11 **DAY OF MAY, 2012.**

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:

Kenai Peninsula Borough

Alaska

Proclamation

WHEREAS, motorcycles are energy efficient vehicles that conserve fuel and are increasingly used as a mode of transport for commuting, touring, and recreation in the United States; and

WHEREAS, it is necessary to promote the safe operation of motorcycles due to the increased number of motorcycles on the roadways. Motorcyclists everywhere face a constant threat to personal safety caused, in part, by lack of alertness on the part of the driving public; and

WHEREAS, local chapters of Alaska Bikers Advocating Training & Education (A.B.A.T.E.), Gold Wing Road Rider Association (GWRRA), Harley Owners Group (HOG), and Women on Wheels® (WOW) are nonprofit organizations of motorcycle riders and non riders dedicated to preserving freedom of the road and their lifestyle; and

WHEREAS, the aforementioned groups goals are aimed at educating experienced and novice riders on the rules of the road; how to adopt safe, defensive and practical riding habits, and to promote and provide "Motorcycle Safety Foundation" rider courses; and

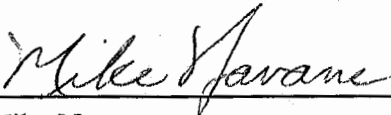
WHEREAS, the aforementioned groups promote the safety, welfare and good public image of motorcyclists and attempts to generate the publicity required to ensure automobile drivers are aware of motorcycles at all times.

NOW, THEREFORE, I, Mike Navarre, Mayor of the Kenai Peninsula Borough, do hereby proclaim May, 2012 as

Motorcycle Awareness Month

on the Kenai Peninsula, and urge all residents to drive safely, exercise extreme caution to reduce accidents and casualties this summer, and to remain sensitive to the increasing number of motorcycles on the road.




Mike Navarre
Kenai Peninsula Borough Mayor

Kenai Peninsula Borough

Alaska

Proclamation

WHEREAS, every spring snow melts and reveals months of built up litter along State and Borough roadways; and

WHEREAS, the annual spring cleanup in the central Kenai Peninsula starts the week of May 14th in which hundreds of volunteers will help pick up litter in an effort to beautify Kenai Peninsula roadsides; and

WHEREAS, clean highways reveal the great natural beauty of Alaska and are aesthetically pleasing to both tourists and residents; and

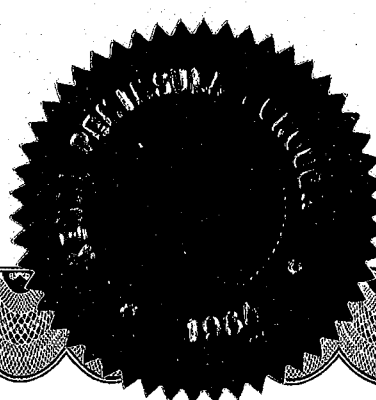
WHEREAS, efforts to decrease litter along Borough roadsides reduces damage to the environment and dangers to local wildlife; and

WHEREAS, a greater alertness to litter prevention will benefit all Borough residents as well as help our children understand that a clean environment is important to our quality of life here on the Kenai Peninsula.

NOW THEREFORE, I, Mike Navarre, Mayor of the Kenai Peninsula Borough, do hereby proclaim the month of May 2012 as:

Litter Awareness Month

for the Kenai Peninsula Borough, and I encourage all citizens to make an effort to prevent littering throughout the year as well as contribute to the cleanup effort this spring.



Mike Navarre

Kenai Peninsula Borough Mayor



KENAI PENINSULA BOROUGH

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**MIKE NAVARRE
BOROUGH MAYOR**

MAYOR'S REPORT TO THE ASSEMBLY

TO: Gary Knopp, Assembly President
Kenai Peninsula Borough Assembly Members

FROM: Mike Navarre, Kenai Peninsula Borough Mayor *MN*

DATE: May 1, 2012

Assembly Requests/ Response

None

Agreements and Contracts

- a. Authorization to Award Contract for Professional Services for the Homer High School Track Renovation to USKH, Inc.
- b. Request for Waiver of Formal Bidding Procedures for Purchase of Portable Generator from Totem Equipment & Supply, Inc.
- c. Authorization to Award a Contract for the Playground Equipment package for the North Peninsula Recreation Center Community Playground to Playcraft Direct
- d. Authorization to Award Contract for Solid Waste Facilities Water Monitoring Program Professional Services to Shannon & Wilson

Other

- a. Revenue Expenditure Report March, 2012
- b. Budget Revisions March, 2012
- c. Project Reports March 31, 2012
- d. Investment Portfolio Report



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520
Toll-free within the Borough: 1-800-478-4441, Ext. 2260
www.borough.kenai.ak.us

**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

TO: Mike Navarre, Mayor

THRU: Craig Chapman, Finance Director *C Chapman*
Mark Fowler, Purchasing & Contracting Officer *M Fowler*

FROM: Kevin Lyon, Capital Projects Director *K Lyon*

DATE: April 6, 2012

SUBJECT: Authorization to Award Contract for Professional Services for the Homer High School Track Renovation

The Purchasing and Contracting Office formally solicited and received proposals for professional design services for the Homer High School Track Renovation. Proposal packets were released on March 16, 2012 and the Request for Proposals (RFP) was advertised in the Anchorage Daily News on March 16, the Peninsula Clarion on March 16 and 20, and the Homer News on March 19, 2012.

The highest ranking proposal was submitted by USKH, Inc of Anchorage with a total design proposal of \$73,000 including bidding and construction administration phases. The proposals were evaluated on the entire design so the "Best Value" for the project could be determined. The RFP identified that only Programming, Schematic Phase, Design Development and Construction Document Phase would be awarded at this time. The proposal review committee recommends award of a contract to **USKH, Inc.** in the amount to \$49,000.00. Any subsequent phases will be awarded by contract amendment at the appropriate time and contingent on project construction funding.

Your approval for this award is hereby requested.

Funding for this project is in account number 400.72010.12TRC.49311.

Mike Navarre
Mike Navarre, Mayor

4/9/12
Date

RECEIVED

APR 09 2012

**KPB
FINANCE ADMINISTRATION**

FINANCE DEPARTMENT FUNDS VERIFIED	
ACT # 400.72010.12TRC.49311 (\$49,000.00)	
BY: <u>CBW</u>	DATE: <u>4/9/12</u>



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**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

TO: Mike Navarre, Mayor

THRU: Mark Fowler, Purchasing & Contracting Officer *[Signature]*

FROM: Eric Mohrmann, Director – Office of Emergency Management *EM*

DATE: April 5, 2010

SUBJECT: Request for Waiver of Formal Bidding – Portable Generator

This memo is to request that waiver of formal bidding procedures, per KPB Code 5.28.300, be considered for the following reasons:

Waiving formal bidding will allow the purchase of the portable generator within the restrictive amended grant deadlines. A formal bid process was conducted in April of 2011 which provided us with a list of vendors that could provide the necessary equipment for this purchase. Using a formal bid process would preclude obtaining the generator due to the required lead time to manufacture and deliver the equipment within the performance period specified by the grant. The grant, originally scheduled to end on April 30, 2012, has been amended to terminate on May 30, 2012. Further extensions are extremely unlikely.

The request for quotes was issued March 29, 2012 to five (5) vendors. Four (4) quotes were received:

Totem Equipment & Supply Inc.	\$26,250.00
Bowers Generator Systems	\$31,865.00
Alaska Diesel Electric	\$34,425.00
Western Shelter Systems	\$40,872.00

We request that a contract be awarded to Totem Equipment & Supply, Inc. not to exceed an amount of \$26,250.00.

All expenditures for this project will be charged to account 271.11250.12SLD.48311.

[Signature of Mike Navarre]

 Mike Navarre, Borough Mayor

4/10/12

 Date

RECEIVED

APR 09 2012

**KPB
FINANCE ADMINISTRATION**

FINANCE DEPARTMENT FUNDS VERIFIED	
ACT # <u>271.11250.12SLD.48311 - \$26,250.00</u>	
BY: <i>[Signature]</i>	DATE: <u>4/9/12</u>



KENAI PENINSULA BOROUGH

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**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

TO: Mike Navarre, Mayor

THRU: Craig Chapman, Finance Director *C. Chapman*
Mark Fowler, Purchasing & Contracting Officer *M. Fowler*

FROM: Kevin Lyon, Capital Projects Director *K. Lyon*
David May, Project Manager *D. May*

DATE: April 9, 2012

SUBJECT: Authorization to Award a Contract for the Playground Equipment package for the North Peninsula Recreation Center Community Playground

The Purchasing and Contracting Office formally solicited and received proposals for the Playground Equipment package for the North Peninsula Recreation Center Community Playground. Proposal packets were released on March 9, 2012 and the Request for Proposals was advertised in the Anchorage Daily News and the Peninsula Clarion on March 9, 2012.

The scope of the work included providing a thematic playground equipment and accessories package for the new playground located at the North Peninsula Recreation Center.

On the due date of March 30, 2012, seven (7) proposals were received and ranked by a review committee as follows:

<u>FIRMS</u>	<u>TOTAL SCORE</u>
Playcraft Direct (Option 1)	566
Playcraft Direct (Option 2)	517
Exerplay (Option 1)	434
NWR & Associates	412
Exerplay (Option 2)	383
Northwest Playground	377
Buell Recreation	307

The highest ranking proposal was submitted by Playcraft Direct (Option 1) with a lump sum cost proposal of \$159,989.00. The proposal review committee recommends award of a contract to **Playcraft Direct**. Your approval for this award is hereby requested.

Funding for this project is in account number 459.61110.12028.48521.

for Paul Oxtub
Mike Navarre, Mayor

4/12/12
Date

RECEIVED
APR 09 2012
KPB
FINANCE ADMINISTRATION

FINANCE DEPARTMENT
FUNDS VERIFIED
ACT #. 459.61110.12028.48521 (159,989.00)
BY: CBW DATE: 4/9/12



KENAI PENINSULA BOROUGH

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**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

TO: Mike Navarre, Mayor
THRU: Mark Fowler, Purchasing & Contracting Officer
FROM: Lanie Hughes, Environmental Coordinator, Solid Waste Department *M*
DATE: April 13, 2012
SUBJECT: Authorization to Award Contract for Solid Waste Facilities Water Monitoring Program – Professional Services

The Purchasing and Contracting Office formally solicited and received proposals for the Solid Waste Facilities Water Monitoring Program. Proposal packets were released and the Request for Proposals advertised in the Peninsula Clarion and Anchorage Daily News on March 12, 2012.

The project consists of furnishing all requirements necessary to conduct the periodic monitoring and reporting associated with eight solid waste facilities in accordance with Alaska Department of Environmental Conservation permits and post-closure care requirements. The contract term is for three years, July 1, 2012 through June 30, 2015, with an option for a two year renewal.

On the due date of March 29, 2012 five (5) proposals were received and ranked by a review committee as follows:

<u>FIRMS</u>	<u>TOTAL SCORE</u>
Shannon & Wilson	283
BGES, Inc.	236
EA Engineering	208
Tauriainen Engineering	192
Nortech, Inc.	181

The highest ranking proposal, which includes a cost factor, was submitted by Shannon & Wilson with a cost proposal of \$144,440.00. The proposal review committee recommends award of contract to Shannon & Wilson. Your approval for this award is hereby requested.

Funding for this project is in the following accounts 290.32122.43015, 290.32310.43015, 290.32570.43011, 290.32150.43015 and 411.25110 pending Assembly approval of FY2013 budget.

Mike Navarre
Mike Navarre, Mayor

4/17/12
Date

RECEIVED

APR 13 2012

**KPB
FINANCE ADMINISTRATION**

cchp

FINANCE DEPARTMENT FUNDS VERIFIED	
ACCTS #290.32122.43015=\$49,990;290.32310.43015=\$43,050; 290.32570.43015=\$17,000;290.32150.43015=\$5900; 411.25110= \$28,500 (FY13 for all)	
BY: <i>CBW</i>	DATE: <i>4/16/12</i>
23	

Pending Assembly approval of FY2013 budget.



KENAI PENINSULA BOROUGH

Finance Department

144 North Binkley Street • Soldotna, Alaska 99669-8250

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MIKE NAVARRE
BOROUGH MAYOR

To: Gary Knopp, Assembly President
Members of the Kenai Peninsula Borough Assembly

Thru: Mike Navarre, Borough Mayor *MN*

Thru: Craig C. Chapman, Finance Director *C Chapman*

From: Brandi Harbaugh, Controller *BH*

Date: April 12, 2012

Subject: Revenue-Expenditure Report – March 2012

Attached is the Revenue-Expenditure Report of the General Fund for the month of March, 2012. Please note that 75% of the year has elapsed, 71.21% of budgeted expenditures have been made, and 90.77% of budgeted revenues have been collected.

KENAI PENINSULA BOROUGH
REVENUE REPORT
FOR THE PERIOD
MARCH 1
THROUGH MARCH 31, 2012

ACCOUNT NUMBER	DESCRIPTION	ESTIMATED REVENUE	YTD RECEIPTS	PTD RECEIPTS	VARIANCE	% COLLECTED
31100	TOTAL REAL TAX	\$ 25,255,890	\$ 24,553,646	\$ 181,992	\$ (702,244)	97.22%
31200	TOTAL PERS TAX	1,397,706	1,509,307	8,948	111,601	107.98%
31300	TOTAL OIL TAX	3,145,460	3,157,500	-	12,040	100.38%
31400	MOTOR VEHICLE TAX	700,000	401,093	39,593	(298,907)	57.30%
31510	PROPERTY TAX PENALTY & INTEREST	458,937	409,560	40,998	(49,377)	89.24%
31610	SALES TAX	28,671,825	23,386,534	626,632	(5,285,291)	81.57%
33110	IN LIEU PROPERTY TAX	2,503,999	2,465,702	(1,055)	(38,297)	98.47%
33117	OTHER FEDERAL REVENUE	694,551	646,918	-	(47,633)	93.14%
34110	SCHOOL DEBT REIMBURSEMENT	1,682,639	877,370	(122,378)	(805,269)	52.14%
34221	ELECTRICITY AND TELEPHONE REVENUE	170,000	-	-	(170,000)	0.00%
34222	FISH TAX REVENUE SHARING	650,000	17,519	-	(632,481)	2.70%
34210	REVENUE SHARING	2,150,000	2,879,368	-	729,368	133.92%
37350	INTEREST ON INVESTMENTS	975,000	1,036,323	43,653	61,323	106.29%
39000	OTHER LOCAL REVENUE	257,015	152,644	29,765	(104,371)	59.39%
	SOLID WASTE REVENUE	8,574,900	8,661,048	5,396	86,148	101.00%
TOTAL REVENUES		\$ 77,287,922	\$ 70,154,532	\$ 853,544	\$ (7,133,390)	90.77%

KENAI PENINSULA BOROUGH
EXPENDITURE REPORT
FOR THE PERIOD
MARCH 1
THROUGH MARCH 31, 2012

DESCRIPTION	REVISED BUDGET	YTD EXPENDED	PTD EXPENDED	AMOUNT ENCUMBERED	AVAILABLE BALANCE	% EXPENDED
ASSEMBLY ADMINISTRATION	\$ 494,033	\$ 277,641	\$ 22,075	\$ 8,780	\$ 207,612	56.20%
ASSEMBLY CLERK	498,575	346,923	56,605	14,406	137,246	69.58%
ASSEMBLY ELECTIONS	169,938	134,182	55	10,822	24,934	78.96%
ASSEMBLY RECORDS MANAGEMENT	234,009	159,492	22,485	6,162	68,355	68.16%
MAYOR ADMINISTRATION	578,015	378,909	55,410	1,582	197,524	65.55%
PURCHASING AND CONTRACTING	242,332	133,039	(9,444)	2,004	107,289	54.90%
GENERAL SERVICES	548,196	381,489	56,845	8,074	158,633	69.59%
GENERAL SERVICES - MIS	1,753,797	1,171,366	147,707	13,668	568,763	66.79%
GENERAL SERVICES - GIS	518,373	329,820	26,752	1,109	187,444	63.63%
GENERAL SERVICES - PRINT/MAIL	244,160	128,370	11,482	15,155	100,635	52.58%
GENERAL SERVICES - CUSTODIAL MAINT	119,285	79,745	12,553	2,368	37,172	66.85%
EMERGENCY MANAGEMENT	656,381	401,692	101,648	60,994	193,695	61.20%
LEGAL ADMINISTRATION	995,571	607,357	79,139	104,858	283,356	61.01%
FINANCE - ADMINISTRATION	487,151	335,776	56,412	398	150,977	68.93%
FINANCIAL SERVICES	870,443	613,454	98,299	118	256,871	70.48%
FINANCE - PROPERTY TAX AND COLLECTION	906,645	553,908	73,931	84,852	267,885	61.09%
FINANCE - SALES TAX	510,093	371,464	40,101	7,370	131,259	72.82%
ASSESSING ADMINISTRATION	1,178,023	825,410	131,915	21,744	330,869	70.07%
ASSESSING APPRAISAL	1,704,002	1,046,381	156,991	76,516	581,105	61.41%
RESOURCE PLANNING ADMINISTRATION	1,141,708	780,090	112,333	21,486	340,132	68.33%
THE RIVER CENTER	763,084	503,578	83,564	11,806	247,700	65.99%
MAJOR PROJECTS - ADMINISTRATION	281,772	163,979	11,638	1,353	116,440	58.20%
SENIOR CITIZENS GRANT PROGRAM	491,608	350,757	-	140,851	-	71.35%
SCHOOL DISTRICT OPERATIONS	46,614,905	34,994,688	3,251,512	-	11,620,217	75.07%
SOLID WASTE TRANSFER	8,781,197	5,555,344	426,503	1,264,479	1,961,374	63.26%
NON-DEPARTMENTAL	2,216,757	1,359,369	37,684	170,854	686,534	61.32%
TOTAL EXPENDITURES	\$73,000,053	\$ 51,984,223	\$ 5,064,195	\$ 2,051,809	\$18,964,021	71.21%



KENAI PENINSULA BOROUGH

Finance Department

144 North Binkley Street • Soldotna, Alaska 99669-8250

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MIKE NAVARRE
BOROUGH MAYOR

To: Gary Knopp, Assembly President
Members of the Kenai Peninsula Borough Assembly

Thru: Mike Navarre, Borough Mayor *MN*

Thru: Craig C. Chapman, Finance Director *C Chapman*

From: Brandi Harbaugh, Controller *BH*

Date: April 13, 2012

Subject: Budget Revisions – March 2012

Attached is a budget revision listing for March 2012. The attached list contains budget revisions between major expenditure categories (i.e., maintenance & operations and capital outlay), and one transfer between departments within General Services. Other minor transfers were processed between object codes within major expenditure categories.

	<u>INCREASE</u>	<u>DECREASE</u>
<u>BEAR CREEK FIRE SERVICE AREA:</u> Move funds to cover Training DVDs and booklets for Commerical Emergency Vehicle Operations.		
207.51210.00000.43260 (Training)		590.00
207.51210.00000.42263 (Training Supplies)	590.00	
<u>BEAR CREEK FIRE SERVICE AREA:</u> Move funds to cover temporary employee.		
207.51210.00000.43011 (Contract Services)		5,000.00
207.51210.00000.40120 (Temporary Wages)	5,000.00	
<u>BEAR CREEK FIRE SERVICE AREA:</u> Move funds to cover cost of snow removal which was more than normal.		
207.51210.00000.43780 (Buildings/Grounds Maintenance)	2,000.00	
207.51210.00000.42222 (Fire Prevention Supplies)		1,000.00
207.51210.00000.42360 (Vehicle Maintenance)		1,000.00
<u>BEAR CREEK FIRE SERVICE AREA:</u> Move funds to cover cost of Air Pack Flow tests.		
207.51210.00000.42223 (Firefighting Supplies)		265.00
207.51210.00000.43720 (Equipment Maintenance)	265.00	
<u>BEAR CREEK FIRE SERVICE AREA:</u> Move funds to cover cost of hardware mount kits for faceshields.		
207.51210.00000.48760 (Minor Firefighting Equipment)	100.00	
207.51210.00000.42203 (Fire Fighting Supplies)		100.00
<u>CENTRAL EMERGENCY SERVICES:</u> Move funds to replace a broken fusion pump and cover needed operational supplies for all stations.		
211.51610.00000.42210 (Operating Supplies)	2,067.00	
211.51610.00000.48750 (Minor Medical Equipment)	2,350.00	
211.51610.00000.42223 (Fire Fighting Supplies)		4,417.00

INCREASE

DECREASE

OEM: Move funds to cover the cost of replacement heaters, preventative maintenance supplies and equipment and inspection of the AHAB tsunami siren system.

100.11250.00000.42310 (Repair/Maintenance Supplies)	10,000.00	
100.11250.00000.42410 (Small Tools & Equipment)	500.00	
100.11250.00000.43011 (Contract Services)	4,000.00	
100.11250.00000.43210 (Transportation/Subsistence)	2,900.00	
100.11250.00000.43720 (Equipment Maintenance)		17,400.00

LOWELL POINT EMERGENCY SERVICES: Move funds to cover cost of extra snow removal.

213.51510.00000.43764 (Snow Removal)	1,102.00	
213.51510.00000.42110 (Office Supplies)		137.00
213.51510.00000.42263 (Training Supplies)		230.00
213.51510.00000.42410 (Small Tools)		100.00
213.51510.00000.43011 (Contract Services)		200.00
213.51510.00000.43210 (Transportation/Subsistence)		200.00
213.51510.00000.43720 (Equipment Maintenance)		100.00
213.51510.00000.43780 (Building/Grounds Maintenance)		100.00
213.51510.00000.43810 (Rents and Operating Leases)		35.00

MAINTENANCE: Move funds to cover unanticipated increases in expenditures.

241.41010.00000.43011 (Contract Services)	20,000.00	
241.41010.00000.43210 (Transportation/Subsistence)	15,000.00	
241.41010.00000.43250 (Freight and Express)	2,500.00	
241.41010.00000.43310 (Advertising)	1,000.00	
241.41010.00000.43720 (Equipment Maintenance)	1,000.00	
241.41010.00000.43780 (Building/Grounds Maintenance)	10,000.00	
241.41010.00000.43764 (Snow Removal)	148,500.00	
241.41010.00000.43810 (Rents and Operating Leases)	2,000.00	
241.41010.00000.40110 (Regular Wages)		200,000.00

KACHEMAK EMERGENCY SERVICES: Move funds to equipment maintenance account to cover cost of copier maintenance. Had been budgeted in wrong account.

212.51810.00000.43720 (Equipment Maintenance)	600.00	
212.51810.00000.48710 (Minor Office Equipment)		600.00

	<u>INCREASE</u>	<u>DECREASE</u>
<u>KACHEMAK EMERGENCY SERVICES:</u> Move funds to pay for unexpected repair supplies for SCBA compressor.		
212.51810.00000.42310 (Repair/Maintenance Supplies)	1,000.00	
212.51810.00000.43780 (Building & Grounds Maintenance)		1,000.00
<u>LAND MANAGEMENT:</u> Move funds to replace camera and labelwriter that no longer work.		
250.21210.00000.42410 (Small Tools & Minor Equipment)	500.00	
250.21210.00000.43931 (Recording Fees)		500.00
<u>ELECTIONS:</u> Move funds to cover training for election software upgrade.		
100.11130.00000.43011 (Contract Services)	6,000.00	
100.11130.00000.48120 (Office Machines)		6,000.00
<u>ASSESSING APPRAISAL:</u> Move funds to cover purchase of 2 ATVs with a winch kit and plug start for conducting remote property inspections.		
100.11520.00000.48310 (Vehicles)	12,000.00	
100.11520.00000.43210 (Transportation/Subsistence)		12,000.00
<u>GENERAL SERVICES:</u> Move funds to cover cost of 4-drawer fire resistant files to house personnel files, equipment for employee training room, and one ergonomic chair.		
100.11230.00000.48710 (Minor Office Equipment)	2,700.00	
100.11230.00000.48720 (Minor Office Furniture)	7,572.00	
100.11233.00000.43720 (Minor Office Furniture)		10,272.00
<u>GIS:</u> Move funds to correct account to cover the cost of water system.		
100.11232.00000.43810 (Rents & Operating Leases)	50.00	
100.11232.00000.42210 (Operating Supplies)		50.00
<u>ASSESSING:</u> Transfer funds to cover shared purchase of water system for 3rd floor (shared with Planning, Land Management and GIS)		
100.11510.00000.48740 (Minor Equipment)	415.00	
100.11520.00000.48740 (Minor Equipment)	540.00	
100.11510.00000.43011 (Contract Services)		955.00

INCREASE

DECREASE

ANCHOR POINT FIRE SERVICE AREA: Transfer funds to cover departmental operational expenses for remainder of fiscal year.

209.51410.00000.40120 (Temporary Wages)	5,000.00	
209.51410.00000.42220 (Medical Supplies)	1,000.00	
209.51410.00000.42230 (Fuels, Oils & Lubs)	5,000.00	
209.51410.00000.42250 (Uniforms)	2,000.00	
209.51410.00000.42360 (Motor Vehicle Repair Supply)	4,500.00	
209.51410.00000.42410 (Small Tools & Equipment)	1,500.00	
209.51410.00000.43011 (Contract Services)	1,000.00	
209.51410.00000.43140 (Postage)	100.00	
209.51410.00000.43210 (Transport/Subsistence)	1,500.00	
209.51410.00000.43310 (Advertising)	1,000.00	
209.51410.00000.43610 (Public Utilities)	5,000.00	
209.51410.00000.43720 (Equipment Maintenance)	1,000.00	
209.51410.00000.48710 (Minor Office Equipment)	1,400.00	
209.51410.00000.40110 (Regular Wages)		30,000.00

GIS: Transfer funds to cover shared purchase of water system for 3rd floor (shared with Planning, Assessing and Land management).

100.11232.00000.48740 (Minor Equipment)	165.89	
100.11232.00000.43210 (Travel & Subsistence)		165.89



KENAI PENINSULA BOROUGH - FINANCE DEPARTMENT

To: Gary Knopp, Assembly President
Members of the Kenai Peninsula Borough Assembly

Thru: Mike Navarre, Borough Mayor *MN*

Thru: Craig Chapman, Finance Director *C Chapman*

From: Brandi Harbaugh, Controller *BH*

Date: April 13, 2012

Subject: Project Reports – March 31, 2012

Attached are the quarterly project reports for the Borough's capital project funds.

- Fund 400-Borough and Grant Funded School Capital Projects Fund
- Fund 401-Bond Funded Capital Projects Fund
- Fund 407-General Government Capital Projects Fund
- Fund 409-Resource Management Capital Projects Fund
- Fund 411-Solid Waste Capital Projects Fund
- Fund 434-Road Service Area Capital Projects Fund
- Fund 441-Nikiski Fire Service Area Capital Projects Fund
- Fund 442-Bear Creek Service Area Capital Projects Fund
- Fund 443-CES Service Area Capital Projects Fund
- Fund 444-Anchor Point Service Area Capital Projects Fund
- Fund 446-Kachemak Emergency Service Area Capital Projects Fund
- Fund 455-911 Communication Capital Projects Fund
- Fund 459-North Peninsula Recreation Service Area Capital Projects Fund
- Fund 490-Central Peninsula Hospital Capital Projects Fund
- Fund 491-South Peninsula Hospital Capital Projects Fund

School Revenue Projects - Fund 400

Balances through March 31, 2012

Project	Year Authorized	Site	Authorized Amount	FY12 Budget	Expend FY12	Total LTD Expenditures	Unexpended Balance
00046	1995	Homer Maint. Shop	\$ 31,324	\$ 31,324	\$ -	\$ -	\$ 31,324 *
07714	2007	Chapman Elementary	50,000	50,000	350	350	49,650
11550	2010	Nanwalek Teacher Hsg	30,000	5,712	5,355	29,642	358
12WLD	2012	Nanwalek Welding	38,505	38,505	750	750	37,755
06195	2006	Ninilchik Elem.	492,671	27,055	9,016	474,632	18,039
12CAN	2012	Skyview HS Canopy	399,372	399,372	2,388	2,388	396,985
08232	2008	Homer High	12,000	11,783	-	217	11,783
08233	2008	Homer High	10,000	10,000	-	-	10,000 *
12723	2012	Homer High	80,000	80,000	2,071	2,071	77,929
12823	2012	Homer High	100,000	100,000	-	-	100,000
08320	2008	West Homer Elem.	50,000	49,698	4,342	4,645	45,356
12KIT	2012	Kenai Hi Kitcher	73,132	73,132	1,538	1,538	71,595
Gr 07314	2007	Sears Elem	30,000	16,051	-	13,949	16,051
Gr 12029	2012	Seward Elementary	5,236	5,236	5,236	5,236	-
07716	2007	Seward High	30,000	29,547	2,474	2,926	27,074
12EXP	2012	Seward HS Shop Expansion	179,898	179,898	1,131	1,131	178,767
08743	2008	Seward Middle	413,000	10,668	56	402,388	10,612 *
12748	2012	Soldotna High	75,000	75,000	-	-	75,000
08491	2008	Soldotna Middle	75,000	58,596	-	16,404	58,596 *
11851	2011	Portables & Outbuildings	135,000	105,882	105,882	135,000	-
12851	2012	Portables & Outbuildings	100,000	100,000	49,334	49,334	50,666
Gr 07009	2007	Areawide Facilities	386,064	352,918	8,980	42,126	343,938
08782	2008	Areawide Facilities	100,000	1,375	1,375	100,000	-
09727	2009	Areawide Facilities	200,000	159,954	26	40,072	159,928
09728	2009	Areawide Facilities	100,000	1,493	1,493	100,000	-
09780	2009	Areawide Facilities	70,000	6,494	4,238	67,743	2,257
09782	2009	Areawide Facilities	80,000	79,624	20,186	20,562	59,438
09801	2009	Areawide Facilities	100,000	23,170	23,170	100,000	-
09802	2009	Areawide Facilities	200,000	41,509	15,597	174,088	25,912
09803	2009	Areawide Facilities	100,000	59,557	16,093	56,536	43,464
10755	2010	Areawide Facilities	100,000	28,512	28,512	100,000	-
10759	2010	Areawide Facilities	300,000	2,546	-	297,454	2,546
10802	2010	Areawide Facilities	125,000	125,000	-	-	125,000
10803	2010	Areawide Facilities	100,000	79,845	4,947	25,102	74,898
10855	2010	Areawide Facilities	100,000	48,035	48,035	100,000	-
10856	2010	Areawide Facilities	75,000	19,255	16,259	72,004	2,996
10860	2010	Areawide Facilities	150,000	9,914	6,584	146,669	3,331
11728	2011	Areawide Facilities	100,000	95,667	78,675	83,008	16,992
11755	2011	Areawide Facilities	125,000	117,294	71,971	79,677	45,323
11756	2011	Areawide Facilities	100,000	24,182	1,712	77,530	22,470
11758	2011	Areawide Facilities	100,000	58,605	24,202	65,597	34,403
11759	2011	Areawide Facilities	200,000	181,188	98,140	116,952	83,048
11780	2011	Areawide Facilities	100,000	65,418	7,309	41,891	58,109
11801	2011	Areawide Facilities	200,000	94,068	70,188	176,119	23,881
11802	2011	Areawide Facilities	175,000	175,000	-	-	175,000
11855	2011	Areawide Facilities	62,000	49,147	47,539	60,392	1,608
11SEC	2011	Areawide Facilities	160,000	160,000	120,255	120,255	39,745
12860	2012	Areawide Facilities	100,000	100,000	24,647	24,647	75,353
12856	2012	Areawide Facilities	125,000	125,000	-	-	125,000
12728	2012	Areawide Facilities	125,000	125,000	-	-	125,000
12780	2012	Areawide Facilities	125,000	125,000	-	-	125,000
12755	2012	Areawide Facilities	125,000	125,000	-	-	125,000
12758	2012	Areawide Facilities	100,000	100,000	59,982	59,982	40,018
12802	2012	Areawide Facilities	120,000	120,000	-	-	120,000
12803	2012	Areawide Facilities	75,000	75,000	-	-	75,000
AUDOR	2011	Aurora	32,585	32,585	26,006	26,006	6,579
SMART	2011	FY11 KPBSD Smart Bd.	154,000	18,466	13,670	149,204	4,796
Total			\$ 7,099,786	\$ 4,463,283	\$ 1,029,714	\$ 3,666,217	\$ 3,433,569

School Revenue Projects - Fund 400

Balances through March 31, 2012

Project	Year Authorized	Site	Authorized Amount	FY12 Budget	Expend FY12	Total LTD Expenditures	Unexpended Balance
Beginning Fund Balance 6/30/11							\$ 2,347,214
Funds Provided:							
						\$ 950,000	
						73,132.00	
						38,505.00	
						179,898.00	
						399,372.00	
						32,585	
						75,000	
						18,466	
						<u>374,204</u>	
							2,141,162
Funds Applied - Current Year Expenditures							(1,029,714)
Funds obligated to existing projects							(3,433,569)
Projects completed, cancelled or other funding source identified.							* <u>110,532</u>
Funds available for appropriation and to satisfy future capital expansion plans.							<u><u>\$ 135,625</u></u>

Bond Projects - Fund 401

Balances through March 31, 2012

Project	Year Appropriated	Site	Project Description	Authorized Amount	FY12 Budget	Expend FY12	Total LTD Expenditures	Unexpended Balance
7ROOF	2007	McNeil Canyon Elementary	Reroof Project	\$ 750,100	\$ 95,238	\$ 95,200	\$ 750,062	\$ 38
08SHB	2008	South Peninsula Hospital	FY08 SPH Cap Improv.Bonds	15,453,702	54,880	5,377	15,404,199	49,503
08SH1	2010	South Peninsula Hospital	SPH MRI Bldg Construction	625,000	103,081	10,991	532,910	92,090
10SWB	2010	Central Peninsula Landfill	Landfill Expansion Project	4,960,000	2,089,190	1,031,515	3,902,324	1,057,676
11SCH	2011	Areawide Roof Replacements	KPBSD Roof Replacements	16,865,000	15,176,224	2,738,761	4,427,537	12,437,463
Total				\$38,653,802	\$ 17,518,613	\$ 3,881,844	\$ 25,017,031	\$ 13,636,771
Beginning Fund Balance 6/30/11								\$ 17,653,042
Funds Provided:								
FY2012 SW Bond (FY10) Interest								\$ 150
FY2012 KPBSD Roofing Bonds Interest								<u>(4,473)</u>
Total Funds Provided								(4,323)
Funds Applied - Current Year Expenditures								(3,881,844)
Funds obligated to existing projects								(13,636,771)
Projects completed or cancelled								-
Funds available for appropriation and to satisfy future capital expansion plans								<u>\$ 130,105</u>
Components of Fund Balance								
00 Bond Interest								1,013
03 Solid Waste Bond Interest								11,339
06 CES Bond Interest								2,610
10 Solid Waste Bond Interest								3,745
04 CPH Expansion Bond Interest								13,838
04 SPH Expansion Bond Interest								1,427
08 SPH Bond Interest								30,181
07 School Bond Interest								43,818
10 KPBSD Roofing Bonds Interest								22,133
Total Fund Balance								<u>\$ 130,105</u>

General Government Projects - Fund 407

Balances through March 31, 2012

Project	Year Appropriated	Project Description	Authorized Amount	FY12 Budget	Expend FY12	Total LTD Expenditures	Unexpended Balance
08STX	2008	Sales Tax System Modification	\$ 83,536	\$ -	\$ -	\$ 83,536	\$ -
84073	2008	Vehicle Parking	125,000	72,109	17,983	70,874	54,126
09407	2009	Conference Rooms Upgrade	100,000	75,995	1,042	25,047	74,953
09AIR	2009	FY09 Cooling System for MIS Computer Rm.	558,595	49,576	25,467	534,485	24,110
09SEC	2009	Security Upgrades - Binkley Street	100,000	99,710	-	291	99,710 *
09POP	2009	SWD/Poppy Lane Bldg Remodel	250,000	210,959	-	39,041	210,959 *
10407	2010	Administration Building Remodel	139,324	61,521	43,140	128,641	10,684
1040A	2010	Administration Building Remodel FIN/Legal	149,497	149,497	9,200	9,200	140,297
10HVC	2010	HVAC/Fire Alarm/Sprinkler	450,000	434,721	713	15,992	434,008 *
Total			\$1,955,953	\$ 1,154,088	\$ 97,545	\$ 907,107.35	\$ 1,048,845

Beginning Fund Balance 6/30/11	\$ 1,230,475
Funds Provided:	
FY12 Transfer from General Fund	\$ -
Total Funds Provided	<u>-</u>
Funds Applied - Current Year Expenditures	(97,545)
Funds obligated to existing projects	(1,048,845)
Projects completed or cancelled	* <u>744,676</u>
Funds available for appropriation and to satisfy future capital expansion plans.	\$ <u>828,761</u>

Resource Management Projects - Fund 409

Balances through March 31, 2012

Project	Year Appropriated	Project Description	Authorized Amount	FY12 Budget	Expend FY12	Total LTD Expenditures	Unexpended Balance
			\$ -	\$ -	\$ -	\$ -	\$ -
		Beginning Fund Balance 6/30/11					\$ 38,132
		Funds Provided:					
		FY2012 Transfer from General Fund				\$ -	
		Grants Awarded				-	
		Total Funds Provided				<u>-</u>	
		Funds Applied - Current Year Expenditures					-
		Funds obligated to existing projects					-
		Projects completed or cancelled					<u>-</u>
		Funds available for appropriation and to satisfy future capital expansion plans.					<u>\$ 38,132</u>

Solid Waste Projects - Fund 411

Balances through March 31, 2012

Project	Year Appropriated	Project Description	Authorized Amount	FY12 Budget	Expend FY12	Total LTD Expenditures	Unexpended Balance
09CAM	2009	Remote Monitoring @ SW Sites	\$ 135,924	\$ 12,747	\$ 11,901	\$ 135,078	\$ 846
10GAS	2010	CPL Gas Master Plan Develop.	100,000	6,988	266	93,277	6,723 *
10HOM	2010	Homer Transf. Station Design	614,736	255,557	82,867	442,046	172,690
11PPP	2011	Pollution Prevention Program	100,000	99,801	8,280	8,479	91,521
11PTG	2011	Pt. Graham LF Feasibility Study	185,000	181,887	64,655	67,768	117,232
12LMS	2012	CPL Leacheate Management Study	150,000	150,000	39,757	39,757	110,243
12SCL	2012	CPL Truck Scale Replacement	250,000	250,000	2,451	2,451	247,549
Grl 12380	2012	Homer Transfer Station	8,998,000	8,998,000	1,545,228	1,545,228	7,452,772
			\$10,533,660	\$ 9,954,980	\$ 1,755,405	\$ 2,334,085	\$ 8,199,575

Beginning Fund Balance 6/30/11	\$ 887,842	
Closure/Postclosure Costs	4,698,979	\$ 5,586,821
Funds Provided:		
FY2012 Transfer from Solid Waste Operating	150,000	
FY2012 Provision for Future Closure/postclosure costs	758,929	
Interest	84,381	
Grants Awarded	8,998,000	
Total Funds Provided		9,991,310
Funds Applied:		
Current Year Expenditures	(1,755,405)	
Current Year Closure/Postclosure Expenditures	-	(1,755,405)
Funds obligated to existing projects		(8,199,575)
Projects completed or cancelled		* 6,723
Funds available for appropriation and to satisfy future capital expansion plans.		\$ 5,629,874
Closure/Postclosure Liability		(5,457,908)
Net Funds available for appropriation and to satisfy future capital expansion plans.		<u>\$ 171,965</u>

RSA Capital Projects - Fund 434

Balances through March 31, 2012

Project	Year Appropriated	Project Description	Authorized Amount	FY12 Budget	Expend FY12	Total LTD Expenditures	Unexpended Balance
Project Funded with Transfer from Lands Management							
W7WOO	2011	Widgeon Woods Sub., Phase 2	\$ 243,553	\$ 243,553	\$ 243,534	\$ 243,534	\$ 19
2011 State Grant for Borough-Wide Road Improvements (\$5,000,000)							
11252	2011	Borough-wide Road Improvements	4,419,800	\$ 4,419,800	\$ -	\$ -	4,419,800
N1CAB	2011	Cabin Lake Drive	262,456	253,953	211,112	219,616	42,841
W7EVE	2011	Even Lane	55,187	34,065	18,358	39,481	15,706
W7RIV	2011	River Hills	262,557	246,068	246,068	262,557	-
2012 State Grant for Borough-Wide Road Improvements (\$4,500,000)							
12383	2012	Borough-wide Road Improvements	4,500,000	4,500,000	-	-	4,500,000
Projects Associated with DCCED Legislative Grant (\$8,400,000)							
9STIP**	2009	DCCED Legislative Road Improve. Grant	1,627,457	1,600,497	-	26,960	1,600,497
9KEYS	2008	Keystone Drive Improve. - DCCED Grant	753,322	-	-	753,322	-
E2BEA	2009	Beach Drive	21,546	21,546	1,185	1,185	20,361
N3BEL	2009	Bell Ave. & Boondocker Street	8,127	8,127	8,127	8,127	-
W1JUE	2009	Juel, Kenaitze, Neilson	26,881	19,169	950	8,662	18,219
C6KBD	2010	K-B Drive & Bye Way	354,375	336,155	145,789	164,009	190,366
C10FA	2010	Fannie Mae Ave. & Reger Road -1	9,454	9,454	9,454	9,454	-
N1GAL	2010	Galankan St., Thunder Rd. & Sandy Ln	348,333	342,760	323,666	348,333	-
N2MER	2010	Mercedes Court	74,095	62,939	62,939	74,095	-
N5SMI	2010	Smith Road	127,361	43,055	12,045	127,361	-
S5SHE	2010	Sheep Drive and Charlie Drive	357,859	353,799	353,799	357,859	-
S3KAR	2010	Karen Circle	84,257	73,185	73,185	84,257	-
W1OLD	2010	Old Kasilof Rd., Yellow Brick Rd., Fox	406,763	392,345	370,491	384,909	21,854
W4RID	2010	Ridgefield Road	495,956	475,495	459,591	480,052	15,904
N1TRE	2011	Treasure Chest Ave. & Grouse Ave.	124,192	-	-	124,192	-
S7GLA	2011	Glacierview Rd. Emergency Culvert Replace.	59,622	-	-	59,622	-
C1COZ	2011	Cozy Firelight St., White Spruce Tributary	370,348	30,438	30,438	370,348	-
C1VIO	2011	Vio Rd, Anna Ln, Elsa Ln, Eldorado	32,362	32,362	2,846	2,846	29,516
C2GRE	2011	Greenwood Court	14,507	14,507	1,466	1,466	13,041
C4RAI	2011	Rainbow Dr., Haneybee & East Lake Aves.	414,403	-	-	414,403	-
C4MAY	2011	Mayoni St & Inukshuk Ct.	19,715	19,715	118	118	19,597
C5EED	2011	Eddy Lane Drainage	21,657	21,657	-	-	21,657
C5GOL	2011	Golden Eagle Ave. & Chisik St.	22,617	22,617	10,982	10,982	11,635
C5NOR	2011	N. Kobuk St., View Ln, Mary Ave, Central	40,260	40,260	356	356	39,904
C5STR	2011	Strawberry Rd., Strawberry Ct., & Dori Lynn	20,545	20,545	1,093	1,093	19,452
C5SUT	2011	Suthard Blvd and Parkway Avenue	88,382	70,171	59,559	77,771	10,611
E3MOA	2011	Moat Way, Excalibur, Camelot	281,625	260,004	216,036	237,656	43,969
E3STA	2011	Starr Lane	14,191	14,191	593	593	13,598
E4DEP	2011	Depot Road - Moose Pass	112,548	107,984	107,984	112,548	-
N1CAB	2011	Cabin Lake Drive	458	-	-	458	-
N3SUV	2011	Suva St, Ambryn Ave, Galen Ave, Tikopia St.	33,738	33,738	617	617	33,121
N5GEO	2011	Georgine Lake Road	25,879	25,879	11,334	11,334	14,545
N5WAN	2011	Wanda Dr., & Range View Ct.	25,050	25,050	10,041	10,041	15,009
S4RID	2011	Ridge St., Ring of Fire Ave. & Spruce Circle	515,568	412,202	392,256	515,568	-
S5KAT	2011	Katamar Ave. E., Brown Drive	22,621	22,621	297	297	22,324
W1TER	2011	Territorial Rd. & Chena Dr.	19,677	19,677	516	516	19,161
W2ETA	2011	Etai Maku, Tyena Ka Rd., Kwanta Hah	99,408	99,408	64,328	64,328	35,081
W3STO	2011	Stol Rd. (Ph#2)	31,510	31,510	8,797	8,797	22,713
W6ROO	2011	Roosevelt Ave.	356,809	321,337	203,962	239,434	117,375
W6YAL	2011	Yale St., Princetown Ave.	16,363	16,363	5,818	5,818	10,545
W7DAN	2011	Dana Bayes Street	238,766	159,380	144,471	223,856	14,910
W7RAV	2011	Ravenwood Street	24,075	24,075	12,585	12,585	11,490
W7RIV	2011	River Hills Dr., upgrade/pave	465	-	-	465	-
W7VIR	2011	Virginia Dr., and Gary Ave.	254,771	132,302	122,264	244,734	10,038
W7WOO	2011	Widgeon Woods Sub., Phase 2	308,119	-	-	115,713	192,405
C3GOO	2012	Gooseberry Road	21,593	21,593	9,998	9,998	11,595
C4INU	2012	Inukshuk Court	14,105	14,105	593	593	13,512
N2GEM	2012	Gemstone Road	13,723	13,723	5,442	5,442	8,281
N5RAM	2012	Ramona Street	26,801	26,801	11,249	11,249	15,552
W1RUF	2012	Ruffed Grouse	17,739	17,739	6,276	6,276	11,463

Project	Year Appropriated	Project Description	Authorized Amount	FY12 Budget	Expend FY12	Total LTD Expenditures	Unexpended Balance
Projects Associated with State Grant							
DOTPF	2010	FY10 DOTPF GRANT	691	-	-	691	-
C10CH	2009	Cherokee, Fallhaven & Stassi Lane	211,886	-	-	211,886	-
C10DE	2009	Deville Road	69,735	-	-	69,735	-
C3LAK	2009	Lake Street	385,533	-	-	385,533	-
C3MOO	2009	Moose Ridge Ave, Amow & Kyeec Streets	1,899	-	-	1,899	-
C6ARC	2009	Archie Drive	9,771	-	-	9,771	-
C6EVE	2009	Even Lane	55,423	-	-	55,423	-
C6IDI	2009	Iditarod & Nancy Streets	121,652	-	-	121,652	-
C6WOO	2009	Wood Drive	299,235	-	-	299,235	-
E2BEA	2009	Beach Drive	10,663	-	-	10,663	-
E3STO	2009	Stoney Creek, Bruno Bridge	423,850	-	-	423,849	-
N1INT	2009	Interlake Dr. & Shelikoff Street	195,676	-	-	195,676	-
N3BEL	2009	Bell Ave. & Boondocker Street	352,543	327,566	327,566	352,543	-
N5TAU	2009	Taurainen Trail	254,457	-	-	254,457	-
S4SAR	2009	Sary Sue and David Lee	198,633	-	-	198,633	-
S7BON	2009	Bonnie Avenue	163,004	-	-	163,004	-
S8EAS	2009	East End Road	587,914	-	-	587,914	-
W1JUE	2009	Juel, Kenaitze, Nielson	1,300	-	-	1,300	-
W6LIB	2009	Liberty, Commerce, Brumlow, Masters, etc.	278,036	-	-	278,036	-
C10FA	2010	Fannie Mae Ave. & Reger Road -1	355,062	-	-	355,062	-
C10MO	2010	Moose Range Drive	462,304	-	-	462,304	-
C10RI	2010	Ridgecrest Circle, Greenfield Dr.	219,034	-	-	219,034	-
C1COZ	2010	Cozy Firelight St., White Spruce, Tributary	57,703	-	-	57,703	-
C2GRA	2010	Grandview Drive, Misty Morning Ave.	414,424	5,167	5,167	414,424	-
C4RAI	2010	Rainbow Dr., Haneybee Ave. East Lake Ave.	41,791	-	-	41,791	-
C5IRO	2010	Irons St., Petroulias Dr., & Rasmussent Ct.	387,008	-	-	387,008	-
C6BON	2010	Bonita Ave., Knackstedt St., ... Radcliff Ave	454,650	-	-	454,650	-
E3MOA	2010	Moat Way, Excalibur, Camelot	163,994	137,225	137,225	163,994	-
E3WOL	2010	Wolfe Trail Circle	43,461	-	-	43,461	-
N1TRE	2010	Treasure Chest Ave. & Grouse Ave.	34,004	-	-	34,004	-
N1WAR	2010	Warren Avenue	116,547	-	-	116,547	-
N3BIR	2010	Birchwood Drive & Jeffrey Ave.	130,953	-	-	130,953	-
S4RID	2010	Ridge St., Ring of Fire Ave. & Spruce Circle	42,246	-	-	42,246	-
S5BEL	2010	Beknap Dr., Augusta Ln., Augusta Circle	181,679	-	-	181,679	-
S5SHE	2010	Sheep Drive and Charlie Drive	16,487	-	-	16,487	-
S7GLA	2010	Glacierview Road Emergency Culvert	4,294	-	-	4,294	-
W1PAT	2010	Patrick Dr. & Eastway Road	131,253	-	-	131,253	-
W2ETA	2010	Etau Maku, Tyena Ka Rd., Kwanta Hah	224,079	117,473	117,473	224,080	-
W3CAB	2010	Cabin Ave., Lichen St & Reggies Ave.	271,082	-	-	271,082	-
W3TRI	2010	Tri Rd., & Denise Street	333,090	-	-	333,090	-
W4SUN	2010	Sunshine Drive	123,573	-	-	123,573	-
W4TAL	2010	Tall Tree Avenue	169,382	-	-	169,382	-
Totals			\$ 26,143,552	\$ 16,095,351	\$ 4,570,037	\$ 14,495,887	\$ 11,647,666

Beginning Fund Balance 6/30/11	\$ 1,918,738
Funds Provided:	
FY2012 transfer from Fund 250 - Land Management	51,147
Grants Awarded	15,194,315
FY2012 Interest Earnings	2,922
Total Funds Provided	<u>15,248,384</u>
Funds Applied - Current Year Expenditures	(4,570,037)
Funds obligated to existing projects	(11,647,666)
Projects completed or cancelled by Service Area Board Action	-
Funds available for appropriation and to satisfy future capital expansion plans.	<u>\$ 949,418</u>
Non-Project specific STIP Grant, DOTPF Grant, and FY 2011 State Grant	<u>10,520,297</u>
Funds available for appropriation and to satisfy future capital expansion plans. (Includes grant funds that have not been committed to specific projects.)	<u>\$ 11,469,715</u>

Nikiski Fire Projects - Fund 441

Balances through March 31, 2012

	Project	Year Appropriated	Project Description	Authorized Amount	FY12 Budget	Expend FY12	Total LTD Expenditures	Unexpended Balance
Grt	10411	2010	NFSA Fire Station Construction	\$ 1,500,000	\$ 17,398	\$ 17,398	\$ 1,500,000	\$ -
			local funding	54,000	30,605	29,711	53,106	894
	8INT3	2011	Wildland Firefighting Equipment	40,907	27,438	24,960	38,429	2,478
Grt/Local	11ARL	2011	Fire Alarm System at Station #1	103,040	103,040	69,966	69,966	33,075
	11411	2011	NSFA Sign Replcmnt-Stn. #1	78,000	73,882	73,863	77,981	19
	11412	2011	Glidescopes	29,875	10,386	-	19,489	10,386
	11414	2011	Engineering Survey - Stn. #1	10,000	10,000	2,241	2,241	7,759
	12COR	2012	Sta. 2 - Corrosive Water Mitigation	30,000	30,000	6,402	6,402	23,598
Grt/Local	12411	2012	Two 4,000 GPM Tankers/Pumpers	1,050,000	1,050,000	879,320	879,320	170,680
	12412	2012	Air Bottle Replacement for SCBA's	\$15,000	\$15,000	14,998	14,998	2
Total				\$ 2,910,822	\$ 1,367,749	\$ 1,118,859	\$ 2,661,931	\$ 248,891

Beginning Fund Balance 6/30/11

\$1,680,311

Funds Provided:

FY2012 Transfer from Operating Fund

\$ 140,000

Grants Awarded

262,398

FY2012 Interest Earnings

21,314

Total Funds Provided

423,712

Funds Applied

Current Year Expenditures

(1,118,859)

Funds obligated to existing projects

(248,891)

Projects completed or cancelled by Service Area Board Action

-

Funds available for appropriation and to satisfy future capital expansion plans.

\$ 736,274

Bear Creek Fire Service Area Projects - Fund 442

Balances through March 31, 2012

Project	Year Appropriated	Project Description	Authorized Amount	FY12 Budget	Expend FY12	Total LTD Expenditures	Unexpended Balance	
	09421	2009	SCBA Fill Sta Replacement	\$ 10,000	\$ 1,919	\$ 1,919	\$ 10,000	\$ -
Grt	09422	2009	New Station Design	150,000	9,626	-	140,374	9,626
	09482	2009	DCCED Grt-Toward Multi-Use Facility	55,000	40,932	704	14,773	40,227
	10421	2012	Hose bed for Tanker/Pumper	7,114	7,114	-	-	7,114
	11421	2011	New Fire Station-Site Work	65,000	65,000	-	-	65,000
	12421	2012	Land for Proposed Station	100,000	100,000	1,455	1,455	98,545
	12422	2012	Mobile Radio Repeater	15,000	15,000	-	-	15,000
Total				\$ 402,114	\$ 239,591	\$ 4,078	\$ 166,602	\$ 235,512

Beginning Fund Balance 6/30/11		\$ 157,923
Funds Provided:		
FY2012 Transfer from Operating Fund	\$ 100,000	
Grants Awarded	40,932	
FY2012 Interest Earnings	3,396	
Total Funds Provided		144,328
Funds Applied - Current Year Expenditures		(4,078)
Funds obligated to existing projects		(235,512)
Projects completed or cancelled by Service Area Board Action		-
Funds available for appropriation and to satisfy future capital expansion plans.		\$ 62,659

Central Emergency Services Projects - Fund 443

Balances through March 31, 2012

	Project	Year Appropriated	Project Description	Authorized Amount	FY12 Budget	Expend FY12	Total LTD Expenditures	Unexpended Balance	
Grt	11033	2011	Off-Road Vehicles	\$ 50,000	\$ 1,009	\$ 478	\$ 49,469	\$ 531	*
	11461	2011	Mechanic Vehicle	152,250	4,876	4,299	151,673	577	*
	11466	2011	Radio Equipment Upgrade	400,000	393,838	129,091	135,253	264,747	
	12461	2012	Soldotna Sta. 1 Remodel Desig	200,000	200,000	377	377	199,623	
	12462	2012	Training Officer Vehicle Replac	50,000	50,000	38,761	38,761	11,239	
	12463	2012	Ambulance	190,000	190,000	-	-	190,000	
Grt/Loc	12464	2012	Wildland Interface Engine - Kas	667,226	667,226	667,226	667,226	-	
	12466	2012	ECG Monitor Replacement	109,000	109,000	99,741	99,741	9,259	*
	12468	2012	Storage Locker Replacement	21,000	21,000	1,979	1,979	19,021	
	12469	2012	Training Facility Relocatio	350,000	350,000	55,720	55,720	294,280	
				\$ 2,189,476	\$ 1,986,948	\$ 997,672	\$ 1,200,200	\$ 989,276	

Beginning Fund Balance 6/30/11		\$ 1,094,336
Funds Provided:		
FY2012 Transfer from Operating Fund	\$ 900,000	
Grants Awarded	201,009	
FY2012 Interest Earnings	17,860	
Total Funds Provided		1,118,868
Funds Applied - Current Year Expenditures		(997,672)
Funds obligated to existing projects		(989,276)
Projects completed or cancelled by Service Area Board Actior		* 10,030
Funds available for appropriation and to satisfy future capital expansion plans.		\$ 236,286

Kachemak Service Area Capital Projects - Fund 446

Balances through March 31, 2012

	Year	Project Description	Authorized Amount	FY12 Budget	Expend FY12	Total LTD Expenditures	Unexpended Balance	
Project	Appropriated							
	08481	2008	FY08 Diamond Ridge Sta. Dvlprn	\$ 75,000	\$ 28,990	\$ 18,066	\$ 64,076	\$ 10,924
	0RPTR	2010	Repeater	13,750	13,750	9,637	9,637	4,113
	11TKR	2011	Tanker/Pumper	341,250	341,250	221	221	341,029
Grt/Local	12379	2012	Diamond Ridge Station - Grant	450,000	450,000	45,266	45,266	404,734
	12481	2012	5 Scott SCBA 4.5 Systems	36,640	36,640	36,640	36,640	-
Totals			\$ 916,640	\$ 870,630	\$ 109,829	\$ 155,840	\$ 760,800	

Beginning Fund Balance 6/30/11	\$ 437,814
Funds Provided:	
FY2012 Transfer from Operating Fund	\$ 100,000
Grants Awarded	350,000
FY2012 Interest Earnings	7,724
Total Funds Provided	457,724
Funds Applied - Current Year Expenditures	(109,829)
Funds obligated to existing projects	(760,800)
Projects completed	-
Funds available for appropriation and to satisfy future capital expansion plans.	\$ 24,908

Communication Center 911 Projects - Fund 455

Balances through March 31, 2012

	Project	Year Appropriated	Project Description	Authorized Amount	FY12 Budget	Expend FY12	Total LTD Expenditures	Unexpended Balance
Grt	NARBN	2011	Narrow Banding	\$ 359,926	\$ 318,926	\$318,926	\$ 359,926	\$ -
Grt	ASFTY	2010	FY10 Comm Econ Stimulus Prog: Pub Safety	634,071	292,376	292,376	634,071	-
Total				\$ 993,997	\$ 611,302	\$611,302	\$ 993,997	\$ -

Beginning Fund Balance 6/30/11	\$ 3,255
Funds Provided:	
Grants Awarded	<u>\$ 611,302</u>
Total Funds Provided	611,302
Funds Applied - Current Year Expenditures	(611,302)
Funds obligated to existing projects	-
Projects completed or cancelled by Service Area Board Action	<u>-</u>
Funds available for appropriation and to satisfy future capital expansion plans.	<u>\$ 3,255</u>

North Pen Rec Capital Projects-Fund 459

Balances through March 31, 2012

Project	Year Appropriated	Project Description	Authorized Amount	FY12 Budget	Expend FY12	Total LTD Expenditures	Unexpended Balance
11459	2011	Glycol Exchange System	\$ 40,000	\$ 31,772	\$ 20,501	\$ 28,729	\$ 11,271
Grt 11SHO	2011	Shower Replacement	20,000	3,102	3,090	19,988	12
Grt 12028	2012	Playground Equipment DCCED Grant	225,000	225,000	4,343	4,343	220,657
12451	2012	Wind Generation Feasibility Study	10,000	10,000	1,457	1,457	8,543
12452	2012	3/4 Ton Truck with Plow	40,000	40,000	-	-	40,000
12453	2012	Security Cameras for NPRSA Facilities	75,000	75,000	255	255	74,745
12454	2012	Siding & Exterior Paint for NCRC	100,000	100,000	116	116	99,884
Total			\$ 510,000	\$ 484,874	\$ 29,762	\$ 54,888	\$ 455,112

Beginning Fund Balance 6/30/11	\$ 631,905
Funds Provided:	
FY2012 Transfer from Operating Fund	\$ 40,000
Grants Awarded	228,102
FY2012 Interest Earnings	10,745
Total Funds Provided	278,847
Funds Applied - Current Year Expenditures	(29,762)
Funds obligated to existing projects	(455,112)
Projects completed or cancelled by Service Area Board Action	-
Funds available for appropriation and to satisfy future capital expansion plans.	\$ 425,878

Anchor Point Fire Service Area Projects - Fund 444

Balances through March 31, 2012

Project	Year Appropriated	Project Description	Authorized Amount	FY12 Budget	Expend FY12	Total LTD Expenditures	Unexpended Balance
11TNK	2011	Water Storage Tank Installation	\$ 50,000	\$ 50,000	\$ 474	\$ 474	\$ 49,526
12PMP	2012	Class A Pumper	225,000	225,000	-	-	225,000
Total			<u>\$ 275,000</u>	<u>\$ 275,000</u>	<u>\$ 474</u>	<u>\$ 474</u>	<u>\$ 274,526</u>

Beginning Fund Balance 6/30/11	\$ 208,407
Funds Provided:	
FY2012 Transfer from Operating Fund	\$ 100,000
FY2012 Interest Earnings	<u>4,275</u>
Total Funds Provided	104,275
Funds Applied - Current Year Expenditures	(474)
Funds obligated to existing projects	(274,526)
Projects completed or cancelled by Service Area Board Action	<u>-</u>
Funds available for appropriation and to satisfy future capital expansion plans.	<u>\$ 37,682</u>

Central Peninsula Hospital Capital Projects - Fund 490

Balances through March 31, 2012

Project	Year Authorized	Project Description	Authorized Amount	FY12 Budget	Expend FY12	Total LTD Expenditures	Unexpended Balance
ACTIVE PROJECTS							
FUNDS PROVIDED BY HOSPITAL PLANT REPLACEMENT FUND							
11CCD	2011	Document Exchange System	\$ 455,148	\$ 409,633	\$ -	\$ 45,515	\$ 409,633
11COR	2011	166/158 W Corral Ave	350,000	348,000	345,054	347,054	2,946
11MD1	2011	Mundel bldg improvements	750,000	427,587	240,722	563,135	186,865
12ANS	2012	Hospital Equipment	671,867	671,867	-	-	671,867
12IMG	2012	Renovations-Imaging Dept.	980,431	980,431	72	72	980,359
12ONC	2012	Radiation Oncology Facility	4,700,000	4,700,000	3,038	3,038	4,696,962
12OPR	2012	Operating Room (4th)	1,067,281.00	1,067,281.00	243,547	243,547	823,734
TOTAL FUNDS PROVIDED BY HOSPITAL PLANT REPLACEMENT FUND			\$ 8,974,727	\$ 8,604,799	\$ 832,434	\$ 1,202,361	\$ 7,772,365
TOTAL ACTIVE PROJECTS			\$ 8,974,727	\$ 8,604,799	\$ 832,434	\$ 1,202,361	\$ 7,772,365
TOTAL COMPLETED PROJECTS			\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL CPGH CAPITAL PROJECTS			\$ 8,974,727	\$ 8,604,799	\$ 832,434	\$ 1,202,361	\$ 7,772,365
Beginning Fund Balance 6/30/11							\$ 601,158
Funds Provided:							
FY2012 Transfer from Operating Fund/PRF budgeted							\$ 8,604,799
FY2012 Interest Earnings							31,766
Total Funds Provided							8,636,565
Funds Applied - Current Year Expenditures							
Current Year Expenditures							(832,434)
Funds obligated to existing projects							(7,772,365)
Projects completed or cancelled							-
Funds available for appropriation and to satisfy future capital expansion plans.							632,924
Funds Reserved For Kenai Health Center Maintenance 6/30/11							\$ 485,239
Funds Provided Current Year:							
Audit Services							\$ (2,100)
State Contributions							21,619
Local Contributions							13,250
Interest on Accumulated Balance							8,130
Total Funds Provided							40,899
Funds reserved for Kenai Health Center maintenance							526,138
Net amount available for appropriations							\$ 106,786

South Peninsula Hospital Capital Projects - Fund 491

Balances through March 31, 2012

Project	Year	Project Description	Authorized Amount	FY12 Budget	Expend FY12	Total LTD Expenditures	Unexpended Balance
8SH01	2008	FY08 Emergency Equipment	\$ 140,000	\$ 62,670	\$ -	\$ 77,330	\$ 62,670
11SHK	2011	Security System Upgrade	50,000	24,443	250	25,807	24,193
11SHN	2011	OR Instrument Replacement	40,000	40,000	-	-	40,000
11SHQ	2011	IT Backup Project	51,200	51,200	51,200	51,200	-
11SHS	2011	Nurse Communication System	30,000	30,000	7,476	7,476	22,524
11SHT	2011	Health Information Mgmt. Furniture	30,000	27,401	5,638	8,237	21,763
11SHU	2011	Medical Vacuum Unit	27,300	27,300	22,225	22,225	5,075
11SHV	2011	Server Replacement (3 Depts)	25,500	25,500	-	-	25,500
12SHA	2012	Various Equipment	331,999	331,999	127,512	127,512	204,487
12SHB	2012	Digital Fluoro/Radiology Unit	550,000	550,000	511,439	511,439	38,561
12SHC	2012	Orothopedic Instrumentation & Equip. Upgra	250,000	250,000	166,547	166,547	83,453
12SHD	2012	Nurse Call System	152,000	152,000	-	-	152,000
12SHE	2012	Anesthesia Machine	96,323	96,323	96,053	96,053	270
12SHF	2012	House Med Air/O2/Vcuum expansion in LTC	72,000	72,000	-	-	72,000
12SHG	2012	DXA Bone Densitometer	60,000	60,000	59,500	59,500	500
12SHH	2012	Medical Air Unit	44,400	44,400	42,484	42,484	1,916
12SHJ	2012	Ventilation System Upgrade	40,000	40,000	27,137	27,137	12,863
12SHK	2012	Draeger Vital Sign Monitor	39,000	39,000	-	-	39,000
12SHL	2012	Inpatient Medication Management	37,500	37,500	9,000	9,000	28,500
12SHM	2012	Parking Lot Stairs	35,000	35,000	33,598	33,598	1,402
12SHN	2012	Network Switches	30,000	30,000	-	-	30,000
12SHP	2012	Parking Lot Upgrade	30,000	30,000	24,925	24,925	5,075
12SHQ	2012	Conference Room Relocations	30,000	30,000	30,000	30,000	-
12SHR	2012	Page Writer TC 70 Cardiograph/Carts	26,785	26,785	19,608	19,608	7,177
12SHS	2012	Ceiling Life	26,000	26,000	-	-	26,000
12SHT	2012	MRI Ferromagnetic Detection System	25,600	25,600	25,600	25,600	-
Total			\$ 2,270,607	\$ 2,165,121	\$ 1,260,193	\$ 1,365,680	\$ 904,927

Beginning Fund Balance 6/30/11	\$ 560,226
Funds Provided:	
FY2012 Transfer from Operating Fund	\$ 1,625,000
FY2012 Interest Earnings	18,856
Total Funds Provided	1,643,856
Funds Applied - Current Year Expenditures	
Current Year Expenditures	(1,260,193)
Funds obligated to existing projects	(904,927)
Projects completed or cancelled	-
Funds available for appropriation and to satisfy future capital expansion plans.	\$ 38,961



KENAI PENINSULA BOROUGH - FINANCE DEPARTMENT

TO: Gary Knopp, President
Kenai Peninsula Borough Assembly Members

THRU: Mike Navarre, Mayor *MN*

FROM: Craig C. Chapman, Finance Director *C Chapman*

DATE: 4/16/2012

SUBJECT: Investment Portfolio Report

Attached is a report on the Borough's investment portfolio as of March 31, 2012. The report shows the type of securities owned, percentage of each type, maturity of the securities, and average yield.

Investment Portfolio

Securities

Agencies	\$	55,730,485		35.79%
Corporate Bonds		35,423,692		22.75%
Municipal Bonds		14,931,684		9.59%
U.S. Treasury		14,266,175		9.16%
Total Securities		<u>120,352,036</u>		<u>77.29%</u>

Cash and Cash Equivalents

Repurchase Account		22,264,113		14.30%
Money Market Sweep		7,158,582		4.60%
AMLIP		73,155		0.05%
2010 Solid Waste Bonds		1,067,310		0.69%
2011 School Bonds		4,395,334		2.82%
Total Cash and Cash Equivalents		<u>34,958,495</u>		<u>22.45%</u>

USAD's / RIAD's

K-Beach Subdivision	8,039	0.0052%	<u>6.25%</u>
Inglebrook	2,794	0.0018%	7.00%
Tote Road and Echo Lake Road	4,270	0.0027%	6.25%
Char Subdivision	9,583	0.0062%	6.75%
Tustamena Subdivision	22,047	0.0142%	7.75%
Westbrook Subdivision	19,674	0.0126%	9.25%
Pollard Loop	21,311	0.0137%	9.25%
Scooter Landing	12,842	0.0082%	9.25%
Moose Range Subdivision	10,916	0.0070%	10.25%
Chinula Drive	22,164	0.0142%	7.00%
Moose Range Meadows South	172,163	0.1106%	5.25%
Cardwell Subdivision	23,272	0.0149%	5.25%
Ashton Park/Burmlow Park	84,418	0.0542%	5.25%
Total USAD's / RIAD's	<u>413,493</u>	<u>0.27%</u>	<u>6.21%</u>

**Portfolio
Yield**

Total Investment Portfolio

\$	<u>155,724,024</u>	<u>100.00%</u>
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Maturity

Less than one year	60,023,724	38.54%	38.54%	0.26%
One to five years	95,286,807	61.19%	61.19%	1.38%
USAD's	413,493	0.27%	0.27%	6.21%

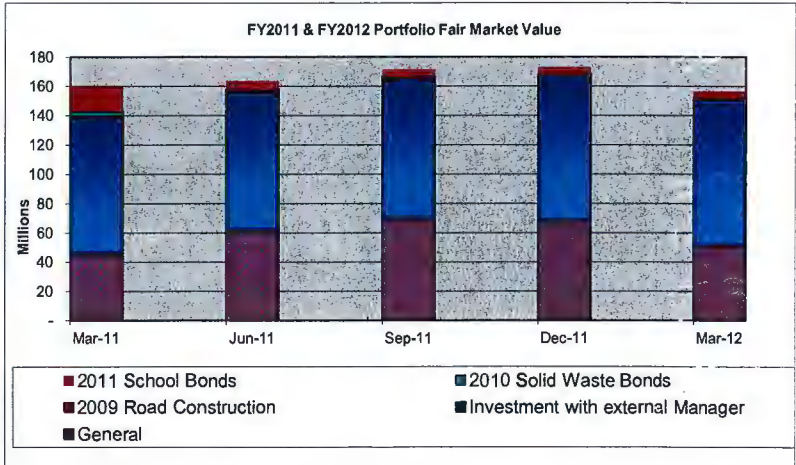
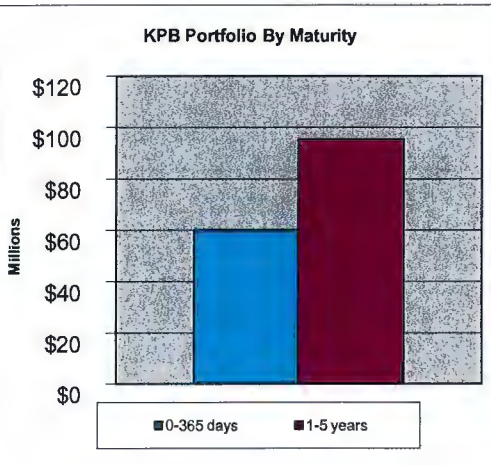
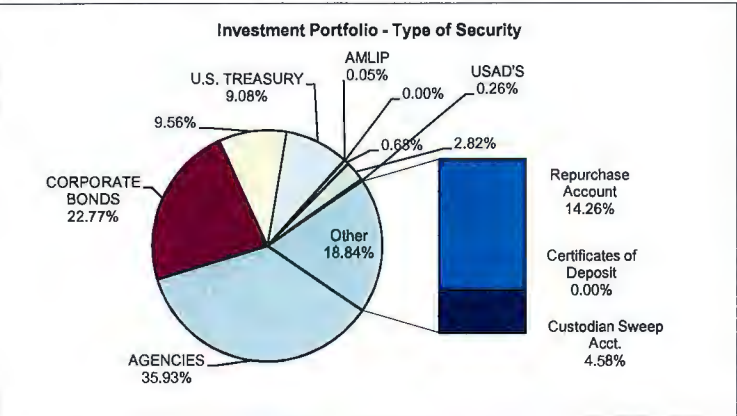
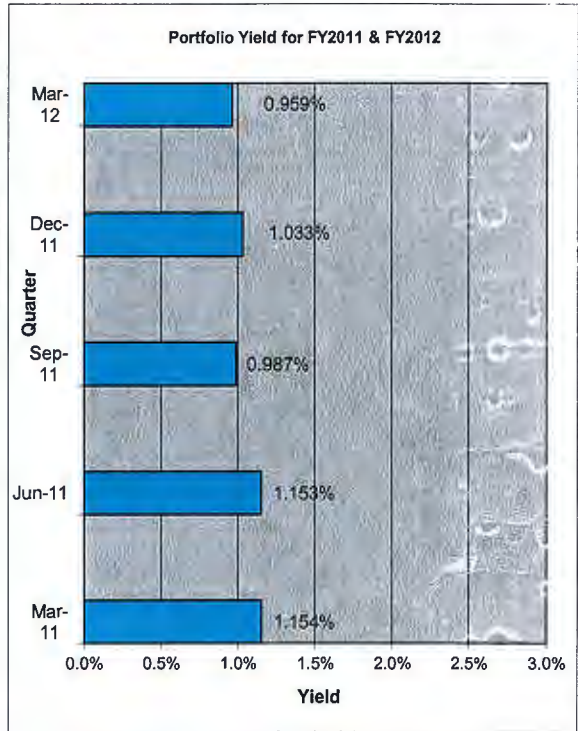
TOTAL

\$	<u>155,724,024</u>	<u>100.00%</u>	<u>100.00%</u>	<u>0.959%</u>
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INVESTMENT PORTFOLIO
March 31, 2012

	Par Value	Purchase Price	Fair Value 3/31/12
Investments by Borough Finance Director			
CORPORATE - less than 1 year	1,000,000.00	1,055,920.00	1,000,710.00
AGENCY - less than 1 year	15,000,000.00	15,347,696.65	15,147,690.00
AGENCY - 1 to 5 years	3,000,000.00	2,999,850.00	2,998,500.00
US TREASURY - less than 1 year	5,000,000.00	5,079,750.00	5,018,920.00
US TREASURY - 1 to 5 years	0.00	0.00	0.00
Total Investment by Borough Finance Director:	24,000,000.00	24,483,216.65	24,165,820.00
Investment with External manager:			
CORPORATE - less than 1 year	1,320,000.00	1,428,187.20	1,354,610.40
CORPORATE - 1 to 5 years	32,055,000.00	32,939,584.30	33,198,126.30
MUNICIPAL - less than 1 year	2,090,000.00	2,153,675.15	2,114,618.20
MUNICIPAL- 1 to 5 years	12,305,000.00	12,778,008.60	12,817,220.15
AGENCY - less than 1 year	.00	.00	.00
AGENCY - 1 to 5 years	36,864,904.94	37,382,938.63	37,951,440.49
US TREASURY - less than 1 year	0	0	0
US TREASURY - 1 to 5 years	9,200,000.00	9,186,425.34	9,161,391.00
MONEY MARKET less than 1 year	2,748,843.50	2,748,843.50	2,748,843.50
Total Investment with External manager:	96,583,748.44	98,617,662.72	99,346,250.04
TOTAL SECURITY INVESTMENTS & MM EXTERNAL MGR	120,583,748.44	123,100,879.37	123,512,070.04

Investment Portfolio - Purchase Price	\$ 123,100,879.37
Investment Portfolio - Fair Value 3/31/12	123,512,070.04
Fair Value Adjustment - 3/31/12	411,190.67
Fair Value Adjustment - 6/30/11	270,552.51
Change in Fair Value FY2012	\$ 140,638.16



Introduced by: Mayor, McClure
Date: 04/17/12
Shortened Hearing: 05/01/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2011-19-83**

**AN ORDINANCE APPROPRIATING \$26,145.80 FROM FUND BALANCE FOR THE
PURCHASE OF SUPPLIES AND EQUIPMENT BY THE LOWELL POINT
EMERGENCY SERVICE AREA**

1 **WHEREAS**, the Lowell Point Emergency Service Area (Service Area) ended FY2011 with an
2 available fund balance of \$26,145.80; and

3 **WHEREAS**, on October 4, 2011, the Service Area voters voted to dissolve the Service Area
4 effective July 1, 2012; and

5 **WHEREAS**, if the funds are not expended they will revert to the borough's general fund; and

6 **WHEREAS**, the Service Area board would like to appropriate the existing fund balance for the
7 purchase of supplies and equipment needed for fire and emergency services; and

8 **WHEREAS**, the Service Area board at its _____, 2012, meeting authorized the use of
9 \$26,145.80 of fund balance in FY2012 to purchase the necessary items; and

10 **WHEREAS**, approval by the assembly is necessary to appropriate the additional funds; and

11 **WHEREAS**, unless any purchased assets are transferred prior to June 30, 2012, it is most likely
12 the assets would revert back to the borough and could only be used in a service
13 area where the borough has the authorization to exercise fire and emergency
14 services powers or be sold for market value, similar to other non-grant acquired
15 assets owned by the Service Area;

1 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
2 **PENINSULA BOROUGH:**

3 **SECTION 1.** That the amount of \$26,145.80 is hereby appropriated from the Lowell Point
4 Emergency Service Area, fund balance to the following accounts:

213.51510.00000.42310	Repair and Maintenance Supplies	\$3,378.85
213.51510.00000.42210	Operating Supplies	\$1,023.10
213.51510.00000.48740	Minor Machines and Equipment	\$1,650.00
213.51510.00000.42410	Small Tools and Equipment	\$6,265.05
213.51510.00000.42424	Safety Equipment	\$155.40
213.51510.00000.48760	Minor Firefighting Equipment	\$13,673.40

5 **SECTION 2.** That any subsequent transfer of these assets must comply with the public purpose
6 doctrine as stated in Article IX, Section 6 of the Alaska Constitution and other
7 applicable law.

8 **SECTION 3.** That this ordinance takes effect immediately upon its enactment.

9 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
10 **DAY OF * 2012.**

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520
Toll-free within the Borough: 1-800-478-4441
PHONE: (907) 262-4441 • FAX: (907) 262-1892
www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Gary Knopp, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Mike Navarre, Mayor *MN*

FROM: Craig Chapman, Director of Finance *C Chapman*
Sue McClure, Assembly Member

DATE: April 5, 2012

SUBJECT: Ordinance 2011-19-83, appropriating \$26,145.80 in fund balance for the purchase of supplies and equipment

In the October 4, 2011, borough election the Lowell Point Emergency Service Area (Service Area) voters approved Proposition 4, abolishing the Service Area effective July 1, 2012. Assets owned by the Service Area at the time of dissolution, unless otherwise provided for, most likely will revert to the borough. Assets obtained through grants must be accounted for consistent with applicable grant requirements. Any funds not expended would be accumulated in the borough's general fund.

There are at least two relevant legal issues concerning the transfer of any assets to any entity that may wish to acquire the service area assets. Article IX, section 6 of the Alaska constitution requires that public assets only be used for public purposes. This limits the Service Area's ability to transfer the assets to either a sale at fair market value or a transfer to an entity providing public services. Additionally, the borough can only expend resources for powers it is authorized to exercise. Once the Service area is abolished the borough will no longer have the authority to provide fire and emergency services in Lowell Point. The borough would then have to utilize the assets where it has the power to do so or sell them at fair market value.

The Service Area ended fiscal year 2011 with an available fund balance of \$26,145.80. The Service Area board would like to appropriate the existing fund balance for the purchase of fire and emergency service supplies and equipment. It is recommended that any future transfer of assets to an entity that will provide public services in Lowell Point occur prior to June 30, 2012.

Shortened hearing has been requested which would allow the Service Area time to purchase and have the items on hand prior to the dissolution of the Service Area on June 30, 2012.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>213.27910 FB</u>
Amount	<u>\$26,145.80</u>
By:	<u>CAPW</u> Date: <u>4/5/12</u>

Introduced by: Mayor
Date: 04/17/12
Shortened Hearing: 05/01/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2011-19-84**

**AN ORDINANCE APPROPRIATING \$40,000 FROM THE GENERAL GOVERNMENT
CAPITAL PROJECT FUND TO PROVIDE ADDITIONAL FUNDING FOR
REMODELING OF THE LEGAL AND FINANCE DEPARTMENTS AND \$40,000 FOR
ADA UPGRADES AT THE BOROUGH ADMINISTRATION BUILDING**

1 **WHEREAS**, \$375,000 was appropriated in FY2010 to remodel various departments at the
2 borough to address functionality; and

3 **WHEREAS**, \$241,966 was spent on remodeling the clerk's office and the risk management
4 department; and

5 **WHEREAS**, the cost of remodeling the legal and finance departments to address functionality
6 issues is estimated at \$186,105; and

7 **WHEREAS**, including a transfer of funds from a completed project of \$16,463, there is
8 currently \$149,497 available for this project; and

9 **WHEREAS**, the General Government Capital Project Fund has fund balance of \$40,000 that is
10 available to support this project; and

11 **WHEREAS**, the restrooms at the borough's administration building do not comply with ADA
12 standards; and

13 **WHEREAS**, the administration is requesting that \$40,000 be appropriated to upgrade the
14 restroom facilities near the assembly chambers; and

1 **WHEREAS**, the General Government Capital Project Fund has fund balance of \$40,000 that is
2 available to support this project; and

3 **WHEREAS**, the ideal time for the legal and finance department remodel and ADA work on the
4 restrooms near the assembly chambers is in the summer months;

5 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
6 **PENINSULA BOROUGH:**

7 **SECTION 1.** That \$40,000 is appropriated from the General Government Capital Project Fund,
8 fund balance to account number 407.19010.1040A.49999 for supplemental
9 funding for the legal and finance department remodel project.

10 **SECTION 2.** That \$40,000 is appropriated from the General Government Capital Project Fund,
11 fund balance to account number 407.19010.12ADA.49999 to bring the restrooms
12 near the assembly chambers into ADA compliance.

13 **SECTION 3.** That this ordinance takes effect immediately upon enactment.

14 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
15 **DAY OF * 2012.**

Gary Knopp, Assembly President

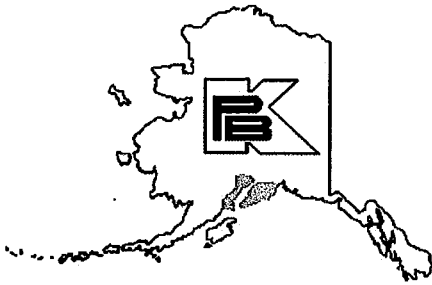
ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520
Toll-free within the Borough: 1-800-478-4441
PHONE: (907) 262-4441 • FAX: (907) 262-1892
www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Gary Knopp, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Mike Navarre, Mayor *MN*

FROM: Craig Chapman, Director of Finance *C Chapman*

DATE: April 5, 2012

SUBJECT: Ordinance 2011-19-84, appropriating \$40,000 from the General Government Capital Project Fund, fund balance to provide additional funding for remodeling of the legal and finance departments and \$40,000 for ADA upgrades at the borough administration building

As part of the FY2010 capital budget \$375,000 was appropriated to remodel various departments at the borough to address functionality, of which \$241,966 was spent on remodeling the clerk's office and the risk management department.

The cost of remodeling the legal and finance departments to address functionality is estimated to be \$186,105. Including a transfer of funds from a completed project of \$16,463, there is currently \$149,497 available for this project, a shortage of \$36,608. The General Government Capital Project Fund fund balance has \$40,000 that is available to support this project.

The restrooms at the borough's administration building do not comply with ADA standards. The administration is proposing that the restrooms near the assembly chambers be upgraded this summer; this will require an appropriation prior to year end. The remaining restroom upgrades would be included in the FY2013 budget. The administration is requesting that \$40,000 also be appropriated from the General Government Capital Project Fund, fund balance for this project.

Shortened hearing is being requested as this will allow the project to be completed this summer.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>407.27910 RB</u>
Amount	<u>\$80,000.00</u>
By:	<u>CIBW</u> Date: <u>4/5/12</u>



KENAI PENINSULA BOROUGH

Capital Projects Department

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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Gary Knopp, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Mike Navarre, Borough Mayor *MN*

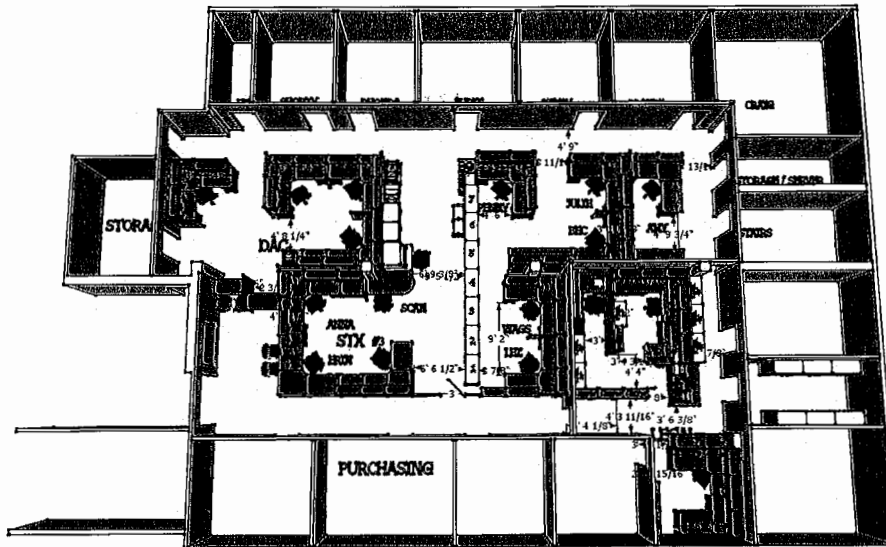
FROM: Kevin Lyon, Capital Projects Director *KL*

DATE: April 18, 2012

SUBJECT: Ordinance 2011-19-34 – Additional Information requested by Assembly

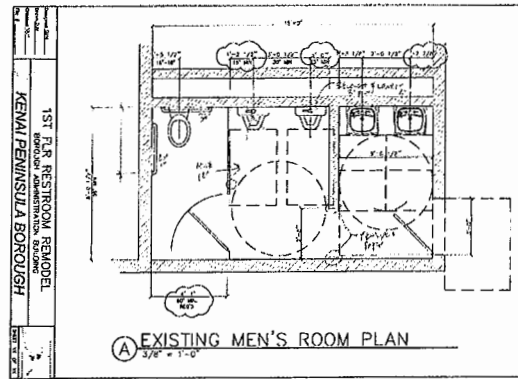
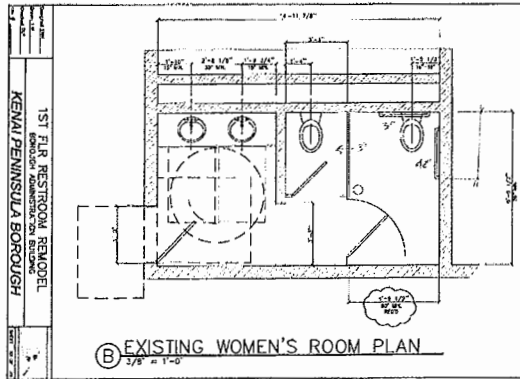
This memo is to provide additional information on the Scope of the remodel for the finance and legal department and identifies the scope of the ADA upgrades for the Borough Administration Building.

The finance and legal remodel consist of reconfiguration of the central area including wall relocations, and new: high density storage, network, electrical, new cubicles. Paint and carpet will be replaced in the entire departments. An overview of the improvements can be seen below in the attached sketch. Only the Finance and Legal Departments are impacted, as Purchasing has been recently remodeled.

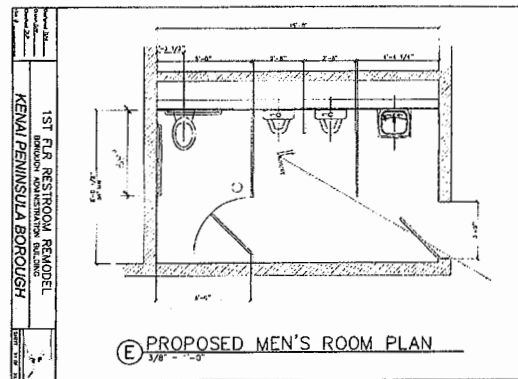
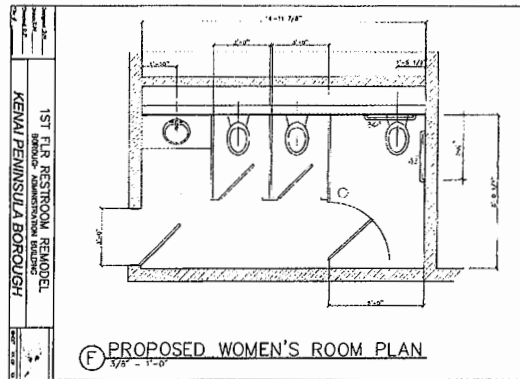


The budget consists of approximately \$80,000 in fixtures and furnishings, \$22,000 in high density storage and the remainder in building construction.

The proposed ADA upgrades begin to address the 2010 ADA Standards that took effect March 15, 2012. The Standards require that if existing spaces are altered, the accessible route to and including the restrooms, telephones and drinking fountains for areas containing a primary function to be altered for use by individuals with disabilities or at least 20% of the project must be allocated to meeting these standards. Below are existing conditions.



In the past some alterations were made to the Public Restrooms for the Assembly Chambers, these alterations never met the 1991 ADA requirements and therefore do not meet exemption clause of the 2010 ADA Standard. To meet the standards these rooms will require substantial modification including relocation of in wall piping (block wall) to achieve required clearances. Due to the destructive nature of the required remodel, the budget includes new finishes and partitions. Below are sketches of the proposed modifications.



Introduced by: Murphy
Date: 03/13/12
Hearings: 04/03/12, 04/17/12 & 05/01/12
Action: Postponed as Amended
Until 04/17/12
Date: 04/17/12
Action: Postponed Until 05/01/12
Date: 05/01/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-07**

**AN ORDINANCE AMENDING KPB TITLES
2—ADMINISTRATION, 4—ELECTIONS AND 16—SERVICE AREAS
TO PROVIDE THAT ALL KENAI PENINSULA BOROUGH SERVICE AREA BOARDS
ARE APPOINTED INSTEAD OF ELECTED**

1 **WHEREAS,** the Kenai Peninsula Borough currently has 14 service area boards of which 13 are
2 elected and one, the road service area board, is appointed; and

3 **WHEREAS,** the Kenai Peninsula Borough is one of the few, if not the only borough in the
4 State of Alaska with elected service area boards; and

5 **WHEREAS,** historically there have been numerous vacant seats for service area boards as well
6 as seats where only one person has filed to run; and

7 **WHEREAS,** appointed boards may increase public interest in service on a board as potential
8 board members would not have to run or otherwise comply with the election
9 process requirements; and

10 **WHEREAS,** changing from elected service area boards to appointed boards will significantly
11 reduce the time and expense involved in borough elections; and

12 **WHEREAS,** the Clerk's Office has indicated that thousands of dollars would be saved by
13 eliminating these seats from the election process as this would reduce printing

1 costs and time required of election judges and the Clerk’s Office in reviewing and
2 verifying election ballots; and

3 **WHEREAS,** providing for an appointed board may alleviate voter confusion by reducing the
4 content of the voter pamphlet and the number of ballots as many service areas
5 bifurcate precincts requiring more than one ballot for each precinct; and

6 **WHEREAS,** the appointment process is likewise a public process in which the mayor would
7 appoint interested applicants and the assembly would confirm the appointment to
8 service area boards; and

9 **WHEREAS,** appointed boards have functioned well for the road service area and throughout
10 other service areas in the state;

11 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
12 **PENINSULA BOROUGH:**

13 **SECTION 1.** KPB 2.58.010(C) is amended as follows:

14 **2.58.010. Definitions.**

15 ...

16 C. 1. “Service area board members” means those persons[, WHETHER ELECTED
17 OR APPOINTED,] who serve upon boards of the various service areas as may
18 from time to time be established within the borough.

19 2. “Service area officers or employees” means an officer or employee of the
20 service area involved in the contractual relationship, but does not include
21 officers or employees of service areas other than the one with which a
22 contractual relationship is sought or entered.

23 ...

1 **SECTION 2.** KPB 2.58.035(B) is amended as follows:

2 **2.58.035. Contracts or sales not constituting substantial interest.**

3 ...

4 B. A contract in which the person has an interest if such contract was entered into
5 prior to the time he/she was [ELECTED OR] appointed as such service area
6 board member, service area officer or employee, but this exception shall in no
7 event authorize a renewal of any such contract;

8 ...

9 **SECTION 3.** KPB 4.10.070 is amended as follows:

10 **4.10.070. Votes required for election to office.**

11 A. Election to the office of borough mayor is by a majority of the votes cast. If
12 no candidate for the office of borough mayor receives a majority of the votes
13 cast for that office, a runoff election will be held between the 2 candidates
14 receiving the highest number of votes.

15 B. The candidate for an assembly or school board seat receiving the greatest
16 number of votes is elected.

17 [C. THE CANDIDATE FOR AN ELECTED SERVICE AREA BOARD SEAT RECEIVING THE
18 GREATEST NUMBER OF VOTES CAST FOR THAT SEAT IS ELECTED.]

19 **SECTION 4.** KPB 4.30.010 is amended as follows:

20 **4.30.010. Candidate qualifications.**

1 A. A candidate for borough mayor must be a qualified voter of the State of
2 Alaska and a resident of the Kenai Peninsula Borough for 180 days
3 immediately preceding filing for office. A person who has served as mayor for
4 two consecutive full terms may not be reelected to that office until 180 days
5 has intervened.

6 B. A candidate for borough assembly must be a qualified voter of the State of
7 Alaska and a resident of the district from which the candidate seeks election
8 for at least 180 days immediately preceding filing for office.

9 C. A candidate for school board must be a qualified voter of the State of Alaska
10 and a resident of the district from which the candidate seeks election for 180
11 days immediately preceding filing for office.

12 [D. A CANDIDATE FOR A SERVICE AREA BOARD MUST BE A QUALIFIED VOTER OF THE
13 STATE OF ALASKA AND A RESIDENT OF THE SERVICE AREA FOR AT LEAST 180
14 DAYS IMMEDIATELY PRECEDING FILING FOR OFFICE.]

15 **SECTION 5.** KPB 4.30.020(D) is amended as follows:

16 **4.30.020. Declaration of candidacy.**

17 ...

18 D. Filing for elective offices of mayor, assembly, and school board [AND SERVICE
19 AREA BOARDS] shall be made by filing a declaration of candidacy with the
20 borough clerk from August 1st through August 15th, 4:30 p.m. Should August
21 15 be a Saturday or Sunday, then candidates shall have until noon on the first
22 Monday following to file their declaration.

23 ...

1 **SECTION 6.** KPB 4.30.030(A) is amended as follows:

2 **4.30.030. Public official financial disclosure statements.**

3 A. Candidates for elective borough office and declared write-in candidates shall
4 file a public official financial disclosure statement with the borough clerk as
5 required by the provisions of AS 39.50 at the time of filing a declaration of
6 candidacy. The name of the candidate shall be placed on the ballot by the
7 borough clerk only after the candidate has complied with this requirement.

8 [THIS SUBSECTION DOES NOT APPLY TO CANDIDATES FOR SERVICE AREA
9 BOARDS.]

10 ...

11 **SECTION 7.** KPB 16.04.060 is amended as follows:

12 **16.04.060. Election to establish governmental powers required when.**

13 If the borough assembly shall by ordinance establish a service area, the
14 proposition whether or not to exercise the particular governmental power for
15 which the service area has been established shall be placed on the ballot at the
16 next general or a special election of the borough; except, however, an area that
17 has once been considered and rejected by the eligible voters at either a special or
18 general election shall thereafter be placed before the voters only at a subsequent
19 general election. [IF THE ORDINANCE ESTABLISHING THE SERVICE AREA HAS
20 PROVIDED FOR ELECTED BOARDS TO SUPERVISE THE FURNISHING OF SPECIAL
21 SERVICES IN THE SERVICE AREA, THEN THE CANDIDATES FOR ELECTION TO SUCH
22 BOARD SHALL BE PLACED ON THE BALLOT AT THE SAME ELECTION FOR ELECTION BY
23 THE QUALIFIED VOTERS RESIDING WITHIN THE SERVICE AREA.]

24 **SECTION 8.** KPB 16.04.065 is amended as follows:

1 **16.04.065. [ELECTION] Appointment of board members.**

2 Vacancies for service area boards [REQUIRING ELECTED BOARDS] shall be filled by
3 [THE CANDIDATE] applicants appointed by the mayor and confirmed by the
4 assembly. Prior to appointing an applicant the mayor shall solicit applicant
5 recommendations from the service area board.[RECEIVING THE HIGHEST NUMBER
6 OF THE VOTES CAST FOR THAT SEAT]. IN THE EVENT THAT NO CANDIDATE FILES FOR
7 ELECTION TO A SEAT WHICH IS TO BE FILLED AT SAID ELECTION, THEN NO ELECTION
8 SHALL BE CONDUCTED FOR THAT PARTICULAR SEAT, AND THE SEAT SHALL BE
9 FILLED BY A MAJORITY VOTE OF THE REMAINING BOARD FOLLOWING
10 CERTIFICATION OF THE ELECTION.]

11 **SECTION 9.** KPB 16.04.080 is amended as follows:

12 **16.04.080. Administrative employees—Appointment, qualifications, and**
13 **removal.**

14 A. *Service area directors.* Except as may otherwise be provided for a specific
15 service area, the director of a service area as determined necessary by the
16 assembly and as defined by KPB 3.04.070 shall be appointed by the mayor
17 from a list of recommended names from the service area board. [EXCEPT FOR
18 THE ROAD S]Service area directors shall serve at the pleasure of the mayor.
19 The service area board may independently make a recommendation to the
20 mayor regarding the suspension or discharge of the service area director,
21 however such suspension or discharge remains within the sole authority of the
22 mayor.[, WHOSE BOARD CONSISTS OF APPOINTED MEMBERS, AND AS OTHERWISE
23 PROVIDED BELOW, ALL OTHER SERVICE AREA DIRECTORS MAY BE REMOVED BY
24 THE MAYOR WITH A CONCURRENT RECOMMENDATION FROM THE APPLICABLE
25 BOARD. SUCH ACTION BY THE SERVICE AREA BOARD SHALL REQUIRE A
26 MAJORITY VOTE OF THE BOARD MEMBERSHIP. IN THE EVENT THAT THE SERVICE
27 AREA BOARD AND THE MAYOR ARE UNABLE TO AGREE WITHIN 30 DAYS OF THE

1 DATE THE ACTION IS RECOMMENDED, THEN THE MAYOR AND THE SERVICE AREA
2 BOARD SHALL COMMUNICATE TO ATTEMPT TO RESOLVE THE IMPASSE. SUCH
3 COMMUNICATION SHALL OCCUR NO MORE THAN 60 DAYS AFTER THE DATE OF
4 THE INITIAL RECOMMENDATION FOR REMOVAL. FOLLOWING SUCH
5 COMMUNICATION, THE MAYOR SHALL HAVE THE FINAL AUTHORITY TO
6 DETERMINE WHETHER OR NOT TO REMOVE THE DIRECTOR.]

7 B. *Other administrative employees.* Other administrative employees serve at the
8 pleasure of the mayor who may suspend or discharge such employees in his or
9 her sole discretion. The service area board may independently make a
10 recommendation to the mayor regarding the suspension or discharge of other
11 administrative employees; however, such suspension or discharge remains
12 within the sole discretion of the mayor.

13 **SECTION 10.** The following sections of **KPB Chapter 16.08 Central Kenai Peninsula**
14 **Hospital Service Area** are amended as follows:

15 ...

16 **16.08.020. Board—Established—[NOMINATION AND ELECTION]**

17 **Appointment.**

18 There is established a board of directors for the Central Kenai Peninsula
19 Hospital Service Area composed of 7 members who shall be appointed by the
20 borough mayor and confirmed by the borough assembly. Prior to appointing an
21 applicant the mayor shall solicit applicant recommendations from the service
22 area board. [NOMINATED AND ELECTED BY THE QUALIFIED VOTERS OF THE
23 SERVICE AREA AS PROVIDED IN THE BOROUGH ELECTIONS CODE AND KPB
24 16.04.065.]

25 ...

26 **16.08.040. Board—Election of officers.**

1 At the first regular meeting following the certification of the regular borough
2 election by the assembly, and annually thereafter, the board shall elect by
3 majority vote of the members and from the members a chairman who shall hold
4 office until a successor is elected.

5 **16.08.050. Board—Qualifications and terms of office.**

6 A. Membership. Members shall be qualified voters of the borough who are
7 residents of the service area. [MEMBERS SHALL BE ELECTED TO SEAT A FOR A
8 TERM OF 1 YEAR, AND SEATS B THROUGH G FOR A TERM OF 3 YEARS, EXCEPT
9 THAT THE FIRST BOARD SHALL CONTAIN MEMBERS ELECTED TO SEATS B AND C
10 FOR INITIAL TERMS OF 1 YEAR AND TO SEATS D AND E FOR INITIAL TERMS OF 2
11 YEARS IN ORDER TO PROVIDE FOR STAGGERED TERMS.] Board of directors
12 members shall be appointed for a term of three years and shall serve
13 thereafter until a successor has been appointed, qualified and sworn to
14 assume the duties of office. Applicants shall file for appointment to Seats A
15 through G for staggered terms of three years.

16 B. Membership criteria. The following criteria shall be considered when
17 appointing board members.

18 1. Familiarity with the provision of medical care within the service area.

19 2. Financial and budgetary management capabilities.

20 **16.08.060. Board—Vacancies—Created when.**

21 Vacancies on the board are created under the following conditions and upon
22 declaration of vacancy by the board:

- 1 A. If no applicant [CANDIDATE] files for appointment [ELECTION] to a seat
2 which is to be filled [AT SAID ELECTION] or if a successful applicant
3 [CANDIDATE] fails to qualify or take office within 30 days after his or her
4 appointment [ELECTION];

- 5 B. If a member is physically absent from the service area for a 90-day period,
6 unless excused by the board;

- 7 C. If a member resigns and his or her resignation is accepted;

- 8 D. If a member is physically or mentally unable to perform the duties of office;

- 9 E. If a member is removed from office;

- 10 F. If a member misses 3 consecutive regular meetings unless excused; or

- 11 G. If a member is convicted of a felony or of an offense involving a violation of
12 his or her oath of office.

13 **16.08.070. Board—Vacancies—Filling.**

14 Vacancies on the board shall be filled by appointment by the mayor and
15 confirmation by the assembly. [MAJORITY VOTE OF THE REMAINING BOARD UNTIL
16 THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A NEW MEMBER
17 SHALL BE ELECTED] The appointment shall be to fill the unexpired term or for a
18 full term if no unexpired term remains. The clerk shall provide at least twenty-
19 one days' advance public notice before [FILLING] the vacancy is filled. Public
20 notice may be provided by publication through print or broadcast media, posting
21 at the primary service area office or at the borough administration building, and
22 such other publication as [THE SERVICE AREA BOARD] deemed[s] appropriate.

...

1 **SECTION 11.** The following sections of **KPB Chapter 16.12 Nikiski Fire Service Area** are
2 amended as follows:

3 ...

4 **16.12.020. Board—Established—Appointment [ELECTION].**

5 There is established a board of directors for the Nikiski Fire Service Area
6 composed of seven (7) members who shall be appointed by the borough mayor
7 and confirmed by the borough assembly. Prior to appointing an applicant the
8 mayor shall solicit applicant recommendations from the service area board.

9 [ELECTED BY THE QUALIFIED VOTERS OF THE SERVICE AREA AS DESIGNATED IN
10 THE BOROUGH ELECTIONS CODE.]

11 ...

12 **16.12.040. Board—Election of chair and officers.**

13 At the first regular meeting following certification of the regular borough
14 election by the assembly, and annually thereafter, the board shall elect by
15 majority vote of the board members and from the board members a chair and
16 such other officers as the board shall determine to be desirable who shall hold
17 office until successors are elected.

18 **16.12.050. Board—Qualifications and terms of office.**

19 A. Members of the board of directors shall be qualified voters of the borough
20 who are residents of the service area. Board of directors members shall be
21 appointed for a term of three years and shall serve thereafter until a
22 successor has been appointed, qualified and sworn to assume the duties of
23 office. Applicants shall file for appointment to Seats A through G for
24 staggered terms of three years. [CANDIDATES SHALL FILE FOR ELECTION TO
25 SEATS A THROUGH G FOR STAGGERED TERMS OF THREE YEARS.]

1 B. Membership criteria. The following criteria shall be considered when
2 appointing board members.

3 1. Familiarity with the provision of fire and emergency services.

4 2. Financial and budgetary management capabilities.

5 **16.12.060. Board—Vacancies—Created when.**

6 Vacancies on the board are created under the following conditions and upon
7 declaration of vacancy by the board:

8 A. If no applicant [CANDIDATE] files for appointment [ELECTION] to a seat
9 which is to be filled [AT SAID ELECTION], or if a successful applicant
10 [CANDIDATE] fails to qualify or take office within 30 days after his/her
11 [ELECTION OR] appointment;

12 B. If a member is physically absent from the service area for a 90-day period,
13 unless excused by the board;

14 C. If a member resigns and his/her resignation is accepted;

15 D. If a member is physically or mentally unable to perform the duties of his/her
16 office;

17 E. If a member is removed from office;

18 F. If a member misses 3 consecutive regular meetings unless excused; or

19 G. If a member is convicted of a felony or of an offense involving a violation of
20 his/her oath of office.

1 **16.12.070. Board vacancies—Filling.**

2 Vacancies on the board shall be filled by appointment by the mayor and
3 confirmation by the assembly [MAJORITY VOTE OF THE REMAINING BOARD UNTIL
4 THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A NEW MEMBER
5 SHALL BE ELECTED]. The appointment shall be to fill the unexpired term or for a
6 3-year term if no unexpired term remains. The clerk shall provide at least
7 twenty-one days' advance public notice before [FILLING] the vacancy is filled.
8 Public notice may be provided by publication through print or broadcast media,
9 posting at the primary service area office or at the borough administration
10 building, and such other publication as [THE SERVICE AREA BOARD] deemed[s]
11 appropriate.

12 ...

13 **SECTION 12.** The following sections of **KPB Chapter 16.16 North Peninsula Recreation**
14 **Service Area** are amended as follows:

15 ...

16
17 **16.16.020. Board—Established—[NOMINATION AND ELECTION]**
18 **appointment of members.**

19 There is established a board of directors for the North Peninsula Recreation
20 Service Area composed of 5 members who shall be appointed by the borough
21 mayor and confirmed by the borough assembly. Prior to appointing an applicant
22 the mayor shall solicit applicant recommendations from the service area board.
23 [NOMINATED AND ELECTED BY THE QUALIFIED VOTERS OF THE SERVICE AREA AS
24 PROVIDED IN SECTIONS 4.08.020 (D) AND 16.04.065 OF THIS CODE.] Board
25 members shall be appointed based on their familiarity with the functions of the
26 service area and financial and budgetary management capabilities.

27 ...

1 **16.16.040. Board—Election of officers.**

2 At the first regular meeting following certification of the regular borough
3 election by the assembly, and annually thereafter, the board shall elect by
4 majority vote of the board members and from the board members a chairman,
5 and such other officers as the board shall determine to be desirable who shall
6 hold office until successors are elected.

7 **16.16.050. Board—Term of office.**

8 A member of the board of directors shall be appointed [ELECTED] for a term of 3
9 years and shall serve thereafter until his successor has been appointed
10 [ELECTED], qualified, and sworn to assume the duties of the office. Applicants
11 shall file for appointment to Seats A through E for staggered terms of three
12 years. [, EXCEPT THAT THE FIRST BOARD SHALL CONTAIN MEMBERS ELECTED FOR
13 LESSER PERIODS AS DESIGNATED IN THE DOCUMENTS SETTING UP THE ELECTION
14 TO PROVIDE FOR STAGGERED TERMS.]

15 **16.16.060. Board—Vacancies—Created when.**

16 Vacancies on the board are created under the following conditions and upon
17 declaration of vacancy by the board [IF A MEMBER]:

18 A. If no applicant files for appointment to a seat which is to be filled or if a
19 successful applicant fails to qualify or take office within 30 days after his
20 or her appointment; [FAILS TO QUALIFY OR TAKE OFFICE WITHIN 30 DAYS
21 AFTER HIS ELECTION OR APPOINTMENT;]

22 B. If a member [I]is physically absent from the service area for a 90-day
23 period, unless excused by the board;

24 C. If a member [R]resigns and his resignation is accepted;

1 D. If a member [I]is physically or mentally unable to perform the duties of his
2 office;

3 E. If a member [I]is removed from office;

4 F. If a member [M]misses 3 consecutive regular meetings unless excused;

5 G. If a member [I]is convicted of a felony or of an offense involving a
6 violation of his oath of office.

7 **16.16.070. Board—Vacancies—Filling.**

8 Vacancies on the board shall be filled by appointment by the mayor and
9 confirmation by the assembly. [MAJORITY VOTE OF THE REMAINING BOARD
10 UNTIL THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A NEW
11 MEMBER SHALL BE ELECTED]. The appointment shall be to fill the unexpired
12 term or for a 3-year term if no unexpired term remains. The clerk shall provide
13 at least twenty-one days' advance public notice before [FILLING] the vacancy is
14 filled. Public notice may be provided by publication through print or broadcast
15 media, posting at the primary service area office or at the borough
16 administration building, and such other publication as [THE SERVICE AREA
17 BOARD] deemed[s] appropriate.

18 ...

19 **SECTION 13.** The following sections of **KPB Chapter 16.20 Kachemak Emergency Service**
20 **Area** are amended as follows:

21 ...

22 **16.20.030. Board of directors.**

1 There is established a board of directors for oversight of the operations of the
2 Kachemak Emergency Service Area composed of five members who[, EXCEPT
3 AS PROVIDED BELOW,] shall be appointed by the borough mayor and confirmed
4 by the borough assembly. Prior to appointing an applicant the mayor shall
5 solicit applicant recommendations from the service area board. [ELECTED BY
6 THE QUALIFIED VOTERS OF THE SERVICE AREA IN THE MANNER PROVIDED IN THE
7 BOROUGH ELECTION CODE AND KPB 16.04.065 AS NOW ENACTED OR MAY BE
8 HEREINAFTER AMENDED. NOTWITHSTANDING THE PROVISIONS OF KPB
9 16.04.060, THE FIRST BOARD SHALL BE APPOINTED BY THE MAYOR AND
10 CONFIRMED BY THE ASSEMBLY FOR ONE YEAR TERMS.]

11 ...

12 **16.20.050. Board—Election of officers.**

13 At the first regular meeting following certification of the regular borough
14 election by the assembly, and annually thereafter, the board shall elect by
15 majority vote of the board members, and from the board members, a chairman
16 and such other officers as the board shall determine to be desirable who shall
17 hold office until successors are elected.

18 **16.20.060. Board—Terms of office.**

19 Each member of the board of directors shall be appointed [ELECTED] for a term
20 of three years and shall serve thereafter until his or her successor has been
21 appointed [ELECTED], qualified and sworn to assume the duties of the office [,
22 EXCEPT THAT THE FIRST ELECTED BOARD SHALL CONTAIN MEMBERS ELECTED FOR
23 LESSER PERIODS AS DESIGNATED IN THE DOCUMENTS SETTING UP THE ELECTION
24 TO PROVIDE FOR STAGGERED TERMS.] Applicants shall file for appointment to
25 Seats A through E for staggered terms of three years. Board members shall be
26 appointed based on their familiarity with the functions of the service area and
27 financial and budgetary management capabilities.

1 **16.20.070. Board—Vacancies—Created when.**

2 Vacancies on the board are created under the following conditions and upon
3 declaration of vacancy by the board [IF A MEMBER]:

4 A. If no applicant files for appointment to a seat which is to be filled or if a
5 successful applicant fails to qualify or take office within 30 days after his or
6 her appointment; [FAILS TO QUALIFY OR TAKE OFFICE WITHIN 30 DAYS AFTER
7 HIS OR HER ELECTION OR APPOINTMENT;]

8 B. If a member [I]is physically absent from the service area for a 90-day
9 period, unless excused by the board;

10 C. If a member [C]changes his or her residency for a period longer than 60 days
11 to a location outside of the jurisdiction from which the board is appointed
12 [ELECTED];

13 D. If a member [R]resigns and his or her resignation is accepted;

14 E. If a member [I]is physically or mentally unable to perform the duties of his
15 or her office;

16 F. If a member [M]misses three consecutive regular meetings unless excused;
17 or

18 G. If a member [I]is convicted of a felony or of an offense involving a violation
19 of his or her oath of office.

20 **16.20.080. Board—Vacancies—Filling.**

1 Vacancies on the board shall be filled by appointment by the mayor and
2 confirmation by the assembly [MAJORITY VOTE OF THE REMAINING BOARD UNTIL
3 THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A NEW MEMBER
4 SHALL BE ELECTED]. The appointment shall be to fill the unexpired term or for a
5 3-year term if no unexpired term remains. The clerk shall provide at least
6 twenty-one days' advance public notice before [FILLING] the vacancy is filled.
7 Public notice may be provided by publication through print or broadcast media,
8 posting at the primary service area office or at the borough administration
9 building, and such other publication as [THE SERVICE AREA BOARD] deemed[S]
10 appropriate.

11 ...

12 **SECTION 14.** The following sections of **KPB Chapter 16.24 South Kenai Hospital Service**
13 **Area** are amended as follows:

14 ...

15 **16.24.020. Board—Established— Appointment [NOMINATION AND**
16 **ELECTION].**

17
18 There is established a board of directors for the South Kenai Peninsula hospital
19 service area composed of 9 members who shall be appointed by the borough
20 mayor and confirmed by the borough assembly. Prior to appointing an applicant
21 the mayor shall solicit applicant recommendations from the service area board.
22 [NOMINATED AND ELECTED BY THE QUALIFIED VOTERS OF THE SERVICE AREA AS
23 PROVIDED IN SECTIONS 4.08.020(D) AND 16.04.065 OF THIS CODE.]

24 ...

25 **16.24.040. Board—Election of officers.**

1 At the first regular meeting following certification of the regular borough
2 election by the assembly, and annually thereafter, the board shall elect by
3 majority vote of the members and from the members a chairman who shall hold
4 office until a successor is elected.

5 **16.24.050. Board—Qualifications and terms of office.**

6 A. Members shall be qualified voters of the borough who are residents of the
7 service area. Board of directors members shall be appointed for a term of
8 three years and shall serve thereafter until a successor has been appointed,
9 qualified and sworn to assume the duties of office. Applicants shall file for
10 appointment to Seats A through I for staggered terms of three years.
11 [MEMBERS SHALL BE ELECTED TO SEATS A THROUGH I FOR A TERM OF 3
12 YEARS, EXCEPT THAT THE FIRST BOARD SHALL CONTAIN MEMBERS ELECTED
13 TO SEATS G, H, AND I FOR INITIAL TERMS OF 1 YEAR AND TO SEATS D, E, AND
14 F FOR INITIAL TERMS OF 2 YEARS IN ORDER TO PROVIDE FOR STAGGERED
15 TERMS.]

16 B. Membership criteria. The following criteria shall be considered when
17 appointing board members.

18 1. Familiarity with the provision of medical care within the service area.

19 2. Financial and budgetary management capabilities.

20 **16.24.060. Board—Vacancies—Created when.**

21 Vacancies on the board are created under the following conditions and upon
22 declaration of vacancy by the board:

- 1 A. If no applicant [CANDIDATE] files for appointment [ELECTION] to a seat
2 which is to be filled [AT SAID ELECTION] or if a successful applicant
3 [CANDIDATE] fails to qualify or take office within 30 days after his
4 [ELECTION OR] appointment;
- 5 B. If a member is physically absent from the service area for a 90-day period,
6 unless excused by the board;
- 7 C. If a member resigns and his resignation is accepted;
- 8 D. If a member is physically or mentally unable to perform the duties of his
9 office;
- 10 E. If a member is removed from office;
- 11 F. If a member misses 3 consecutive regular meetings unless excused; or
- 12 G. If a member is convicted of a felony or of an offense involving a violation of
13 his oath of office.

14 **16.24.070. Board—Vacancies—Filling.**

15 Vacancies on the board shall be filled by appointment by the mayor and
16 confirmation by the assembly. [MAJORITY VOTE OF THE REMAINING BOARD
17 UNTIL THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A NEW
18 MEMBER SHALL BE ELECTED]. The appointment shall be to fill the unexpired
19 term or for a 3-year term if no unexpired term remains. The clerk shall provide
20 at least twenty-one days' advance public notice before [FILLING] the vacancy is
21 filled. Public notice may be provided by publication through print or broadcast
22 media, posting at the primary service area office or at the borough
23 administration building, and such other publication as [THE SERVICE AREA
24 BOARD] deemed[s] appropriate.

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SECTION 15. The following sections of **KPB Chapter 16.28 Bear Creek Fire Service Area** are amended as follows:

...

16.28.020. Board—Established—Appointment [NOMINATION AND ELECTION] of members.

There is established a board of directors for the Bear Creek Fire Service Area composed of 5 members who shall be appointed by the borough mayor and confirmed by the borough assembly. Prior to appointing an applicant the mayor shall solicit applicant recommendations from the service area board. [NOMINATED AND ELECTED BY THE QUALIFIED VOTERS OF THE SERVICE AREA AS PROVIDED IN SECTIONS 4.08.020(D) AND 16.04.065 OF THIS CODE.]

...

16.28.040. Board—Election of officers.

At the first regular meeting following certification of the regular borough election by the assembly, and annually thereafter, the board shall elect by majority vote of the board members and from the board members a chairman and such other officers as the board shall determine to be desirable who shall hold office until successors are elected.

16.28.050. Board—Terms of office.

A member of the board of directors shall be appointed [ELECTED] for a term of 3 years and shall serve thereafter until his successor has been appointed [ELECTED], qualified, and sworn to assume the duties of the office[, EXCEPT THAT THE FIRST BOARD SHALL CONTAIN MEMBERS ELECTED FOR LESSER PERIODS

1 AS DESIGNATED IN THE DOCUMENTS SETTING UP THE ELECTION TO PROVIDE FOR
2 STAGGERED TERMS]. Applicants shall file for appointment to Seats A through E
3 for staggered terms of three years. Board members shall be appointed based on
4 their familiarity with the functions of the service area and financial and
5 budgetary management capabilities.

6 **16.28.060. Board—Vacancies—Created when.**

7 Vacancies on the board are created under the following conditions and upon
8 declaration of vacancy by the board [IF A MEMBER]:

9 A. If no applicant files for appointment to a seat which is to be filled or if a
10 successful applicant fails to qualify or take office within 30 days after his or
11 her appointment; [FAILS TO QUALIFY OR TAKE OFFICE WITHIN 30 DAYS AFTER
12 HIS ELECTION OR APPOINTMENT;]

13 B. If a member [I]is physically absent from the service area for a 90 day period,
14 unless excused by the board;

15 C. If a member [R]resigns and his resignation is accepted;

16 D. If a member [I]is physically or mentally unable to perform the duties of his
17 office;

18 E. If a member [I]is removed from office;

19 F. If a member [M]misses 3 consecutive regular meetings unless excused; or

20 G. If a member [I]is convicted of a felony or of an offense involving a violation
21 of his oath of office.

1 **16.28.070. Board—Vacancies—Filling.**

2 Vacancies on the board shall be filled by appointment by the mayor and
3 confirmation by the assembly. [MAJORITY VOTE OF THE REMAINING BOARD
4 UNTIL THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A NEW
5 MEMBER SHALL BE ELECTED]. The appointment shall be to fill the unexpired
6 term or for a 3-year term if no unexpired term remains. The clerk shall provide
7 at least twenty-one days' advance public notice before [FILLING] the vacancy is
8 filled. Public notice may be provided by publication through print or broadcast
9 media, posting at the primary service area office or at the borough
10 administration building, and such other publication as [THE SERVICE AREA
11 BOARD] deemed[S] appropriate.

12 ...

13 **SECTION 16.** The following sections of **KPB Chapter 16.30 Central Emergency Service**
14 **Area** are amended as follows:

15 ...

16 **16.30.030. Joint operations board.**

17 There is established a joint operations board of directors for oversight of the
18 joint operations of the Central Emergency Service Area with the Central
19 Peninsula Emergency Medical Service Area, to be composed of five members
20 who shall be appointed by the borough mayor and confirmed by the borough
21 assembly. Prior to appointing an applicant the mayor shall solicit applicant
22 recommendations from the service area board. [NOMINATED AND ELECTED BY
23 THE QUALIFIED VOTERS RESIDING WITHIN THE TWO SERVICE AREAS AS PROVIDED
24 IN SECS. 4.10.020(C) AND 16.04.065 OF THIS CODE.]

25 ...

1 **16.30.050. Board—Election of officers.**

2 At the first regular meeting following certification of the regular borough
3 election by the Assembly, and annually thereafter, the board shall elect by
4 majority vote of the board members and from the board members a chairman
5 and such other officers as the board shall determine to be desirable who shall
6 hold office until successors are elected.

7 **16.30.060. Board—Terms of office.**

8 A member of the board of directors shall be appointed [ELECTED] for a term of
9 three years and shall serve thereafter until his successor has been appointed
10 [ELECTED], qualified and sworn to assume the duties of the office[, EXCEPT THAT
11 THE FIRST BOARD SHALL CONTAIN MEMBERS ELECTED FOR LESSER PERIODS AS
12 DESIGNATED IN THE DOCUMENTS SETTING UP THE ELECTION TO PROVIDE FOR
13 STAGGERED TERMS]. Applicants shall file for appointment to Seats A through E
14 for staggered terms of three years. Board members shall be appointed based on
15 their familiarity with the functions of the service area and financial and
16 budgetary management capabilities.

17 **16.30.070. Board—Vacancies—Created when.**

18 Vacancies on the board are created under the following conditions and upon
19 declaration of vacancy by the board [IF A MEMBERS]:

- 20 A. If no applicant files for appointment to a seat which is to be filled or if a
21 successful applicant fails to qualify or take office within 30 days after his or
22 her appointment; [FAILS TO QUALIFY OR TAKE OFFICE WITHIN 30 DAYS AFTER
23 HIS OR HER ELECTION OR APPOINTMENT;]

1 B. If a member [I]is physically absent from the service area for a 90-day
2 period, unless excused by the board;

3 C. If a member [C]changes his or her residency for a period longer than 60 days
4 to a location outside of the jurisdiction from which the board is appointed
5 [ELECTED];

6 D. If a member [R]resigns and his or her resignation is accepted;

7 E. If a member [I]is physically or mentally unable to perform the duties of his
8 or her office;

9 F. If a member [M]misses three consecutive regular meetings unless excused;
10 or

11 G. If a member [I]is convicted of a felony or of an offense involving a violation
12 of his or her oath of office.

13 **16.30.080. Board—Vacancies—Filling.**

14 Vacancies on the board shall be filled by appointment by the mayor and
15 confirmation by the assembly. [MAJORITY VOTE OF THE REMAINING BOARD
16 UNTIL THE NEXT ELECTION OF THE BOROUGH AT WHICH TIME A NEW MEMBER
17 SHALL BE ELECTED]. The appointment shall be to fill the unexpired term or for a
18 3-year term if no unexpired term remains. The clerk shall provide at least
19 twenty-one days' advance public notice before [FILLING] the vacancy is filled.
20 Public notice may be provided by publication through print or broadcast media,
21 posting at the primary service area office or at the borough administration
22 building, and such other publication as [THE SERVICE AREA BOARD] deemed[S]
23 appropriate.

24 ...

1 **SECTION 17.** The following section of **KPB Chapter 16.40 Central Peninsula Emergency**
2 **Medical Service Area** are amended as follows:

3 ...

4 **16.40.030. Joint operations board.**

5 There is established a joint operations board of directors for oversight of the
6 joint operations of the Central Emergency Service Area with the Central
7 Peninsula Emergency Medical Service, to be composed of five members who
8 shall be appointed by the borough mayor and confirmed by the borough
9 assembly. Prior to appointing an applicant the mayor shall solicit applicant
10 recommendations from the service area board. [NOMINATED AND ELECTED BY
11 THE QUALIFIED VOTERS OF THE TWO SERVICE AREAS AS PROVIDED IN SECS.
12 4.10.020(C) AND 16.04.065 OF THIS CODE.] All procedures and authorities of the
13 joint operations board are set out through the express terms and conditions of
14 KPB Chapter 16.30.

15 ...

16 **SECTION 18.** The following sections of **KPB Chapter 16.50 Seward Bear Creek Flood**
17 **Service Area** are amended as follows:

18 ...

19 **16.50.030. Board of directors.**

20 There is established a board of directors for oversight of the operations of the
21 Seward-Bear Creek Flood Service Area composed of seven members who shall
22 be appointed by the borough mayor and confirmed by the borough assembly.
23 Prior to appointing an applicant the mayor shall solicit applicant
24 recommendations from the service area board. [ELECTED BY THE QUALIFIED

1 VOTERS OF THE SERVICE AREA IN THE MANNER PROVIDED IN THE BOROUGH
2 ELECTION CODE AND KPB 16.04.065 AS NOW ENACTED OR MAY BE HEREINAFTER
3 AMENDED. BOARD SEATS TO BE FILLED AT THE FIRST ELECTION OF BOARD
4 MEMBERS SHALL BE STAGGERED AS FOLLOWS: SEATS A AND D FOR ONE YEAR;
5 SEATS B AND E FOR TWO YEARS; AND SEATS C, F, AND G FOR THREE YEARS.]
6 Seats A, B, C, and F shall be filled by residents of the City of Seward, and Seats
7 D, E, and G shall be filled by residents of the area outside the city limits of the
8 City of Seward and inside the service area boundaries. [NOTWITHSTANDING
9 PROVISIONS OF KPB 16.04.060, THE FIRST BOARD SHALL BE APPOINTED BY THE
10 MAYOR AND CONFIRMED BY THE ASSEMBLY FOR ONE-YEAR TERMS.]

11 ...

12 **16.50.050. Board—Election of officers.**

13 At the first regular meeting following certification of the regular borough
14 election by the assembly, and annually thereafter, the board shall elect by
15 majority vote of the board members, and from the board members, a chairman
16 and such other officers as the board shall determine to be desirable who shall
17 hold office until successors are elected.

18 **16.50.060. Board—Terms of office.**

19 Each member of the board of directors shall be appointed [ELECTED] for a term
20 of three years and shall serve thereafter until his or her successor has been
21 appointed [ELECTED], qualified and sworn to assume the duties of the office[,
22 EXCEPT THAT THE FIRST BOARD SHALL CONTAIN MEMBERS ELECTED FOR LESSER
23 PERIODS AS DESIGNATED IN THE DOCUMENTS SETTING UP THE ELECTION TO
24 PROVIDE FOR STAGGERED TERMS AND AS PROVIDED IN KPB 16.50.030].
25 Applicants shall file for appointment to Seats A through G for staggered terms
26 of three years. Board members shall be appointed based on their familiarity with

1 the functions of the service area and financial and budgetary management
2 capabilities.

3 **16.50.070. Board—Vacancies—Created when.**

4 Vacancies on the board are created under the following conditions and upon
5 declaration of vacancy by the board [IF A MEMBER]:

6 A. If no applicant files for appointment to a seat which is to be filled or if a
7 successful applicant fails to qualify or take office within 30 days after his or
8 her appointment; [FAILS TO QUALIFY OR TAKE OFFICE WITHIN 30 DAYS AFTER
9 HIS OR HER ELECTION OR APPOINTMENT;]

10 B. If a member [I]is physically absent from the service area for a 90-day
11 period, unless excused by the board;

12 C. If a member [C]changes his or her residency for a period longer than 60 days
13 to a location outside of the jurisdiction from which the board is appointed
14 [ELECTED];

15 D. If a member [R]resigns and his or her resignation is accepted;

16 E. If a member [I]is physically or mentally unable to perform the duties of his
17 or her office;

18 F. If a member [M]misses three consecutive regular meetings unless excused;
19 or

20 G. If a member [I]is convicted of a felony or of an offense involving a violation
21 of his or her oath of office.

22 H. If a member [I]is removed from office pursuant to a recall election.

1 **16.50.080. Board—Vacancies—Filling.**

2 Vacancies on the board shall be filled by appointment by the mayor and
3 confirmation by the assembly. [MAJORITY VOTE OF THE REMAINING BOARD UNTIL
4 THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A NEW MEMBER
5 SHALL BE ELECTED]. The appointment shall be to fill the unexpired term or for a
6 3-year term if no unexpired term remains. The clerk shall provide at least
7 twenty-one days' advance public notice before [FILLING] the vacancy is filled.
8 Public notice may be provided by publication through print or broadcast media,
9 posting at the primary service area office or at the borough administration
10 building, and such other publication as [THE SERVICE AREA BOARD] deemed[S]
11 appropriate.

12 ...

13 **SECTION 19.** The following sections **KPB Chapter 16.55 Seldovia Recreational Service**
14 **Area** are amended as follows:

15 ...

16 **16.55.030. Board of directors.**

17 There is established a board of directors for oversight of the operations of the
18 Seldovia Recreational Service Area composed of five members who, except as
19 provided below, shall be appointed by the borough mayor and confirmed by the
20 borough assembly. Prior to appointing an applicant the mayor shall solicit
21 applicant recommendations from the service area board. [ELECTED BY THE
22 QUALIFIED VOTERS OF THE SERVICE AREA IN THE MANNER PROVIDED IN THE
23 BOROUGH ELECTION CODE AND KPB 16.04.065 AS NOW ENACTED OR MAY BE
24 HEREINAFTER AMENDED.] Notwithstanding the provisions of KPB 16.04.060, the
25 first board shall be appointed by the mayor and confirmed by the assembly for
26 terms expiring upon certification of the regular election held in October 2012.

1 Board seats to be filled at the first appointment [ELECTION] of board members
2 shall be staggered as follows: Seats A and D for one year; seats B and E for two
3 years; and seat C for three years.

4 . . .

5 **16.55.050. Board—Election of officers.**

6 At the first regular meeting following certification of the regular borough
7 election by the assembly, and annually thereafter, the board shall elect by
8 majority vote of the board members, and from the board members, a
9 chairperson and such other officers as the board shall determine to be desirable
10 who shall hold office until successors are elected.

11 **16.55.060. Board—Terms of office.**

12 Each member of the board of directors shall be appointed [ELECTED] for a term
13 of three years and shall serve thereafter until his or her successor has been
14 appointed [ELECTED], qualified and sworn to assume the duties of the office,
15 except that the first appointed [ELECTED] board shall contain members
16 appointed [ELECTED] for lesser periods described in KPB 16.55.030. Thereafter,
17 applicants shall file for appointment to Seats A through E for staggered terms of
18 three years. Board members shall be appointed based on their familiarity with
19 the functions of the service area and financial and budgetary management
20 capabilities.

21 **16.55.070. Board—Vacancies—Created when.**

22 Vacancies on the board are created under the following conditions and upon
23 declaration of vacancy by the board if a member:

- 1 (a) If no candidate files for appointment to a seat which is to be filled or if a
2 successful applicant fails to qualify or take office within 30 days after his
3 or her appointment; [FAILS TO QUALIFY OR TAKE OFFICE WITHIN 30 DAYS
4 AFTER HIS OR HER ELECTION OR APPOINTMENT;]
- 5 (b) If a member [I]is physically absent from the service area for a 90-day
6 period, unless excused by the board;
- 7 (c) If a member [C]changes his or her residency for a period longer than 60
8 days to a location outside of the jurisdiction from which the board is
9 appointed [ELECTED];
- 10 (d) If a member [R]resigns and his or her resignation is accepted;
- 11 (e) If a member [I]is physically or mentally unable to perform the duties of
12 his or her office;
- 13 (f) If a member [M]misses three consecutive regular meetings unless excused;
14 or
- 15 (g) If a member [I]is convicted of a felony or of an offense involving a
16 violation of his or her oath of office.

17 **16.55.080. Board—Vacancies—Filling.**

18 Vacancies on the board shall be filled by appointment by the mayor and
19 confirmation by the assembly. [MAJORITY VOTE OF THE REMAINING BOARD
20 UNTIL THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A NEW
21 MEMBER SHALL BE ELECTED]. The appointment shall be to fill the unexpired
22 term or for a 3-year term if no unexpired term remains. The clerk shall provide
23 at least twenty-one days' advance public notice before [FILLING] the vacancy is

1 filled. Public notice may be provided by publication through print or broadcast
2 media, posting at the primary service area office or at the borough
3 administration building, and such other publication as [THE SERVICE AREA
4 BOARD] deemed[s] appropriate.

5 ...

6 **SECTION 20.** The following sections in **KPB Chapter 16.60 Anchor Point Fire and**
7 **Emergency Service Area** are amended as follows:

8 ...

9 **16.60.020. Board of directors.**

10 (a) There is established a board of directors for the Anchor Point Fire and
11 Emergency Medical Service Area composed of 5 members who shall be
12 appointed by the borough mayor and confirmed by the borough assembly.
13 Prior to appointing an applicant the mayor shall solicit applicant
14 recommendations from the service area board. [NOMINATED AND ELECTED
15 BY THE QUALIFIED VOTERS OF THE SERVICE AREA IN THE MANNER PROVIDED
16 FOR CANDIDATES FOR THE ASSEMBLY IN THIS CODE, EXCEPT THAT
17 M]Members of the board shall be residents of the borough within the
18 service area.

19 (b) The board shall meet periodically at regular and special meetings called by
20 the board. All meetings shall be open to the public as provided by law.

21
22 **16.60.030. Terms and qualifications.**

23 Board of directors members shall be appointed for a term of three years and
24 shall serve thereafter until a successor has been appointed, qualified and sworn
25 to assume the duties of office. Applicants shall file for appointment to Seats A

1 through E for staggered terms of three years. Board members shall be appointed
2 based on their familiarity with the functions of the service area and financial and
3 budgetary management capabilities. [A MEMBER OF THE BOARD OF DIRECTORS
4 SHALL BE ELECTED FOR A TERM OF 3 YEARS, AND SHALL SERVE UNTIL HIS
5 SUCCESSOR HAS BEEN ELECTED AND SWORN TO ASSUME THE DUTIES OF THE
6 OFFICE, EXCEPT THAT THE FIRST BOARD SHALL CONTAIN STAGGERED TERMS AS
7 DESIGNATED IN THE RESOLUTION PROVIDING FOR THE ELECTION.]

8 ...

9 **16.60.050. Board—Election of officers and quorum.**

- 10
- 11 A. Three [3] members of the board shall constitute a quorum; however, any
12 action shall require the affirmative vote of three [3] board members.
- 13 B. At the first regular meeting following certification of the regular borough
14 election by the assembly, and annually thereafter, the board shall elect by
15 majority vote of the board members, and from the board members, a chair
16 and such other officers as the board deems to be desirable. These officers
17 shall hold office until their successors are elected.

18 **16.60.060. Board—Vacancies.**

- 19 A. Vacancies on the board are created under the following conditions and
20 upon a declaration of vacancy by the board [IF A MEMBER]:
- 21 1. If no applicant files for appointment to a seat which is to be filled or if a
22 successful applicant [F]fails to qualify or to take office within 30 days
23 after appointment;
- 24 2. If a member [I]is physically absent from the service area for a 90-day
25 period unless excused by the board;

- 1 3. If a member [R]resigns;
- 2 4. If a member [I]is physically or mentally unable to perform the duties of
- 3 his office, as determined by a majority vote of the board;
- 4 5. If a member [I]is removed from office;
- 5 6. If a member [M]misses 3 consecutive regular meetings unless excused
- 6 by the board;
- 7 7. If a member [I]is convicted of a felony or an offense involving a
- 8 violation of his oath of office.

9 B. Vacancies on the board shall be filled by appointment by the mayor and
10 confirmation by the assembly. [MAJORITY VOTE OF THE REMAINING BOARD
11 UNTIL THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A
12 NEW MEMBER SHALL BE ELECTED]. The appointment shall be to fill the
13 unexpired term or for a 3-year term if no unexpired term remains. The clerk
14 shall provide at least twenty-one days' advance public notice before
15 [FILLING] the vacancy is filled. Public notice may be provided by
16 publication through print or broadcast media, posting at the primary service
17 area office or at the borough administration building, and such other
18 publication as [THE SERVICE AREA BOARD] deemed[S] appropriate.
19 ...

20 **SECTION 21.** The following sections of **KPB Chapter 16.70 Nikiski Senior Service Area**
21 are amended as follows:

22 ...

23 **16.70.030. Board—Established—Membership.**

1 There is established a board of directors for the Nikiski Senior Service Area
2 composed of five members who are appointed by the borough mayor and
3 confirmed by the borough assembly. Prior to appointing an applicant the mayor
4 shall solicit applicant recommendations from the service area board. [ELECTED
5 BY THE VOTERS IN THE SERVICE AREA IN THE MANNER SET OUT IN THE BOROUGH
6 ELECTIONS CODE.] Board members shall be qualified voters of the borough and
7 residents of the Nikiski Senior Service Area.

8 ...

9 **16.70.050. Board—Election of officers.**

10 At the first regular meeting following certification of the regular borough
11 election by the assembly, and annually thereafter, the board shall elect by
12 majority vote of the board members a chair and such other officers as the board
13 shall determine to be desirable who shall hold office until successors are
14 elected.

15 **16.70.060. Board—Term of office.**

16 Board of directors members shall be appointed [ELECTED] for a term of three
17 years and shall serve thereafter until a successor has been appointed [ELECTED],
18 qualified and sworn to assume the duties of office[; EXCEPT THAT THE FIRST
19 BOARD SHALL CONTAIN MEMBERS ELECTED FOR LESS PERIODS TO PROVIDE FOR
20 STAGGERED TERMS. CANDIDATES] Applicants shall file for appointment
21 [ELECTION] to Seats A through E for staggered terms of three years. Board
22 members shall be appointed based on their familiarity with the functions of the
23 service area and financial and budgetary management capabilities.

24 **16.70.070. Board—Vacancies created when—Filling vacancies.**

1 A. Vacancies on the board are created under the following conditions and upon
2 declaration of vacancy by the board:

3 1. If no applicant [CANDIDATE] files for appointment [ELECTION] to a seat
4 which is to be filled [AT SAID ELECTION]; or if a successful applicant
5 [CANDIDATE] fails to qualify or take office within 30 days after his/her
6 [ELECTION OR] appointment;

7 2. If a member is physically absent from the service area for a 90-day period,
8 unless excused by the board;

9 3. If a member changes his or her residency for a period longer than 60 days
10 to a location outside the service area;

11 4. If a member resigns, and his/her resignation is accepted;

12 5. If a member is physically or mentally unable to perform the duties of
13 office;

14 6. If a member misses three consecutive regular meetings unless excused; or

15 7. If a member is convicted of a felony or of an offense involving a violation
16 of his or her oath of office.

17 B. Vacancies on the board shall be filled by appointment by the mayor and
18 confirmation by the assembly. [MAJORITY VOTE OF THE REMAINING BOARD
19 UNTIL THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A NEW
20 MEMBER SHALL BE ELECTED]. The appointment shall be to fill the unexpired
21 term or for a 3-year term if no unexpired term remains. The clerk shall
22 provide at least twenty-one days' advance public notice before [FILLING] the
23 vacancy is filled. Public notice may be provided by publication through print

1 or broadcast media, posting at the primary service area office or at the
2 borough administration building, and such other publication as [THE SERVICE
3 AREA BOARD] deemed[S] appropriate.
4 ...

5 **SECTION 22.** That this ordinance takes effect immediately upon its enactment.

6 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
7 **DAY OF * 2012.**

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:

KENAI PENINSULA BOROUGH

Kenai Peninsula Borough Assembly

144 North Binkley Street
Soldotna, AK 99669
Phone 907-714-2160
Fax 907-714-2388

Gary Knopp, Assembly President
Charlie Pierce, Vice President

MEMORANDUM

TO: Gary Knopp, Assembly President
Kenai Peninsula Borough Assembly Members

FROM: Linda Murphy, Assembly Member *LB for A.M.*

DATE: March 13, 2012

RE: Ordinance 2012-07, Amending KPB Titles 2-Administration, 4-Elections and 16-Service Areas to Provide that All Kenai Peninsula Borough Service Area Boards are Appointed Instead of Elected

This ordinance is intended to save money and time, reduce voter confusion during the election process and encourage public participation in serving on service area boards by changing service area boards from elected to appointed positions. Thousands of dollars will be saved annually by eliminating service area board seats from the elections process through reduced printing costs and time required of election judges and the Clerk's office. The borough has one of the most complicated election processes in the state which this action will help to simplify. Providing for appointed service area boards is intended to reduce voter confusion as the content of the voter pamphlet and number of ballots would be reduced as many service areas bifurcate precincts requiring more than one ballot for each. Historically there have been numerous vacant seats as well as seats where only one person has filed to run for a service area board. This ordinance is intended to encourage public interest in these seats by eliminating the need to run for office and otherwise comply with the election process requirements.

An appointed board has worked well for the Road Service Area and the borough is one of, if not the only municipality in the state, with elected service area boards. Further, the process is designed to maintain the integrity of the system as appointed board members will be required to meet certain service area specific criteria and must be confirmed by the assembly.

Your consideration is appreciated.

History of Service Area Board Seats
at Kenai Peninsula Borough Regular Elections
2000-2011

Election Year	Number of Service Area Board Seats to be Filled at the Election	Number of Service Area Board Seats on the Ballot	Percentage of Service Area Board Seats which are filled by Election	Unopposed Races	Opposed Races	Percentage of Service Area Board Races that were Unopposed
2000	21	15	71%	11	4	73%
2001	25	24	96%	19	5	79%
2002	31	19	61%	17	2	89%
2003	28	26	93%	24	2	92%
2004	24	24	100%	19	5	79%
*2005	34	31	91%	26	5	84%
2006	25	25	100%	18	7	72%
2007	29	21	72%	20	1	95%
**2008	31	27	87%	25	2	93%
2009	29	25	86%	22	3	88%
2010	29	18	62%	14	4	78%
2011	30	27	90%	20	7	74%
TOTAL	336	282	84%	201	47	71%

Over the last 11 years 71 percent of all service area board races have been unopposed
Over the last 11 years 54 board members were appointed after the election was certified

*First Election Period for Lowell Point Emergency Service Area

**Entire South Kenai Peninsula Hospital Service Area Board was on the Ballot

Introduced by: Knopp, Johnson
Substitute Introduced: 05/01/12
O2012-07 (Murphy) See Original for Prior History
Hearing: 05/01/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-07
(KNOPP/JOHNSON) SUBSTITUTE**

**AN ORDINANCE AMENDING KPB TITLE 16—SERVICE AREAS
TO PROVIDE FOR THE BOARD MEMBERS OF EACH SERVICE AREA
TO BE APPOINTED INSTEAD OF ELECTED SUBJECT TO APPROVAL
BY THE VOTERS OF EACH SERVICE AREA**

1 **WHEREAS**, the Kenai Peninsula Borough currently has 14 service area boards of which 13 are
2 elected and one, the road service area board, is appointed; and

3 **WHEREAS**, the Kenai Peninsula Borough is one of the few municipalities in the State of
4 Alaska with elected service area boards; and

5 **WHEREAS**, historically there have been numerous vacant seats for service area boards as well
6 as seats where only one person has filed to run; and

7 **WHEREAS**, appointed boards may increase public interest in service on a board as potential
8 board members would not have to run or otherwise comply with the election
9 process requirements; and

10 **WHEREAS**, changing from elected service area boards to appointed boards will significantly
11 reduce the time and expense involved in borough elections; and

12 **WHEREAS**, the Clerk's Office has indicated that thousands of dollars would be saved by
13 eliminating these seats from the election process as this would reduce printing
14 costs and time required of election judges and the Clerk's Office in reviewing and
15 verifying election ballots; and

1 **WHEREAS**, providing for an appointed board may alleviate voter confusion by reducing the
2 content of the voter pamphlet and the number of ballots as many service areas
3 bifurcate precincts requiring more than one ballot for each precinct; and

4 **WHEREAS**, the appointment process is likewise a public process in which the mayor would
5 appoint interested applicants and the assembly would confirm the appointment to
6 service area boards; and

7 **WHEREAS**, appointed boards have functioned well for the road service area and throughout
8 other service areas in the state; and

9 **WHEREAS**, it is appropriate to submit this to the voters of each service area for approval;

10 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
11 **PENINSULA BOROUGH:**

12 **SECTION 1.** The following sections of **KPB Chapter 16.08 Central Kenai Peninsula**
13 **Hospital Service Area** are amended as follows:

14 ...

15 **16.08.020. Board—Established—[NOMINATION AND ELECTION]**
16 **Appointment.**

17 There is established a board of directors for the Central Kenai Peninsula
18 Hospital Service Area composed of 7 members who shall be appointed by the
19 borough mayor and confirmed by the borough assembly. Prior to appointing an
20 applicant the mayor shall solicit applicant recommendations from the service
21 area board. [NOMINATED AND ELECTED BY THE QUALIFIED VOTERS OF THE
22 SERVICE AREA AS PROVIDED IN THE BOROUGH ELECTIONS CODE AND KPB
23 16.04.065.]

24 ...

1 **16.08.040. Board—Election of officers.**

2 At the first regular meeting following the certification of the regular borough
3 election by the assembly, and annually thereafter, the board shall elect by
4 majority vote of the members and from the members a chairman who shall hold
5 office until a successor is elected.

6 **16.08.050. Board—Qualifications and terms of office.**

7 A. Membership. Members shall be qualified voters of the borough who are
8 residents of the service area. [MEMBERS SHALL BE ELECTED TO SEAT A FOR A
9 TERM OF 1 YEAR, AND SEATS B THROUGH G FOR A TERM OF 3 YEARS, EXCEPT
10 THAT THE FIRST BOARD SHALL CONTAIN MEMBERS ELECTED TO SEATS B AND C
11 FOR INITIAL TERMS OF 1 YEAR AND TO SEATS D AND E FOR INITIAL TERMS OF 2
12 YEARS IN ORDER TO PROVIDE FOR STAGGERED TERMS.] Board of directors
13 members shall be appointed for a term of three years and shall serve
14 thereafter until a successor has been appointed, qualified and sworn to
15 assume the duties of office. Applicants shall file for appointment to Seats A
16 through G for staggered terms of three years.

17 B. Membership criteria. The following criteria shall be considered when
18 appointing board members.

19 1. Familiarity with the provision of medical care within the service area.

20 2. Financial and budgetary management capabilities.

21 **16.08.060. Board—Vacancies—Created when.**

22 Vacancies on the board are created under the following conditions and upon
23 declaration of vacancy by the board:

- 1 A. If no applicant [CANDIDATE] files for appointment [ELECTION] to a seat
2 which is to be filled [AT SAID ELECTION] or if a successful applicant
3 [CANDIDATE] fails to qualify or take office within 30 days after his or her
4 appointment [ELECTION];
- 5 B. If a member is physically absent from the service area for a 90-day period,
6 unless excused by the board;
- 7 C. If a member resigns and his or her resignation is accepted;
- 8 D. If a member is physically or mentally unable to perform the duties of office;
- 9 E. If a member is removed from office;
- 10 F. If a member misses 3 consecutive regular meetings unless excused; or
- 11 G. If a member is convicted of a felony or of an offense involving a violation of
12 his or her oath of office.

13 **16.08.070. Board—Vacancies—Filling.**

14 Vacancies on the board shall be filled by appointment by the mayor and
15 confirmation by the assembly. [MAJORITY VOTE OF THE REMAINING BOARD UNTIL
16 THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A NEW MEMBER
17 SHALL BE ELECTED] The appointment shall be to fill the unexpired term or for a
18 full term if no unexpired term remains. The clerk shall provide at least twenty-
19 one days' advance public notice before [FILLING] the vacancy is filled. Public
20 notice may be provided by publication through print or broadcast media, posting
21 at the primary service area office or at the borough administration building, and
22 such other publication as [THE SERVICE AREA BOARD] deemed[S] appropriate.

...

1 **SECTION 2.** The following sections of **KPB Chapter 16.12 Nikiski Fire Service Area** are
2 amended as follows:

3 ...

4 **16.12.020. Board—Established—Appointment [ELECTION].**

5 There is established a board of directors for the Nikiski Fire Service Area
6 composed of seven (7) members who shall be appointed by the borough mayor
7 and confirmed by the borough assembly. Prior to appointing an applicant the
8 mayor shall solicit applicant recommendations from the service area board.

9 [ELECTED BY THE QUALIFIED VOTERS OF THE SERVICE AREA AS DESIGNATED IN
10 THE BOROUGH ELECTIONS CODE.]

11 ...

12 **16.12.040. Board—Election of chair and officers.**

13 At the first regular meeting following certification of the regular borough
14 election by the assembly, and annually thereafter, the board shall elect by
15 majority vote of the board members and from the board members a chair and
16 such other officers as the board shall determine to be desirable who shall hold
17 office until successors are elected.

18 **16.12.050. Board—Qualifications and terms of office.**

19 A. Members of the board of directors shall be qualified voters of the borough
20 who are residents of the service area. Board of directors members shall be
21 appointed for a term of three years and shall serve thereafter until a
22 successor has been appointed, qualified and sworn to assume the duties of
23 office. Applicants shall file for appointment to Seats A through G for
24 staggered terms of three years. [CANDIDATES SHALL FILE FOR ELECTION TO
25 SEATS A THROUGH G FOR STAGGERED TERMS OF THREE YEARS.]

1 B. Membership criteria. The following criteria shall be considered when
2 appointing board members.

3 1. Familiarity with the provision of fire and emergency services.

4 2. Financial and budgetary management capabilities.

5 **16.12.060. Board—Vacancies—Created when.**

6 Vacancies on the board are created under the following conditions and upon
7 declaration of vacancy by the board:

8 A. If no applicant [CANDIDATE] files for appointment [ELECTION] to a seat
9 which is to be filled [AT SAID ELECTION], or if a successful applicant
10 [CANDIDATE] fails to qualify or take office within 30 days after his/her
11 [ELECTION OR] appointment;

12 B. If a member is physically absent from the service area for a 90-day period,
13 unless excused by the board;

14 C. If a member resigns and his/her resignation is accepted;

15 D. If a member is physically or mentally unable to perform the duties of his/her
16 office;

17 E. If a member is removed from office;

18 F. If a member misses 3 consecutive regular meetings unless excused; or

19 G. If a member is convicted of a felony or of an offense involving a violation of
20 his/her oath of office.

1 **16.12.070. Board vacancies—Filling.**

2 Vacancies on the board shall be filled by appointment by the mayor and
3 confirmation by the assembly [MAJORITY VOTE OF THE REMAINING BOARD UNTIL
4 THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A NEW MEMBER
5 SHALL BE ELECTED]. The appointment shall be to fill the unexpired term or for a
6 3-year term if no unexpired term remains. The clerk shall provide at least
7 twenty-one days' advance public notice before [FILLING] the vacancy is filled.
8 Public notice may be provided by publication through print or broadcast media,
9 posting at the primary service area office or at the borough administration
10 building, and such other publication as [THE SERVICE AREA BOARD] deemed[s]
11 appropriate.

12 ...

13 **SECTION 3.** The following sections of **KPB Chapter 16.16 North Peninsula Recreation**
14 **Service Area** are amended as follows:

15 ...

16
17 **16.16.020. Board—Established—[NOMINATION AND ELECTION]**
18 appointment of members.

19 There is established a board of directors for the North Peninsula Recreation
20 Service Area composed of 5 members who shall be appointed by the borough
21 mayor and confirmed by the borough assembly. Prior to appointing an applicant
22 the mayor shall solicit applicant recommendations from the service area board.
23 [NOMINATED AND ELECTED BY THE QUALIFIED VOTERS OF THE SERVICE AREA AS
24 PROVIDED IN SECTIONS 4.08.020 (D) AND 16.04.065 OF THIS CODE.] Board
25 members shall be appointed based on their familiarity with the functions of the
26 service area and financial and budgetary management capabilities.

27 ...

1 **16.16.040. Board—Election of officers.**

2 At the first regular meeting following certification of the regular borough
3 election by the assembly, and annually thereafter, the board shall elect by
4 majority vote of the board members and from the board members a chairman,
5 and such other officers as the board shall determine to be desirable who shall
6 hold office until successors are elected.

7 **16.16.050. Board—Term of office.**

8 A member of the board of directors shall be appointed [ELECTED] for a term of 3
9 years and shall serve thereafter until his successor has been appointed
10 [ELECTED], qualified, and sworn to assume the duties of the office. Applicants
11 shall file for appointment to Seats A through E for staggered terms of three
12 years. [, EXCEPT THAT THE FIRST BOARD SHALL CONTAIN MEMBERS ELECTED FOR
13 LESSER PERIODS AS DESIGNATED IN THE DOCUMENTS SETTING UP THE ELECTION
14 TO PROVIDE FOR STAGGERED TERMS.]

15 **16.16.060. Board—Vacancies—Created when.**

16 Vacancies on the board are created under the following conditions and upon
17 declaration of vacancy by the board [IF A MEMBER]:

- 18 A. If no applicant files for appointment to a seat which is to be filled or if a
19 successful applicant fails to qualify or take office within 30 days after his
20 or her appointment; [FAILS TO QUALIFY OR TAKE OFFICE WITHIN 30 DAYS
21 AFTER HIS ELECTION OR APPOINTMENT;]
- 22 B. If a member [I]is physically absent from the service area for a 90-day
23 period, unless excused by the board;
- 24 C. If a member [R]resigns and his resignation is accepted;
- 25 D. If a member [I]is physically or mentally unable to perform the duties of his
26 office;

- 1 E. If a member [I]is removed from office;
- 2 F. If a member [M]misses 3 consecutive regular meetings unless excused;
- 3 G. If a member [I]is convicted of a felony or of an offense involving a
4 violation of his oath of office.

5 **16.16.070. Board—Vacancies—Filling.**

6 Vacancies on the board shall be filled by appointment by the mayor and
7 confirmation by the assembly. [MAJORITY VOTE OF THE REMAINING BOARD
8 UNTIL THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A NEW
9 MEMBER SHALL BE ELECTED]. The appointment shall be to fill the unexpired
10 term or for a 3-year term if no unexpired term remains. The clerk shall provide
11 at least twenty-one days' advance public notice before [FILLING] the vacancy is
12 filled. Public notice may be provided by publication through print or broadcast
13 media, posting at the primary service area office or at the borough
14 administration building, and such other publication as [THE SERVICE AREA
15 BOARD] deemed[s] appropriate.

16 ...

17 **SECTION 4.** The following sections of **KPB Chapter 16.20 Kachemak Emergency Service**
18 **Area** are amended as follows:

19 ...

20 **16.20.030. Board of directors.**

21 There is established a board of directors for oversight of the operations of the
22 Kachemak Emergency Service Area composed of five members who[, EXCEPT
23 AS PROVIDED BELOW,] shall be appointed by the borough mayor and confirmed

1 by the borough assembly. Prior to appointing an applicant the mayor shall
2 solicit applicant recommendations from the service area board. [ELECTED BY
3 THE QUALIFIED VOTERS OF THE SERVICE AREA IN THE MANNER PROVIDED IN THE
4 BOROUGH ELECTION CODE AND KPB 16.04.065 AS NOW ENACTED OR MAY BE
5 HEREINAFTER AMENDED. NOTWITHSTANDING THE PROVISIONS OF KPB
6 16.04.060, THE FIRST BOARD SHALL BE APPOINTED BY THE MAYOR AND
7 CONFIRMED BY THE ASSEMBLY FOR ONE YEAR TERMS.]

8 ...

9 **16.20.050. Board—Election of officers.**

10 At the first regular meeting following certification of the regular borough
11 election by the assembly, and annually thereafter, the board shall elect by
12 majority vote of the board members, and from the board members, a chairman
13 and such other officers as the board shall determine to be desirable who shall
14 hold office until successors are elected.

15 **16.20.060. Board—Terms of office.**

16 Each member of the board of directors shall be appointed [ELECTED] for a term
17 of three years and shall serve thereafter until his or her successor has been
18 appointed [ELECTED], qualified and sworn to assume the duties of the office [,
19 EXCEPT THAT THE FIRST ELECTED BOARD SHALL CONTAIN MEMBERS ELECTED FOR
20 LESSER PERIODS AS DESIGNATED IN THE DOCUMENTS SETTING UP THE ELECTION
21 TO PROVIDE FOR STAGGERED TERMS.] Applicants shall file for appointment to
22 Seats A through E for staggered terms of three years. Board members shall be
23 appointed based on their familiarity with the functions of the service area and
24 financial and budgetary management capabilities.

25 **16.20.070. Board—Vacancies—Created when.**

1 Vacancies on the board are created under the following conditions and upon
2 declaration of vacancy by the board [IF A MEMBER]:

3 A. If no applicant files for appointment to a seat which is to be filled or if a
4 successful applicant fails to qualify or take office within 30 days after his or
5 her appointment; [FAILS TO QUALIFY OR TAKE OFFICE WITHIN 30 DAYS AFTER
6 HIS OR HER ELECTION OR APPOINTMENT;]

7 B. If a member [I]is physically absent from the service area for a 90-day
8 period, unless excused by the board;

9 C. If a member [C]changes his or her residency for a period longer than 60 days
10 to a location outside of the jurisdiction from which the board is appointed
11 [ELECTED];

12 D. If a member [R]resigns and his or her resignation is accepted;

13 E. If a member [I]is physically or mentally unable to perform the duties of his
14 or her office;

15 F. If a member [M]misses three consecutive regular meetings unless excused;
16 or

17 G. If a member [I]is convicted of a felony or of an offense involving a violation
18 of his or her oath of office.

19 **16.20.080. Board—Vacancies—Filling.**

20 Vacancies on the board shall be filled by appointment by the mayor and
21 confirmation by the assembly [MAJORITY VOTE OF THE REMAINING BOARD UNTIL
22 THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A NEW MEMBER

1 SHALL BE ELECTED]. The appointment shall be to fill the unexpired term or for a
2 3-year term if no unexpired term remains. The clerk shall provide at least
3 twenty-one days' advance public notice before [FILLING] the vacancy is filled.
4 Public notice may be provided by publication through print or broadcast media,
5 posting at the primary service area office or at the borough administration
6 building, and such other publication as [THE SERVICE AREA BOARD] deemed[S]
7 appropriate.

8 ...

9 **SECTION 5.** The following sections of **KPB Chapter 16.24 South Kenai Hospital Service**
10 **Area** are amended as follows:

11 ...

12 **16.24.020. Board—Established— Appointment [NOMINATION AND**
13 **ELECTION].**

14
15 There is established a board of directors for the South Kenai Peninsula hospital
16 service area composed of 9 members who shall be appointed by the borough
17 mayor and confirmed by the borough assembly. Prior to appointing an applicant
18 the mayor shall solicit applicant recommendations from the service area board.

19 [NOMINATED AND ELECTED BY THE QUALIFIED VOTERS OF THE SERVICE AREA AS
20 PROVIDED IN SECTIONS 4.08.020(D) AND 16.04.065 OF THIS CODE.]

21 ...

22 **16.24.040. Board—Election of officers.**

23 At the first regular meeting following certification of the regular borough
24 election by the assembly, and annually thereafter, the board shall elect by
25 majority vote of the members and from the members a chairman who shall hold
26 office until a successor is elected.

1 **16.24.050. Board—Qualifications and terms of office.**

2 A. Members shall be qualified voters of the borough who are residents of the
3 service area. Board of directors members shall be appointed for a term of
4 three years and shall serve thereafter until a successor has been appointed,
5 qualified and sworn to assume the duties of office. Applicants shall file for
6 appointment to Seats A through I for staggered terms of three years.
7 [MEMBERS SHALL BE ELECTED TO SEATS A THROUGH I FOR A TERM OF 3
8 YEARS, EXCEPT THAT THE FIRST BOARD SHALL CONTAIN MEMBERS ELECTED
9 TO SEATS G, H, AND I FOR INITIAL TERMS OF 1 YEAR AND TO SEATS D, E, AND
10 F FOR INITIAL TERMS OF 2 YEARS IN ORDER TO PROVIDE FOR STAGGERED
11 TERMS.]

12 B. Membership criteria. The following criteria shall be considered when
13 appointing board members.

14 1. Familiarity with the provision of medical care within the service area.

15 2. Financial and budgetary management capabilities.

16 **16.24.060. Board—Vacancies—Created when.**

17 Vacancies on the board are created under the following conditions and upon
18 declaration of vacancy by the board:

19 A. If no applicant [CANDIDATE] files for appointment [ELECTION] to a seat
20 which is to be filled [AT SAID ELECTION] or if a successful applicant
21 [CANDIDATE] fails to qualify or take office within 30 days after his
22 [ELECTION OR] appointment;

- 1 B. If a member is physically absent from the service area for a 90-day period,
2 unless excused by the board;
- 3 C. If a member resigns and his resignation is accepted;
- 4 D. If a member is physically or mentally unable to perform the duties of his
5 office;
- 6 E. If a member is removed from office;
- 7 F. If a member misses 3 consecutive regular meetings unless excused; or
8 G. If a member is convicted of a felony or of an offense involving a violation of
9 his oath of office.

10 **16.24.070. Board—Vacancies—Filling.**

11 Vacancies on the board shall be filled by appointment by the mayor and
12 confirmation by the assembly. [MAJORITY VOTE OF THE REMAINING BOARD
13 UNTIL THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A NEW
14 MEMBER SHALL BE ELECTED]. The appointment shall be to fill the unexpired
15 term or for a 3-year term if no unexpired term remains. The clerk shall provide
16 at least twenty-one days' advance public notice before [FILLING] the vacancy is
17 filled. Public notice may be provided by publication through print or broadcast
18 media, posting at the primary service area office or at the borough
19 administration building, and such other publication as [THE SERVICE AREA
20 BOARD] deemed[s] appropriate.

21 ...

22 **SECTION 6.** The following sections of **KPB Chapter 16.28 Bear Creek Fire Service Area**
23 are amended as follows:

1 ...

2 **16.28.020. Board—Established—Appointment [NOMINATION AND**
3 **ELECTION] of members.**

4 There is established a board of directors for the Bear Creek Fire Service Area
5 composed of 5 members who shall be appointed by the borough mayor and
6 confirmed by the borough assembly. Prior to appointing an applicant the mayor
7 shall solicit applicant recommendations from the service area board.
8 [NOMINATED AND ELECTED BY THE QUALIFIED VOTERS OF THE SERVICE AREA AS
9 PROVIDED IN SECTIONS 4.08.020(D) AND 16.04.065 OF THIS CODE.]

10 ...

11 **16.28.040. Board—Election of officers.**

12 At the first regular meeting following certification of the regular borough
13 election by the assembly, and annually thereafter, the board shall elect by
14 majority vote of the board members and from the board members a chairman
15 and such other officers as the board shall determine to be desirable who shall
16 hold office until successors are elected.

17 **16.28.050. Board—Terms of office.**

18 A member of the board of directors shall be appointed [ELECTED] for a term of 3
19 years and shall serve thereafter until his successor has been appointed
20 [ELECTED], qualified, and sworn to assume the duties of the office[, EXCEPT
21 THAT THE FIRST BOARD SHALL CONTAIN MEMBERS ELECTED FOR LESSER PERIODS
22 AS DESIGNATED IN THE DOCUMENTS SETTING UP THE ELECTION TO PROVIDE FOR
23 STAGGERED TERMS]. Applicants shall file for appointment to Seats A through E
24 for staggered terms of three years. Board members shall be appointed based on
25 their familiarity with the functions of the service area and financial and
26 budgetary management capabilities.

1 **16.28.060. Board—Vacancies—Created when.**

2 Vacancies on the board are created under the following conditions and upon
3 declaration of vacancy by the board [IF A MEMBER]:

4 A. If no applicant files for appointment to a seat which is to be filled or if a
5 successful applicant fails to qualify or take office within 30 days after his or
6 her appointment; [FAILS TO QUALIFY OR TAKE OFFICE WITHIN 30 DAYS AFTER
7 HIS ELECTION OR APPOINTMENT;]

8 B. If a member [I]is physically absent from the service area for a 90 day period,
9 unless excused by the board;

10 C. If a member [R]resigns and his resignation is accepted;

11 D. If a member [I]is physically or mentally unable to perform the duties of his
12 office;

13 E. If a member [I]is removed from office;

14 F. If a member [M]misses 3 consecutive regular meetings unless excused; or

15 G. If a member [I]is convicted of a felony or of an offense involving a violation
16 of his oath of office.

17 **16.28.070. Board—Vacancies—Filling.**

18 Vacancies on the board shall be filled by appointment by the mayor and
19 confirmation by the assembly. [MAJORITY VOTE OF THE REMAINING BOARD
20 UNTIL THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A NEW

MEMBER SHALL BE ELECTED]. The appointment shall be to fill the unexpired term or for a 3-year term if no unexpired term remains. The clerk shall provide at least twenty-one days' advance public notice before [FILLING] the vacancy is filled. Public notice may be provided by publication through print or broadcast media, posting at the primary service area office or at the borough administration building, and such other publication as [THE SERVICE AREA BOARD] deemed[S] appropriate.

...

SECTION 7. The following sections of **KPB Chapter 16.30 Central Emergency Service Area** are amended as follows:

...

16.30.030. Joint operations board.

There is established a joint operations board of directors for oversight of the joint operations of the Central Emergency Service Area with the Central Peninsula Emergency Medical Service Area, to be composed of five members who shall be appointed by the borough mayor and confirmed by the borough assembly. Prior to appointing an applicant the mayor shall solicit applicant recommendations from the service area board. [NOMINATED AND ELECTED BY THE QUALIFIED VOTERS RESIDING WITHIN THE TWO SERVICE AREAS AS PROVIDED IN SECS. 4.10.020(C) AND 16.04.065 OF THIS CODE.]

...

16.30.050. Board—Election of officers.

At the first regular meeting following certification of the regular borough election by the Assembly, and annually thereafter, the board shall elect by majority vote of the board members and from the board members a chairman

1 and such other officers as the board shall determine to be desirable who shall
2 hold office until successors are elected.

3 **16.30.060. Board—Terms of office.**

4 A member of the board of directors shall be appointed [ELECTED] for a term of
5 three years and shall serve thereafter until his successor has been appointed
6 [ELECTED], qualified and sworn to assume the duties of the office[, EXCEPT THAT
7 THE FIRST BOARD SHALL CONTAIN MEMBERS ELECTED FOR LESSER PERIODS AS
8 DESIGNATED IN THE DOCUMENTS SETTING UP THE ELECTION TO PROVIDE FOR
9 STAGGERED TERMS]. Applicants shall file for appointment to Seats A through E
10 for staggered terms of three years. Board members shall be appointed based on
11 their familiarity with the functions of the service area and financial and
12 budgetary management capabilities.

13 **16.30.070. Board—Vacancies—Created when.**

14 Vacancies on the board are created under the following conditions and upon
15 declaration of vacancy by the board [IF A MEMBERS]:

16 A. If no applicant files for appointment to a seat which is to be filled or if a
17 successful applicant fails to qualify or take office within 30 days after his or
18 her appointment; [FAILS TO QUALIFY OR TAKE OFFICE WITHIN 30 DAYS AFTER
19 HIS OR HER ELECTION OR APPOINTMENT;]

20 B. If a member [I]is physically absent from the service area for a 90-day
21 period, unless excused by the board;

22 C. If a member [C]changes his or her residency for a period longer than 60 days
23 to a location outside of the jurisdiction from which the board is appointed
24 [ELECTED];

1 D. If a member [R]resigns and his or her resignation is accepted;

2 E. If a member [I]is physically or mentally unable to perform the duties of his
3 or her office;

4 F. If a member [M]misses three consecutive regular meetings unless excused;
5 or

6 G. If a member [I]is convicted of a felony or of an offense involving a violation
7 of his or her oath of office.

8 **16.30.080. Board—Vacancies—Filling.**

9 Vacancies on the board shall be filled by appointment by the mayor and
10 confirmation by the assembly. [MAJORITY VOTE OF THE REMAINING BOARD
11 UNTIL THE NEXT ELECTION OF THE BOROUGH AT WHICH TIME A NEW MEMBER
12 SHALL BE ELECTED]. The appointment shall be to fill the unexpired term or for a
13 3-year term if no unexpired term remains. The clerk shall provide at least
14 twenty-one days' advance public notice before [FILLING] the vacancy is filled.
15 Public notice may be provided by publication through print or broadcast media,
16 posting at the primary service area office or at the borough administration
17 building, and such other publication as [THE SERVICE AREA BOARD] deemed[S]
18 appropriate.

19 ...

20 **SECTION 8.** The following section of **KPB Chapter 16.40 Central Peninsula Emergency**
21 **Medical Service Area** are amended as follows:

22 ...

23 **16.40.030. Joint operations board.**

1 There is established a joint operations board of directors for oversight of the
2 joint operations of the Central Emergency Service Area with the Central
3 Peninsula Emergency Medical Service, to be composed of five members who
4 shall be appointed by the borough mayor and confirmed by the borough
5 assembly. Prior to appointing an applicant the mayor shall solicit applicant
6 recommendations from the service area board. [NOMINATED AND ELECTED BY
7 THE QUALIFIED VOTERS OF THE TWO SERVICE AREAS AS PROVIDED IN SECS.
8 4.10.020(C) AND 16.04.065 OF THIS CODE.] All procedures and authorities of the
9 joint operations board are set out through the express terms and conditions of
10 KPB Chapter 16.30.

11 ...

12 **SECTION 9.** The following sections of **KPB Chapter 16.50 Seward Bear Creek Flood**
13 **Service Area** are amended as follows:

14 ...

15 **16.50.030. Board of directors.**

16 There is established a board of directors for oversight of the operations of the
17 Seward-Bear Creek Flood Service Area composed of seven members who shall
18 be appointed by the borough mayor and confirmed by the borough assembly.
19 Prior to appointing an applicant the mayor shall solicit applicant
20 recommendations from the service area board. [ELECTED BY THE QUALIFIED
21 VOTERS OF THE SERVICE AREA IN THE MANNER PROVIDED IN THE BOROUGH
22 ELECTION CODE AND KPB 16.04.065 AS NOW ENACTED OR MAY BE HEREINAFTER
23 AMENDED. BOARD SEATS TO BE FILLED AT THE FIRST ELECTION OF BOARD
24 MEMBERS SHALL BE STAGGERED AS FOLLOWS: SEATS A AND D FOR ONE YEAR;
25 SEATS B AND E FOR TWO YEARS; AND SEATS C, F, AND G FOR THREE YEARS.]
26 Seats A, B, C, and F shall be filled by residents of the City of Seward, and Seats

1 D, E, and G shall be filled by residents of the area outside the city limits of the
2 City of Seward and inside the service area boundaries. [NOTWITHSTANDING
3 PROVISIONS OF KPB 16.04.060, THE FIRST BOARD SHALL BE APPOINTED BY THE
4 MAYOR AND CONFIRMED BY THE ASSEMBLY FOR ONE-YEAR TERMS.]

5 ...

6 **16.50.050. Board—Election of officers.**

7 At the first regular meeting following certification of the regular borough
8 election by the assembly, and annually thereafter, the board shall elect by
9 majority vote of the board members, and from the board members, a chairman
10 and such other officers as the board shall determine to be desirable who shall
11 hold office until successors are elected.

12 **16.50.060. Board—Terms of office.**

13 Each member of the board of directors shall be appointed [ELECTED] for a term
14 of three years and shall serve thereafter until his or her successor has been
15 appointed [ELECTED], qualified and sworn to assume the duties of the office[,
16 EXCEPT THAT THE FIRST BOARD SHALL CONTAIN MEMBERS ELECTED FOR LESSER
17 PERIODS AS DESIGNATED IN THE DOCUMENTS SETTING UP THE ELECTION TO
18 PROVIDE FOR STAGGERED TERMS AND AS PROVIDED IN KPB 16.50.030].
19 Applicants shall file for appointment to Seats A through G for staggered terms
20 of three years. Board members shall be appointed based on their familiarity with
21 the functions of the service area and financial and budgetary management
22 capabilities.

23 **16.50.070. Board—Vacancies—Created when.**

24 Vacancies on the board are created under the following conditions and upon
25 declaration of vacancy by the board [IF A MEMBER]:

- 1 A. If no applicant files for appointment to a seat which is to be filled or if a
2 successful applicant fails to qualify or take office within 30 days after his or
3 her appointment; [FAILS TO QUALIFY OR TAKE OFFICE WITHIN 30 DAYS AFTER
4 HIS OR HER ELECTION OR APPOINTMENT;]
- 5 B. If a member [I]is physically absent from the service area for a 90-day
6 period, unless excused by the board;
- 7 C. If a member [C]changes his or her residency for a period longer than 60 days
8 to a location outside of the jurisdiction from which the board is appointed
9 [ELECTED];
- 10 D. If a member [R]resigns and his or her resignation is accepted;
- 11 E. If a member [I]is physically or mentally unable to perform the duties of his
12 or her office;
- 13 F. If a member [M]misses three consecutive regular meetings unless excused;
14 or
- 15 G. If a member [I]is convicted of a felony or of an offense involving a violation
16 of his or her oath of office.
- 17 H. If a member [I]is removed from office pursuant to a recall election.

18 **16.50.080. Board—Vacancies—Filling.**

19 Vacancies on the board shall be filled by appointment by the mayor and
20 confirmation by the assembly. [MAJORITY VOTE OF THE REMAINING BOARD UNTIL
21 THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A NEW MEMBER
22 SHALL BE ELECTED]. The appointment shall be to fill the unexpired term or for a

1 3-year term if no unexpired term remains. The clerk shall provide at least
2 twenty-one days' advance public notice before [FILLING] the vacancy is filled.
3 Public notice may be provided by publication through print or broadcast media,
4 posting at the primary service area office or at the borough administration
5 building, and such other publication as [THE SERVICE AREA BOARD] deemed[S]
6 appropriate.

7 ...

8 **SECTION 10.** The following sections **KPB Chapter 16.55 Seldovia Recreational Service**
9 **Area** are amended as follows:

10 ...

11 **16.55.030. Board of directors.**

12 There is established a board of directors for oversight of the operations of the
13 Seldovia Recreational Service Area composed of five members who, except as
14 provided below, shall be appointed by the borough mayor and confirmed by the
15 borough assembly. Prior to appointing an applicant the mayor shall solicit
16 applicant recommendations from the service area board. [ELECTED BY THE
17 QUALIFIED VOTERS OF THE SERVICE AREA IN THE MANNER PROVIDED IN THE
18 BOROUGH ELECTION CODE AND KPB 16.04.065 AS NOW ENACTED OR MAY BE
19 HEREINAFTER AMENDED.] Notwithstanding the provisions of KPB 16.04.060, the
20 first board shall be appointed by the mayor and confirmed by the assembly for
21 terms expiring upon certification of the regular election held in October 2012.
22 Board seats to be filled at the first appointment [ELECTION] of board members
23 shall be staggered as follows: Seats A and D for one year; seats B and E for two
24 years; and seat C for three years.

25 ...

1 **16.55.050. Board—Election of officers.**

2 At the first regular meeting following certification of the regular borough
3 election by the assembly, and annually thereafter, the board shall elect by
4 majority vote of the board members, and from the board members, a
5 chairperson and such other officers as the board shall determine to be desirable
6 who shall hold office until successors are elected.

7 **16.55.060. Board—Terms of office.**

8 Each member of the board of directors shall be appointed [ELECTED] for a term
9 of three years and shall serve thereafter until his or her successor has been
10 appointed [ELECTED], qualified and sworn to assume the duties of the office,
11 except that the first appointed [ELECTED] board shall contain members
12 appointed [ELECTED] for lesser periods described in KPB 16.55.030. Thereafter,
13 applicants shall file for appointment to Seats A through E for staggered terms of
14 three years. Board members shall be appointed based on their familiarity with
15 the functions of the service area and financial and budgetary management
16 capabilities.

17 **16.55.070. Board—Vacancies—Created when.**

18 Vacancies on the board are created under the following conditions and upon
19 declaration of vacancy by the board if a member:

- 20 (a) If no candidate files for appointment to a seat which is to be filled or if a
21 successful applicant fails to qualify or take office within 30 days after his
22 or her appointment; [FAILS TO QUALIFY OR TAKE OFFICE WITHIN 30 DAYS
23 AFTER HIS OR HER ELECTION OR APPOINTMENT;]

- 1 (b) If a member [I]is physically absent from the service area for a 90-day
2 period, unless excused by the board;
- 3 (c) If a member [C]changes his or her residency for a period longer than 60
4 days to a location outside of the jurisdiction from which the board is
5 appointed [ELECTED];
- 6 (d) If a member [R]resigns and his or her resignation is accepted;
- 7 (e) If a member [I]is physically or mentally unable to perform the duties of
8 his or her office;
- 9 (f) If a member [M]misses three consecutive regular meetings unless excused;
10 or
- 11 (g) If a member [I]is convicted of a felony or of an offense involving a
12 violation of his or her oath of office.

13 **16.55.080. Board—Vacancies—Filling.**

14 Vacancies on the board shall be filled by appointment by the mayor and
15 confirmation by the assembly. [MAJORITY VOTE OF THE REMAINING BOARD
16 UNTIL THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A NEW
17 MEMBER SHALL BE ELECTED]. The appointment shall be to fill the unexpired
18 term or for a 3-year term if no unexpired term remains. The clerk shall provide
19 at least twenty-one days' advance public notice before [FILLING] the vacancy is
20 filled. Public notice may be provided by publication through print or broadcast
21 media, posting at the primary service area office or at the borough
22 administration building, and such other publication as [THE SERVICE AREA
23 BOARD] deemed[S] appropriate.

24 ...

1 **SECTION 11.** The following sections in **KPB Chapter 16.60 Anchor Point Fire and**
2 **Emergency Service Area** are amended as follows:

3 ...

4 **16.60.020. Board of directors.**

5 (a) There is established a board of directors for the Anchor Point Fire and
6 Emergency Medical Service Area composed of 5 members who shall be
7 appointed by the borough mayor and confirmed by the borough assembly.
8 Prior to appointing an applicant the mayor shall solicit applicant
9 recommendations from the service area board. [NOMINATED AND ELECTED
10 BY THE QUALIFIED VOTERS OF THE SERVICE AREA IN THE MANNER PROVIDED
11 FOR CANDIDATES FOR THE ASSEMBLY IN THIS CODE, EXCEPT THAT
12 M]Members of the board shall be residents of the borough within the
13 service area.

14 (b) The board shall meet periodically at regular and special meetings called by
15 the board. All meetings shall be open to the public as provided by law.

16
17 **16.60.030. Terms and qualifications.**

18 Board of directors members shall be appointed for a term of three years and
19 shall serve thereafter until a successor has been appointed, qualified and sworn
20 to assume the duties of office. Applicants shall file for appointment to Seats A
21 through E for staggered terms of three years. Board members shall be appointed
22 based on their familiarity with the functions of the service area and financial and
23 budgetary management capabilities. [A MEMBER OF THE BOARD OF DIRECTORS
24 SHALL BE ELECTED FOR A TERM OF 3 YEARS, AND SHALL SERVE UNTIL HIS
25 SUCCESSOR HAS BEEN ELECTED AND SWORN TO ASSUME THE DUTIES OF THE

1 OFFICE, EXCEPT THAT THE FIRST BOARD SHALL CONTAIN STAGGERED TERMS AS
2 DESIGNATED IN THE RESOLUTION PROVIDING FOR THE ELECTION.]

3 ...

4 **16.60.050. Board—Election of officers and quorum.**

5
6 A. Three [3] members of the board shall constitute a quorum; however, any
7 action shall require the affirmative vote of three [3] board members.

8 B. At the first regular meeting following certification of the regular borough
9 election by the assembly, and annually thereafter, the board shall elect by
10 majority vote of the board members, and from the board members, a chair
11 and such other officers as the board deems to be desirable. These officers
12 shall hold office until their successors are elected.

13 **16.60.060. Board—Vacancies.**

14 A. Vacancies on the board are created under the following conditions and
15 upon a declaration of vacancy by the board [IF A MEMBER]:

16 1. If no applicant files for appointment to a seat which is to be filled or if a
17 successful applicant [F]fails to qualify or to take office within 30 days
18 after appointment;

19 2. If a member [I]is physically absent from the service area for a 90-day
20 period unless excused by the board;

21 3. If a member [R]resigns;

22 4. If a member [I]is physically or mentally unable to perform the duties of
23 his office, as determined by a majority vote of the board;

- 1 5. If a member [I]is removed from office;
- 2 6. If a member [M]misses 3 consecutive regular meetings unless excused
- 3 by the board;
- 4 7. If a member [I]is convicted of a felony or an offense involving a
- 5 violation of his oath of office.

6 B. Vacancies on the board shall be filled by appointment by the mayor and

7 confirmation by the assembly. [MAJORITY VOTE OF THE REMAINING BOARD

8 UNTIL THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A

9 NEW MEMBER SHALL BE ELECTED]. The appointment shall be to fill the

10 unexpired term or for a 3-year term if no unexpired term remains. The clerk

11 shall provide at least twenty-one days' advance public notice before

12 [FILLING] the vacancy is filled. Public notice may be provided by

13 publication through print or broadcast media, posting at the primary service

14 area office or at the borough administration building, and such other

15 publication as [THE SERVICE AREA BOARD] deemed[s] appropriate.

16 ...

17 **SECTION 12.** The following sections of **KPB Chapter 16.70 Nikiski Senior Service Area**

18 are amended as follows:

19 ...

20 **16.70.030. Board—Established—Membership.**

21 There is established a board of directors for the Nikiski Senior Service Area

22 composed of five members who are appointed by the borough mayor and

23 confirmed by the borough assembly. Prior to appointing an applicant the mayor

24 shall solicit applicant recommendations from the service area board. [ELECTED

1 BY THE VOTERS IN THE SERVICE AREA IN THE MANNER SET OUT IN THE BOROUGH
2 ELECTIONS CODE.] Board members shall be qualified voters of the borough and
3 residents of the Nikiski Senior Service Area.

4 . . .

5 **16.70.050. Board—Election of officers.**

6 At the first regular meeting following certification of the regular borough
7 election by the assembly, and annually thereafter, the board shall elect by
8 majority vote of the board members a chair and such other officers as the board
9 shall determine to be desirable who shall hold office until successors are
10 elected.

11 **16.70.060. Board—Term of office.**

12 Board of directors members shall be appointed [ELECTED] for a term of three
13 years and shall serve thereafter until a successor has been appointed [ELECTED],
14 qualified and sworn to assume the duties of office[; EXCEPT THAT THE FIRST
15 BOARD SHALL CONTAIN MEMBERS ELECTED FOR LESS PERIODS TO PROVIDE FOR
16 STAGGERED TERMS. CANDIDATES] Applicants shall file for appointment
17 [ELECTION] to Seats A through E for staggered terms of three years. Board
18 members shall be appointed based on their familiarity with the functions of the
19 service area and financial and budgetary management capabilities.

20 **16.70.070. Board—Vacancies created when—Filling vacancies.**

21 A. Vacancies on the board are created under the following conditions and upon
22 declaration of vacancy by the board:

- 23 1. If no applicant [CANDIDATE] files for appointment [ELECTION] to a seat
24 which is to be filled [AT SAID ELECTION]; or if a successful applicant

1 [CANDIDATE] fails to qualify or take office within 30 days after his/her
2 [ELECTION OR] appointment;

3 2. If a member is physically absent from the service area for a 90-day period,
4 unless excused by the board;

5 3. If a member changes his or her residency for a period longer than 60 days
6 to a location outside the service area;

7 4. If a member resigns, and his/her resignation is accepted;

8 5. If a member is physically or mentally unable to perform the duties of
9 office;

10 6. If a member misses three consecutive regular meetings unless excused; or

11 7. If a member is convicted of a felony or of an offense involving a violation
12 of his or her oath of office.

13 B. Vacancies on the board shall be filled by appointment by the mayor and
14 confirmation by the assembly. [MAJORITY VOTE OF THE REMAINING BOARD
15 UNTIL THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A NEW
16 MEMBER SHALL BE ELECTED]. The appointment shall be to fill the unexpired
17 term or for a 3-year term if no unexpired term remains. The clerk shall
18 provide at least twenty-one days' advance public notice before [FILLING] the
19 vacancy is filled. Public notice may be provided by publication through print
20 or broadcast media, posting at the primary service area office or at the
21 borough administration building, and such other publication as [THE SERVICE
22 AREA BOARD] deemed[s] appropriate.

23 ...

1 **SECTION 13.** That a ballot proposition shall be placed before the voters of the Central Kenai
2 Peninsula Hospital Service Area at the regular election to be held on October
3 2, 2012, to read as follows:

4 PROPOSITION NO. _____

5 Shall Section 1 of Ordinance 2012-07 providing that the Central Kenai
6 Peninsula Hospital Service Area board members be appointed instead
7 of elected by the service area voters be approved?

8 YES _____ [A YES vote will change the code to provide that all Central
9 Kenai Peninsula Hospital Service Area board members shall
10 be appointed.]

11 NO _____ [A NO vote will leave the code unchanged, providing for the
12 election of members to this service area board.]

13 **SECTION 14.** That a ballot proposition shall be placed before the voters of the Nikiski Fire
14 Service Area at the regular election to be held on October 2, 2012, to read as
15 follows:

16 PROPOSITION NO. _____

17 Shall Section 2 of Ordinance 2012-07 providing that the Nikiski Fire
18 Service Area board members be appointed instead of elected by the
19 service area voters be approved?

20 YES _____ [A YES vote will change the code to provide that all Nikiski
21 Fire Service Area board members shall be appointed.]

22 NO _____ [A NO vote will leave the code unchanged, providing for the
23 election of members to this service area board.]

1 **SECTION 15.** That a ballot proposition shall be placed before the voters of the North
2 Peninsula Recreation Service Area at the regular election to be held on
3 October 2, 2012, to read as follows:

4 PROPOSITION NO. _____

5 Shall Section 3 of Ordinance 2012-07 providing that the North
6 Peninsula Recreation Service Area board members be appointed
7 instead of elected by the service area voters be approved?

8 YES _____ [A YES vote will change the code to provide that all North
9 Peninsula Recreation Service Area board members shall be
10 appointed.]

11 NO _____ [A NO vote will leave the code unchanged, providing for the
12 election of members to this service area board.]

13 **SECTION 16.** That a ballot proposition shall be placed before the voters of the Kachemak
14 Emergency Service Area at the regular election to be held on October 2, 2012,
15 to read as follows:

16 PROPOSITION NO. _____

17 Shall Section 4 of Ordinance 2012-07 providing that the Kachemak
18 Emergency Service Area board members be appointed instead of
19 elected by the service area voters be approved?

20 YES _____ [A YES vote will change the code to provide that all
21 Kachemak Emergency Service Area board members shall be
22 appointed.]

23 NO _____ [A NO vote will leave the code unchanged, providing for the
24 election of members to this service area board.]

1 **SECTION 17.** That a ballot proposition shall be placed before the voters of the South Kenai
2 Hospital Service Area at the regular election to be held on October 2, 2012, to
3 read as follows:

4 PROPOSITION NO. _____

5 Shall Section 5 of Ordinance 2012-07 providing that the South Kenai
6 Hospital Service Area board members be appointed instead of elected
7 by the service area voters be approved?

8 YES _____ [A YES vote will change the code to provide that all South
9 Kenai Hospital Service Area board members shall be
10 appointed.]

11 NO _____ [A NO vote will leave the code unchanged, providing for the
12 election of members to this service area board.]

13 **SECTION 18.** That a ballot proposition shall be placed before the voters of the Bear Creek
14 Fire Service Area at the regular election to be held on October 2, 2012, to read
15 as follows:

16 PROPOSITION NO. _____

17 Shall Section 6 of Ordinance 2012-07 providing that the Bear Creek
18 Fire Service Area board members be appointed instead of elected by
19 the service area voters be approved?

20 YES _____ [A YES vote will change the code to provide that all Bear
21 Creek Fire Service Area board members shall be appointed.]

22 NO _____ [A NO vote will leave the code unchanged, providing for the
23 election of members to this service area board.]

1 **SECTION 19.** That a ballot proposition shall be placed before the voters of the Central
2 Emergency Service Area at the regular election to be held on October 2, 2012,
3 to read as follows:

4 PROPOSITION NO. _____

5 Shall Section 7 of Ordinance 2012-07 providing that the Central
6 Emergency Service Area board members be appointed instead of
7 elected by the service area voters be approved?

8 YES _____ [A YES vote will change the code to provide that all Central
9 Emergency Service Area board members shall be appointed.]

10 NO _____ [A NO vote will leave the code unchanged, providing for the
11 election of members to this service area board.]

12 **SECTION 20.** That a ballot proposition shall be placed before the voters of the Central
13 Peninsula Emergency Medical Service Area at the regular election to be held
14 on October 2, 2012, to read as follows:

15 PROPOSITION NO. _____

16 Shall Section 8 of Ordinance 2012-07 providing that the Central
17 Peninsula Emergency Medical Service Area board members be
18 appointed instead of elected by the service area voters be approved?

19 YES _____ [A YES vote will change the code to provide that all Central
20 Peninsula Emergency Medical Service Area board members
21 shall be appointed.]

22 NO _____ [A NO vote will leave the code unchanged, providing for the
23 election of members to this service area board.]

1 **SECTION 21.** That a ballot proposition shall be placed before the voters of the Seward-Bear
2 Creek Flood Service Area at the regular election to be held on October 2,
3 2012, to read as follows:

4 PROPOSITION NO. _____

5 Shall Section 9 of Ordinance 2012-07 providing that the Seward-Bear
6 Creek Flood Service Area board members be appointed instead of
7 elected by the service area voters be approved?

8 YES _____ [A YES vote will change the code to provide that all Seward-
9 Bear Creek Flood Service Area board members shall be
10 appointed.]

11 NO _____ [A NO vote will leave the code unchanged, providing for the
12 election of members to this service area board.]

13 **SECTION 22.** That a ballot proposition shall be placed before the voters of the Seldovia
14 Recreational Service Area at the regular election to be held on October 2,
15 2012, to read as follows:

16 PROPOSITION NO. _____

17
18 Shall Section 10 of Ordinance 2012-07 providing that the Seldovia
19 Recreational Service Area board members be appointed instead of
20 elected by the service area voters be approved?

21 YES _____ [A YES vote will change the code to provide that all Seldovia
22 Recreational Service Area board members shall be
23 appointed.]

24 NO _____ [A NO vote will leave the code unchanged, providing for the
25 election of members to this service area board.]

1 **SECTION 23.** That a ballot proposition shall be placed before the voters of the Anchor Point
2 Fire and Emergency Service Area at the regular election to be held on October
3 2, 2012, to read as follows:

4 PROPOSITION NO. _____

5 Shall Section 11 of Ordinance 2012-07 providing that the Anchor
6 Point Fire and Emergency Service Area board members be appointed
7 instead of elected by the service area voters be approved?

8 YES _____ [A YES vote will change the code to provide that all Anchor
9 Point Fire and Emergency Service Area board members shall
10 be appointed.]

11 NO _____ [A NO vote will leave the code unchanged, providing for the
12 election of members to this service area board.]

13 **SECTION 24.** That a ballot proposition shall be placed before the voters of the Nikiski
14 Senior Service Area at the regular election to be held on October 2, 2012, to
15 read as follows:

16 PROPOSITION NO. _____

17 Shall Section 12 of Ordinance 2012-07 providing that the Nikiski
18 Senior Service Area board members be appointed instead of elected by
19 the service area voters be approved?

20 YES _____ [A YES vote will change the code to provide that all Nikiski
21 Senior Service Area board members shall be appointed.]

22 NO _____ [A NO vote will leave the code unchanged, providing for the
23 election of members to this service area board.]

1 **SECTION 25.** That Sections 13 through 24 shall become effective immediately upon
2 enactment of this ordinance.

3 **SECTION 26.** That Section 1 of this ordinance shall become effective upon certification of
4 the October 2, 2012 regular election only if the proposition contained in
5 Section 13 is approved by a majority of voters voting on the question in the
6 regular election of October 2, 2012.

7 **SECTION 27.** That Section 2 of this ordinance shall become effective upon certification of
8 the October 2, 2012 regular election only if the proposition contained in
9 Section 14 is approved by a majority of voters voting on the question in the
10 regular election of October 2, 2012.

11 **SECTION 28.** That Section 3 of this ordinance shall become effective upon certification of
12 the October 2, 2012 regular election only if the proposition contained in
13 Section 15 is approved by a majority of voters voting on the question in the
14 regular election of October 2, 2012.

15 **SECTION 29.** That Section 4 of this ordinance shall become effective upon certification of
16 the October 2, 2012 regular election only if the proposition contained in
17 Section 16 is approved by a majority of voters voting on the question in the
18 regular election of October 2, 2012.

19 **SECTION 30.** That Section 5 of this ordinance shall become effective upon certification of
20 the October 2, 2012 regular election only if the proposition contained in
21 Section 17 is approved by a majority of voters voting on the question in the
22 regular election of October 2, 2012.

23 **SECTION 31.** That Section 6 of this ordinance shall become effective upon certification of
24 the October 2, 2012 regular election only if the proposition contained in

1 Section18 is approved by a majority of voters voting on the question in the
2 regular election of October 2, 2012.

3 **SECTION 32.** That Sections 7 and 8 of this ordinance shall become effective upon
4 certification of the October 2, 2012 regular election only if the propositions
5 contained in Sections19 and 20 are approved by a majority of voters voting on
6 the question in the regular election of October 2, 2012.

7 **SECTION 33.** That Section 9 of this ordinance shall become effective upon certification of
8 the October 2, 2012 regular election only if the proposition contained in
9 Section 21 is approved by a majority of voters voting on the question in the
10 regular election of October 2, 2012.

11 **SECTION 34.** That Section 10 of this ordinance shall become effective upon certification of
12 the October 2, 2012 regular election only if the proposition contained in
13 Section 22 is approved by a majority of voters voting on the question in the
14 regular election of October 2, 2012.

15 **SECTION 35.** That Section 11 of this ordinance shall become effective upon certification of
16 the October 2, 2012 regular election only if the proposition contained in
17 Section 23 is approved by a majority of voters voting on the question in the
18 regular election of October 2, 2012.

19 **SECTION 36.** That Section 12 of this ordinance shall become effective upon certification of
20 the October 2, 2012 regular election only if the proposition contained in
21 Section 24 is approved by a majority of voters voting on the question in the
22 regular election of October 2, 2012.

1 ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS *
2 DAY OF * 2012.

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:

KENAI PENINSULA BOROUGH

Kenai Peninsula Borough Assembly

144 North Binkley Street
Soldotna, AK 99669
Phone 907-714-2160
Fax 907-714-2388

Gary Knopp, Assembly President
Charlie Pierce, Vice President

MEMORANDUM

TO: Kenai Peninsula Borough Assembly Members

FROM: Gary Knopp, Assembly President *B for H.K.*
Brent Johnson, Assembly Member *B for B.J.*

DATE: May 1, 2012

RE: Ordinance 2012-07 (Knopp/Johnson) Substitute, amending KPB Title 16—Service Areas, to provide for service area board members to be appointed instead of elected if approved by the voters of the service area

It is our belief that Ordinance 2012-07 as proposed by Assembly Member Murphy has merit and should be considered. Although AS 29.35.460 gives the local governing body the authority to change the method by which the boards are established (elected or appointed), we think it is inappropriate for the assembly to limit the rights of the people to select their representation.

We would appreciate your support in sending this question to the voters of the service areas so they can decide how their boards are to be selected.

Introduced by: Redistricting Committee
Date: 04/03/12
Hearing: 05/01/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-08**

**AN ORDINANCE AMENDING THE BOROUGH CODE TO REVISE ASSEMBLY AND
SCHOOL BOARD DISTRICT BOUNDARIES AND PROVIDING FOR TRUNCATION
OF THE TERM FOR ASSEMBLY SEAT NUMBER 2, KENAI**

1 **WHEREAS**, in Resolution 2011-045 the assembly declared itself malapportioned and in
2 Ordinance 2011-25 submitted two assembly and school board apportionment
3 plans to the voters; and

4 **WHEREAS**, in the October 4, 2011 election, the Kenai Peninsula Borough voters approved an
5 apportionment plan with nine single-member assembly and school board districts
6 with each assembly and school board member elected from one district; and

7 **WHEREAS**, in Ordinance 2011-41, the assembly provided for the assembly and school board
8 composition and form of representation that received the most votes as required
9 by AS 29.20.070(d); and

10 **WHEREAS**, the assembly must by ordinance adopt the legal descriptions for final assembly
11 and school board districts which comply with equal representation requirements
12 of the United States Constitution; and

13 **WHEREAS**, a committee consisting of three assembly members and the borough clerk has
14 recommended assembly and school district boundaries which comply with federal
15 law and are substantially similar to the tentative maps provided to the voters for
16 the October 2011 election and which also follow, to the extent feasible, the state
17 precinct lines in order to help ensure simplicity and accuracy of the ballot process
18 in future elections; and

1 **WHEREAS,** as the population on the east side of the Kenai Peninsula reduced notably since the
2 2000 census, the western boundary for District 6 has been moved to include the
3 east side of the Sterling area to meet equal representation requirements as well as
4 continuing to include populations with similar economic and social interests; and

5 **WHEREAS,** adjustments are made to the remaining districts to maintain compliance with equal
6 representation standards and continue to include populations with similar
7 economic, cultural, and social interests, and/or to retain consistency with political
8 boundaries; and

9 **WHEREAS,** the committee reviewed and considered whether the proposed changes would
10 impact the voting and equal representation rights of the minority populations in
11 the borough and determined the changes would have no impact largely because
12 the minority populations reside throughout the entire borough; and

13 **WHEREAS,** while there is no clear rule as to whether truncation of terms is required, as a
14 general guideline, if the number of residents in an assembly district increases by
15 more than 10 percent after the boundary change, then truncation is recommended;
16 and

17 **WHEREAS,** the 10 percent change is calculated by determining the number of new individuals
18 added to the district population, and dividing that number by the new district
19 population;

20 **WHEREAS,** district 2 has changed by more than 10 percent, which means that truncation of
21 the terms for that district is recommended; and

22 **WHEREAS,** as the term for the current school board member in district 2 expires in 2012 but
23 the assembly member's term for district 2 expires in 2014, there is no need to
24 truncate the school board member's term; and

1 **WHEREAS**, at its meeting of April 2, 2012, the Kenai Peninsula Borough School Board
2 recommended _____;

3 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
4 **PENINSULA BOROUGH:**

5 **SECTION 1.** That KPB 22.30.010 is revised as follows:

6 A. District No. 1, Kalifornsky, shall be represented by 1 seat, designated Seat 1,
7 described as follows:

8 Commencing at the section corner common to Sections 27, 28, 33 and 34,
9 T5N, R11W;

10 Thence north to the intersection of the section line common to sections 27
11 and 28, T5N, R11W and the centerline of Unocal Airport Road;

12 Thence southwesterly along Unocal Airport Road to the intersection with
13 centerline of Kalifornsky Beach Road;

14 Thence south along the centerline of Kalifornsky Beach Road to the
15 intersection of the north 1/16 line of Section 1, T4N, R12W;

16 Thence west to the mean high water line of Cook Inlet;

17 Thence northerly along the mean high water line to the intersection of the
18 section line common to Sections 7, 18, T5N, R11W;

19 Thence easterly to the intersection of the section corner common to sections
20 7,8,17 and 18, T5N, R11W;

21 Thence south to the section corner common to sections 17, 18, 19 and 20,
22 T5N, R11W;

23 Thence east to the section corner common to sections 15, 16, 21 and 22,
24 T5N, R11W;

25 Thence northerly to the west ¼ corner of section 15, T5N, R11W;

26 Thence east to the thread of the Kenai River;

27 Thence easterly and northerly along the thread of the Kenai River to the
28 confluence of Beaver Creek;

1 Thence northeasterly along the thread of Beaver Creek to the range line
2 common to section 36, T6N, R11W and section 31, T6N, R10W;
3 Thence south along the range line to the south 1/16 corner of Section 31,
4 T6N, R10W;
5 Thence east along the south 1/16 line to the intersection of Sections 31, 32,
6 T6N, R10W;
7 Thence south along the section line to the section corner common to Sections
8 5, 6, 7, 8, T5N, R10W;
9 Thence east to the 1/4 corner common to Sections 5, 8, T5N, R10W;
10 Thence south to the center 1/4 corner of Section 8, T5N, R10W;
11 Thence west to the center west 1/16 of Section 8, T5N, R10W;
12 Thence south to the southwest 1/16 corner of Section 8, T5N, R10W;
13 Thence west to the centerline of the Kenai Spur Highway;
14 Thence southerly along centerline of the Kenai Spur Highway to the
15 centerline of the intersection of Sport Lake Road;
16 Thence east along Sport Lake Road to the centerline of Moser Road also
17 being a section line common to Sections 20, 21, T5N, R10W;
18 Thence south to the intersection of the centerline of the Alaska Natural Gas
19 Pipeline right-of-way;
20 Thence westerly along the pipeline centerline right-of-way to the centerline
21 of Delta Avenue;
22 Thence westerly along the centerline of Delta Avenue to the centerline of
23 Gibson Blvd;
24 Thence south along centerline of Gibson Blvd to the centerline of Kilowatt
25 Avenue;
26 Thence westerly along the centerline of Kilowatt Avenue to the centerline of
27 the Kenai Spur Highway;
28 Thence southerly along the centerline of the Kenai Spur Highway to the
29 north 1/16 line of Section 29, T5N, R10W;
30 Thence west along the north 1/16 line to the intersection of the thread of the
31 Kenai River;

1 Thence southwesterly along the thread of the Kenai River to the section line
2 common to Sections 25, 36, T5N, R11W;
3 Thence west along said section line to section corner common to Sections 25,
4 26, 35, 36, T5N, R11W;
5 Thence south to the section corner common to Sections 35, 36, T5N, R11W
6 and the township line common to T4N & T5N;
7 Thence west along said township line to the point of beginning, and all being
8 within the Seward Meridian, Alaska.

9 B. District No. 2, Kenai, shall be represented by 1 seat, designated Seat 2,
10 described as follows:

11 Commencing at the 1/4 corner common to Sections 13, 24, T6N, R11W;
12 Thence west to the 1/4 corner common to Sections 17, 20, T6N, R11W;
13 Thence south to the center 1/4 corner of Section 29, T6N, R11W;
14 Thence west to the center 1/4 corner of Section 25, T6N, R12W;
15 Thence north to the 1/4 corner common to Sections 24, 25, T6N, R12W;
16 Thence west to the intersection of the mean high water line of Cook Inlet;
17 Thence southerly along the mean high water line to the intersection of the
18 section line common to Sections 7, 18, T5N, R11W;
19 Thence easterly to the intersection of the section corner common to sections
20 7,8,17 and 18, T5N, R11W;
21 Thence south to the section corner common to sections 17, 18, 19 and 20,
22 T5N, R11W;
23 Thence east to the section corner common to sections 15, 16, 21 and 22,
24 T5N, R11W;
25 Thence northerly to the west ¼ corner of section 15, T5N, R11w;
26 Thence east to the thread of the Kenai River;
27 Thence easterly and northerly along the thread of the Kenai River to the
28 confluence of Beaver Creek;
29 Thence northeasterly along the thread of Beaver Creek to the range line
30 common to section 36, T6N, R11W and section 31, T6N, R10W;

1 Thence north along said range line to the 1/4 corner common to Section 24,
2 T6N, R11W and Section 19, T6N, R10W;
3 Thence west to the center 1/4 corner of Section 24, T6N, R11W;
4 Thence north to the point of beginning, and all being within the Seward
5 Meridian, Alaska.

6 C. District No. 3, Nikiski, shall be represented by 1 seat, designated Seat 3,
7 described as follows:

8 District No. 3, Nikiski, Area 1

9 Commencing at the 1/4 corner common to Sections 13, 24, T6N, R11W;
10 Thence west to the 1/4 corner common to Sections 17, 20, T6N, R11W;
11 Thence south to the center 1/4 corner of Section 29, T6N, R11W;
12 Thence west to the center 1/4 corner of Section 25, T6N, R12W;
13 Thence north to the 1/4 corner common to Sections 24, ,25, T6N, R12W;
14 Thence west to the intersection of the mean high water line of Cook Inlet;
15 Thence northeasterly along the mean high water line of Cook Inlet to the
16 thread of Burnt Island Creek;
17 Thence southeasterly along the thread of Burnt Island Creek to the
18 intersection of the Alaska Natural Gas Pipeline right-of-way centerline;
19 Thence southwesterly along the Alaska Natural Gas Pipeline right-of-way
20 centerline to the intersection of the section line common to Section 6, T5N,
21 R7W and Section 1, T5N, R8W;
22 Thence north to the southeast corner of T6N, R8W;
23 Thence west to the southeast corner of T6N, R9W;
24 Thence north to the 1/4 corner common to Section 31, T6N, R8W and
25 Section 36, T6N, R9W;
26 Thence east to the 1/4 corner common to Sections 31, 32, T6N, R8W;
27 Thence north to the section corner common to Sections 31, 32, 30, 29, T6N,
28 R8W;
29 Thence east to the 1/4 corner common to Sections 29, 32, T6N, R8W;

1 Thence north to the center 1/4 corner of Section 20, T6N, R8W;
2 Thence west to the centerline of Swanson River Road;
3 Thence southerly along Swanson River Road centerline to the section corner
4 common to Sections 1, 2, T5N, R9W and Sections 35, 36, T6N, R9W;
5 Thence west to the section corner common to Sections 5, 6, T5N, R10W and
6 Sections 31, 32, T6N, R10W;
7 Thence north to the south 1/16 corner common to Sections 31, 32, T6N,
8 R10W;
9 Thence west to the south 1/16 corner common to Section 31, T6N, R10W
10 and Section 36, T6N, R11W;
11 Thence north to the 1/4 corner common to Section 19, T6N, R10W and
12 Section 24, T6N, R11W;
13 Thence west to the center 1/4 corner of Section 24, T6N, R11W;
14 Thence north to the point of beginning, and all being within the Seward
15 Meridian, Alaska.

16 District No. 3, Nikiski, Area 2

17 Commencing at the northeast corner of T13N, R10W;
18 Thence south along the range line to the mean high water line of Cook Inlet;
19 Thence southeasterly along the mean high water line of Cook Inlet to the
20 intersection of Lake Clark National Park and the mean high water line of
21 Chinitna Bay;
22 Thence northwesterly along the boundary of Lake Clark National Park to
23 intersection of range line common to R25W and R26W;
24 Thence north to northwest corner of T1S, R25W;
25 Thence east to the southwest corner of T1N, R24W;
26 Thence north to the northwest corner of T4N, R24W;
27 Thence east to the southwest corner of T5N, R23W;
28 Thence north to the northwest corner of T8N, R23W;
29 Thence west to the southeast corner of T9N, R24W;

1 Thence north to the northeast corner of T12N, R24W;
2 Thence west to the southeast corner of T13N, R24W;
3 Thence north to the northeast corner of T15N, R24W;
4 Thence east to the northeast corner T15N, R12W;
5 Thence south to the northwest corner of T13N, R10W;
6 Thence east to the northeast corner of T13N, R10W, and being the point of
7 beginning, and all being within the Seward Meridian, Alaska.

8 District No. 3, Nikiski, Area 3

9 All of Kalgin Island and Chisik Island in Cook Inlet, and all being within the
10 Seward Meridian, Alaska.

11 D. District No. 4, Soldotna, shall be represented by 1 seat, designated Seat 4,
12 described as follows:

13 Commencing at the section corner common to Sections 5, 6, T5N, R10W and
14 Section 31, 32, T6N, R10W;
15 Thence south to the section corner common to Sections 5, 6, 7, 8, T5N,
16 R10W;
17 Thence east to the 1/4 corner common to Sections 5, 8, T5N, R10W;
18 Thence south to the center 1/4 corner of Section 8, T5N, R10W;
19 Thence west to the center west 1/16 corner of Section 8, T5N, R10W;
20 Thence south to the southwest 1/16 corner of Section 8, T5N, R10W;
21 Thence west to the centerline of the Kenai Spur Highway;
22 Thence southerly along centerline of the Kenai Spur Highway to the
23 centerline of the intersection of Sport Lake Road;
24 Thence east to the centerline of Moser Road also being a section line
25 common to Sections 20, 21, T5N, R10W;
26 Thence south to the intersection of the centerline of the Alaska Natural Gas
27 Pipeline right-of-way;

1 Thence westerly along the pipeline centerline right-of-way to the centerline
2 of Delta Avenue;
3 Thence westerly along the centerline of Delta Avenue, to the centerline of
4 Gibson Blvd;
5 Thence south along the centerline of Gibson Blvd to the centerline of
6 Kilowatt Avenue;
7 Thence westerly along the centerline of Kilowatt Avenue to the centerline of
8 the Kenai Spur Highway;
9 Thence southerly along the centerline of the Kenai Spur Highway to the
10 north 1/16 line of Section 29, T5N, R10W;
11 Thence west along the north 1/16 line of Section 29 to the intersection of the
12 thread of the Kenai River;
13 Thence southwesterly along the thread of the Kenai River to the section line
14 common to Sections 25, 36, T5N, R11W;
15 Thence west along said section line to section corner common to Sections 25,
16 26, 35, 36 T5N, R11W;
17 Thence south to the section corner common to Sections 35, 36, T5N, R11W
18 also being the township line being common to T4N and T5N and the
19 southwest corner of the corporate boundary of the City of Soldotna;
20 Thence east along the township line to the intersection of the centerline Ski
21 Hill Road;
22 Thence northwesterly along the centerline of Ski Hill Road to centerline of
23 Funny River Road;
24 Thence southeasterly along the centerline of Funny River Road to extension
25 of the east property boundary of Lot 3A, Tachick Subdivision Part Three plat
26 86-160 KRD;
27 Thence north to the thread of the Kenai River;
28 Thence northeasterly along the thread of the Kenai River to the extension of
29 the lot line of Lot 6, Block 1 Logan Subdivision plat 1636 KRD and Lot 27,
30 Derkevorkian Subdivision No. 2 Amended plat 77-52 KRD;

1 Thence southeasterly along said lot line to the north boundary of Funny River
2 Road;
3 Thence northeasterly along the north edge of Funny River Road to the
4 intersection of Oehler Road;
5 Thence north and east along the centerline of Oehler Road to the extension of
6 the east lot line of Lot L-1A, Derkevorkian Subdivision Wackler Addition
7 plat 2007-50;
8 Thence north to the south meander of the Kenai River;
9 Thence southwesterly along the south meander of the Kenai River to the east
10 west center ¼ section line of Section 32, T5N, R10W;
11 Thence west to the thread of the Kenai River;
12 thence easterly along the thread of the Kenai River to the intersection of the
13 north south center ¼ section line of section 32, T5N, R10W;
14 Thence south along the north south ¼ section line to the intersection of the
15 north boundary of Funny River Road;
16 Thence south and west to the centerline of Airport Heights Street;
17 Thence south to the township line common to T4N and T5N;
18 Thence east along the township line common to T4N and T5N sections 34
19 and 35, T5N, R10W;
20 Thence north to the south 1/16 corner common to section 32, 33, T5N,
21 R10W;
22 Thence west to the center south 1/16 corner common to Section 33, T5N,
23 R10W;
24 Thence north to the thread of the Kenai River;
25 Thence easterly along the thread of the Kenai River to the intersection of the
26 south line of Section 31, T5N, R9W;
27 Thence northwest to south end of Dan France Road (a private drive);
28 Thence north along Dan France Road to the intersection of the centerline of
29 Forest Lane;
30 Thence northerly to the center line of the Sterling Highway and Jim Dahler
31 Road;

1 Thence northeasterly along the centerline of the Sterling Highway to the
2 intersection of Deville Rd;
3 Thence northerly along the centerline of Deville Road to the intersection of
4 the 1/16 line common to the CN 1/16 and NW 1/16 corners section 18, T5N,
5 R9W;
6 Thence west to the NW 1/16 corner common to section 18, T5N, R9W and
7 Section 13, T5N, R10W;
8 Thence north to the section corner common to section 7, 18, T5N, R9W and
9 sections 12, 13, T5N, R10W;
10 Thence west to the thread of Soldotna Creek;
11 Thence northeasterly along the thread of Soldotna Creek to the north shore of
12 Sevena Lake;
13 Thence northwesterly along the north shore of Sevena Lake to the
14 intersection of the section line common to Sections 1, 2, T5N, R10W;
15 Thence north along said section line to the township line common to T5N
16 and T6N;
17 Thence west along said township line to point of beginning, and all being
18 within the Seward Meridian, Alaska.

19 E. District No. 5, Sterling-Funny River, shall be represented by 1 seat,
20 designated Seat 5, described as follows:

21 Commencing at the section corner common to Sections 2, 3, T4N, R11W
22 also being centerline of Echo Lake Road;
23 Thence south to the intersection of the Sterling Highway;
24 Thence southwesterly along the centerline of the Sterling Highway to the
25 intersection of the thread of Coal Creek;
26 Thence northeasterly along the thread of Coal Creek to section line common
27 to Sections 9, 10, T3N, R11W;
28 Thence south to the section corner common to Sections 33, 34, T3N, R11W
29 and Sections 3, 4, T2N, R11W;
30 Thence west to the thread of the Kasilof River;

1 Thence southeasterly along the Kasilof River to the intersection of
2 Tustumena Lake;
3 Thence along the north shore of Tustumena Lake to the thread of Glacier
4 Creek;
5 Thence southeasterly along Glacier Creek to the headwaters of Glacier
6 Creek;
7 Thence southeasterly to southeast corner of T2S, R6W;
8 Thence east to the Kenai Fjords National Park boundary;
9 Thence northerly along boundary to the thread of the Resurrection River also
10 being in Section 34, T3N, R3W;
11 Thence northwesterly along the Resurrection River to the thread of Summit
12 Creek;
13 Thence northwesterly to the southeast corner of Upper Russian Lake;
14 Thence along the northeast shore of Upper Russian Lake to the thread of the
15 Russian River;
16 Thence northerly along the thread of Russian River to the thread of the Kenai
17 River;
18 Thence westerly along the thread of the Kenai River to the shore of Skilak
19 Lake;
20 Thence southeasterly and westerly along the southern shore of Skilak Lake to
21 the thread of the Kenai River;
22 Thence southwestwesterly along the thread of the Kenai River to the extended
23 centerline of Steelhead Cir;
24 Thence northerly along said centerline to the intersection of Steelhead Cir
25 and Samsel Rd;
26 Thence northerly along the centerline of Samsel Rd to Bings Landing Rd;
27 Thence northerly along the centerline of Bings Landing Rd to the Sterling
28 Highway;
29 Thence westerly along the centerline of the Sterling Highway to Jalapeno St;
30 Thence south along the centerline of Jalapeno St to Ruth Ln;
31 Thence northwesterly along the centerline of Ruth Ln to Iris Ln;

1 Thence northeast along the centerline of Iris Ln to the Sterling Highway;
2 Thence northwest along the centerline of the Sterling Highway to Otter Trail
3 Rd;
4 Thence north along the centerline of Otter Trail Rd to the intersection of the
5 Alaska Natural Gas Pipeline right-of-way;
6 Thence westerly along the pipeline right-of-way to the thread of the Moose
7 River;
8 Thence northeasterly along the thread of the Moose River to the township
9 line common to T6N and T5N;
10 Thence west along said said township line to the southeast corner of T6N,
11 R9W;
12 Thence north to the 1/4 corner common to Section 31, T6N, R8W and
13 Section 36, T6N, R9W;
14 Thence east to the 1/4 corner common to Sections 31, 32, T6N, R8W;
15 Thence north to the section corner common to Sections 31, 32, 30, 29, T6N,
16 R8W;
17 Thence east to the 1/4 corner common to Sections 29, 32, T6N, R8W;
18 Thence north to the center 1/4 corner of Section 20, T6N, R8W;
19 Thence west to the centerline of Swanson River Road;
20 Thence southerly along Swanson River Road centerline to the section corner
21 common to Sections 1, 2, T5N, R9W and Sections 35, 36, T6N, R9W;
22 Thence west along the township line common to T5N R9W and T6N R9W to
23 the northwest corner of section 1, T5N R10W;
24 Thence south along the section line common to sections 1 and 2 T5N R10W
25 to the north shore of Sevena Lake;
26 Thence along the north shore of Sevena Lake to the thread of Soldotna
27 Creek;
28 Thence along the thread of Soldotna Creek
29 Thence southerly along the thread of Soldotna Creek to the section line
30 common to sections 12 and 13, T5N R10W;

1 Thence east to the section corner common to sections section 7 , 18, T5N,
2 R9W and sections 12, 13, T5N, R10W;
3 Thence south to the northwest 1/16 corner common to section 13, 05N R10W
4 and section 18, T5N R09W;
5 Thence east along the 1/16 line common to CN 1/16 and NW1/16 corners of
6 section 18, T5N R9W to the centerline of Deville Rd;
7 Thence southerly along the centerline of Deville Rd to the Sterling Highway;
8 Thence southwesterly along the centerline of the Sterling Highway to Forest
9 Ln;
10 Thence along the centerline of Forest Ln to Dan France Rd (a private drive);
11 Thence south along the centerline of Dan France Rd to the intersection of
12 said centerline extended and the thread of the Kenai River;
13 Thence westerly along the thread of the Kenai River to the intersection of the
14 north south center ¼ line of section 34, T5N, R10W;
15 Thence south to the center south 1/16 corner of Section 34, T5N, R10W;
16 Thence east to the south 1/16 corner common to Sections 34, 35, T5N,
17 R10W;
18 Thence south to the township line common to T5N and T4N;
19 Thence west to the section corner common to Section 32, 33, T5N, R10W;
20 Thence north to the south 1/16 corner common to Section 32, 33, T5N,
21 R10W;
22 Thence east to the center south 1/6 corner common to Section 33, T5N,
23 R10W;
24 Thence north to the thread of the Kenai River;
25 Thence westerly along the thread of the Kenai River to the intersection of the
26 east west center ¼ line of Section 32, T5N, R10W;
27 Thence east along the center ¼ line to the south meander of the Kenai River;
28 Thence northeasterly along the south meander of the Kenai River to the
29 extension of east lot line of Lot L-1A, Derkevorkian Subdivision Wackler
30 Addition plat 2007-50;
31 Thence south to the intersection of Oehler Road;

1 Thence west and south to the intersection of the north boundary of Funny
2 River Road;
3 Thence southwesterly to the intersection of the lot line of Lot 6, Block 1
4 Logan Subdivision plat 1636 KRD and Lot 27, Derkevorkian Subdivision
5 No. 2 Amended plat 77-52 KRD;
6 Thence northwesterly along the lot line of Lot 6, Block 1 Logan Subdivision
7 plat 1636 KRD and Lot 27, Derkevorkian Subdivision No. 2 Amended plat
8 77-52 KRD to the thread of the Kenai River;
9 Thence southwesterly along the thread of the Kenai River to the extension of
10 the east property boundary of Lot 3A, Tachick Subdivision Part Three plat
11 86-160 KRD;
12 Thence south along the east property boundary of Lot 3A, Tachick
13 Subdivision Part Three plat 86-160 KRD to the centerline of Funny River
14 Road;
15 Thence west along the centerline of Funny River Road to the intersection of
16 Ski Hill Road;
17 Thence southeasterly along the centerline of Ski Hill Road to the intersection
18 of the township line common to T5N and T4N;
19 Thence west to the northwest corner of section 2, T4N, R11W to the point of
20 beginning, and all being within the Seward Meridian, Alaska.

21 F. District No. 6, East Peninsula, shall be represented by 1 seat, designated Seat
22 6, described as follows:

23 Commencing at intersection of the mean high water line of Turnagain Arm
24 and section line common to Sections 25, 26, T9N, R2E;
25 Thence south to the southeast corner of Section 35, T9N, R2E;
26 Thence west to the northeast corner of Section 2, T8N, R2E;
27 Thence south to the northeast corner of Section 2, T7N, R2E;
28 Thence east to the northeast corner of T7N, R4E;
29 Thence south to the southeast corner of T5N, R4E;
30 Thence west to the northeast corner of T4N, R4E;

1 Thence south to the northeast corner of Section 25, T4N, R4E;
2 Thence east to the southeast corner of the southwest 1/4 of Section 22, T4N,
3 R5E;
4 Thence southerly to the southeast corner of the southwest 1/4 of Section 34,
5 T1N, R5E;
6 Thence west to the northeast corner of the northwest 1/4 of Section 3, T1S,
7 R5E;
8 Thence south to the southeast corner of the northwest 1/4 of Section 27, T1S,
9 R5E;
10 Thence west to the southwest corner of the northwest 1/4 of Section 27, T1S,
11 R5E;
12 Thence south to the northeast corner of Section 9, T3S, R5E;
13 Thence southwesterly to the southeast corner of Section 7, T3S, R5E, said
14 corner being at or approximately at Cape Junken;
15 Thence southwesterly to the southeast corner of the northeast 1/4 of Section
16 4, T4S, R1E, said corner being at or approximately at Barwell Island;
17 Thence southwesterly to the northeast corner of the southeast 1/4 Section 17,
18 T5S, R1W, said corner being at or approximately at Pilot Rock;
19 Thence southwesterly to the southwest corner of the southeast 1/4 corner of
20 Section 33, T7S, R2W, said corner being at or approximately at Seal Rock;
21 Thence northwesterly to intersection of Kenai Fjords National Park and
22 township line boundary common to T2S, R5W and T3S, R5W;
23 Thence northerly along the Kenai Fjords National Park boundary to the
24 thread of Resurrection River also being in Section 34, T3N, R3W;
25 Thence northwesterly along the thread of the Resurrection River to the thread
26 of Summit Creek;
27 Thence southeast to the corner of Upper Russian Lake;
28 Thence along the northeast shore of Upper Russian Lake to the thread of the
29 Russian River;
30 Thence along thread of the Russian River to the thread of the Kenai River;
31 Start here!!!

1 Thence along the thread of the Kenai River to Skilak Lake;
2 Thence westerly along the south shore of Skilak Lake to the thread of the
3 Kenai River;
4 Thence northwesterly along the thread of the Kenai River to the confluence
5 of the Kenai River and Moose River;
6 Thence northeasterly along the thread of the Moose River to the township
7 line common to T6N and T5N;
8 Thence east along said township line to the northeast corner of Section 1,
9 T5N R8W;
10 Thence south along the section line common to Section 1, T5N R8W and
11 Section 6, T5N R7W to the Alaska Natural Gas Pipeline right-of-way;
12 Thence northeasterly along the Alaska Natural Gas Pipeline right-of-way to
13 the mean high water line of Turnagain Arm;
14 Thence southeasterly along the mean high water line of Turnagain Arm to the
15 point of beginning, and all being within the Seward Meridian, Alaska.

16 G. District No. 7, Central, shall be represented by 1 seat, designated Seat 7,
17 described as follows:

18 Commencing at the section corner common to Sections 3, 2, T4N, R11W
19 also being centerline of Echo Lake Road;
20 Thence south along the centerline of Echo Lake Road to the intersection of
21 the centerline Sterling Highway;
22 Thence southwesterly along the centerline of the Sterling Highway to the
23 thread of Coal Creek;
24 Thence northeasterly along the thread of Coal Creek to the section line
25 common to Sections 9, 10, T3N, R11W;
26 Thence south to the section corner common to Sections 33, 34 T3N, R11W
27 and Sections 3, 4, T2N, R11W;
28 Thence west to the thread of the Kasilof River;
29 Thence southerly along the Kasilof River to the intersection of the ordinary
30 high water line of the south shore of Tustumena Lake;

1 Thence along the south shore of Tustumena Lake to the range line common
2 to R11W and R10W;
3 Thence south along said range line to the thread of Cytex Creek;
4 Thence westerly along the thread of Cytex Creek to the thread of Deep
5 Creek;
6 Thence easterly along the thread of Deep Creek to the thread of an unnamed
7 tributary located within the southwest quarter of Section 10, T3S R11W;
8 Thence southerly along said tributary to the intersection of the section line
9 common to sections 34, 35, T3S, R11W;
10 Thence south along the section line to the section corner common to sections
11 10, 11, 14, 15, T4S, R11W;
12 Thence west to the section corner common to sections 8, 9, 16, 17, T4S,
13 R11W;
14 Thence south along the section line to the thread of the North Fork of the
15 Anchor River;
16 Thence westerly along the thread of the North Fork of the Anchor River to
17 the section line common to Sections 26, 25, T4S, R15W;
18 Thence north to the section corner common to Sections 13, 14, 23, 24, T4S,
19 R15W;
20 Thence west to the centerline of the Sterling Highway;
21 Thence north along the centerline of the Sterling Highway to the intersection
22 of the centerline of Whiskey Gulch Road;
23 Thence westerly along the centerline of Whiskey Gulch Road to the mean
24 high water line of Cook Inlet;
25 Thence northerly along the mean high water line of Cook Inlet to the
26 intersection of the north 1/16 line of Section 1, T4N, R12W;
27 Thence east to the centerline of Kalifornsky Beach Road;
28 Thence north along the centerline of Kalifornsky Beach Road to the
29 intersection of the Unocal Airport Road;
30 Thence northeasterly along Unocal Airport Road to the intersection of
31 section line common to Sections 27, 28, T5N, R11W;

1 Thence south to the section corner common to Sections 33, 34, T5N, R11W;
2 Thence east to the section corner common to Sections 2, 3, T4N, R11W, the
3 point of beginning, and all being within the Seward Meridian, Alaska.

4 H. District No. 8, Homer, shall be represented by 1 seat, designated Seat 8,
5 described as follows:

6 District No. 8, Homer, Area 1

7 Commencing at the mean high water line of Cook Inlet and the intersection
8 of the section line common to Sections 15,16, T6S, R14W;

9 Thence north along said section line to the centerline of the Sterling
10 Highway;

11 Thence northwesterly along the centerline of the Sterling Highway to
12 Diamond Ridge Rd;

13 Thence easterly along the centerline of Diamond Ridge Rd. to the north edge
14 of the right-of-way of Skyline Drive;

15 Thence northeasterly along the northerly edge of Skyline Drive right-of-way
16 to the west intersection of Crossman Ridge Road right-of-way;

17 Thence northeasterly along the northerly edge of Crossman Road to the
18 corner common to Lot 12 & 13 Diamond Ridge Estates, Plat 71-1238 Homer
19 Recording District;

20 Thence north to the C-N-S-SE 1/256 corner of Section 6, T6S, R13W;

21 Thence east to the centerline of Crossman Ridge Rd;

22 Thence easterly along the centerline of Crossman Ridge Rd. to Palmer St;

23 Thence southerly along the centerline of Palmer St. to Skyline Dr;

24 Thence easterly along the centerline of Skyline Dr. to the thread of
25 Waterman Canyon Creek extended;

26 Thence southeasterly 550' along the thread of Waterman Canyon Creek;

27 Thence southwesterly to the C1/4 of section 2, T6S, R13W;

28 Thence east to the thread of an unnamed drainage;

1 Thence southeasterly along the unnamed drainage to the centerline of Joan
2 Ave;
3 Thence east along the centerline of Joan Ave to the centerline of McClay Rd;
4 Thence north along the centerline of McClay Rd to the north edge of Deitz
5 Ln right-of-way;
6 Thence along the north edge of Deitz Ln right-of way to the line common to
7 lots 3 and 4 Deitz Homes Estates Sub No 4;
8 Thence northwesterly to the southwest corner of Tract A-3 Deitz Home
9 Estates Sub No 13;
10 Thence northeasterly along the southern boundary of Tract A-3 to the
11 westerly edge of the China Poot St right-of-way;
12 Thence perpendicular 60' across China Poot St right-of-way to the west
13 boundary of Tract A-4C Deitz Home Estates Sub no 15;
14 Thence southeasterly along the western boundary of Tract A-4C to the
15 southern boundary of Tract A-4C;
16 Thence northeasterly along the southern boundary of Tract A-4C to the
17 southeast corner of Tract A-4C;
18 Thence north to the Cw1/4 corner of section 1, T6S, R13W;
19 Thence east to the C1/4 of section 1, T6S, R13W;
20 Thence south to the CS1/4 of section 1, T6S, R13W;
21 Thence east to the S1/6 common to section 1, T6S, R13W and section 6,
22 T6S, R12W;
23 Thence south along the section line to the mean high water of Kachemak
24 Bay;
25 Thence southwesterly along the mean high water of Kachemak Bay to the
26 director's line of Alaska Tidelands Survey #612;
27 Thence easterly, southerly and northerly along said director's line to the
28 intersection of the section line common to sections 22, 23, T6S, R14W, also
29 being the mean high water line of Kachmeak Bay;
30 Thence northwesterly along the mean high water line of Kachemak Bay to
31 the point of beginning, and all being within the Seward Meridian, Alaska.

1 District No. 8, Homer, Area 2

2 Commencing at Cape Douglas on the West Side of Cook Inlet at the
3 northeast corner of Section 27, T15S, R24W;
4 Thence west to the northeast corner of Section 29, T15S, R26W;
5 Thence south to the southeast corner of Section 32, T16S, R26W;
6 Thence west to the northeast corner of T17S, R28W;
7 Thence south to the southeast corner of T17S, R28W;
8 Thence west to the southwest corner of T17S, R32W;
9 Thence north to the northwest corner of T17S, R32W;
10 Thence west to the southwest corner of T16S, R32W;
11 Thence north to the northwest corner of T13S, R32W;
12 Thence west to the southwest corner of T12S, R32W;
13 Thence north to the northwest corner of T11S, R32W;
14 Thence east to the southwest corner of T10S, R30W;
15 Thence north to the northwest corner of T9S, R30W;
16 Thence east to the southeast corner of T8S, R29W;
17 Thence north to the northeast corner of T8S, R29W;
18 Thence east to the northeast corner of T8S, R28W;
19 Thence north to the northwest corner of T6S, R27W;
20 Thence east to the southwest corner of T5S, R26W;
21 Thence north to the northwest corner of T5S, R26W;
22 Thence east to the southwest corner of T4S, R25W;
23 Thence north to the intersection of the boundary of Lake Clark National
24 Park;
25 Thence southeasterly along the boundary of Lake Clark National Park to the
26 mean high water line of Chinitna Bay;
27 Thence southeasterly to the northeast corner of Section 13, T4S, R22W;
28 Thence southwesterly to the point of beginning, and all being within the
29 Seward Meridian, Alaska.

1 I. District No. 9, South Peninsula, shall be represented by 1 seat, designated
2 Seat 9, described as follows:

3 Commencing at the mean high water line of Cook Inlet and the intersection
4 of the section line common to Sections 15,16, T6S, R14W;

5 Thence north along said section line to the centerline of the Sterling
6 Highway;

7 Thence northwesterly along the centerline of the Sterling Highway to
8 Diamond Ridge Rd;

9 Thence easterly along the centerline of Diamond Ridge Rd. to the north edge
10 of the right-of-way of Skyline Drive;

11 Thence northeasterly along the northerly edge of Skyline Drive right-of-way
12 to the west intersection of Crossman Ridge Road right-of-way;

13 Thence northeasterly along the northerly edge of Crossman Road to the
14 corner common to Lot 12 & 13 Diamond Ridge Estates, Plat 71-1238 Homer
15 Recording District;

16 Thence north to the C-N-S-SE 1/256 corner of Section 6, T6S, R13W;

17 Thence east to the centerline of Crossman Ridge Rd;

18 Thence easterly along the centerline of Crossman Ridge Rd. to Palmer St;

19 Thence southerly along the centerline of Palmer St. to Skyline Dr;

20 Thence easterly along the centerline of Skyline Dr. to the thread of
21 Waterman Canyon Creek extended;

22 Thence southeasterly 550' along the thread of Waterman Canyon Creek;

23 Thence southwesterly to the C1/4 of section 2, T6S, R13W;

24 Thence east to the thread of an unnamed drainage;

25 Thence southeasterly along the unnamed drainage to the centerline of Joan
26 Ave;

27 Thence east along the centerline of Joan Ave to the centerline of Mc Clay
28 Rd;

29 Thence north along the centerline of Mc Clay Rd to the north edge of Deitz
30 Ln right-of-way;

1 Thence along the north edge of Deitz Ln right-of way to the line common to
2 lots 3 and 4 Deitz Homes Estates Sub No 4;
3 Thence northwesterly to the southwest corner of Tract A-3 Deitz Home
4 Estates Sub No 13;
5 Thence northeasterly along the southern boundary of Tract A-3 to the
6 westerly edge of the China Poot St right-of-way;
7 Thence perpendicular 60' across China Poot St right-of-way to the west
8 boundary of Tract A-4C Deitz Home Estates Sub no 15;
9 Thence southeasterly along the western boundary of Tract A-4C to the
10 southern boundary of Tract A-4C;
11 Thence northeasterly along the southern boundary of Tract A-4C to the
12 southeast corner of Tract A-4C;
13 Thence north to the Cw1/4 corner of section 1, T6S, R13W;
14 Thence east to the C1/4 of section 1, T6S, R13W;
15 Thence south to the CS1/4 of section 1, T6S, R13W;
16 Thence east to the S1/6 common to section 1, T6S, R13W and section 6,
17 T6S, R12W;
18 Thence south along the section line to the mean high water of Kachemak
19 Bay;
20 Thence southwesterly along the mean high water of Kachemak Bay to the
21 director's line of Alaska Tidelands Survey #612;
22 Thence easterly, southerly along the director's line to the tip of the Homer
23 Spit;
24 Thence southerly to Lancashire Rocks within Kachemak Bay;
25 Thence southwesterly to Sixty Foot Rock within Kachemak Bay;
26 Thence southwesterly to the northwest corner of section 1, T9S, R16W
27 protracted;
28 Thence southwest to the northwest corner of section 4, T10s, R16W;
29 Thence south to the southwest corner of section 4, T11S, R16W;
30 Thence southeasterly to the southwest corner of section 7, T7S, R15W;
31 Thence southeasterly to the southeast corner of section 31, T12s, R14W;

1 Thence northeasterly to the southwest corner of section 26, T12S, R13W;
2 Thence northeasterly to the tip of Gore Point;
3 Thence northeasterly to Seal Rock;
4 Thence northwesterly to the intersection of the Kenai Fjords National Park
5 boundary and the township line common to T3S and T2S;
6 Thence west to the northwest corner of section 6, T3S, R5W;
7 Thence northwest to the headwaters of Glacier Creek;
8 Thence along the thread of Glacier Creek to the shore of Tustumena Lake;
9 Thence westerly along the south shore of Tustumena Lake (including
10 Caribou Island)
11 to the range line common to R11W and R10W;
12 Thence south along said range line to the thread of Cytex Creek;
13 Thence westerly along the thread of Cytex Creek to the thread of Deep
14 Creek;
15 Thence easterly along the thread of Deep Creek to the thread of an unnamed
16 tributary located within the southwest quarter of Section 10, T3S R11W;
17 Thence southerly along said tributary to the intersection of the section line
18 common to sections 34, 35, T3S, R11W;
19 Thence south along the section line to the section corner common to sections
20 10, 11, 14, 15, T4S, R11W;
21 Thence west to the section corner common to sections 8, 9, 16, 17, T4S,
22 R11W;
23 Thence south along the section line to the thread of the North Fork of the
24 Anchor River;
25 Thence westerly along the thread of the North Fork of the Anchor River to
26 the section line common to Sections 26, 25, T4S, R15W;
27 Thence north to the section corner common to Sections 13, 14, 23, 24, T4S,
28 R15W;
29 Thence west to the centerline of the Sterling Highway;
30 Thence north along the centerline of the Sterling Highway to the intersection
31 of the centerline of Whiskey Gulch Road;

1 Thence westerly along the centerline of Whiskey Gulch Road to the mean
2 high water line of Cook Inlet;
3 Thence southerly along the mean high water line of Cook Inlet to the point of
4 beginning, all being with the Seward Meridian, Alaska.

5 **SECTION 2.** The term of office of the assembly member for District 2 seated as of the October
6 2011 regular election shall expire at the regular borough election held in October
7 2012. The seat in District 2 as defined in Section 1, above, will be open for
8 election at the regular borough election held in October 2012. Candidates for that
9 seat shall file for the specific district designated and the terms and qualifications
10 for that district shall be two years for the initial term, and three years for
11 subsequent terms.

12 **SECTION 3.** The terms of all remaining members of the school board and assembly shall
13 expire in accordance with the existing terms for each seat.

14 **SECTION 4.** That this ordinance shall take effect immediately upon its preclearance by the
15 Department of Justice and enactment by the borough assembly.

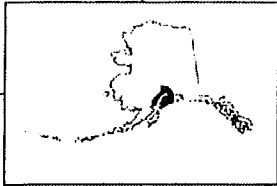
16 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
17 **DAY OF * 2012.**

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:
No:
Absent:



KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Board of Education

Joe Arness, President

148 North Binkley Street Soldotna, Alaska 99669-7553
Phone (907) 714-8888 Fax (907) 262-9132

April 3, 2012

The Kenai Peninsula Borough School District Board of Education took the following action at the April 2, 2012 regular meeting:

11. Action Items

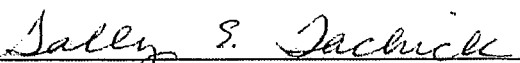
- e. Approval of Recommendation to Support Borough Ordinance 2012-08, An Ordinance Amending The Borough Code To Revise Assembly And School Board District Boundaries And Providing For Truncation Of The Term For Assembly Seat Number 2, Kenai

Mr. Arness recommended the Board approve support for Borough Ordinance 2012-08.

The above recommendation passed by unanimous consent with the following Board members present:

Mr. Joe Arness, President
Mrs. Liz Downing, Vice President
Ms. Lynn Hohl, Treasurer
Mrs. Sammy Crawford
Mrs. Sunni Hilts
Mr. Bill Holt
Mr. Tim Navarre
Mrs. Penny Vadla

ATTEST:


Sally Tachick
Administrative Assistant
Superintendent/School Board



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the Borough: 1-800-478-4441

PHONE: (907) 262-4441 • **FAX:** (907) 262-1892

www.borough.kenai.ak.us

**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

TO: Gary Knopp, Assembly President
Members, Kenai Peninsula Borough Assembly

FROM: Johni Blankenship, Borough Clerk *B*
Colette Thompson, Borough Attorney *CT*

DATE: April 3, 2012

SUBJECT: Ordinance 2012-08, amending the borough code to revise assembly and school board district boundaries and Providing for Truncation of the Term for Assembly Seat Number 2, Kenai

In the October 4, 2012, election, the Kenai Peninsula Borough voters approved an apportionment plan with nine single-member assembly and school board districts. Following that election the assembly established a committee of three assembly members and the borough clerk to develop and recommend assembly and school district boundaries that are substantially similar to the tentative maps provided to the voters. The committee held numerous meetings and worked very closely with the Planning Department to draw district boundaries that are consistent with legal requirements. Additionally, School Board President Joe Arness attended the final meeting in which the committee addressed issues regarding truncation of terms.

This ordinance amends the code to provide the new legal descriptions for the nine districts as recommended by the committee. Additionally, because the change in population exceeds 10 percent in the new District 2, and the term of the current assembly member representing District 2 expires in October of 2014, this ordinance would truncate that term such that it would end in October 2012, and the next term would be for two years. As the term of the current school board member for District 2 ends in October 2012, no truncation is proposed. All remaining seats fall within the 10 percent guideline. Your approval of this ordinance would be appreciated.

9 Member Assembly
DISTRICT 1



Population: 6,141
 Optimum: 6,156
 Deviation: -15
 TAPERSONS: 6,141
 100.00%
 TAWHITE: 5,213
 84.89%
 TABLACK: 27
 0.44%
 TAAMERIND: 349
 5.68%
 TAASIAN: 62
 1.01%
 TAHAWPAC: 15
 0.24%

Assembly Districts



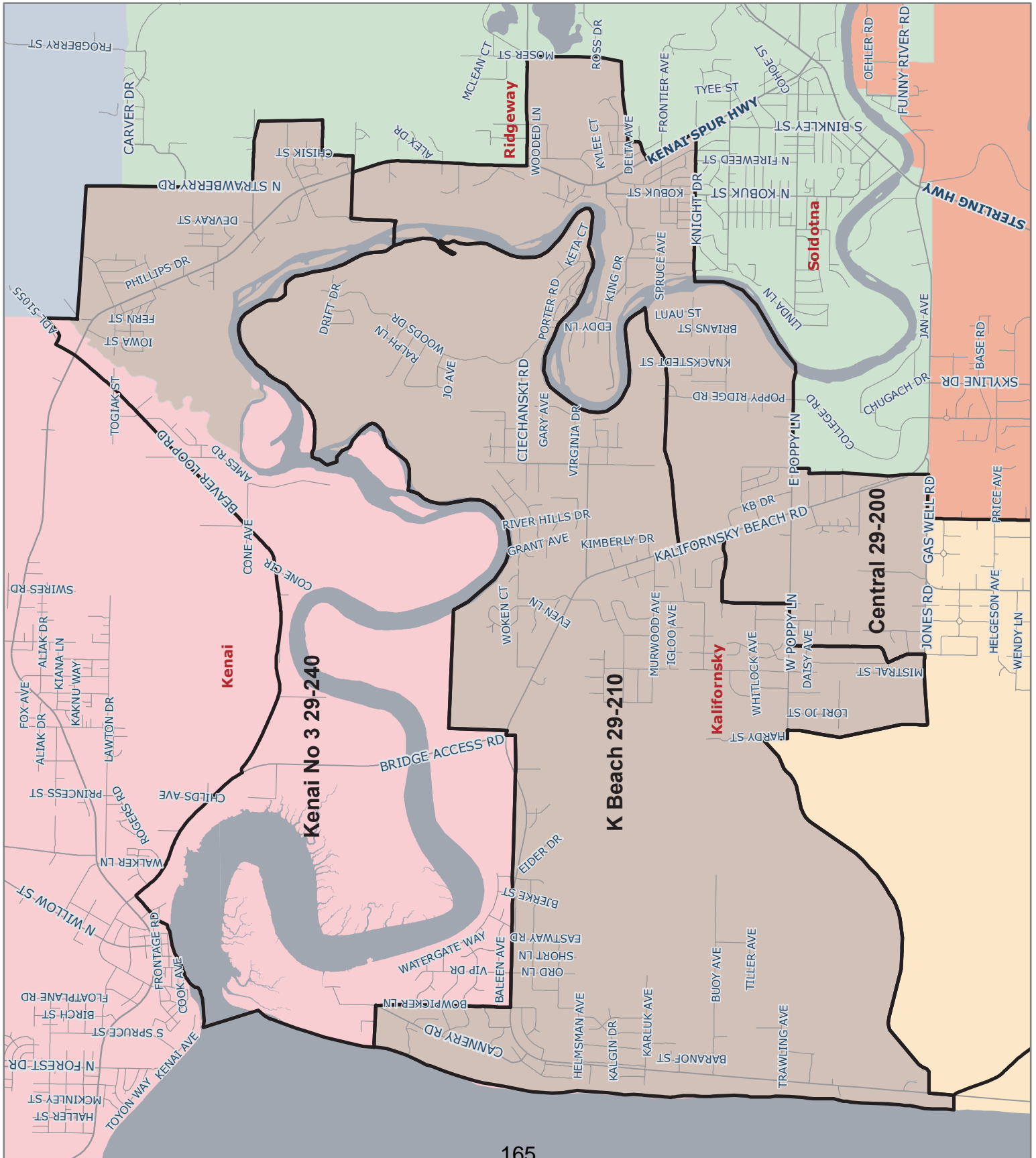
Voter Districts



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Kenai Peninsula Borough
 GIS Division
 December 20, 2011



9 Member Assembly
DISTRICT 2

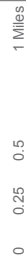


Population:	6,286
Optimum:	6,156
Deviation:	130
	2.11%
TAPERSONS:	6,286
	100.00%
TAWHITE:	4,991
	79.40%
TABLACK:	48
	0.76%
TAMERIND:	572
	9.10%
TAASIAN:	96
	1.53%
TAHAWPAC:	20
	0.32%

Assembly Districts

- 1
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- 8
- 9

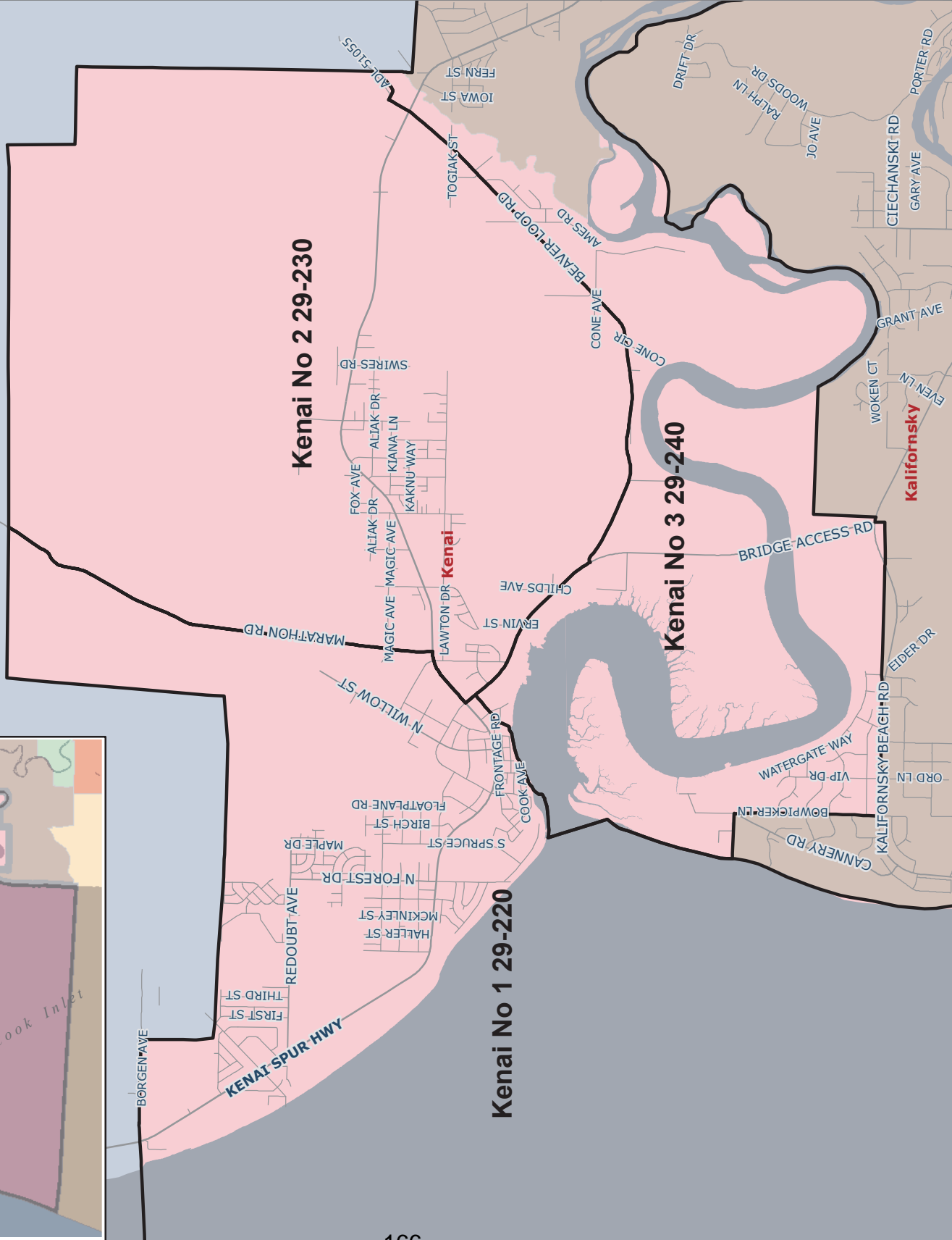
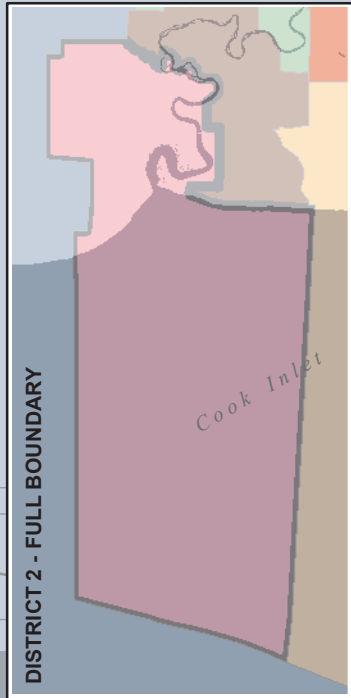
Voter Districts



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Kenai Peninsula Borough
 GIS Division
 December 20, 2011



9 Member Assembly
DISTRICT 3



Population: 5,997
 Optimum: 6,156
 Deviation: -2.58%

TAPERSONS: 5,997
 100.00%

TAWHITE: 4,828
 80.51%

TABLACK: 18
 0.30%

TAAMERIND: 734
 12.24%

TAASIAN: 73
 1.22%

TAHAWPAC: 22
 0.37%

Assembly Districts



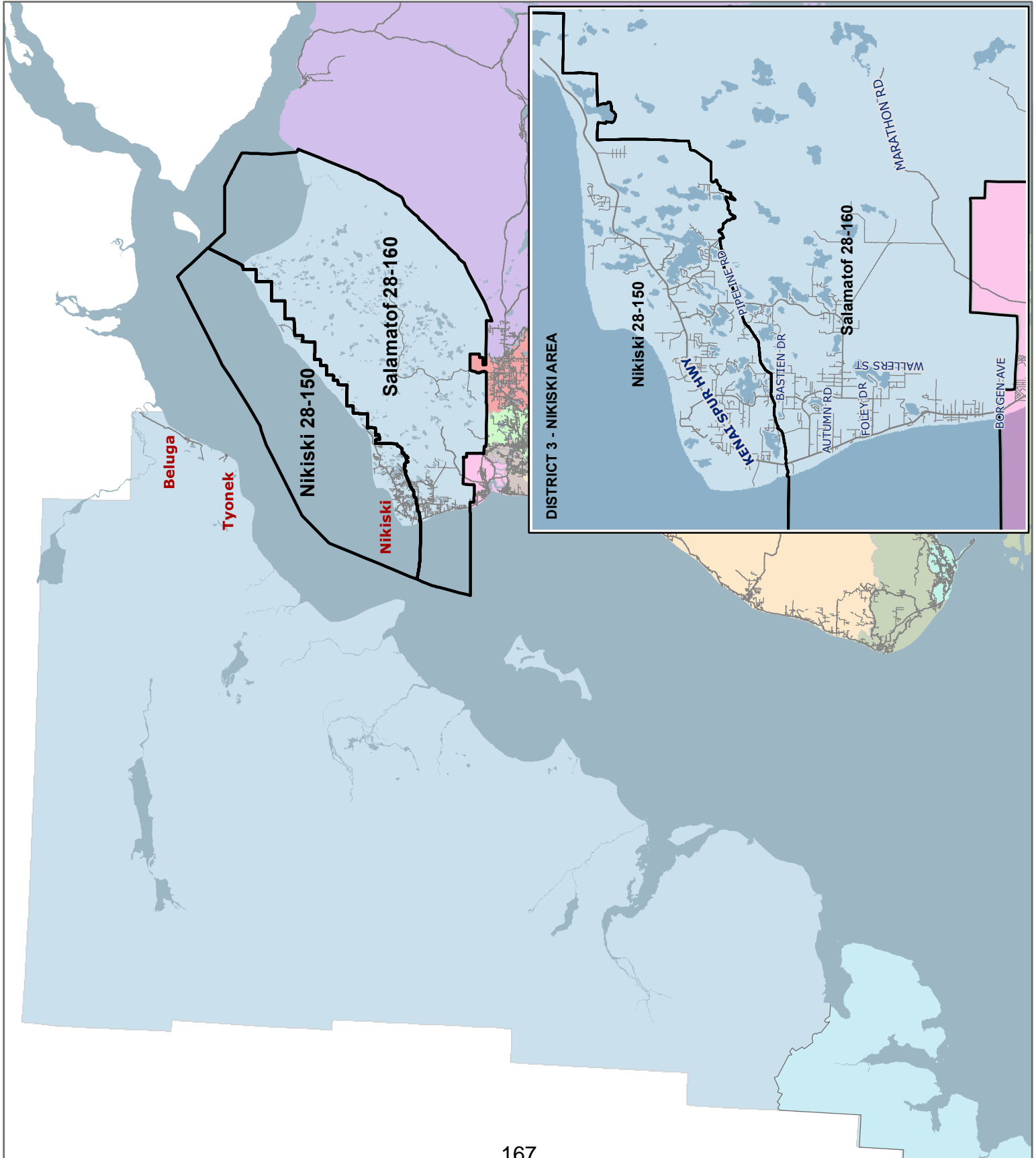
Voter Districts



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Kenai Peninsula Borough
 GIS Division
 December 20, 2011



9 Member Assembly
DISTRICT 4



Population: 6,460
 Optimum: 6,156
 Deviation: 4.94%

TAPERSONS: 6,460
 100.00%

TAWHITE: 5,620
 87.00%

TABLACK: 17
 0.26%

TAAMERIND: 282
 4.37%

TAAASIAN: 84
 1.30%

TAHAWPAC: 20
 0.31%

Assembly Districts

- 1
- 2
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- 4
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- 6
- 7
- 8
- 9

Voter Districts

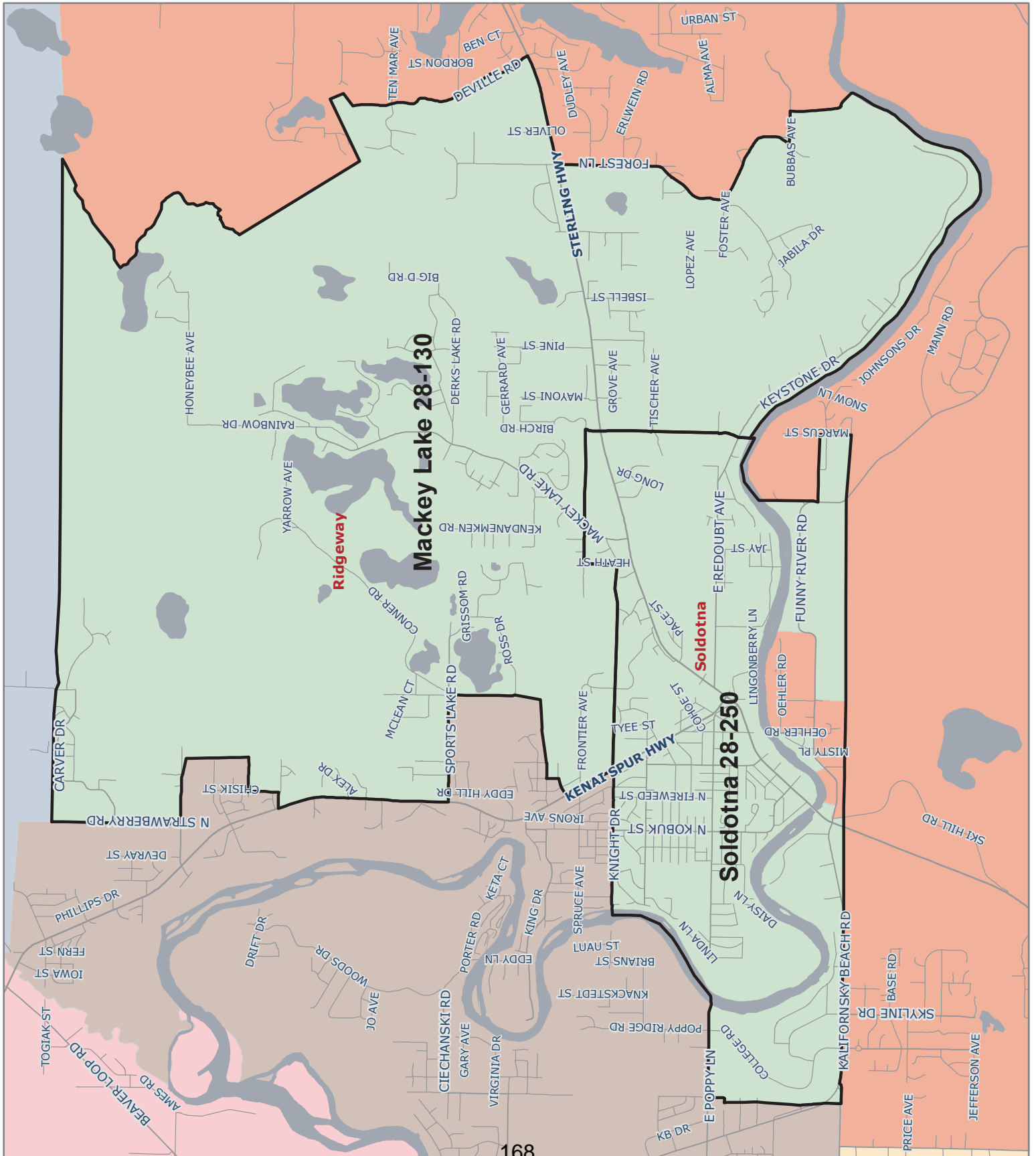


0 0.25 0.5 1 Miles

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Kenai Peninsula Borough
 GIS Division
 December 20, 2011



9 Member Assembly
DISTRICT 5



Population: 6,304
Optimum: 6,156
Deviation: 148
2.40%

TAPERSONS: 6,304
100.00%
TAWHITE: 5,639
89.45%
TABLACK: 05
0.08%
TAAMERIND: 274
4.35%
TAASIAN: 57
0.90%
TAHAWPAC: 04
0.06%

Assembly Districts



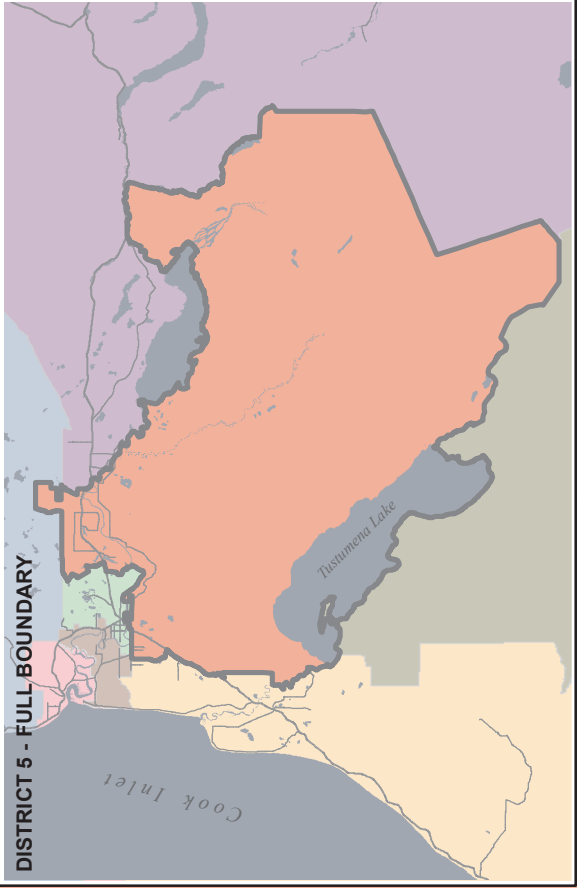
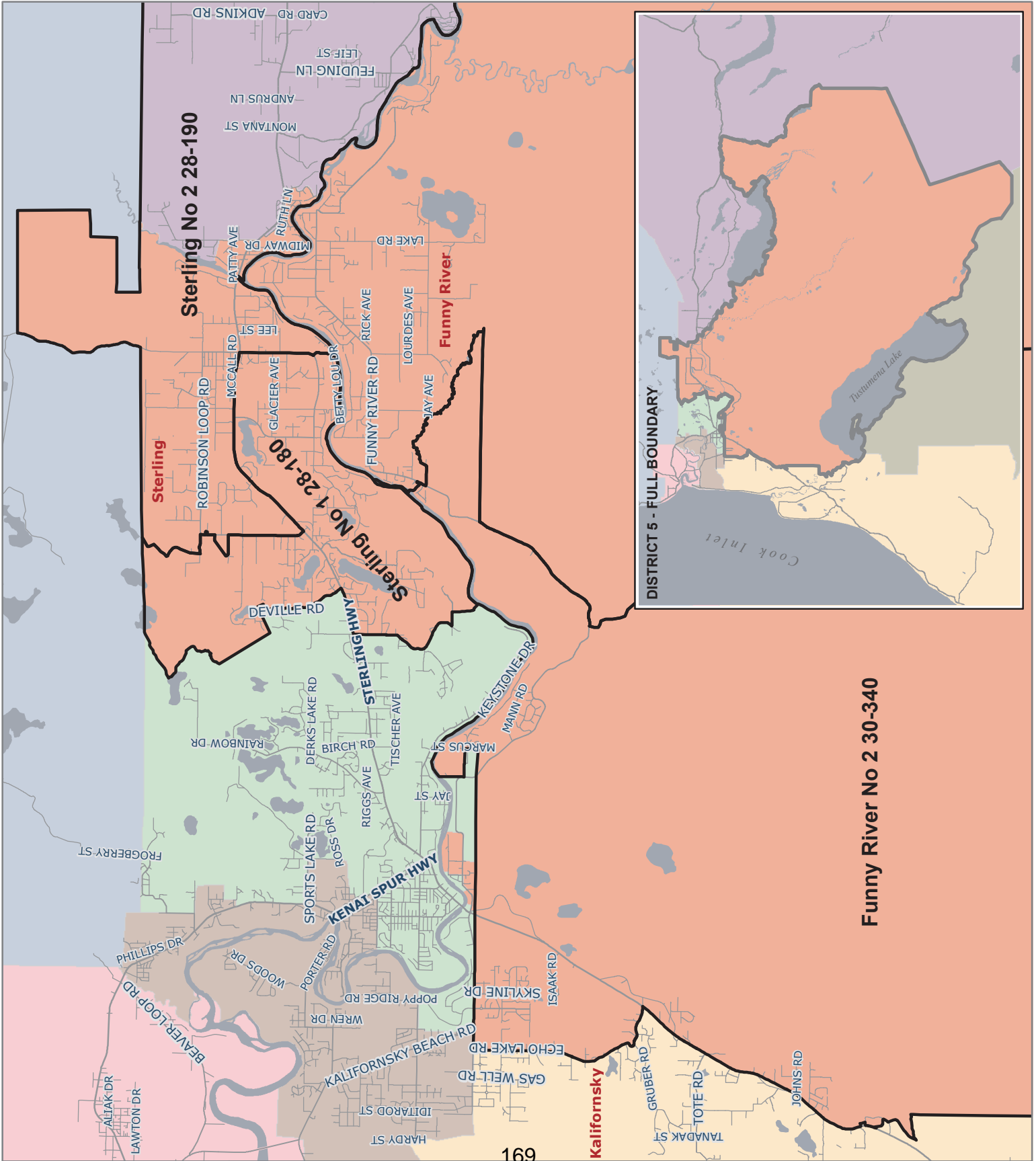
☐ Voter Districts



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Kenai Peninsula Borough
GIS Division
December 20, 2011



9 Member Assembly
DISTRICT 6



Population:	6,289
Optimum:	6,156
Deviation:	133
	2.16%
TAPERSONS: 6,289	
	100.00%
TAWHITE:	4,925
	78.31%
TABLACK:	101
	1.61%
TAAAMERIND:	707
	11.24%
TAAASIAN:	119
	1.89%
TAHAWPAC:	25
	0.40%

Assembly Districts



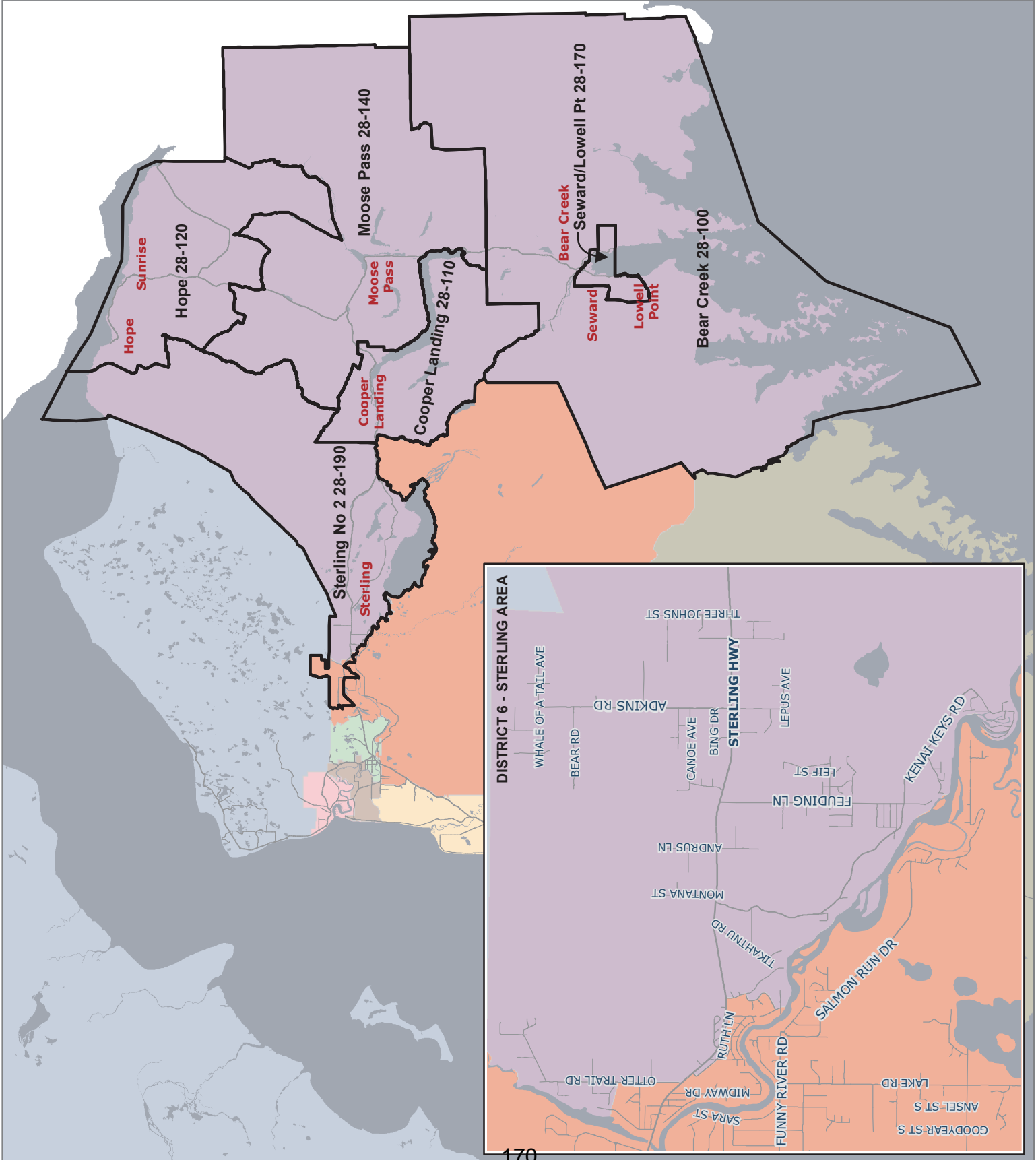
☐ Voter Districts



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Kenai Peninsula Borough
 GIS Division
 December 20, 2011



9 Member Assembly
DISTRICT 7



Population: 5,964
 Optimum: 6,156
 Deviation: -3.12%

TAPERSONS: 5,964
 100.00%

TAWHITE: 5,268
 88.33%

TABLACK: 13
 0.22%

TAAMERIND: 367
 6.15%

TAAASIAN: 26
 0.44%

TAHAWPAC: 05
 0.08%

Assembly Districts



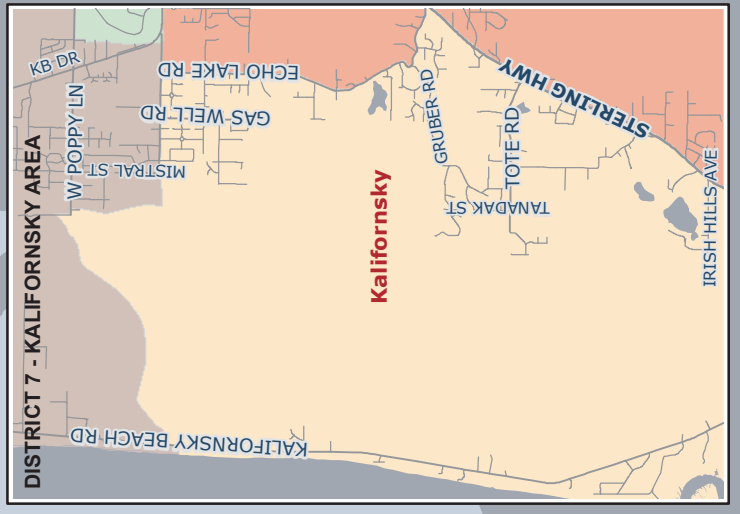
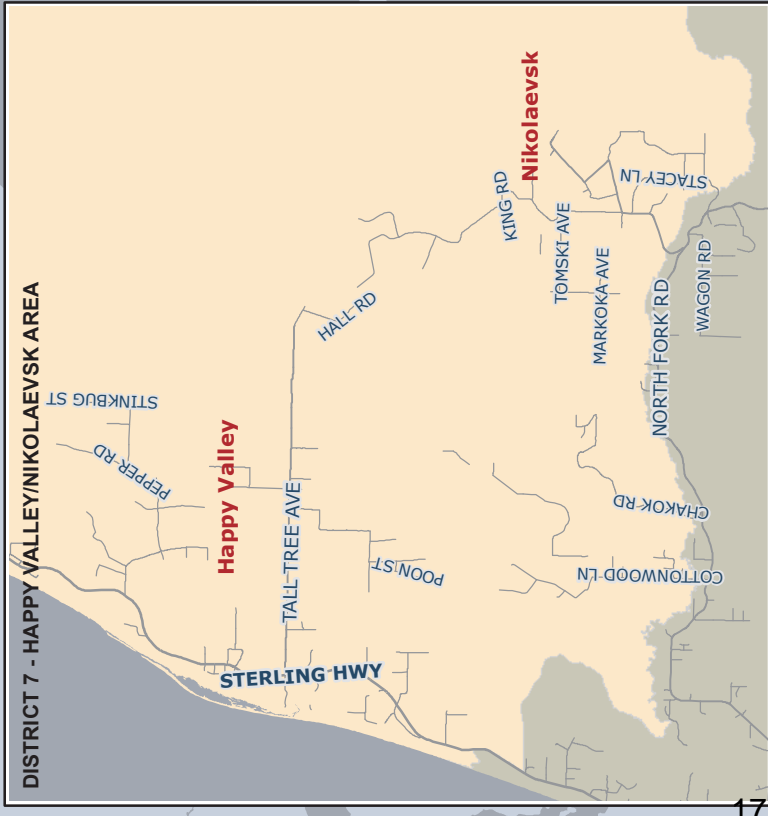
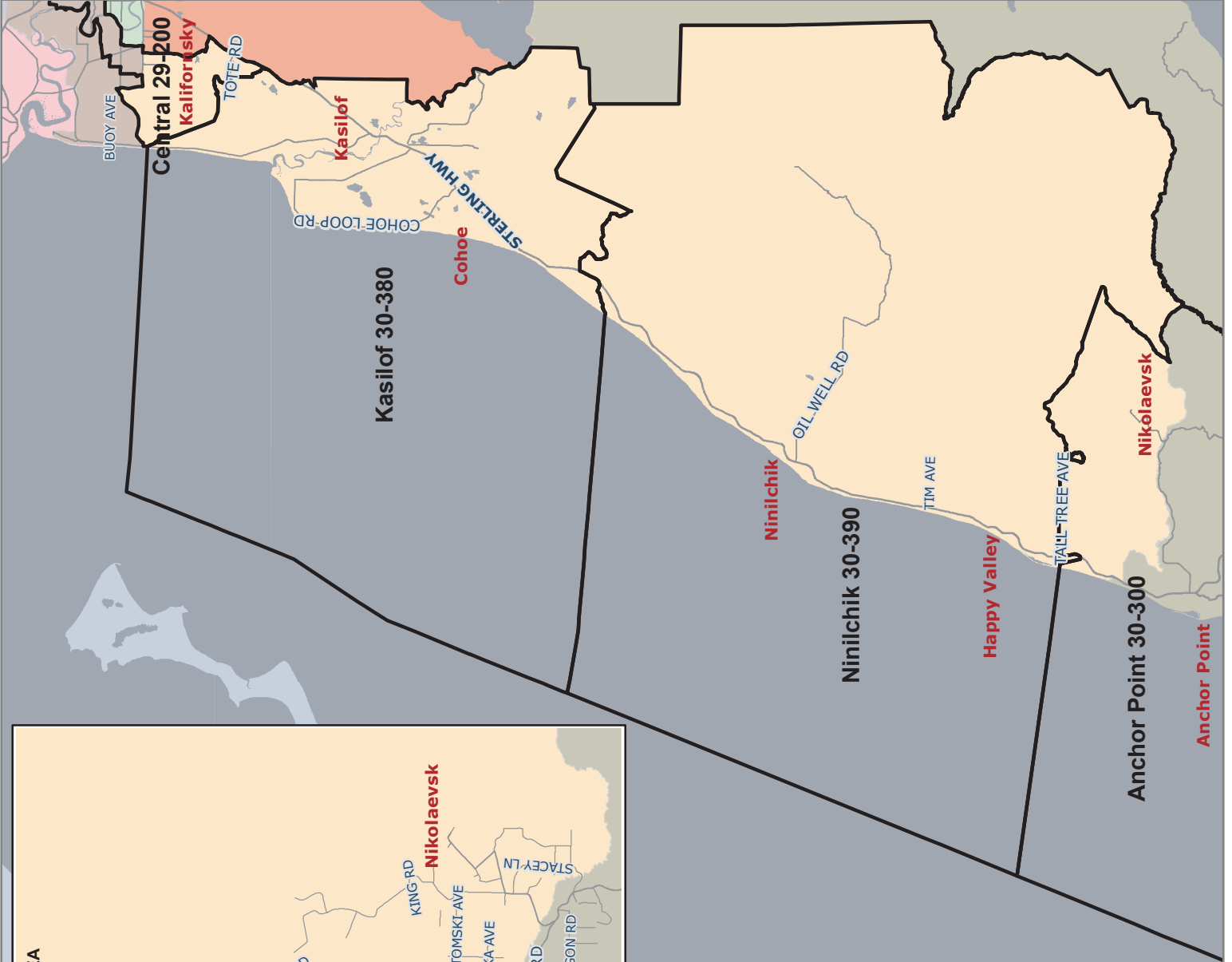
☐ Voter Districts



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Kenai Peninsula Borough
 GIS Division
 December 20, 2011



9 Member Assembly
DISTRICT 8



Population: 5,861
 Optimum: 6,156
 Deviation: -4.79%

TAPERSONS: 5,861
 100.00%

TAWHITE: 5,265
 89.83%

TABLACK: 20
 0.34%

TAMERIND: 230
 3.92%

TAAASIAN: 61
 1.04%

TAHAWPAC: 05
 0.09%

Assembly Districts



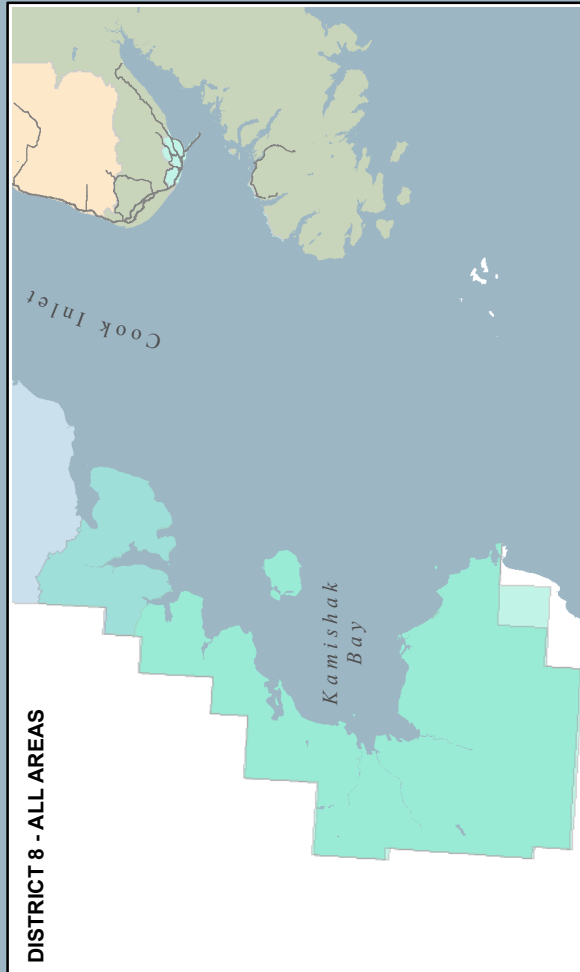
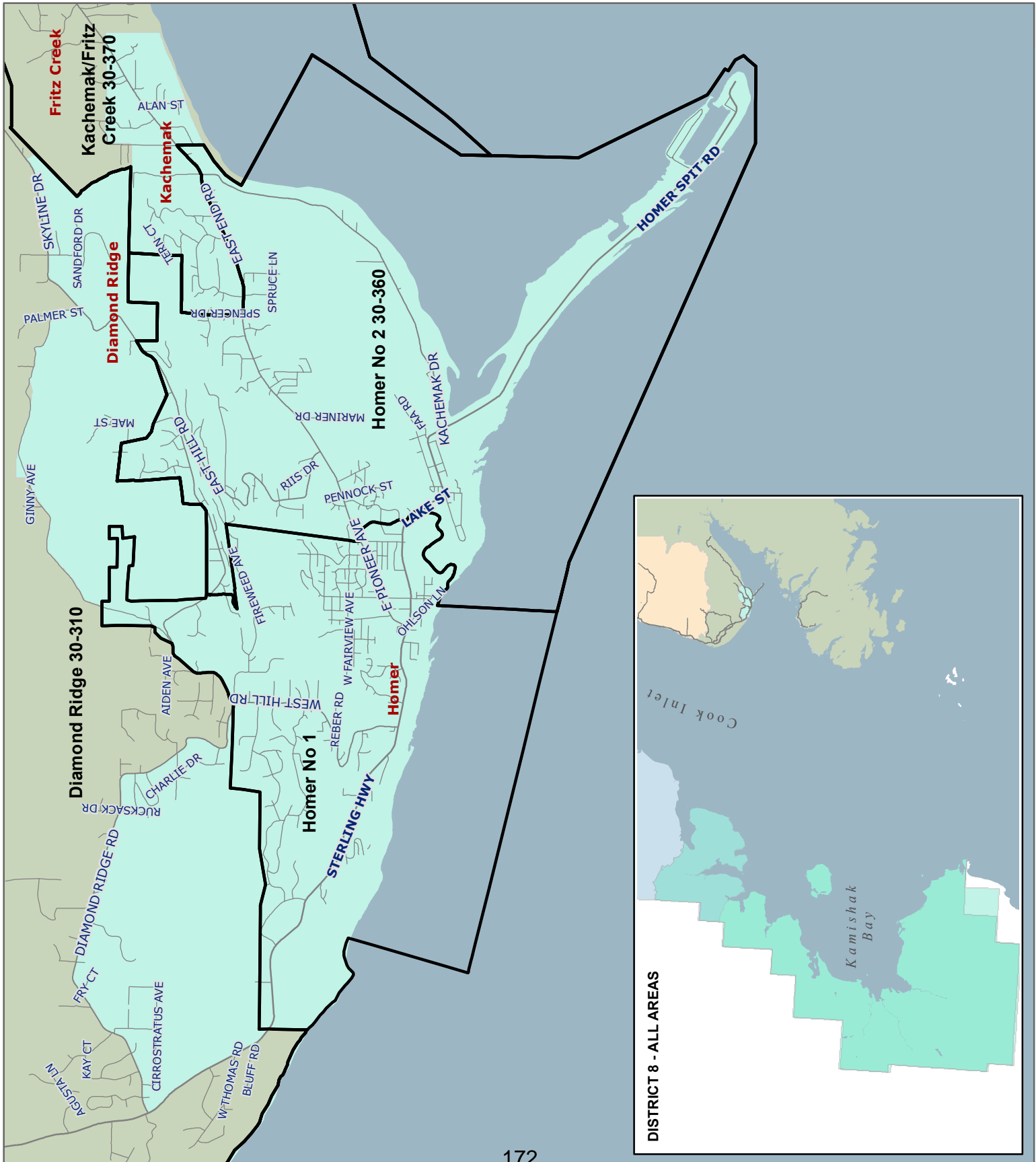
Voter Districts



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Kenai Peninsula Borough
 GIS Division
 December 20, 2011



9 Member Assembly
DISTRICT 9



Population: 6,098
 Optimum: 6,156
 Deviation: -58
 -0.94%

TAPERSONS: 6,098
 100.00%

TAWHITE: 5,108
 83.77%

TABLACK: 20
 0.33%

TAMERIND: 566
 9.28%

TAAASIAN: 53
 0.87%

TAHAWPAC: 03
 0.05%

Assembly Districts



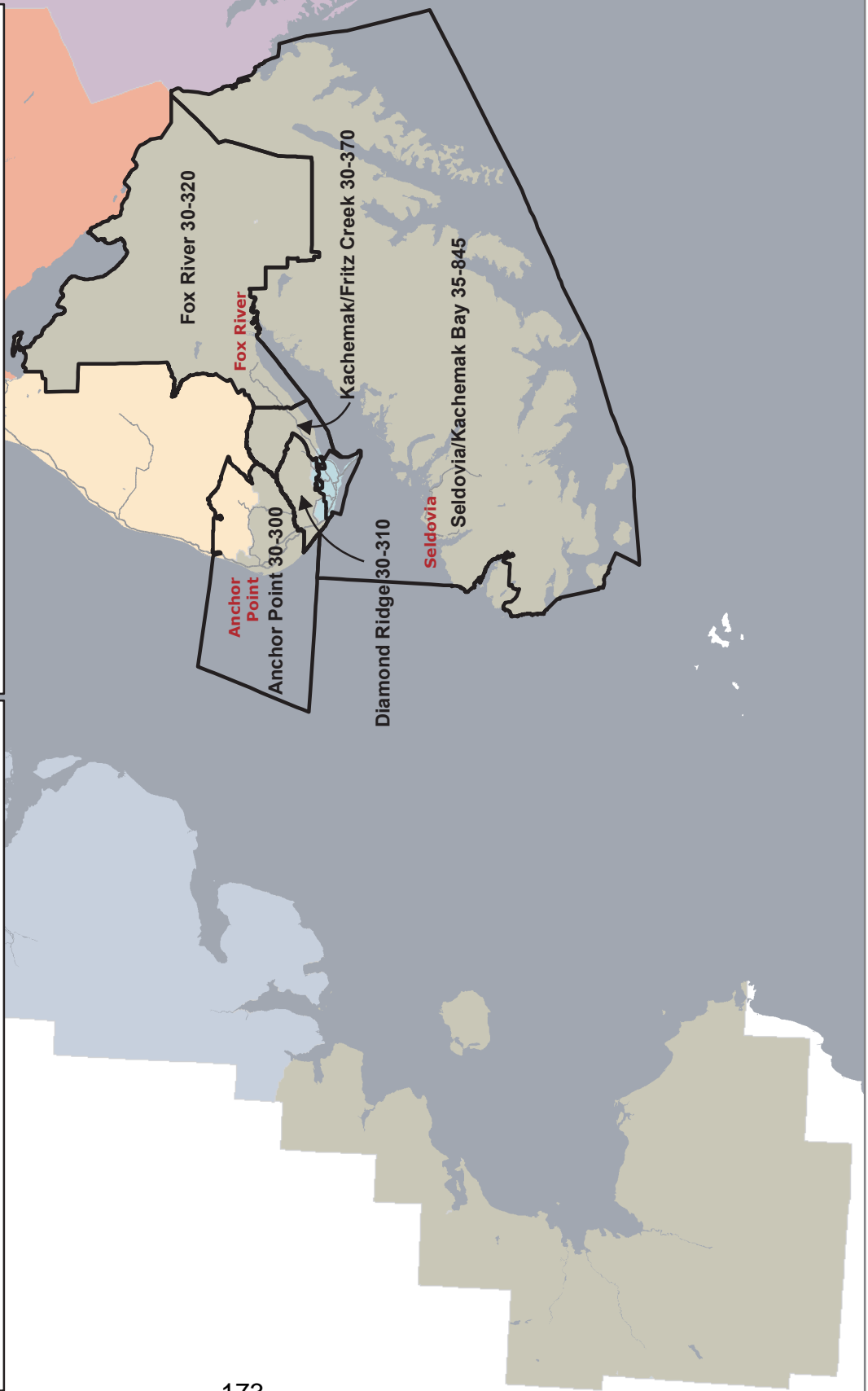
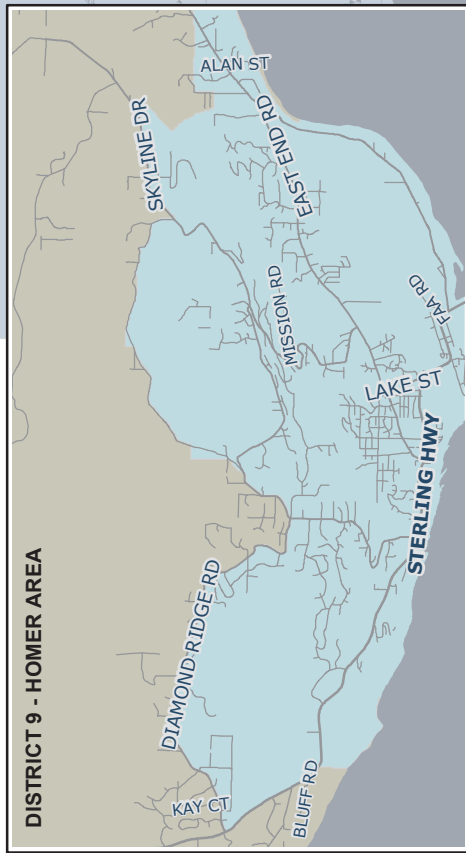
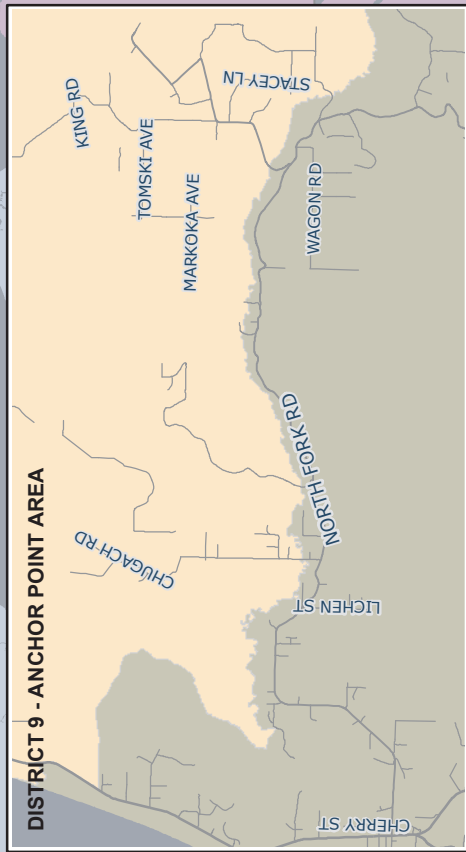
Voter Districts



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Kenai Peninsula Borough
 GIS Division
 December 20, 2011



Introduced by: Knopp at the Request of the
Borough Clerk
Date: 04/03/12
Hearing: 05/01/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-09**

AN ORDINANCE AMENDING KPB 4.50.015 AND DESIGNATING ABSENTEE BY-MAIL PRECINCTS AS AUTHORIZED IN ALASKA STATUTE 29.26.010

1 **WHEREAS**, KPB 4.50.015 provides that those precincts which had less than 75 voters voting
2 at the last regular municipal election may be designated as absentee by-mail
3 precincts by resolution; and

4 **WHEREAS**, Resolution 98-064 designated the following precincts as absentee by-mail
5 precincts:

6	Cooper Landing	Nanwalek
7	Hope	Port Graham
8	Kachemak Bay	Tyonek
9	Moose Pass; and	

10 **WHEREAS**, with the exception of the Tyonek precinct, the other designated by-mail precincts
11 had greater than a 75 voter turnout in the 2011 Regular Borough Election, which
12 demonstrates the success of designating them as by-mail precincts in increasing
13 voter turnout; and

14 **WHEREAS**, with the increase in population and the success of the designation it seems prudent
15 to update the 75 voter provision to 200 voters which would allow for re-
16 designation of the current by-mail precincts; and

17 **WHEREAS**, the State of Alaska, Division of Elections designated new precincts after the 2010
18 census and State House Redistricting; and

1 **WHEREAS**, AS 29.26.010 provides that the governing body shall prescribe the rules for
2 conducting an election; and

3 **WHEREAS**, the precinct of Kachemak Bay has been divided and the portion across Kachemak
4 Bay has been combined with the Seldovia precinct to create one new precinct
5 referred to as Seldovia/Kachemak Bay precinct; and

6 **WHEREAS**, the remaining portion of Kachemak Bay beyond McNeil Canyon has been
7 renamed as the Fox River precinct; and

8 **WHEREAS**, the voters of the newly created Fox River precinct have been in an absentee by-
9 mail precinct since 1998; and

10 **WHEREAS**, a large population of the newly created Seldovia/Kachemak Bay precinct live in
11 isolated areas that are not conducive for appearing at a polling site in Seldovia on
12 Election Day and have been in an absentee by-mail precinct since 1998; and

13 **WHEREAS**, an absentee voting station will be established at the City of Seldovia voting
14 location on Election Day as well as two weeks prior to the election at City Hall
15 per the current practice; and

16 **WHEREAS**, the communities of Tyonek, Nanwalek and Port Graham, which are already
17 separately designated as absentee by-mail precincts, have been combined into one
18 new precinct referred to as the Tyonek precinct; and

19 **WHEREAS**, designating these precincts as absentee by-mail precincts is reasonable, will result
20 in a cost savings to the Borough, and should also result in a larger voter turnout
21 than would be expected if polling places were set up in these isolated areas; and

1 **WHEREAS**, the designation of the new Kachemak Bay/Seldovia and Fox River precincts as
2 absentee by-mail requires an exception to KPB 4.50.015, as it is not possible to
3 accurately count the voting residents who voted in the 2011 regular election for a
4 precinct newly created in 2012, but it is likely the number exceeded 200;

5 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
6 **PENINSULA BOROUGH:**

7 **SECTION 1.** KPB 4.50.015(A) is hereby amended as follows:

A. Precincts where the voter turnout was less than [75] 200 voters at the last regular election may be designated as "absentee by-mail" precincts by resolution of the assembly. In those precincts, no election workers shall be appointed. The procedures outlined in Chapter 4.120 shall be followed with the following exceptions:

1. that ballots shall be sent to each registered voter in the precinct on or before the 15th day prior to the election; and
2. that voted ballots must be postmarked on or before midnight of election day and received by the clerk no later than the Tuesday following the election.

...

8 **SECTION 2.** In accordance with the above amended KPB 4.50.015 and AS 29.26.010, the
9 following precincts are designated absentee by-mail precincts:

10 Cooper Landing, Hope, Moose Pass, and Tyonek (which now includes the
11 communities of Nanwalek and Port Graham).

1 **SECTION 3.** Notwithstanding the voter turnout provision of KPB 4.50.015, for the reasons
2 stated above regarding newly created precincts and in accordance with AS
3 29.26.010, Seldovia/Kachemak Bay and Fox River are also designated as
4 absentee by-mail precincts.

5 **SECTION 4.** That this ordinance takes effect upon its preclearance by the U.S. Department of
6 Justice.

7 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
8 **DAY OF * 2012.**

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:

KENAI PENINSULA BOROUGH

Office of the Borough Clerk

144 North Binkley Street
Soldotna, AK 99669
Phone 907-714-2160
Fax 907-714-2388

Johni Blankenship, MMC
Borough Clerk

MEMORANDUM

TO: Kenai Peninsula Borough Assembly Members

THRU: Gary Knopp, Assembly President *JB for A.K.*

FROM: Johni Blankenship, Borough Clerk *JB*

DATE: April 3, 2012

RE: Ordinance 2012-09: Amending KPB 4.50.015 and Designating Absentee By-Mail Precincts as Authorized in Alaska Statute 29.26.010

Upon review of the State of Alaska's 2012 precinct designations for the Kenai Peninsula Borough, it was determined that newly created precincts needed to be designated as absentee by-mail precincts for Borough elections for the following reasons:

- Remote location of voters
- Redesignation of partial precincts to reflect the current process

Additionally, KPB 4.50.015 requires amendment to accurately reflect voter turnout in the designated absentee by-mail precincts. The code currently limits precincts that may be designated as absentee by-mail to those with a voter turnout of less than 75 votes in the previous regular election. Since designation in 1998, the absentee by-mail precincts have increased in voter turnout annually which demonstrates the current practice is successful. This ordinance would amend KPB 4.50.015 to increase the maximum prior year voter turnout to 200, and provide exceptions to allow the new Fox River and Kachemak Bay/Seldovia precincts to be designated by-mail. The total voter turnout may have been less than 200 in these precincts, but this is impossible to determine as they were not precincts in the last regular election.

Your consideration is appreciated.

Introduced by: Mayor
Date: 04/03/12
Hearing: 05/01/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-10**

**AN ORDINANCE AUTHORIZING A LAND EXCHANGE TO FACILITATE A JOINT
PLAN OF SUBDIVISION WITH COOK INLET REGION, INC. FOR WIDGEON
WOODS PHASE 2 SUBDIVISION**

1 **WHEREAS**, the Kenai Peninsula Borough has relocated one-half mile of Woods Drive in the
2 Ciechanski area onto borough land; and

3 **WHEREAS**, a joint plan of subdivision has been developed in cooperation with Cook Inlet
4 Region, Inc (CIRI) to meet land management objectives of both parties; and

5 **WHEREAS**, under the joint plan of subdivision, six lots would be created that contain both KPB
6 and CIRI land; and

7 **WHEREAS**, it is planned for three of these lots to be owned by the KPB and the other three lots
8 are to be owned by CIRI as an equal exchange; and

9 **WHEREAS**, the KPB Planning Commission at its regularly scheduled meeting of April 9, 2012
10 recommended _____.

11 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
12 **PENINSULA BOROUGH:**

13 **SECTION 1.** That the Assembly finds that exchanging property interests within Section 13 T5N,
14 R11W S.M., State of Alaska, as further described below pursuant to KPB 17.10.100
15 (C) is in the best interest of the borough:

1 **Property to be conveyed to CIRI:**

2 Lots 3, 4, and 6 Block 4 Widgeon Woods Phase 2 Subdivision according to
3 preliminary plat KPB No. 2008-254 subject to the recordation of said plat

4 **Property to be conveyed to the Kenai Peninsula Borough:**

5 Lots 1 and 5 Block 4 and Lot 7 Block 1 Widgeon Woods Phase 2 Subdivision
6 according to preliminary plat KPB No. 2008-254 subject to the recordation of said
7 plat

8 **SECTION 2.** That the best interest of the borough finding is based on the following facts:

9 a) The exchange of property interests is necessary to reconsolidate ownership
10 interests under a joint plan of subdivision.

11 b) The joint plan of subdivision achieves contiguous right-of-way dedication for the
12 realigned Woods Drive.

13 c) The joint plan of subdivision creates marketable residential lots that can be made
14 available for future disposal.

15 d) The exchange will add value to each party’s landholdings for their respective
16 purposes.

17 e) This negotiated exchange benefits both parties fairly.

18 **SECTION 3.** That the Assembly makes an exception to KPB 17.10.110 requiring notice of a
19 disposition of land. This exception is based on the following findings of fact
20 pursuant to KPB 17.10.230:

- 1 1. Special circumstances or conditions exist.
- 2 A. This ordinance authorizes a land exchange with CIRI on a non-
- 3 competitive basis pursuant to KPB 17.10.100(c).
- 4 2. That the exception is necessary for the preservation and enjoyment of a
- 5 substantial property right and is the most practical manner of complying with
- 6 the intent of this chapter.
- 7 A. The purpose of the KPB 17.10.110 advertising requirement is to notify
- 8 the public of an opportunity to purchase or lease KPB land, and
- 9 advertising this sole source exchange will not serve a useful purpose.
- 10 3. That the granting of the exception will not be detrimental to the public
- 11 welfare or injurious to other property in the area.
- 12 A. This exchange is consistent with the land’s “Residential” classification
- 13 and the management intent for the Widgeon Woods Subdivision project.
- 14 **SECTION 4.** That the mayor is authorized to execute the Joint Subdivision and Exchange
- 15 Agreement substantially in the form of the one accompanying this ordinance and
- 16 any and all documents necessary to effectuate this ordinance.
- 17 **SECTION 5.** That the land interest acquired by the borough through this exchange shall be
- 18 classified “Residential” consistent with KPB Resolution 2007-053.

1 **SECTION 6.** That the exchange of property interests is substantially equal in value and no
2 additional monetary consideration is required. For the borough's financial recording
3 purposes, the value of the land interests acquired shall be noted as \$35,000 and the
4 value of the land interests disposed shall be noted as \$35,000. Recording costs and
5 any other closing costs shall be charged to the Land Trust Fund in the FY12 budget.

6 **SECTION 7.** That this ordinance takes effect immediately upon its enactment.

7 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY**
8 **OF * 2012.**

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

Planning Department • Land Management Division
144 North Binkley Street • Soldotna, Alaska 99669-7520
PHONE: (907) 714-2200 • **FAX:** (907) 714-2378
Toll-free within the Borough: 1-800-478-4441, Ext. 2200
www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Gary Knopp, Assembly President
Kenai Peninsula Borough Assembly Members

THRU: Mike Navarre, Mayor *MN*
Max Best, Planning Director *MB*
Marcus Mueller, Land Management Officer *MM*

FROM: *KS* Keith Snarey, Land Management Agent

DATE: March 22, 2012

SUBJECT: Ordinance 2012-10 Authorizing a land exchange to facilitate a joint plan of subdivision with Cook Inlet Region, Inc. for Widgeon Woods Phase 2 Subdivision

The Woods Drive relocation and Widgeon Woods Subdivision project is nearly complete. Approximately 3000 feet of category IV road was realigned onto KPB owned land in 2011. Roads and utilities have been installed to serve a 45-lot subdivision that was designed in cooperation with the adjacent owner, Cook Inlet Region, Inc. The original alignment of Woods Drive intersected approximately one-quarter mile of Cook Inlet Region, Inc. ("CIRI") land. By relocating Woods Drive and combining CIRI's useable land with KPB land in the same subdivision, the parties are able to maximize the value and utility of the land for their respective purposes.

The resulting subdivision created six lots created joint ownership. Three are to be owned by CIRI and three are to be owned by KPB. Approximately three acres are subject to the exchange with each party receiving interest in approximately 1.5 acres.

The attached ordinance authorizes the Mayor to enter into an agreement to exchange KPB's interest in three parcels of land for CIRI's interest in three parcels of land in Widgeon Woods Subdivision. Your consideration of this ordinance is appreciated.

JOINT SUBDIVISION AND EXCHANGE AGREEMENT

This Agreement ("Agreement") is made this _____ of _____, 2012, by and between the KENAI PENINSULA BOROUGH, an Alaska municipal corporation, whose address is 144 North Binkley Street, Soldotna, Alaska 99669 (hereinafter referred to as "KPB"), pursuant to KPB Ordinance 2012-___ enacted _____, and COOK INLET REGION, INC whose address is P.O. Box 93330, Anchorage, Alaska 99509-3330 (hereinafter referred to as "CIRI"), with CIRI and KPB collectively referred to as "the Parties" herein.

Recitals

- A. CIRI and KPB own adjoining lands within the proposed Widgeon Woods Phase II Subdivision, KPB Preliminary Plat No. 2008-2541;
- B. The proposed subdivision was designed in cooperation by the parties;
- C. Upon approval and recordation of the plat by the parties, certain lots created by the subdivision would be in joint ownership of the parties;
- D. The parties have negotiated an exchange of lands within the subdivision that would preserve the interests of each party; and
- E. The parties desire to finalize the subdivision plat and implement the land exchange.

Agreement

1. Joint Subdivision. The parties agree to execute a subdivision plat in a form identical in all material respects to Exhibit A, Widgeon Woods Phase II Subdivision, KPB Preliminary Plat No. 2008-254. KPB shall be responsible for all surveying and recording fees.
2. KPB Conveyance. KPB agrees to convey and CIRI agrees to accept all interest it has, if any, in Lots 3, 4, & 6, Block 4 Widgeon Woods Phase II Subdivision, KPB Preliminary Plat No. 2008-254 (the "KPB Property")¹, to CIRI upon the terms and conditions set forth in this Agreement. The KPB Property is more particularly described and depicted on Exhibit A attached hereto. The KPB Property will be conveyed by quitclaim deed in a form identical in all material respects to Exhibit B attached hereto.
3. CIRI Conveyance. CIRI agrees to convey and KPB agrees to accept all surface estate interest it has, if any, excluding the reservation of mineral, sand, and gravel interests, in

¹ The parcels subject to the exchange agreement are currently legally described as being located within Tract A Widgeon Woods Phase One, Plat No. 207-84 and the NE1/4 SE1/4 of Section 13 T5N, R11W S.M., Kenai Recording District, Third Judicial District, State of Alaska.

Lots 1 and 5 Block 4 and Lot 7 Block 1 Widgeon Woods Phase II Subdivision, KPB Preliminary Plat No. 2008-254 (the "CIRI Property")¹, upon the terms and conditions set forth in this Agreement. The CIRI Property is more particularly described and depicted on Exhibit A hereto. The CIRI Property will be conveyed by quitclaim deed in a form identical in all material respects to Exhibit C attached hereto. CIRI covenants and agrees that it will not exercise its reservation of mineral, sand, and gravel interests in a manner that will interfere with residential development.

4. Consideration. The Parties agree that the exchanged property rights are substantially equivalent in value and that said exchanged property rights represent the entire compensation due each party for the respective property rights being exchanged.
5. Valid Existing Rights. The Easement will be granted and KPB Property conveyed subject to valid existing rights.
6. CIRI Subsurface Rights. KPB hereby affirms its understanding that CIRI reserves its rights to explore for and develop any and all subsurface resources underlying the CIRI Property, as more specifically described in Exhibit C attached hereto.
7. Property Taxes. CIRI acknowledges that the portion of its Alaska Native Claims Settlement Act ("ANCSA") land embraced by the Widgeon Woods Subdivision will be subject to real property tax recapture pursuant to 43 U.S.C. § 1636 (d) (5). KPB acknowledges that the portion of CIRI's ANCSA lands outside of the Widgeon Woods Subdivision shall not be deemed to be "developed" or "leased", as those terms are used in the Alaska Native Claims Settlement Act (43 U.S.C. § 1601).
8. Escrow and Closing Costs. Unless agreed otherwise, KPB and CIRI will share closing costs, if any, on an equal basis.
9. Closing. Unless otherwise agreed in writing, closing ("Closing") will occur at a time and place mutually agreed by the Parties, but in no event later than 180 days after execution of recordation of the subdivision plat. At the Closing:
 - (a) KPB shall execute and deliver to CIRI the deed to the KPB Property in the form attached as Exhibit B;
 - (b) CIRI shall execute and deliver to KPB the deed to the CIRI Property in the form attached as Exhibit C.
10. No Material Changes. As of the date of Closing, there shall have been no material adverse changes related to or connected with the property rights of either Party.
11. Possession. Possession of the KPB Property and the CIRI Property shall be delivered at time of recording, which will occur simultaneously.
12. Representations and Warranties. The KPB Property and the CIRI Property will be conveyed without warranties of any kind, express or implied, and neither CIRI nor KPB shall assume any liability whatsoever regarding the CIRI Property or KPB Property

respectively. This mutual disclaimer of warranties shall include, without limitation, title matters, the presence or absence of hazardous materials on the properties, soil conditions, water drainage, access, natural or artificial hazards that may exist, or the merchantability, profitability or fitness of the CIRI Property or of the KPB Property for any particular purpose. The Parties will accept the conveyance respectively after having had a full opportunity to inspect the condition of the CIRI Property and the KPB Property, as well as associated title records, and having determined them suitable for the purposes addressed by this Agreement.

13. Hazardous Materials. Notwithstanding anything to the contrary herein, the Parties covenant and agree that no hazardous substances or wastes shall be located on or stored on the KPB Property or the CIRI Property, nor shall any such substance be stored, used, or disposed of on the KPB Property or the CIRI Property by either Party, their agents, employees, contractors, or invitees, between the time of execution of this Agreement and the Closing.
14. Assignments. This Agreement may not be assigned by one Party without prior written approval by the other Party.
15. Notice. All notices required or permitted to be given shall be in writing and shall be deemed given and received upon personal service or deposit in the United States mail, certified or registered mail, postage prepaid, return receipt requested, addressed as follows:

To CIRI: Attn: Land & Resources Dept.
Cook Inlet Region, Inc. (CIRI)
P.O. Box 93330
Anchorage, AK 99509-3330
Fax: 907-263-5559
Telephone: 907-263-5140

To KPB: Land Management
Kenai Peninsula Borough
144 North Binkley Street
Soldotna, AK 99669
Fax: 907.714.2378
Telephone: 907.714.2200

16. Miscellaneous

- a. Residential Real Property Transfers Act. The parties mutually agree that this transfer of property rights provided for herein will not be covered by the Residential Real Property Transfers Act, AS 34.70.010 et seq.
- b. Time. Time is of the essence in performance of this Agreement.
- c. Construction. This Agreement shall be deemed to have been jointly drafted by both Parties. It shall be constructed according to the fair intent of the language as a whole, not for or against any party. The interpretation and enforcement of this Agreement shall be governed by the laws of the State of Alaska. The titles of sections in this Agreement are not to be construed as limitations of definitions but are for identification purposes only.
- d. Entire Agreement. This Agreement and the documents referred to herein contain the entire Agreement of the Parties with respect to the subject matter hereof. Any changes additions or deletions hereto must be made in writing and signed by KPB

and CIRI or their respective successors in interest. Provisions of this Agreement, unless inapplicable on their face, shall be covenants constituting terms and conditions of the exchange, and shall continue in full force and effect and will survive closing.

This Agreement has been executed by the Parties on the day and year first above written.

KENAI PENINSULA BOROUGH:

COOK INLET REGION, INC:

Mike Navarre, Mayor

Ethan Schutt, Senior Vice President

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Johni Blankenship
Borough Clerk

Holly B. Montague
Deputy Borough Attorney

NOTARY ACKNOWLEDGMENT

STATE OF ALASKA)
)ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Mike Navarre, Mayor of the Kenai Peninsula Borough, an Alaska municipal corporation, for and on behalf of the corporation.

Notary Public in and for Alaska
My commission expires: _____

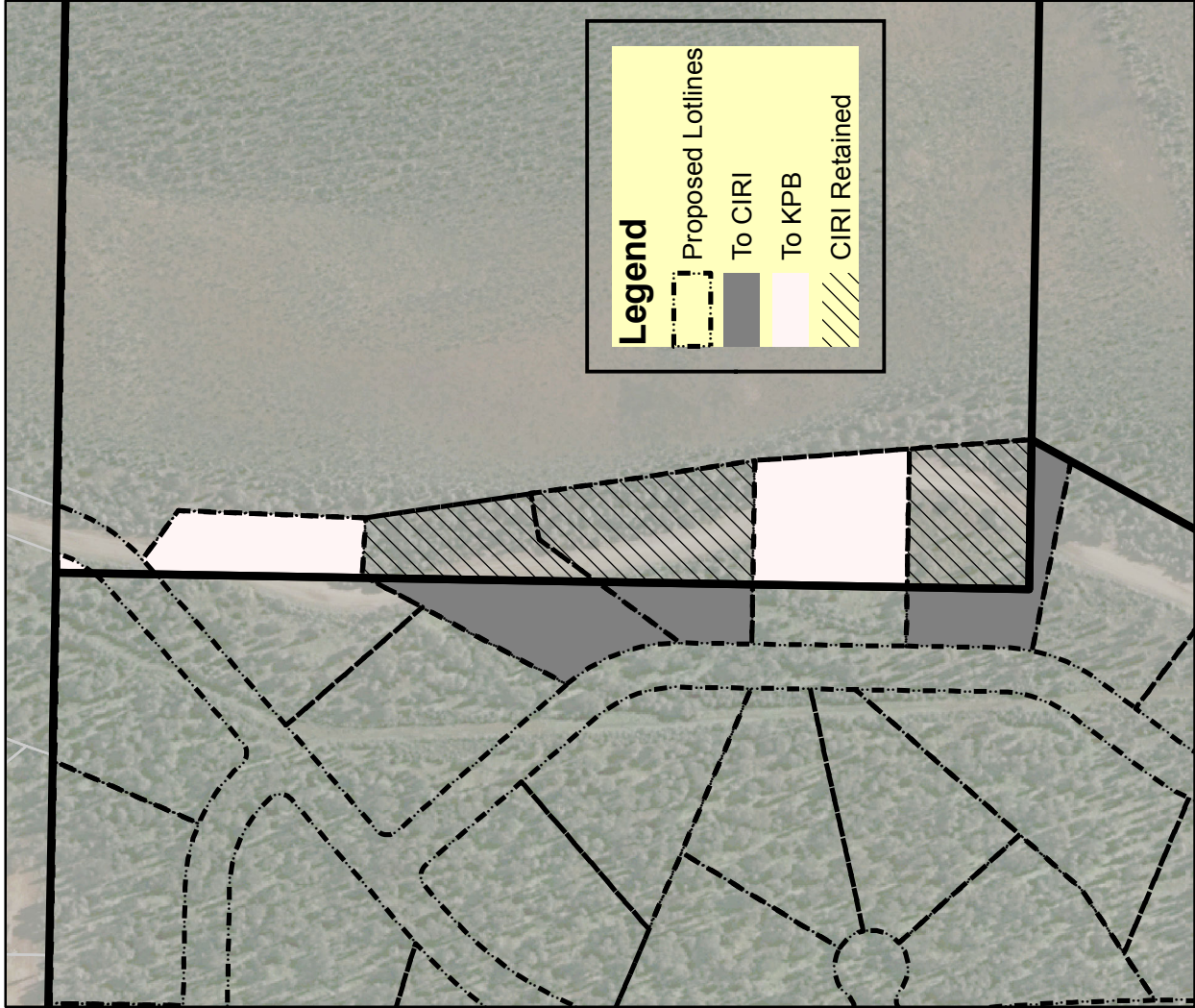
NOTARY ACKNOWLEDGMENT

STATE OF ALASKA)
)ss.
THIRD JUDICIAL DISTRICT)

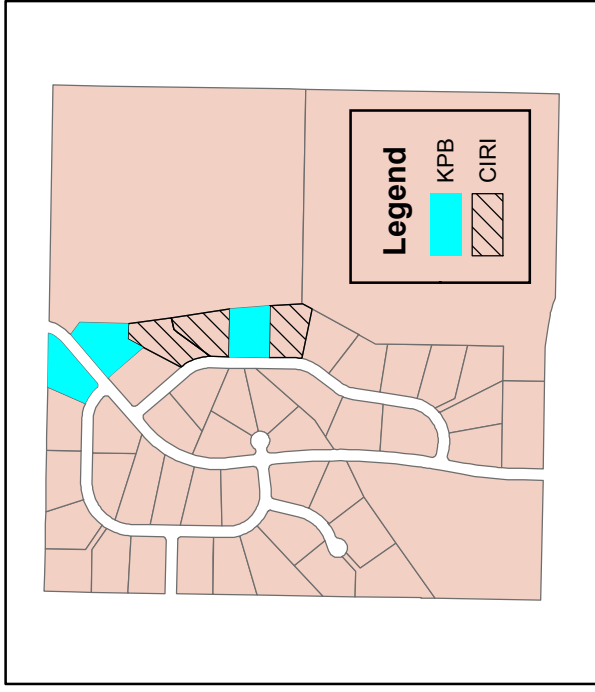
The foregoing instrument was acknowledged before me this ____ day of _____ 2012, by Ethan Schutt, Senior Vice President of Cook Inlet Region, Inc, an Alaska Native Corporation, for and on behalf of the corporation.

Notary Public in and for Alaska
My commission expires: _____

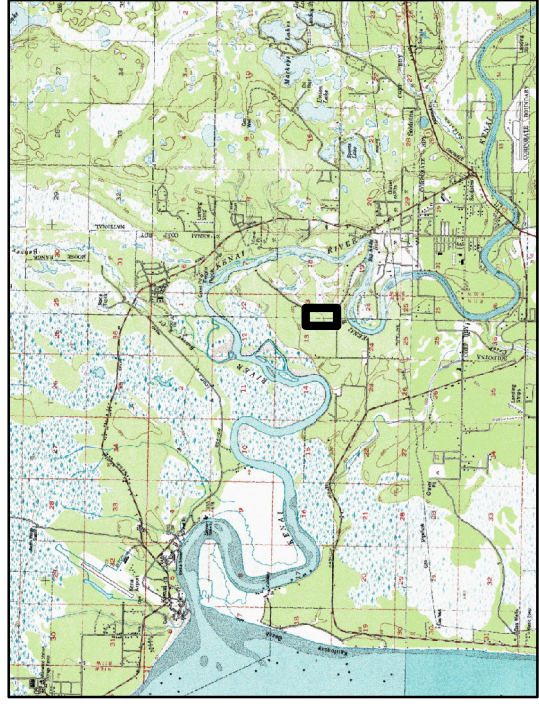
Land Exchange Between KPBB and CIRI



Result of Exchange



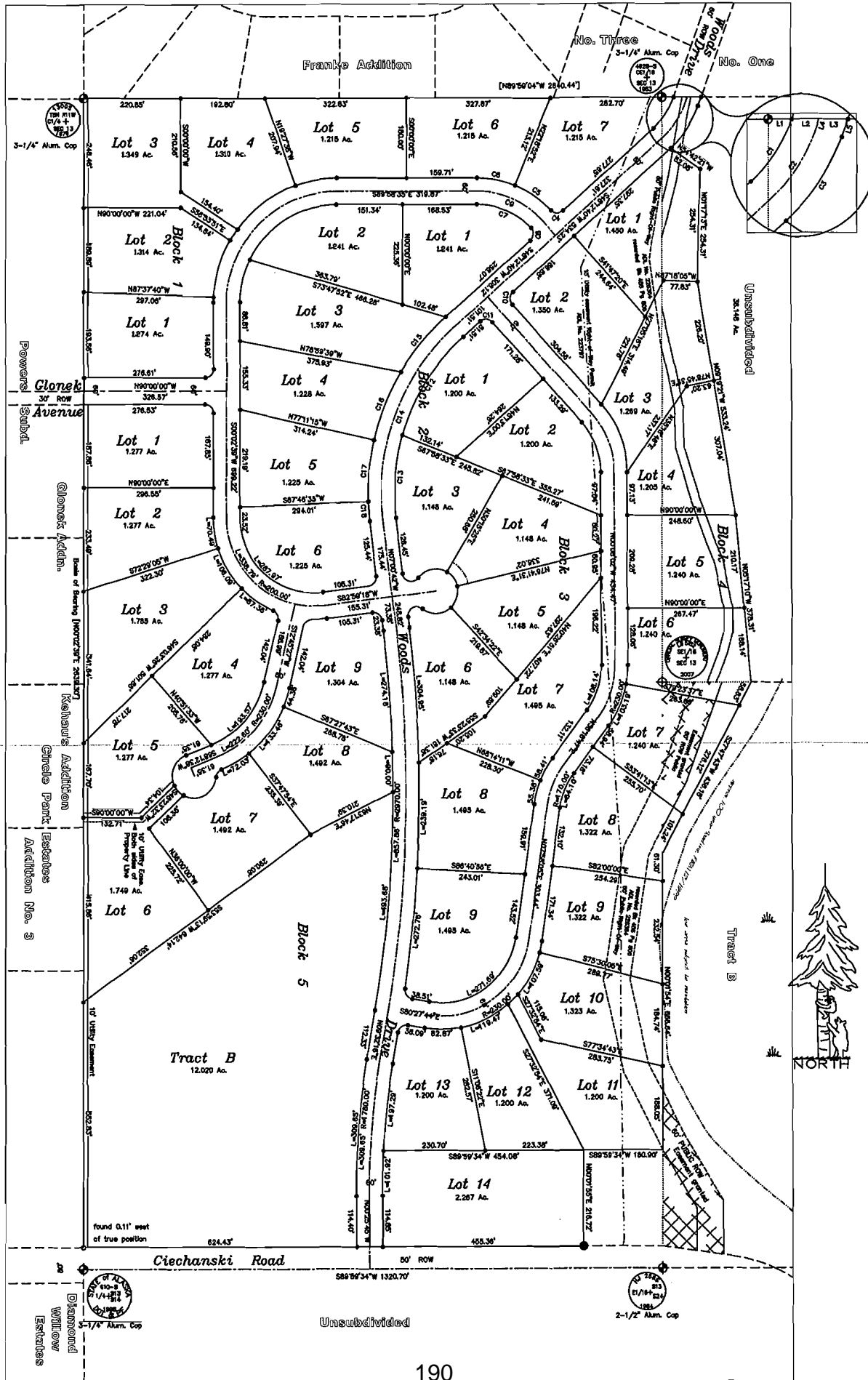
Vicinity Map



KRS 3/20/12



A



**CERTIFICATE of OWNERSHIP
and DEDICATION**

WE HEREBY CERTIFY THAT WE ARE THE OWNER(S) OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN AND SUBMIT THE SAME TO THE PUBLIC RECORDS OF THE STATE OF ALASKA FOR PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

David R. Covey, Mayor
Kenai Peninsula Borough
144 N. Blakley Street
Soldotna, Alaska 99611
(Tract A)

Leah Mangrove
Cook Inlet Region, Inc.
P. O. Box 83330
Anchorage, Alaska 99508
(NE 1/4, SE 1/4, Sec. 13)

NOTARY'S ACKNOWLEDGMENT

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____ 2012 FOR _____

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____ 2012 FOR _____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTES:

- 1) Proposed land uses are recreational, residential, agricultural, and commercial.
- 2) Building Setback - A setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.
- 3) No private access to State maintained ROW's permitted unless approved by the State of Alaska Department of Transportation.
- 4) Front 10 ft. of the building setback adjacent to rights-of-way is also a utility easement. No utility structures will be constructed or placed within a utility easement which would interfere with the ability of a Utility to use the easement.
- 5) Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the road maintenance program.
- 6) WASTEWATER DISPOSAL: Tract B Block 5 is at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.
- 7) A 15 ft. side strip pipeline easement is recorded in Book 449 Page 552. This easement is located within the SE 1/4 SE 1/4, Section 13 west of the existing traveled way commonly known as Wooda Drive.
- 8) There is a 25 ft. building setback from the right-of-way within Lot 4 Block 3 as shown.
- 9) No structures are permitted within the parhandle portion of the flag lot(s).

LEGEND:

- ⊗ 2-1/2" Brass Cap GLO Monument (found)
- ⊙ Monument (found)
- ⊕ 2-1/2" Alum. Cap Monument (set)
- 5/8" Rebar (found)
- 5/8" Rebar (set)
- ⚡ Witness Corner Meander Corner
5/8" Rebar (set)
- [] Record Datum
- Former Lot Line
- ⊗ Pipeline Easement: Book 449, Page 552

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____
KENAI PENINSULA BOROUGH
AUTHORIZED OFFICIAL _____

RECORDED _____ REC. DIST. _____
DATE: _____ 20____ M
TIME: _____
REQUESTED BY:
INTEGRITY SURVEYS
8195 KENAI SPUR HWY
KENAI, ALASKA 99611

KPB FILE No. 2008-254

**Widgeon Woods
Phase Two**

A subdivision of Tract A, Widgeon Woods - Phase One, Plat No. 2007-84, S. M., Kenai Recording District, Kenai Peninsula Borough, Alaska. Located within the SE 1/4 of Section 13, TEN, R11W, S. M., Kenai Recording District, Kenai Peninsula Borough, Alaska.

Containing 82.321 Acres

Integrity Surveys, Inc.

8195 Kenai Spur Hwy Kenai, Alaska 99611-8902
SURVEYORS PHONE - (907) 283-8047 PLANNERS
FAX - (907) 283-8071

JOB NO:	28163	DRAWN:	21 March, 2012	CB
SURVEYED:	??	SCALE:	1" = 100'	
FIELD BK:	??	DISK:	Widgeon Woods	

Exhibit B

QUITCLAIM DEED

The GRANTOR, KENAI PENINSULA BOROUGH, an Alaska municipal corporation, whose address is 144 North Binkley Street, Soldotna, Alaska 99669, for ten dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, and pursuant to Assembly Ordinance 2012-__, enacted _____, 2012, conveys and quitclaims unto the GRANTEE, COOK INLET REGION INC., an Alaska Native Corporation whose address is PO Box 93330, Anchorage, AK 99509, all interest it has, if any, in the following described real property located in the Kenai Recording District, Third Judicial District, State of Alaska, and more particularly described as follows:

Lots 3, 4, & 6, Block 4 of Widgeon Woods Subdivision Plat 2012-__

TOGETHER WITH all the improvements thereon, if any, and all rights of the Grantor to any and all hereditaments and appurtenances hereto, and

SUBJECT TO any taxes and assessments, exceptions, reservations, restrictions, conditions, covenants, easements, rights-of-way, encroachments either of record or ascertainable by physical inspection.

Dated this ____ day of _____, 2012.

KENAI PENINSULA BOROUGH:

Mike Navarre,
Kenai Peninsula Borough Mayor

ATTEST:

Johni Blankenship, Borough Clerk

NOTARY ACKNOWLEDGMENT

STATE OF ALASKA)
)ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012 by Mike Navarre, Mayor of the Kenai Peninsula Borough, an Alaska municipal corporation, for on behalf of the corporation.

Notary Public in and for Alaska
My commission expires: _____

Please return to: CIRI – Attn Dara Glass
 PO Box 93330
 Anchorage, AK 99509

NOTARY ACKNOWLEDGEMENT

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on the _____ day of _____, 2012, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared Ethan G. Schutt, to me known and known to me to be the Senior Vice-President, Land & Energy Development, Cook Inlet Region, Inc., and he acknowledged to me that he had in his official capacity, executed the foregoing instruction as the free act and deed of the said corporation for the uses and purposes therein stated, and that he was duly authorized to do so on behalf of said corporation.

WITNESS MY HAND and official seal.

[Notary Public]
My commission expires: _____

Please return to:

Land Management
Kenai Peninsula Borough
144 North Binkley Street
Soldotna AK 99669

CIRI Deed # _____

EXHIBIT C

JOINT SUBDIVISION AND EXCHANGE AGREEMENT

QUITCLAIM DEED

COOK INLET REGION, INC., an Alaska corporation (hereinafter called "CIRI" or "GRANTOR"), whose business address is P.O. Box 93330, Anchorage, Alaska, 99509-3330, for an in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby convey and quitclaim to the GRANTEE, the Kenai Peninsula Borough, whose address is 144 North Binkley Street, Soldotna, Alaska 99669, by these presents does remise, release and quitclaim the surface estate unto the said GRANTEE, its successors and assigns, the following described land situated in the Kenai Recording District, Third Judicial District, State of Alaska, and described as follows:

Lot 1 and 5 Block 4 and Lot 7 Block 1 of the Widgeon Woods Subdivision,
Plat 2012-_____

EXCEPTING AND RESERVING to the GRANTOR the subsurface estate as defined by the Alaska Native Claims Settlement Act, 43 U.S.C. §1601 *et seq.*, as amended, including sand and gravel, in the above described property and all rights appurtenant thereto;

CIRI shall not disrupt the surface estate, disturb the lateral or subjacent support of the Property or exercise any of its rights to the Subsurface Estate to a vertical depth of 250 feet below the Surface Estate;

CIRI shall not object to the entry and use of the Property by the Surface Owner:

1. To a depth not to exceed two hundred fifty (250) feet from the natural surface contour of the Property as of the date of this Non-Development Covenant for purposes of excavation for and placement and maintenance of foundations, pilings, pipe and septic systems and utility facilities;
2. To such a greater depth than two hundred fifty (250) feet as may be necessary or convenient for purposes of drilling a well to produce a sufficient and adequate supply of water for use on the premises of the property; and,
3. CIRI does not and shall not authorize any extraction or use of resources, other than water, from the Subsurface Estate of the Property;

CIRI shall not object to an Incidental Use of Gravel Resources on, within or under the Property, for the purposes of fill for grade and contour leveling and road construction,

backfill for foundations and the construction of building pads and driveways. Commercial and/or Off-Premises uses by the Surface Owner are prohibited.

SUBJECT TO the reservations, rights, privileges, immunities, easements, taxes and assessments, covenants, rights-of-way, encroachments either of record or ascertainable by physical inspection.

TOGETHER WITH all the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

DATED THIS _____ day of _____, 2012.

COOK INLET REGION, INC.

Ethan G. Schutt
Sr. Vice-President
Land & Energy Development

CIRI Deed # _____

NOTARY ACKNOWLEDGEMENT

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on the _____ day of _____, 2012, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared Ethan G. Schutt, to me known and known to me to be the Senior Vice-President, Land & Energy Development, Cook Inlet Region, Inc., and he acknowledged to me that he had in his official capacity, executed the foregoing instruction as the free act and deed of the said corporation for the uses and purposes therein stated, and that he was duly authorized to do so on behalf of said corporation.

WITNESS MY HAND and official seal.

[Notary Public]
My commission expires: _____

Please return to:

Land Management
Kenai Peninsula Borough
144 North Binkley Street
Soldotna AK 99669

CIRI Deed # _____

Introduced by: Mayor
Date: 04/17/12
Shortened Hearing: 05/01/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-11**

**AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE FY2013 LATE-FILED
SENIOR CITIZEN GRANT APPLICATION FOR THE SELDOVIA SENIOR CITIZEN
PROGRAM**

1 **WHEREAS**, pursuant to KPB 5.22.010 the Kenai Peninsula Borough may provide for grants to
2 senior citizen centers located within the Kenai Peninsula Borough; and

3 **WHEREAS**, KPB 5.22.060 requires grant applications be filled out and submitted not later
4 than March 15 of each year; and

5 **WHEREAS**, due to drastic staff changes and difficulties in dealing with a technology upgrade,
6 the grant application requesting funding of the FY2013 Seldovia senior citizen
7 program was not submitted until March 27, 2012; and

8 **WHEREAS**, because the deadline requirement to submit the application is established by
9 ordinance, an exception to it can only be granted by ordinance;

10 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
11 **PENINSULA BOROUGH:**

12 **SECTION 1.** That the assembly authorizes the acceptance of the FY2013 late- filed Seldovia
13 senior citizen grant application.

14 **SECTION 2.** That this ordinance takes effect immediately upon its enactment.

1 ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS *
2 DAY OF * 2012.

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the Borough: 1-800-478-4441

PHONE: (907) 262-4441 • **FAX:** (907) 262-1892

www.borough.kenai.ak.us

**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

TO: Gary Knopp, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Mike Navarre, Mayor *MN*

FROM: Craig Chapman, Director of Finance *CChapman*

DATE: April 5, 2012

SUBJECT: Ordinance 2012-11, authorizing the acceptance of the late-filed grant application for the Seldovia senior citizen program

KPB 5.22.010 authorizes the Kenai Peninsula Borough to provide grants to senior citizen centers located within the Kenai Peninsula Borough. To receive funding, the grant applications provided by the Borough's Director of Finance are to be filled out and submitted not later than March 15 of each year.

The FY2013 grant application for the Seldovia senior citizen program was not submitted until March 27, 2012. Because the requirement to submit the application is established by ordinance, an exception can only be granted by ordinance.

Attached please find a letter from the City of Seldovia requesting the borough accept its late-filed application.

This ordinance requests that the assembly authorize the acceptance of the late-filed FY2013 grant application for the Seldovia senior citizen program.

Shortened hearing is requested so these funds can be included in the FY2013 proposed budget.



City of Seldovia

P.O. Drawer B, Seldovia, Alaska 99663
Phone: (907) 234-7643, Fax: (907) 234-7430
finance@cityofseldovia.com

April 2, 2012

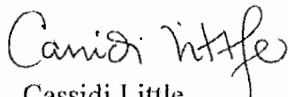
Mike Navarre
Kenai Peninsula Borough
144 N. Binkley
Soldotna, Alaska 99669

Dear Mr. Mayor,

The City of Seldovia is requesting that the Kenai Peninsula Borough accepts our late-filed application for the senior citizen grant program. This past year has been challenging for our office as we endured a transition internally that restructured our already small staff. Due to the drastic changes in staff and in the growing pains of a technology upgrade, we incurred deficiencies within several areas of our structure, including this grant program.

Please accept our sincere apologies for the irrefutable tardiness of our application, and please keep us in consideration for the program as it is a critical function in our community.

Thank you in advance for your time and consideration in this matter,


Cassidi Little
Treasurer



KENAI PENINSULA BOROUGH

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**MIKE NAVARRE
BOROUGH MAYOR**

April 5, 2012

Tim Dillon
City Manager
City of Seldovia
P.O. Box B
Seldovia, AK 99663

RE: Requested acceptance of late-filed senior citizen grant application

Dear Tim:

I am sponsoring an ordinance requesting that the assembly authorize the administration to accept the City of Seldovia's late-filed application for the senior citizen grant program. I understand how important those funds are to the community and can appreciate the administrative challenges you have faced.

However, please be advised that if any applications for this grant program are filed late in the future I will recommend imposing a ten percent penalty as a condition of acceptance. My intent is to encourage timely filing for all applicants.

Sincerely,

Mike Navarre
Mayor

Introduced by:

Mayor

Date:

05/01/12

Action:

Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-033**

**A RESOLUTION AUTHORIZING ROAD SERVICE AREA CAPITAL
IMPROVEMENT PROJECT: RAVENWOOD STREET #W7RAV CONTRACT AWARD
AND ALLOCATION**

1 **WHEREAS,** the Kenai Peninsula Borough Road Service Area (RSA) annually prioritizes a list
2 of capital improvement projects that includes the estimated total cost for each
3 project; and

4 **WHEREAS,** the total project cost including design services, contract services, inter-
5 departmental charges, and contingencies is to be allocated to the project; and

6 **WHEREAS,** at its regular meeting of August 10, 2010, the Road Service Area Board
7 recommended by unanimous vote approval of Road Service Area Resolution
8 2010-10, Approving Fiscal Year 2011 Capital Improvement Projects; and

9 **WHEREAS,** total project cost funds are available from the following:

- 10 • 434.33950.9STIP.49999
11 • 434.33950.11252.49999

12 **WHEREAS,** the RSA has solicited and received ten (10) bids for the RSA Capital
13 Improvement Project: Ravenwood Street Project #W7RAV; and

14 **WHEREAS,** the bids have been reviewed by the RSA and the low responsive bid was
15 submitted by CIC, Inc.;

1 **NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI**
2 **PENINSULA BOROUGH:**

3 **SECTION 1.** That the mayor is authorized to award a contract to CIC, Inc. to perform the work
4 for RSA Capital Improvement Project: Ravenwood Street #W7RAV for the bid
5 amount of \$96,077.35.

6 **SECTION 2.** That the mayor is authorized to allocate project cost, \$129,256.00, to account
7 number 434.33950.W7RAV.49999.

8 **SECTION 3.** That the mayor is authorized to execute all documents and make all agreements
9 deemed necessary to complete this project in accordance with this resolution and
10 contract documents.

11 **SECTION 4.** That this resolution shall take effect immediately upon its adoption.

12 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 1ST**
13 **DAY OF MAY, 2012.**

Gary Knopp, Assembly President

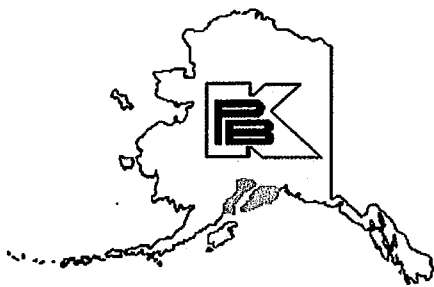
ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

Road Service Area

47140 E. Poppy Lane • Soldotna, Alaska 99669
Toll-free within the Borough: 1-800-478-4427
PHONE: (907) 262-4427 • FAX: (907) 262-6090
www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Gary Knopp, Assembly President
Members of the Kenai Peninsula Borough Assembly

THRU: Mike Navarre, Mayor *P.O. for M.N. C. Chase*
Craig Chapman, Director of Finance
Mark Fowler, Purchasing & Contracting Director *mf*

FROM: Doug Schoessler, Roads Director *D. Schoessler*

DATE: April 17, 2012

SUBJECT: Resolution 2012- 033, Road Service Area Capital Improvement Project:
Ravenwood Street #W7RAV Contract Award and Allocation

On March 12, 2012, the Kenai Peninsula Borough Road Service Area formally solicited bids for Ravenwood Street Capital Improvement Project #W7RAV for completion in summer 2012. The invitation to bid was advertised in the Peninsula Clarion on March 12, 15 and 18, 2012.

On the due date of April 12, 2012, ten (10) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. Attached is a copy of the bid tabulation sheet.

The low responsive bid was received from CIC, Inc. in the amount of \$96,077.35. The total costs for this project are \$129,256.00 which includes design services, contract services, inter-departmental charges, and contingencies.

The project award is submitted to the assembly for approval because the funds for CIPs have only been appropriated by the assembly but not yet allocated. This project has been approved through Road Service Area Resolution 2010-10, Approving the FY2011 Capital Improvement Projects.

This resolution authorizes the project to proceed, allocates funds to the project, and awards the project to the lowest, qualified, responsive, and responsible contractor.

FINANCE DEPARTMENT FUNDS VERIFIED

Amount: \$129,256.00
Acct. # 434.33950.9STIP.49999
434.33950.11252.49999

By: *C. Schoessler* Date: 4/18/12

**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB12-043 RSA CIP Ravenwood Street #W7RAV

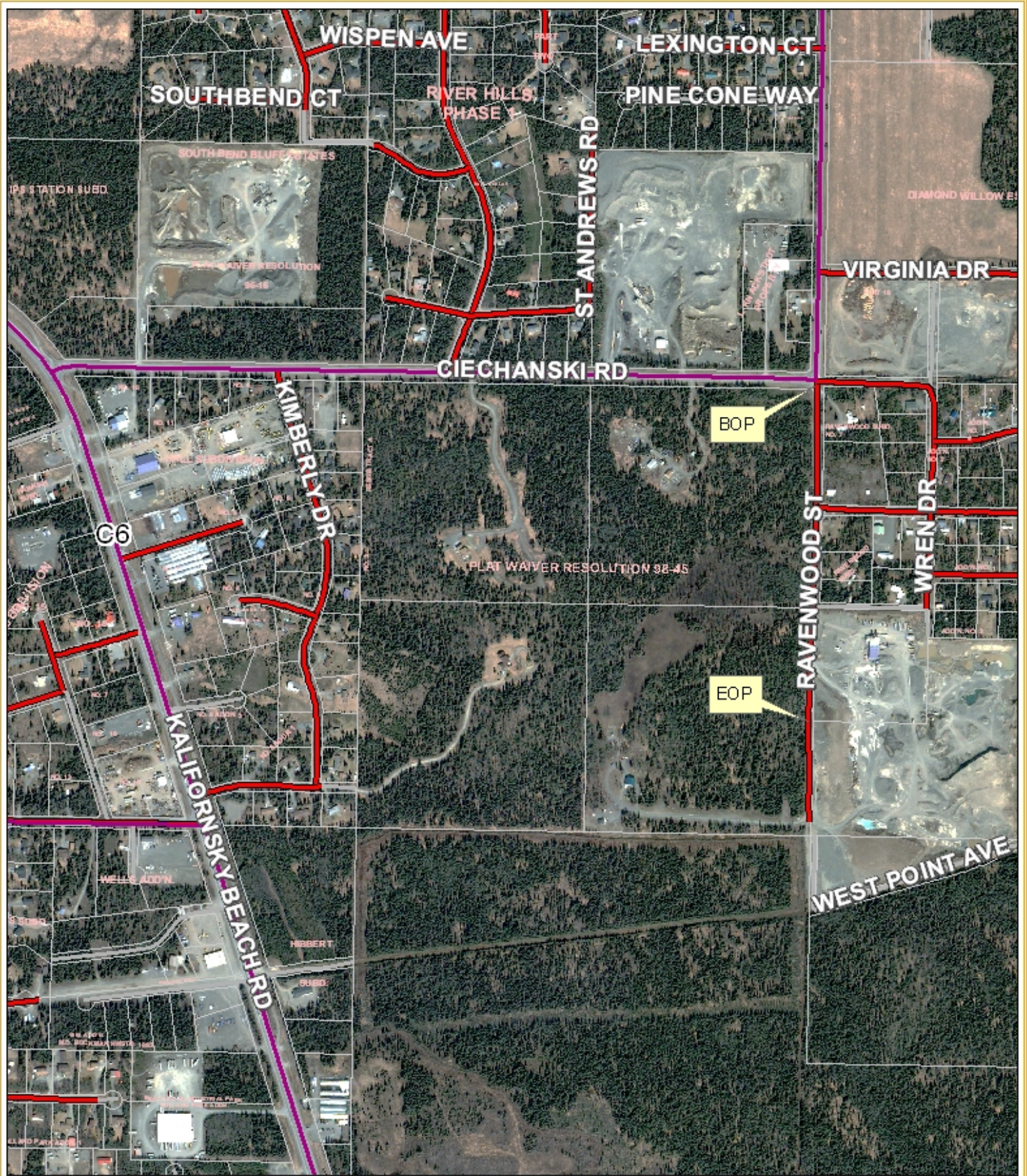
CONTRACTOR	BASE BID
Ross Services	\$151,464.75
G&H Construction	\$98,455.00
Hammond Trucking	\$105,425.25
CIC Inc	\$96,077.35
S&R Enterprises	\$98,960.80
Peninsula Construction	\$116,147.25
Glacier Construction	\$114,209.00
Foster Construction	\$109,162.00
Alaska RoadBuilders	\$112,437.00
Wolverine Supply	\$139,665.50
Engineers Estimate	\$126,830.00

DUE DATE: April 12, 2012 @ 4:00 PM

KPB OFFICIAL:



Mark Fowler, Purchasing & Contracting Officer



0 355 710 1,420 Feet



RAVENWOOD ST



The information depicted here is for a graphical representation only of best available sources. The Neck Peninsula Borough assumes no responsibility for any errors on this map.



Introduced by: Mayor
Date: 05/01/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-034**

**A RESOLUTION AUTHORIZING ROAD SERVICE AREA CAPITAL
IMPROVEMENT PROJECT: YALE STREET AND PRINCETON AVENUE #W6YAL
CONTRACT AWARD AND ALLOCATION**

1 **WHEREAS**, the Kenai Peninsula Borough Road Service Area (RSA) annually prioritizes a list
2 of capital improvement projects that includes the estimated total cost for each
3 project; and

4 **WHEREAS**, the total project cost including design services, contract services, inter-
5 departmental charges, and contingencies is to be allocated to the project; and

6 **WHEREAS**, at its regular meeting of August 10, 2010, the Road Service Area Board
7 recommended by unanimous vote approval of Road Service Area Resolution
8 2010-10, Approving Fiscal Year 2011 Capital Improvement Projects; and

9 **WHEREAS**, total project cost funds are available from the following:

- 10 • 434.33950.9STIP.49999

11 **WHEREAS**, the RSA has solicited and received eleven (11) bids for the RSA Capital
12 Improvement Project: Yale Street and Princeton Avenue Project #W6YAL; and

13 **WHEREAS**, the bids have been reviewed by the RSA and the low responsive bid was
14 submitted by CIC, Inc.;

15 **NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI**
16 **PENINSULA BOROUGH:**

1 **SECTION 1.** That the mayor is authorized to award a contract to CIC, Inc. to perform the work
2 for RSA Capital Improvement Project: Yale Street and Princeton Avenue
3 #W6YAL for the bid amount of \$73,551.30.

4 **SECTION 2.** That the mayor is authorized to allocate project cost, \$96,272.00, to account
5 number 434.33950.W6YAL.49999.

6 **SECTION 3.** That the mayor is authorized to execute all documents and make all agreements
7 deemed necessary to complete this project in accordance with this resolution and
8 contract documents.

9 **SECTION 4.** That this resolution shall take effect immediately upon its adoption.

10 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 1ST**
11 **DAY OF MAY, 2012.**

Gary Knopp, Assembly President

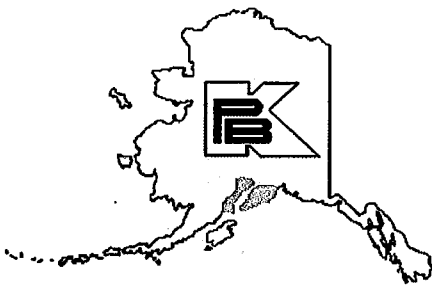
ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

Road Service Area

47140 E. Poppy Lane • Soldotna, Alaska 99669

Toll-free within the Borough: 1-800-478-4427

PHONE: (907) 262-4427 • FAX: (907) 262-6090

www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Gary Knopp, Assembly President
Members of the Kenai Peninsula Borough Assembly

THRU: Mike Navarre, Mayor *P.O. for M.N.*
Craig Chapman, Director of Finance *C. Chapman*
Mark Fowler, Purchasing & Contracting Director *mf*

FROM: Doug Schoessler, Roads Director *D. Schoessler*

DATE: April 17, 2012

SUBJECT: Resolution 2012- 034, Road Service Area Capital Improvement Project: Yale Street and Princeton Avenue #W6YAL Contract Award and Allocation

On March 12, 2012, the Kenai Peninsula Borough Road Service Area formally solicited bids for Yale Street and Princeton Avenue Capital Improvement Project #W6YAL for completion in summer 2012. The invitation to bid was advertised in the Peninsula Clarion on March 12, 15 and 18, 2012.

On the due date of April 11, 2012, eleven (11) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. Attached is a copy of the bid tabulation sheet.

The low responsive bid was received from CIC, Inc. in the amount of \$73,551.30. The total costs for this project are \$96,272.00 which includes design services, contract services, inter-departmental charges, and contingencies.

The project award is submitted to the assembly for approval because the funds for CIPs have only been appropriated by the assembly but not yet allocated. This project has been approved through Road Service Area Resolution 2010-10, Approving the FY2011 Capital Improvement Projects.

This resolution authorizes the project to proceed, allocates funds to the project, and awards the project to the lowest, qualified, responsive, and responsible contractor.

FINANCE DEPARTMENT FUNDS VERIFIED

Amount: \$96,272.00

Acct. # 434.33950.9STIP.49999

By: *ASW*

Date: 4/18/12

**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

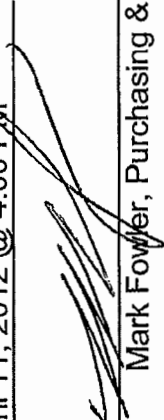
BID TAB FOR: ITB12-039 RSA 2012 CIP Yale Street & Princeton Avenue #W6YAL

CONTRACTOR	BASE BID
Ross Services	\$115,189.50
G&H Construction	\$86,868.00
Southcentral Construction	\$99,999.00
Peninsula Construction	\$75,926.25
Hammond Trucking	\$105,564.70
Glacier Construction	\$98,709.50
CIC Inc	\$73,551.30
S&R Enterprises	\$76,352.60
Foster Construction	\$82,673.00
Great Northern Construction	\$85,626.00
Alaska RoadBuilders	\$105,810.00

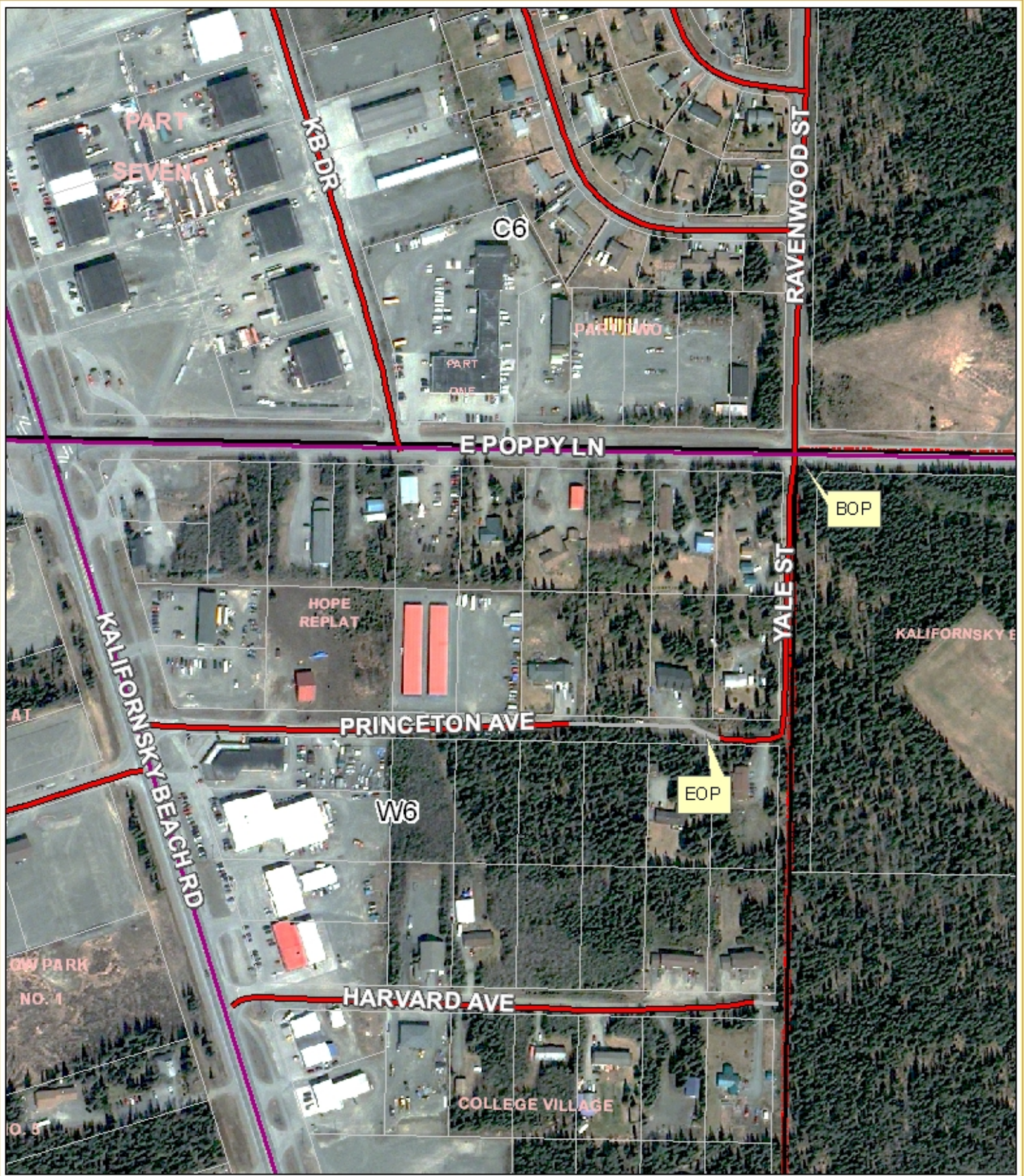
Engineers Estimate \$112,899.00

DUE DATE: April 11, 2012 @ 4:00 PM

KPB OFFICIAL:

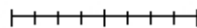


Mark Fowler, Purchasing & Contracting Officer



The information depicted is for informational purposes only and does not constitute a guarantee, warranty, or representation of any kind. The local government assumes no responsibility for any errors on this map.

0 130 260 520 Feet



YALE ST, PRINCETON AVE

Introduced by: Mayor
Date: 05/01/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-035**

**A RESOLUTION AUTHORIZING ROAD SERVICE AREA CAPITAL
IMPROVEMENT PROJECT: RUFFED GROUSE ROAD #W1RUF CONTRACT
AWARD AND ALLOCATION**

1 **WHEREAS,** the Kenai Peninsula Borough Road Service Area (RSA) annually prioritizes a list
2 of capital improvement projects that includes the estimated total cost for each
3 project; and

4 **WHEREAS,** the total project cost including design services, contract services, inter-
5 departmental charges, and contingencies is to be allocated to the project; and

6 **WHEREAS,** at its regular meeting of September 13, 2011, the Road Service Area Board
7 recommended by unanimous vote approval of Road Service Area Resolution
8 2011-15, Approving Fiscal Year 2012 Capital Improvement Projects; and

9 **WHEREAS,** total project cost funds are available from the following:

- 10 • 434.33950.9STIP.49999

11 **WHEREAS,** the RSA has solicited and received eight (8) bids for the RSA Capital
12 Improvement Project: Ruffed Grouse Road Project #W1RUF; and

13 **WHEREAS,** the bids have been reviewed by the RSA and the low responsive bid was
14 submitted by Glacier Construction Services;

15 **NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI**
16 **PENINSULA BOROUGH:**

1 **SECTION 1.** That the mayor is authorized to award a contract to Glacier Construction Services
2 to perform the work for RSA Capital Improvement Project: Ruffed Grouse Road
3 #W1RUF for the bid amount of \$72,805.00.

4 **SECTION 2.** That the mayor is authorized to allocate project cost, \$96,879.00, to account
5 number 434.33950.W1RUF.49999.

6 **SECTION 3.** That the mayor is authorized to execute all documents and make all agreements
7 deemed necessary to complete this project in accordance with this resolution and
8 contract documents.

9 **SECTION 4.** That this resolution shall take effect immediately upon its adoption.

10 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 1ST**
11 **DAY OF MAY, 2012.**

Gary Knopp, Assembly President

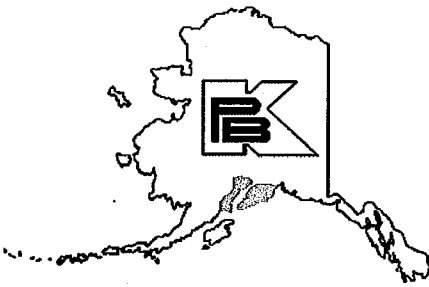
ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

Road Service Area

47140 E. Poppy Lane • Soldotna, Alaska 99669

Toll-free within the Borough: 1-800-478-4427

PHONE: (907) 262-4427 • FAX: (907) 262-6090

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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Gary Knopp, Assembly President
Members of the Kenai Peninsula Borough Assembly

THRU: Mike Navarre, Mayor *P.O. for M.N.*
Craig Chapman, Director of Finance *C Chapman*
Mark Fowler, Purchasing & Contracting Director *M Fowler*

FROM: Doug Schoessler, Roads Director *D Schoessler*

DATE: April 17, 2012

SUBJECT: Resolution 2012- 035, Road Service Area Capital Improvement Project:
Ruffed Grouse Road #W1RUF Contract Award and Allocation

On March 12, 2012, the Kenai Peninsula Borough Road Service Area formally solicited bids for Ruffed Grouse Road Capital Improvement Project #W1RUF for completion in summer 2012. The invitation to bid was advertised in the Peninsula Clarion on March 12, 15 and 18, 2012.

On the due date of April 11, 2012, eight (8) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. Attached is a copy of the bid tabulation sheet.

The low responsive bid was received from Glacier Construction Services in the amount of \$72,805.00. The total costs for this project are \$96,879.00 which includes design services, contract services, inter-departmental charges, and contingencies.

The project award is submitted to the assembly for approval because the funds for CIPs have only been appropriated by the assembly but not yet allocated. This project has been approved through Road Service Area Resolution 2011-15, Approving the FY2012 Capital Improvement Projects.

This resolution authorizes the project to proceed, allocates funds to the project, and awards the project to the lowest, qualified, responsive, and responsible contractor.

FINANCE DEPARTMENT FUNDS VERIFIED

Amount: \$96,879.00
Acct. # 434.33950.9STIP.49999

By: *C.B.W.* Date: 4/18/12

**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB12-040 RSA 2012 CIP Ruffed Grouse Rd.

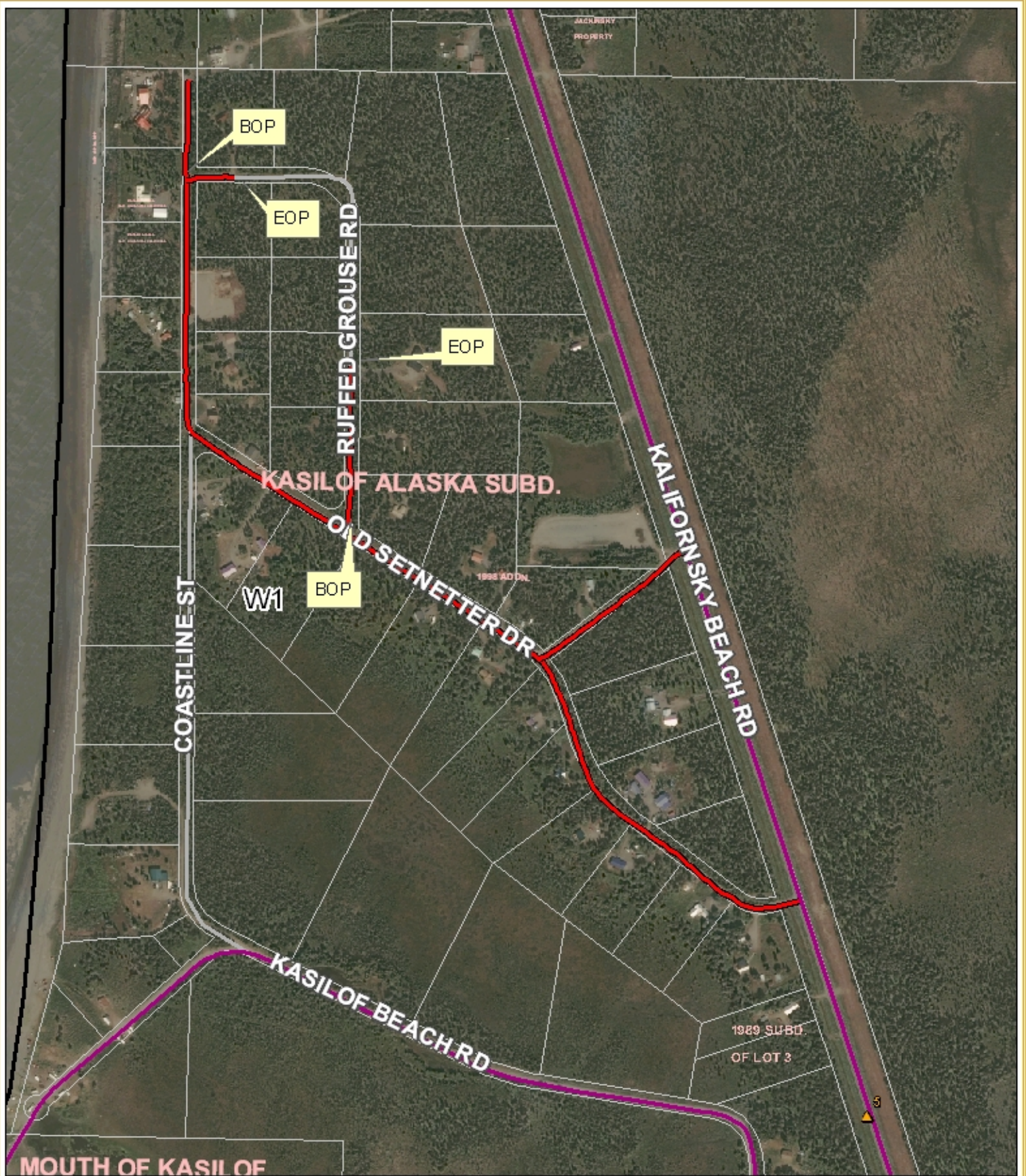
CONTRACTOR	BASE BID
Peninsula Construction	\$74,086.00
Glacier Construction	\$72,805.00
G&H Construction	\$81,149.40
CIC Inc	\$88,572.50
Great Northern Construction	\$86,706.00
Alaska RoadBuilders	\$118,000.00
Foster Construction	\$83,260.00
Ross Services	\$124,918.00
Engineers Estimate	
\$89,060.00	

DUE DATE: April 11, 2012 @ 2:00 PM

KPB OFFICIAL:



Mark Fowler, Purchasing & Contracting Officer

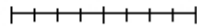


MOUTH OF KASIOF



The information depicted here is only for a graphical representation only of best available sources. The Naval Peninsula Borough assumes no responsibility for any errors on this map.

0 130 260 520 Feet



RUFFED GROUSE RD



Printed on

Introduced by:
Date:
Action:
Vote:

Mayor
05/01/12

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-036**

**A RESOLUTION AUTHORIZING ROAD SERVICE AREA CAPITAL
IMPROVEMENT PROJECT: JUEL AVENUE, NIELSON STREET AND KENAITZE
AVENUE #W1JUE CONTRACT AWARD AND ALLOCATION**

1 **WHEREAS,** the Kenai Peninsula Borough Road Service Area (RSA) annually prioritizes a list
2 of capital improvement projects that includes the estimated total cost for each
3 project; and

4 **WHEREAS,** the total project cost including design services, contract services, inter-
5 departmental charges, and contingencies is to be allocated to the project; and

6 **WHEREAS,** at its regular meeting of September 23, 2008, the Road Service Area Board
7 recommended by unanimous vote approval of Road Service Area Resolution
8 2008-10, Approving Fiscal Year 2009 Capital Improvement Projects; and

9 **WHEREAS,** total project cost funds are available from the following:

- 10 • 434.33950.9STIP.49999

11 **WHEREAS,** the RSA has solicited and received ten (10) bids for the RSA Capital
12 Improvement Project: Juel Avenue, Nielson Street and Kenaitze Avenue Project
13 #W1JUE; and

14 **WHEREAS,** the bids have been reviewed by the RSA and the low responsive bid was
15 submitted by Glacier Construction Services;

1 **NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI**
2 **PENINSULA BOROUGH:**

3 **SECTION 1.** That the mayor is authorized to award a contract to Glacier Construction Services
4 to perform the work for RSA Capital Improvement Project: Juel Avenue, Nielson
5 Street and Kenaitze Avenue #W1JUE for the bid amount of \$132,335.50.

6 **SECTION 2.** That the mayor is authorized to allocate project cost, \$184,999.00, to account
7 number 434.33950.W1JUE.49999.

8 **SECTION 3.** That the mayor is authorized to execute all documents and make all agreements
9 deemed necessary to complete this project in accordance with this resolution and
10 contract documents.

11 **SECTION 4.** That this resolution shall take effect immediately upon its adoption.

12 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 1ST**
13 **DAY OF MAY, 2012.**

Gary Knopp, Assembly President

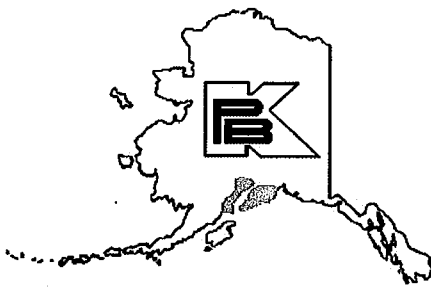
ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

Road Service Area

47140 E. Poppy Lane • Soldotna, Alaska 99669
Toll-free within the Borough: 1-800-478-4427
PHONE: (907) 262-4427 • FAX: (907) 262-6090
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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Gary Knopp, Assembly President
Members of the Kenai Peninsula Borough Assembly

THRU: Mike Navarre, Mayor *P.O. for M.N.*
Craig Chapman, Director of Finance *C Chapman*
Mark Fowler, Purchasing & Contracting Director *mf*

FROM: Doug Schoessler, Roads Director *DS*

DATE: April 17, 2012

SUBJECT: Resolution 2012- 036, Road Service Area Capital Improvement Project: Juel Avenue, Nielson Street and Kenaitze Avenue #W1JUE Contract Award and Allocation

On March 12, 2012, the Kenai Peninsula Borough Road Service Area formally solicited bids for Juel Avenue, Nielson Street and Kenaitze Avenue Capital Improvement Project #W1JUE for completion in summer 2012. The invitation to bid was advertised in the Peninsula Clarion on March 12, 15 and 18, 2012.

On the due date of April 12, 2012, ten (10) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. Attached is a copy of the bid tabulation sheet.

The low responsive bid was received from Glacier Construction Services in the amount of \$132,335.50. The total costs for this project are \$184,999.00 which includes design services, contract services, inter-departmental charges, and contingencies.

The project award is submitted to the assembly for approval because the funds for CIPs have only been appropriated by the assembly but not yet allocated. This project has been approved through Road Service Area Resolution 2008-10, Approving the FY2009 Capital Improvement Projects.

This resolution authorizes the project to proceed, allocates funds to the project, and awards the project to the lowest, qualified, responsive, and responsible contractor.

FINANCE DEPARTMENT FUNDS VERIFIED

Amount: \$184,999.00
Acct. # 434.33950.9STIP.49999

By: 220 *DS* Date: 4/18/12

**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB12-041 RSA CIP Juel Avenue, Nielson Street & Kenaitze Avenue #W1JUE.

CONTRACTOR	BASE BID
JC Johnson & Sons	\$167,118.00
CIC Inc	\$164,440.30
Ross Services	\$213,592.25
Peninsula Construction	\$139,664.15
Southcentral Construction	\$194,079.60
G&H Construction	\$167,196.90
Foster Construction	\$178,709.50
Wolverine Supply	\$183,226.60
Glacier Construction	\$132,335.50
Alaska RoadBuilders	\$262,948.50

Engineer Estimate **\$186,603.25**

DUE DATE: April 12, 2012 @ 2:00 PM

KPB OFFICIAL:  Mark Fowler, Purchasing & Contracting Officer



Printed on

JUEL AVENUE, NIELSON STREET AND KENTAITZE AVENUE CIP # W1JUE

The information depicted hereon is for a graphical representation only. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Introduced by:

Mayor

Date:

05/01/12

Action:

Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-037**

**A RESOLUTION AUTHORIZING ROAD SERVICE AREA CAPITAL
IMPROVEMENT PROJECT: GOLDEN EAGLE AVENUE AND CHISIK STREET
#C5GOL CONTRACT AWARD AND ALLOCATION**

1 **WHEREAS,** the Kenai Peninsula Borough Road Service Area (RSA) annually prioritizes a list
2 of capital improvement projects that includes the estimated total cost for each
3 project; and

4 **WHEREAS,** the total project cost including design services, contract services, inter-
5 departmental charges, and contingencies is to be allocated to the project; and

6 **WHEREAS,** at its regular meeting of August 10, 2010, the Road Service Area Board
7 recommended by unanimous vote approval of Road Service Area Resolution
8 2010-10, Approving Fiscal Year 2011 Capital Improvement Projects; and

9 **WHEREAS,** total project cost funds are available from the following:

- 10 • 434.33950.9STIP.49999
11 • 434.33950.11252.49999

12 **WHEREAS,** the RSA has solicited and received nine (9) bids for the RSA Capital
13 Improvement Project: Golden Eagle Avenue and Chisik Street Project #C5GOL;
14 and

15 **WHEREAS,** the bids have been reviewed by the RSA and the low responsive bid was
16 submitted by G & H Construction;

1 **NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI**
2 **PENINSULA BOROUGH:**

3 **SECTION 1.** That the mayor is authorized to award a contract to G & H Construction to
4 perform the work for RSA Capital Improvement Project: Golden Eagle Avenue
5 and Chisik Street #C5GOL for the bid amount of \$84,291.50.

6 **SECTION 2.** That the mayor is authorized to allocate project cost, \$126,645.00, to account
7 number 434.33950.C5GOL.49999.

8 **SECTION 3.** That the mayor is authorized to execute all documents and make all agreements
9 deemed necessary to complete this project in accordance with this resolution and
10 contract documents.

11 **SECTION 4.** That this resolution shall take effect immediately upon its adoption.

12 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 1ST**
13 **DAY OF MAY, 2012.**

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

Road Service Area

47140 E. Poppy Lane • Soldotna, Alaska 99669
Toll-free within the Borough: 1-800-478-4427
PHONE: (907) 262-4427 • FAX: (907) 262-6090
www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Gary Knopp, Assembly President
Members of the Kenai Peninsula Borough Assembly

THRU: Mike Navarre, Mayor *P.O. for M.N.*
Craig Chapman, Director of Finance *C Chapman*
Mark Fowler, Purchasing & Contracting Director *M*

FROM: Doug Schoessler, Roads Director *Dell*

DATE: April 17, 2012

SUBJECT: Resolution 2012- 037, Road Service Area Capital Improvement Project:
Golden Eagle Avenue and Chisik Street #C5GOL Contract Award and Allocation

On March 12, 2012, the Kenai Peninsula Borough Road Service Area formally solicited bids for Golden Eagle Avenue and Chisik Street Capital Improvement Project #C5GOL for completion in summer 2012. The invitation to bid was advertised in the Peninsula Clarion on March 12, 15 and 18, 2012.

On the due date of April 12, 2012, nine (9) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. Attached is a copy of the bid tabulation sheet.

The low responsive bid was received from G & H Construction in the amount of \$84,291.50. The total costs for this project are \$124,645.00 which includes design services, contract services, inter-departmental charges, and contingencies.

The project award is submitted to the assembly for approval because the funds for CIPs have only been appropriated by the assembly but not yet allocated. This project has been approved through Road Service Area Resolution 2010-10, Approving the FY2011 Capital Improvement Projects.

This resolution authorizes the project to proceed, allocates funds to the project, and awards the project to the lowest, qualified, responsive, and responsible contractor.

FINANCE DEPARTMENT FUNDS VERIFIED

Amount: \$124,645.00
Acct. # 434.33950.9STIP.49999
434.33950.11252.49999

By: 2251BW Date: 4/18/12

**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB12-042 RSA 2012 CIP Golden Eagle Avenue & Chisik Street #C5GOL

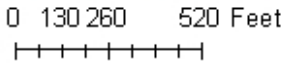
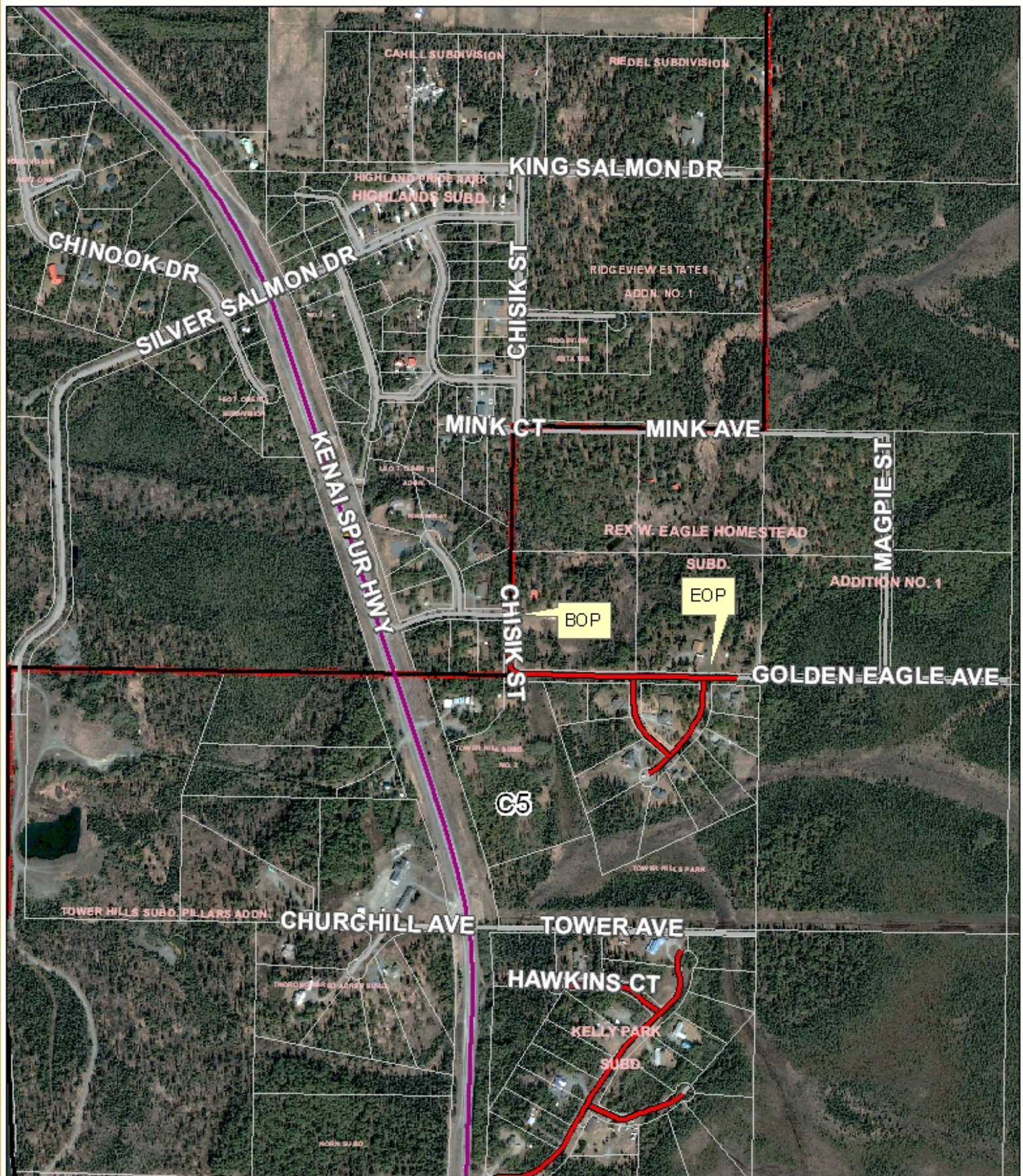
CONTRACTOR	BASE BID
G&H Construction	\$84,291.50
Hammond Trucking	\$99,669.00
CIC Inc.	\$105,684.40
S&R Enterprises	\$99,348.00
Peninsula Construction	\$89,590.00
Glacier Construction	\$92,249.00
Foster Construction	\$98,540.00
Alaska RoadBuilders	\$103,738.00
Wolverine Supply	\$119,556.00

Engineers Estimate **\$99,245.00**

DUE DATE: April 12, 2012 @ 4:00 PM

KPB OFFICIAL: 

Mark Fowler, Purchasing & Contracting Officer



The information depicted here is only for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



CHISIK ST, GOLDEN EAGLE AVE

Introduced by:

Mayor

Date:

05/01/12

Action:

Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-038**

**A RESOLUTION SUPPORTING THE SEWARD/KENAI PENINSULA HIGHWAY
TRANSPORTATION CORRIDOR SAFETY INITIATIVE**

1 **WHEREAS**, the Seward and Sterling highways are among the most critical and heavily
2 travelled traffic corridors in the State of Alaska; and

3 **WHEREAS**, the Seward and Sterling highways provide access for all visitors and users to
4 Kenai Peninsula communities and state resources; and

5 **WHEREAS**, geography, weather and roadway configurations combine to make the traffic
6 corridors from Anchorage to Seward and Homer very dangerous; and

7 **WHEREAS**, a well-conceived, funded and implemented plan for upgrades and improvements
8 for the Seward and Sterling highways will result in fewer traffic accidents and
9 fatalities; and

10 **WHEREAS**, improved traveling safety for our families, children, businesses and visitors is a
11 high priority;

12 **NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI**
13 **PENINSULA BOROUGH:**

14 **SECTION 1.** That the Kenai Peninsula Borough Assembly supports convening a
15 comprehensive group of stakeholders committed to securing safe ground
16 transportation from Anchorage to Seward and the Kenai Peninsula.

1 **SECTION 2.** That the Kenai Peninsula Borough Assembly supports preparation of a
2 Memorandum of Agreement to define the objectives of the Stakeholder Group.

3 **SECTION 3.** The Memorandum of Agreement shall be signed by all stakeholders and
4 communicated to all pertinent local, state and federal agencies with special
5 attention to those agencies responsible to take timely action.

6 **SECTION 4.** Citizen user groups will be educated regarding the extent of the problems and
7 fully engaged in identifying and implementing solutions to the problem.

8 **SECTION 5.** A stakeholders' oversight group shall be formed to follow implementation of
9 solutions to a timely conclusion.

10 **SECTION 6.** This resolution shall become effective immediately upon its adoption.

11 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 1ST**
12 **DAY OF MAY, 2012.**

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the Borough: 1-800-478-4441

PHONE: (907) 262-4441 • **FAX:** (907) 262-1892

www.borough.kenai.ak.us

**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

TO: Gary Knopp, Assembly President
Members, Kenai Peninsula Borough Assembly

FROM: Mike Navarre, Mayor *P.O. Jon M. N.*

DATE: April 19, 2012

SUBJECT: Resolution 2012-038, supporting the Seward/Kenai Peninsula Highway
Transportation Corridor Safety Initiative

The Kenai Peninsula Highway Transportation Corridor Safety Initiative resulted from a meeting organized by Senator Mark Begich on April 10, 2012, in the KPB Assembly chambers. Senator Begich encouraged the Kenai Peninsula Borough to participate in a group of stakeholders including state and local entities to prepare and implement a plan of action to improve the safety of the Seward Highway. Currently the geography, weather, and roadway configuration make the traffic corridor from Anchorage to Homer very dangerous resulting in an elevated number of accidents and fatalities each year.

The primary objective of this initiative is to provide a safe ground transportation corridor from Anchorage to Seward and the Kenai Peninsula including pedestrian access. To achieve the stated goals Senator Begich is encouraging interested parties to enter into a memorandum of agreement in which all parties agree to outline problems and solutions to mitigate the safety issues on the Seward and Sterling Highways starting with adoption of a resolution committing the borough to support the initiative.

The goal is to develop a plan with broad support from user groups, community groups and organizations, law enforcement agencies, state and federal transportation officials and local governments to improve traffic safety on major transportation corridors. Benefits could include identifying scheduled upgrades and timelines, coordinating state and federal resources, and focusing on and accelerating priority safety upgrades.

Your support of this resolution is appreciated.

Introduced by: Haggerty, Smith
Date: 05/01/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-039**

**A RESOLUTION URGING THE NORTH PACIFIC FISHERY MANAGEMENT
COUNCIL TO ADOPT MEASURES THAT REDUCE THE HALIBUT PROHIBITED
SPECIES CATCH IN THE GULF OF ALASKA GROUND FISH FISHERIES**

1 **WHEREAS,** limits on halibut bycatch, which is a Prohibited Species Catch, in the Gulf of
2 Alaska groundfish fisheries have not been significantly changed since 1989; and

3 **WHEREAS,** currently there is a halibut bycatch limit of 2,300 metric tons in the Gulf of
4 Alaska—or just over 5 million pounds; and

5 **WHEREAS,** a maximum reduction in the halibut Prohibited Species Catch limit of 15 percent
6 is being considered by the North Pacific Fishery Management Council for final
7 action in June 2012; and

8 **WHEREAS,** exploitable biomass, the portion of the halibut population that is available for
9 harvest, has declined by 58 percent over the past decade; and

10 **WHEREAS,** every pound of halibut caught as bycatch results in a direct loss of yield and
11 spawning biomass of the halibut resource; and

12 **WHEREAS,** cuts in catch limits have and will continue to have dramatic effects on Kenai
13 Peninsula Borough fisheries, businesses, economies and communities that depend
14 on the halibut resource; and

15 **WHEREAS,** halibut play a key role in the economy of the Kenai Peninsula Borough;

1 **NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI**
2 **PENINSULA BOROUGH:**

3 **SECTION 1.** That the Kenai Peninsula Borough Assembly urges the North Pacific Fishery
4 Management Council to take meaningful final action now by reducing Gulf of
5 Alaska halibut bycatch by at least 15 percent.

6 **SECTION 2.** That copies of this resolution be provided to Governor Sean Parnell and all
7 members of the North Pacific Fishery Management Council.

8 **SECTION 3.** That this resolution takes effect immediately upon its adoption.

9 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 1ST**
10 **DAY OF MAY, 2012.**

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:

KENAI PENINSULA BOROUGH

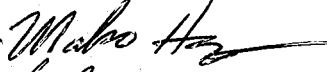

Kenai Peninsula Borough Assembly

144 North Binkley Street
Soldotna, AK 99669
Phone 907-714-2160
Fax 907-714-2388

Gary Knopp, Assembly President
Charlie Pierce, Vice President

MEMORANDUM

TO: Gary Knopp, Assembly President
Kenai Peninsula Borough Assembly Members

FROM: Mako Haggerty, Assembly Member 
Bill Smith, Assembly 

DATE: May 1, 2012

RE: Resolution 2012-039, Urging the North Pacific Fishery Management Council to Adopt Measures that Reduce the Halibut Prohibited Species Catch in the Gulf of Alaska Groundfish Fisheries

The groundfish fishery in the Gulf of Alaska can be a very unselective fishery, especially with the trawl gear type. Unfortunately there has been little change in the restrictions of by-catch for the last 20 years. The removal of millions of juvenile halibut by the trawl fishery has had an adverse impact on the recruitment of halibut into our commercial and charter fisheries.

For several years now there has been a growing tension between the commercial halibut fleet and the charter fleet over halibut allocation. Homer and Seward have been in the top ports for halibut landings for years. The charter fleet that operates out of Ninilchik, Homer, Seldovia and Seward are key components to a vibrant summer tourism economy. Both of these fisheries are very important to the economy of the Kenai Peninsula.

This reduction of halibut catch has pitted fleet against fleet, neighbor against neighbor, creating an unworkable relationship with the various user-groups that operate out of our harbors here on the Kenai Peninsula.

This resolution urges the North Pacific Fishery Management Council to take a small step toward ending that tension.

Your consideration is appreciated.

Introduced by:
Date:
Action:
Vote:

Mayor
05/01/12

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-040**

**A RESOLUTION AUTHORIZING COMMUNITY REVENUE SHARING PROGRAM
EXPENDITURES FOR THE UNINCORPORATED COMMUNITY OF NANWALEK**

1 **WHEREAS**, the State Legislature has provided funding to municipalities and unincorporated
2 communities through the Community Revenue Sharing Program (hereinafter
3 referred to as “Program”); and

4 **WHEREAS**, AS 29.60.865 and 3 AAC 180.070 requires the assembly of a borough or unified
5 municipality to adopt a resolution identifying those unincorporated communities
6 located within their municipal boundaries that the assembly determines meet the
7 Program eligibility criteria established under AS 29.60.865, AS 29.60.879, and 3
8 AAC 180.110; and

9 **WHEREAS**, the Program allows funds to be used for any public purpose at the discretion of
10 the local governing body and as allowed by State statutes and borough code; and

11 **WHEREAS**, the assembly approved the program eligibility requirements for Nanwalek by way
12 of Resolutions 2009-029, 2010-025 and 2011-043; and

13 **WHEREAS**, the assembly approved acceptance of Program funds to a project contingency
14 account through enactment of Ordinances 2009-19-06, 2010-19-14, 2011-19-06
15 and 2011-19-56; and

16 **WHEREAS**, Project GRAD, a non-profit organization in Nanwalek has submitted a grant
17 application to fund public projects in the community;

1 **NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI**
2 **PENINSULA BOROUGH:**

3 **SECTION 1.** That the Mayor is authorized to enter into a grant agreement and any other
4 documents necessary to disburse the Community Revenue Sharing program funds
5 for public projects to the unincorporated community of Nanwalek.

6 **SECTION 2.** That Project GRAD, a nonprofit organization representing the unincorporated
7 community of Nanwalek, shall enter into a grant agreement with the borough in
8 the amount of \$65,545 prior to receipt of any revenue sharing funds.

9 **SECTION 3.** This resolution shall become effective immediately upon adoption.

10 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 1ST**
11 **DAY OF MAY, 2012.**

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

Grants Management

144 N. Binkley Street • Soldotna, AK 99669
 (907)714-2153 • Fax (907)714-2377 • bahlberg@borough.kenai.ak.us

MEMORANDUM

**MIKE NAVARRE
BOROUGH MAYOR**

TO: Gary Knopp, Assembly President
 Members of the Assembly

THRU: Mike Navarre Mayor *P.O. for M.N.*
 Craig Chapman, Director of Finance *C Chapman*

FROM: Brenda Ahlberg, *B.A.* Community & Fiscal Projects Manager

DATE: April 19, 2012

SUBJECT: Resolution 2012- 040, authorizing Community Revenue Sharing Program expenditures for the unincorporated community of Nanwalek

The Alaska State Legislature has approved funding to municipalities and unincorporated communities through the Community Revenue Sharing Program (“Program”). The borough awards the funds to eligible nonprofits or tribal entities that reside within the unincorporated communities for the purpose of completed public projects that benefit the residents.

For fiscal years FY10, FY11 and FY12, funds have been available to the community of Nanwalek:

FY10	\$19,604	O2009-19-06
FY11	\$19,604	O2010-19-14
FY12	\$19,604	O2011-19-06
FY12	6,733	O2011-19-56
		one-time proportional payment
	<u>\$65,545</u>	TOTAL

During this fiscal year the borough has made positive contacts with eligible entities to explain the Program benefits and accounting obligations. On March 26, 2012, a public meeting was held to discuss possible projects to be completed and a deadline of April 16, 2012, was established to submit Program applications. Applications were given to Nanwalek Tribal Council and Project GRAD.

Project GRAD, a nonprofit organization in Nanwalek, was the only entity to submit an application. They will conduct after school educational programs for local youth, provide resources for the community library and assist students in the Native Youth Olympics. Upon resolution adoption, the borough will enter into agreement with Project GRAD, awarding the organization \$65,545 for the youth program.

FINANCE DEPARTMENT FUNDS VERIFIED	
<i>271,949.10 REV. 43011</i>	
<i>271,949.11 REV. 43011</i>	
Acct. No.	<u><i>271,949.12 REV. 43011</i></u>
Amount	<u><i>\$65,545.00</i></u>
By:	<u><i>(CBW)</i></u> Date: <u><i>4/19/12</i></u>

Introduced by:

Mayor

Date:

05/01/12

Action:

Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-041**

**A RESOLUTION AUTHORIZING UNEXPENDED FUNDS FROM THE PORT
GRAHAM LANDFILL FEASIBILITY STUDY CAPITAL PROJECT BE
TRANSFERRED TO THE CENTRAL PENINSULA LANDFILL TRUCK SCALE
REPLACEMENT CAPITAL PROJECT TO COVER COST IN EXCESS OF THE
BUDGETED AMOUNT**

1 **WHEREAS,** Ordinance 2012-19 appropriated \$250,000 for replacement of the scale at the
2 Central Peninsula Landfill; and

3 **WHEREAS,** the Kenai Peninsula Borough Capital Projects Department solicited and received
4 two (2) bids for replacement of the scale at the Central Peninsula Landfill; and

5 **WHEREAS,** the bids have been reviewed by Capital Projects personnel; and the low
6 responsive bid was submitted by Endries Company in the amount of \$286,500;
7 and

8 **WHEREAS,** the total estimated cost including contingency and project management is now
9 estimated at \$310,000; and

10 **WHEREAS,** \$185,000 was previously appropriated for the Port Graham Landfill feasibility
11 study and the project has been completed; the resulting unspent funds of
12 \$117,232 are available for transfer to cover cost on other projects; and

13 **WHEREAS,** KPB 5.04.100 requires that transfers in excess of 5 percent of the project cost be
14 approved by resolution;

1 **NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI**
2 **PENINSULA BOROUGH:**

3 **SECTION 1.** That \$60,000 in unexpended funds from the Port Graham Landfill Feasibility
4 Solid Waste Capital Project No. 411.32220.11PTG.49999 are transferred to Solid
5 Waste Capital Projects No. 411.32122.12SCL.49999 for construction cost
6 associated with the replacement of the scale at the Central Peninsula Landfill
7 Capital Project.

8 **SECTION 2.** That this resolution takes effect immediately upon its adoption.

9 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 1ST**
10 **DAY OF MAY, 2012.**

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520
Toll-free within the Borough: 1-800-478-4441
PHONE: (907) 262-4441 • FAX: (907) 262-1892
www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Gary Knopp, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Mike Navarre, Mayor *R.O. for M.N.*

FROM: Craig C. Chapman, Director of Finance *C Chapman*
Jack Maryott, Director of Solid Waste *JM*
Kevin Lyon, Capital Projects Director *KL*

DATE: April 19, 2012

SUBJECT: Resolution 2012-041, replacement of the scale at the Central Peninsula Landfill

As part of the FY2012 Solid Waste Capital Budget \$250,000 was appropriated for replacement of the scale at the Central Peninsula Landfill.

The Kenai Peninsula Borough Capital Projects Department issued an request for proposals for this project and two bids were received. The low responsive bid was submitted by Endries Company in the amount of \$286,500. Including project management and contingency, the total cost of this project is now estimated to be \$310,000.

Funds in the amount of \$185,000 were previously appropriated for the Port Graham Landfill Feasibility Study. Once the site investigation was completed at the identified site, it was determined there was not enough suitable land inside the 160 acre footprint, due to unsuitable soil conditions and problems with surface water. At that point the contract cancelled and the project was considered completed. The resulting unspent funds of \$117,232 are available for transfer to cover cost on other projects.

This resolution is requesting that \$60,000 of the unspent funds from the Port Graham Landfill Feasibility project be transferred to the Central Peninsula Landfill Scale Replacement project.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>411.32220.11PTG.49999</u>
Amount	<u>\$60,000.00</u>
By:	<u>C Bee</u> Date: <u>4/19/12</u>

Introduced by: Mayor
Date: 05/01/12
Hearing: 06/05/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2011-19-86**

AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$432,837 FROM THE STATE OF ALASKA DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT ON BEHALF OF THE ROAD SERVICE AREA TO COMPLETE A CATCH BASIN AND CULVERT DRAINAGE PROJECT

1 **WHEREAS,** the Federal Emergency Management Agency, Hazard Mitigation Grant Program
2 (HMGP) is a statewide competitive grant program that makes federal pass-
3 through awards to eligible applicants for critical mitigation projects that limit the
4 loss to life and property in the event of future disasters; and

5 **WHEREAS,** the HMGP application requirements for projects are intensive, including
6 submission of detailed and thorough scopes of work, comprehensive cost
7 estimates with supporting documentation, environmental/historic preservation
8 plans, and demonstration that the project is technically feasible and ready to
9 implement; and

10 **WHEREAS,** the borough applied for HMGP funds on behalf of the Road Service Area to
11 complete a catchment basin and culvert project in the Lowell Point area; and

12 **WHEREAS,** notice has been received from the Alaska Division of Homeland Security and
13 Emergency Management that a grant in the amount of \$432,837 has been awarded
14 to the borough on behalf of the service area for the project; and

15 **WHEREAS,** at its meeting on April 10, 2012, the Road Service Area Board passed a motion
16 recommending grant acceptance;

1 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
2 **PENINSULA BOROUGH:**

3 **SECTION 1.** That the mayor is authorized to accept, on behalf of the Road Service Area, a
4 Hazard Mitigation Grant from the Alaska Division of Homeland Security and
5 Emergency Management in the amount of \$432,837 for a drainage and culvert
6 project in the Lowell Point area and is authorized to execute a grant agreement
7 and any other documents deemed necessary to accept and expend the grant and to
8 fulfill the intents and purposes of this ordinance.

9 **SECTION 2.** That funds in the amount of \$432,837 are appropriated to
10 434.33950.18436.49999, a project account.

11 **SECTION 3.** That due to the length and nature of this project, the appropriations established
12 through this ordinance shall not lapse at the end of any particular fiscal year.

13 **SECTION 4.** This ordinance shall become effective immediately upon its enactment.

14 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
15 **DAY OF * 2012.**

Gary Knopp, Assembly President

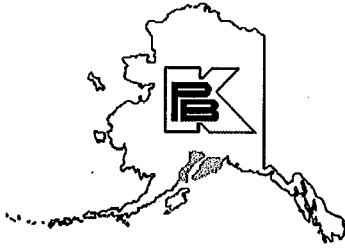
ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

Road Service Area

MEMORANDUM

TO: Gary Knopp, Assembly President
Members of the Kenai Peninsula Borough Assembly

Mike Navarre
BOROUGH MAYOR

THRU: Mike Navarre, Mayor *P.O. for U.U.*
Craig Chapman, Finance Director *C Chapman*
Brenda Ahlberg, Community & Fiscal Projects Manager

FROM: Doug Schoessler, RSA Director *Dell*

DATE: April 16, 2012

SUBJECT: Ordinance 2011-19-86, accepting and appropriating a grant in the amount of \$432,837 from the State of Alaska Division of Homeland Security and Emergency Management on behalf of the Road Service Area to complete a catch basin and culvert drainage project

The borough applied for funds through the Federal Emergency Management Agency, Hazard Mitigation Grant Program to complete a drainage and culvert project in the Lowell Point area. Award notification in the amount of \$432,837 was recently received from the Alaska Division of Homeland Security & Emergency Management.

The project, located on Beach Drive, consists of a catchment basin and outflow culvert system that will improve water conveyance from a section of the road that is regularly flooded due to heavy rain storms, snow melt and tidal surges.

At its meeting of April 10, 2012, the Road Service Area (RSA) board passed a motion recommending acceptance of the grant. The project performance period ends February 2013. Henry Knackstedt, RSA Road Engineer/Project Engineer, is the project manager and will provide grant oversight and project completion.

Attachments: award notification

FINANCE DEPARTMENT	
ACCT. # FUNDS VERIFIED	
Acct. No.	<u>434,33950,18436,49999</u>
Amount	<u>N/A</u>
By: <u>CBW</u>	Date: <u>4/18/12</u>



FEMA

April 2, 2012

John W. Madden, Director
Division of Homeland Security and Emergency Management
Alaska Department of Military and Veteran Affairs
P.O. Box 5750
Fort Richardson, Alaska 99505-5750

RE: Hazard Mitigation Grant Program (HMGP) for DR-1843-AK
Approval of Project 1843-6-R – Amendment #1 - KPB Beach Drive Catchment Basin and Culvert Project

Dear Mr. Madden:


The U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) Region 10 has obligated additional funding for the Kenai Peninsula Borough Beach Drive Catchment Basin and Culvert project submitted under the HMGP for Disaster DR-1843-AK. This Kenai Peninsula Borough Beach Drive Catchment Basin and Culvert project will direct storm water flooding from Beach Drive to the Resurrection Bay, creating necessary drainage and conveyance that will alleviate road damage and/or improve road use for residents and emergency or other critical services. The original award inadvertently excluded the costs associated with Pre-Award Administrative Costs and Project Management Costs. The correction adds an additional \$12,770.00 to the overall budget, with \$9,578.00 being Federal Funds.

Total Project Cost:	\$432,837.00
Federal share (75%):	\$324,628.00
State match (25%):	\$108,209.00

The project was originally approved on February 16, 2012. The Period of Performance is 36 months, to February 16, 2015. The new Obligation was made on March 16, 2012, and the paperwork is enclosed. The Terms and Conditions of the original award remain in effect.

For further assistance, please contact Sonny Kunchick at (425) 949-2012.

Sincerely,

for  Acting DD
Mark Carey, Director
Mitigation Division

Enclosures

SK:bb

cc: Pat Contraro, FEMA GPD
Ann Gravier, SHMO AK DHS & EM
Brent Nichols, AK DHS & EM

Introduced by: McClure
Date: 05/01/12
Hearing: 06/05/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-13**

**AN ORDINANCE STATING NON-OBJECTION TO THE LOWELL POINT
VOLUNTEER FIRE DEPARTMENT BEING RECOGNIZED BY THE STATE AS A
VOLUNTEER FIRE DEPARTMENT TO PROVIDE FIRE PROTECTION IN THE
LOWELL POINT AREA OF THE KENAI PENINSULA BOROUGH**

1 **WHEREAS,** fire departments located within the boundaries of recognized municipalities are
2 required by 13 AAC 52.030 to be authorized by municipal ordinance to perform
3 their duties in order to be registered by the state; and

4 **WHEREAS,** the Lowell Point Volunteer Fire Department was registered with the state under
5 the auspices of the Lowell Point Emergency Service Area; and

6 **WHEREAS,** the Lowell Point Emergency Service Area will be abolished effective July 1, 2012
7 as approved by the voters in the October 4, 2011 general election;

8 **WHEREAS,** once the service area is abolished, the Lowell Point Volunteer Fire Department
9 will need authorization from the Kenai Peninsula Borough to continue to provide
10 services; and

11 **WHEREAS,** in 2005 the State of Alaska accepted Kenai Peninsula Borough Ordinance 2005-
12 42 for purposes of 13 AAC 52.030, in which the borough stated its non-objection
13 to numerous other volunteer fire departments located in the borough but having
14 no affiliation with the borough; and

1 **WHEREAS**, while the Lowell Point Volunteer Fire Department will have no affiliation with
2 the Kenai Peninsula Borough after the service area is abolished, the Kenai
3 Peninsula Borough has no objection to the existence of this fire department or to
4 its provision of fire protection services within the Kenai Peninsula Borough;

5 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
6 **PENINSULA BOROUGH:**

7 **SECTION 1.** The Kenai Peninsula Borough Assembly has no objection to the Lowell Point
8 Volunteer Fire Department registering with the Alaska State Department of Public
9 Safety, Division of Fire Protection as a volunteer fire department within the Kenai
10 Peninsula Borough.

11
12 **SECTION 2.** That nothing in this ordinance shall be construed to impose any relationship
13 whatsoever between this fire department and the Kenai Peninsula Borough, and
14 the borough assumes no responsibility whatsoever for its acts or omissions. This
15 ordinance is adopted solely to substantially comply with 13 AAC 52.030(a) to
16 enable this fire department to register with the State of Alaska.

17 **SECTION 3.** That this ordinance takes effect July 1, 2012.

18 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
19 **DAY OF * 2012.**

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:

KENAI PENINSULA BOROUGH

Kenai Peninsula Borough Assembly

144 North Binkley Street
Soldotna, AK 99669
Phone 907-714-2160
Fax 907-714-2388

Gary Knopp, Assembly President
Charlie Pierce, Vice President

MEMORANDUM

TO: Gary Knopp, Assembly President
Kenai Peninsula Borough Assembly Members

FROM: Sue McClure, Assembly member *B for S.M.*

DATE: May 1, 2012

RE: Ordinance 2012-13, Stating Non-Objection to the Lowell Point Volunteer Fire Department Being Recognized by the State as a Volunteer Fire Department to Provide Fire Protection in the Lowell Point Area of the Kenai Peninsula Borough

The Lowell Point Emergency Service Area will be abolished effective July 1, 2012. After that date, the Lowell Point Volunteer Fire Department plans to continue providing fire rescue and protection services to the Lowell Point community. Alaska regulations require that fire departments operating within a municipality be authorized by municipal ordinance to perform their duties in the municipality. However, once the service area is abolished the borough will not have the authority to "authorize" this volunteer fire department to operate. A similar situation arose in 2005 when several other volunteer fire departments in the borough were notified that they needed our authorization to provide services. The state accepted Ordinance 2005-42 in which the borough assembly stated its non-objection to the operation of these volunteer fire departments in the borough.

This proposed ordinance is similar to Ordinance 2005-42 and will enable the Lowell Point Volunteer Fire Department to be fully registered with the state in compliance with 13 AAC 52.030.

Your favorable consideration would be appreciated.

Introduced by: Mayor
Date: 05/01/12
Hearing: 06/05/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-14**

**AN ORDINANCE AMENDING KPB 16.20.010 TO REVISE THE LEGAL
DESCRIPTION OF THE KACHEMAK EMERGENCY SERVICE AREA BOUNDARY
TO MAKE IT CONSISTENT WITH THE RECENTLY AMENDED KACHEMAK CITY
BOUNDARY LEGAL DESCRIPTION DUE TO ANNEXATION**

- 1 **WHEREAS,** on September 15, 2011, the Local Boundary Commission approved annexation
2 of approximately 50 acres of land by the City of Kachemak; and
- 3 **WHEREAS,** on February 9, 2012, the annexation was made effective based on notification of
4 non-objection to the Local Boundary Commission by the U. S. Justice
5 Department; and
- 6 **WHEREAS,** a portion of the northern City of Kachemak boundary is shared with a portion of
7 the southern Kachemak Emergency Service Area boundary; and
- 8 **WHEREAS,** on April 2, 2012, a Certificate of Amended Boundaries of the City of Kachemak
9 was approved by the Alaska Department of Commerce, Community, and
10 Economic Development; which revised the legal description of the City of
11 Kachemak boundary; and
- 12 **WHEREAS,** it is necessary for the Kenai Peninsula Borough to adopt an amended legal
13 description for the Kachemak Emergency Service Area boundary;
- 14 **WHEREAS,** in accordance with law, the Kachemak Emergency Service Area boundary
15 should be amended to align with the new City of Kachemak boundary to prevent
16 the duplication of services and taxation;

1 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
2 **PENINSULA BOROUGH:**

3 **SECTION 1.** That KPB 16.20.010 is amended to read as follows:

4 **16.20.010 Boundaries.**

5 There is established a service area within the borough designated as the
6 "Kachemak Emergency Service Area" in that portion of the borough described as
7 all the following referenced to the Seward Meridian, Alaska:

8 Beginning at the north 1/16 line of section 35, T5S, R15W, and the mean high
9 water line on the westerly shore of Cook Inlet;

10 Thence Easterly along the 1/16 line to the north 1/16 corner common to section 32
11 and 33, T5S, R14W;

12 Thence north along the section line to the intersection of the thread of Anchor
13 River;

14 Thence easterly along the thread of Anchor River to the point of intersection with
15 the line common to section 36, T4S, R12W and section 31, T4S, R11W;

16 Thence north to the Northwest corner of T4S, R11W;

17 Thence east along the township line to the section corner common to section 35
18 and 36, T3S, R11W, and section 1 and 2, T4S, R11W;

19 Thence north to the section corner common to section 1, 2, 11, and 12, T3S,
20 R11W;

1 Thence east to the section corner common to section 5, 6, 7, and 8, T3S, R9W;

2 Thence south to the section corner common to section 19, 20, 29, and 30, T3S,
3 R9W;

4 Thence southeasterly on a projected line toward the section corner common to
5 section 28, 29, 32 and 33, T3S, R9W to the thread of the Fox River;

6 Thence southwesterly along the thread of the Fox River to the Mean High Water
7 Line of the Kachemak Bay;

8 Thence southwesterly along the Mean High Water Line also being the north shore
9 of Kachemak Bay to intersection of T6S, R12W, and T6S, R13W also being
10 Kachemak City east boundary;

11 Thence north along the Kachemak City boundary to the south 1/16 corner
12 common to section 1, T6S, R13W, and section 6, T6S, R12W;

13 Thence west along the Kachemak City boundary to the center south 1/16 corner
14 [COMMON TO] of Section 1, [AND 2], T6S, R13W;

15 Thence north to the center ¼ corner of Section 1, T6s, R13W,

16 Thence west to the center west 1/16 corner of Section 1, T6S, R13W,

17 Thence south to the northeast corner of Tract A-1 Deitz Home Estates No. 12,

18 Thence along the northerly boundary of said Tract A-1 to the northwest corner of
19 said Tract A-1, on the easterly edge of China Poot St. Right-of-Way,

1 Thence along said easterly edge of China Poot St. along a non-tangent curve
2 74.14 feet,

3 Thence crossing said China Poot St. Right-of-Way to the southeast corner of
4 Tract A-3 Deitz Home Estates No. 13,

5 Thence southwesterly along the southern boundary of said Tract A-3 to the
6 northwest corner of Lot 4 Deitz Home Estates No. 4,

7 Thence southeasterly along the western boundary of said Lot 4 to the north edge
8 of Deitz Lane Right-of-Way,

9 Thence southwesterly along the northern edge of said Right-of-Way to the south
10 1/16 corner common to Sections 1 and 2, T6S, R13W,

11 Thence south along the Kachemak City boundary to the section corner common to
12 section 1, 2, 11, and 12, T6S, R13W;

13 Thence west to the W-W-E 1/256 corner common to Sections 3, 10, T6S, R13W;

14 Thence south to the C-W-E-NE 1/256 of Section 10, T6S, R13W;

15 Thence west to northwest 1/16 corner of Section 10, T6S, R13W;

16 Thence north to the north edge of Skyline Drive right-of-way;

17 Thence southwesterly along the north edge of Skyline Drive right-of-way to the
18 intersection of the north 1/16 line of Section 10, T6S, R13W;

19 Thence west to the northwest 1/16 corner of Section 9, T6S, R13W;

- 1 Thence north to the west 1/16 corner common to Sections 4, 9, T6S, R13W;
- 2 Thence west to the section corner common to Sections 4, 5, 8, 9, T6S, R13W;
- 3 Thence south to the ¼ corner common to Sections 8, 9, T6S, R13W;
- 4 Thence west to the center east 1/16 corner of Section 8, T6S, R13W;
- 5 Thence south to the north edge of Skyline Drive right-of-way;
- 6 Thence southwesterly along the north edge of Skyline Drive to the intersection of
- 7 the south 1/16 line of Section 8, T6S, R13W;
- 8 Thence west to the west 1/16 corner of Sections 7, 8, T6S, R13W;
- 9 Thence north to the N-N-N 1/256 corner of Sections 7, 8, T6S, R13W;
- 10 Thence east to the C-N-N-NW 1/256 corner of Section 8, T6S, R13W;
- 11 Thence south to the C-N-NW 1/64 corner of Section 8, T6S, R13W;
- 12 Thence east to the N-CN 1/64 corner of Section 8, T6S, R13W;
- 13 Thence north to the ¼ corner common to Sections 5, 8, T6S, R13W; Thence east
- 14 to the W-E 1/64 corner common to Sections 5, 8, T6S, R13W;
- 15 Thence north to the SW-SE 1/64 corner of Section 5, T6S, R13W;
- 16 Thence west to the S-SC 1/64 corner of Section 5, T6S, R13W;
- 17 Thence south to the C-S-S-SW 1/64 corner of Section 5, T6S, R13W;

1 Thence west to the C-S-S-SW 1/256 corner of Section 5, T6S, R13W;

2 Thence north to the C-S-SW 1/64 corner of Section 5, T6S, R13W;

3 Thence west to the S-S 1/64 corner common to Sections 5, 6, T6S, R13W;

4 Thence north to the N-S-S 1/256 corner common to Sections 5, 6, T6S, R13W;

5 Thence west to the C-N-S-SE 1/256 corner of Section 6, T6S, R13W;

6 Thence south to the north edge of Crossman Road right-of-way;

7 Thence southwesterly along the north edge of Crossman Road right-of-way to the
8 intersection of the north edge of Skyline Drive right-of-way;

9 Thence southwesterly along the north edge of Skyline Drive right-of-way to the
10 Section line common to Sections 7, 12, T6S, R14W;

11 Thence south along the section line to the section corner common to Sections 12,
12 13, T6S, R14W and Sections 7, 18, T6S, R13W;

13 Thence west to the west 1/16 corner common to Sections 12, 13, T6S, R14W;

14 Thence south to the northwest 1/16 corner of Section 13, T6S, R14W;

15 Thence west to the north 1/16 corner of Sections 15, 16, T6S, R14W;

16 Thence south along the section line to the intersection of the Mean High Water
17 Line of Cook Inlet;

1 Thence Northwesterly along the Mean High Water Line and the Cook to
2 intersection of the north 1/16 line of section 35, T5S, R15W, the point of
3 beginning.

4 **SECTION 2.** That this ordinance takes effect immediately upon its enactment.

5 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
6 **DAY OF * 2012.**

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520
Toll-free within the Borough: 1-800-478-4441
PHONE: (907) 262-4441 • **FAX:** (907) 262-1892
www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Gary Knopp, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Mike Navarre, Mayor *MN*
Max Best, Director of Planning *MB*

FROM: Crista Cady, Planner *CC*

DATE: April 19, 2012

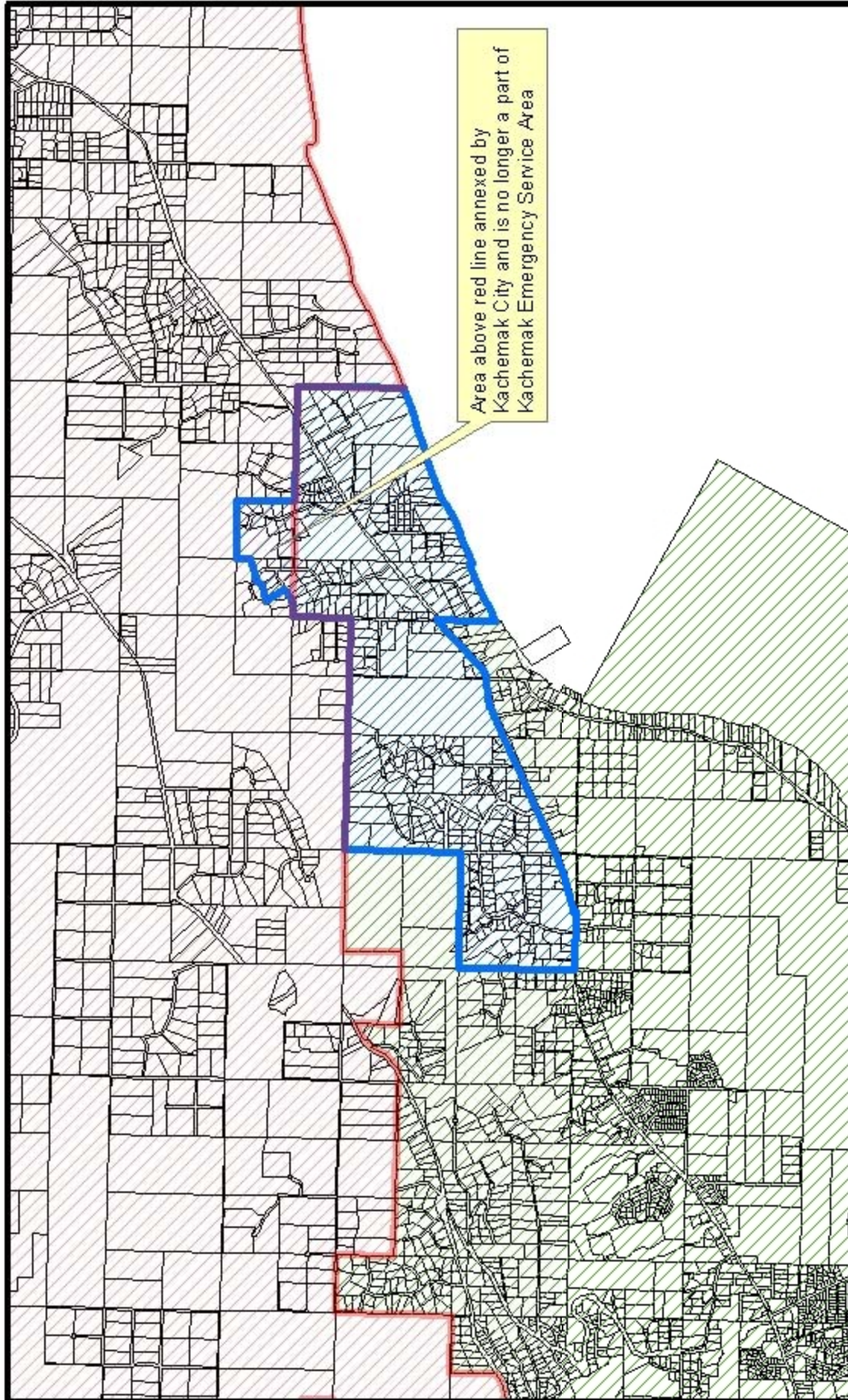
SUBJECT: Ordinance 2012-14, amending KPB 16.20.010 to revise the legal description of the Kachemak Emergency Service Area boundary to make it consistent with the recently amended Kachemak City boundary legal description due to annexation

On September 15, 2011, the Local Boundary Commission of Alaska approved annexation of approximately 50 acres of land by the City of Kachemak. On February 9, 2012, the annexation was made effective based on notification of non-objection to the Local Boundary Commission by the U. S. Justice Department. A portion of the northern City of Kachemak boundary is shared with a portion of the southern Kachemak Emergency Service Area boundary. On April 2, 2012, a Certificate of Amended Boundaries of the City of Kachemak was approved by the Alaska Department of Commerce, Community, and Economic Development, which revised the legal description of the City of Kachemak boundary.

It is necessary for the Kenai Peninsula Borough to adopt an amended legal description for the Kachemak Emergency Service Area boundary. In accordance with law, the Kachemak Emergency Service Area boundary should be amended to align with the new City of Kachemak boundary to clarify local services and taxation issues.

Your consideration of this corrected legal description is appreciated.

AN ORDINANCE AMENDING KPB 16.20.010 TO REVISE THE LEGAL DESCRIPTION OF THE KACHEMAK EMERGENCY SERVICE AREA BOUNDARY TO MAKE IT CONSISTENT WITH THE RECENTLY AMENDED KACHEMAK CITY BOUNDARY LEGAL DESCRIPTION DUE TO ANNEXATION



Legend

PARCELS

AMENDED KACHEMAK CITY BOUNDARY

CURRENT KACHEMAK EMERGENCY SERVICE AREA BOUNDARY

CITY OF HOMER



The information depicted hereon is a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map. Created 4/18/12

Introduced by: Mayor
Date: 05/01/12
Hearings: 05/15/12 & 06/05/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-19**

AN ORDINANCE APPROPRIATING FUNDS FOR FISCAL YEAR 2013

1 **WHEREAS**, Alaska Statute 29.35.100 and KPB 05.04.020 require that the mayor present a
2 budget proposal to the assembly for the next fiscal year during or prior to the
3 eighth week preceding the first day of the fiscal year; and

4 **WHEREAS**, the assembly is empowered with making appropriations for the General Fund, the
5 Special Revenue Funds, the Debt Service Funds, the Capital Projects Funds, the
6 Enterprise Funds, and the Internal Service Funds of the borough;

7 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
8 **PENINSULA BOROUGH:**

9 **SECTION 1.** That \$73,104,303 is appropriated in the General Fund for the fiscal year
10 beginning July 1, 2012 and ending June 30, 2013 as follows:

11	General Government Operations	\$16,852,574
12	Transfer to School District for Operations and In-kind Services	43,500,000
13	Transfer to School Debt Service	2,571,245
14	Transfer to Special Revenue Funds:	
15	Solid Waste	8,043,557
16	Post Secondary Education	667,189
17	Land Trust Fund	57,692
18	911 Communications Fund	309,065
19	Nikiski Senior Service Area	52,981
20	Transfer to Capital Projects Funds:	

1 School Revenue 1,050,000

2 SECTION 2. The following is appropriated to the school fund from local sources for
3 operations purposes and in-kind services:

4	A. Local Effort	\$34,306,586
5	B. Maintenance	7,038,861
6	C. School District Utilities	81,145
7	D. School District Insurance	1,884,254
8	E. School District Audit	60,000
9	F. Custodial Services	<u>129,154</u>
10	Total Local Contribution per AS 14.17.410	\$ <u>43,500,000</u>

11 SECTION 3. Disbursements from Section 2 item (A) shall be made monthly, and only as
12 needed to supplement other revenues available and received by the school
13 district to fund the operations portion of the school district budget. Any
14 available balance remaining at the end of the fiscal year shall then be disbursed
15 to the school district, provided that the total amount disbursed shall not exceed
16 the amount allowed under AS 14.17.410 as determined after actual enrollment
17 numbers are known.

18 SECTION 4. That the appropriations for the Special Revenue Funds for the fiscal year
19 beginning July 1, 2012 and ending June 30, 2013 are as follows:

20	Nikiski Fire Service Area	\$4,093,126
21	Bear Creek Fire Service Area	382,011
22	Anchor Point Fire and Emergency Medical Service Area	579,093
23	Central Emergency Service Area	7,921,471
24	Central Peninsula Emergency Medical Service Area	8,716
25	Kachemak Emergency Service Area	907,770
26	Seward Bear Creek Flood Service Area	263,597

1	911 Communications	1,884,300
2	Kenai Peninsula Borough Road Service Area	6,255,036
3	Engineer's Estimate Fund	2,000
4	North Peninsula Recreation Service Area	1,601,493
5	Seldovia Recreation Service Area	42,189
6	Post-Secondary Education	667,189
7	Land Trust	1,128,756
8	Nikiski Senior Service Area	261,210
9	Solid Waste	9,036,945
10	Central Kenai Peninsula Hospital	3,846,139
11	South Kenai Peninsula Hospital	3,541,916

12 **SECTION 5.** That \$2,571,245 is appropriated in the School Debt Service Fund for the fiscal
13 year beginning July 1, 2012 and ending June 30, 2013.

14 **SECTION 6.** That \$1,881,950 is appropriated in the Solid Waste Debt Service Fund for the
15 fiscal year beginning July 1, 2012 and ending June 30, 2013.

16 **SECTION 7.** That \$190,378 is appropriated in the Central Emergency Services Debt Service
17 Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013.

18 **SECTION 8.** That \$3,625,975 is appropriated in the Central Kenai Peninsula Hospital Service
19 Area Debt Service Fund for the fiscal year beginning July 1, 2012 and ending
20 June 30, 2013.

21 **SECTION 9.** That \$1,986,872 is appropriated in the South Kenai Peninsula Hospital Service
22 Area Debt Service Fund for the fiscal year beginning July 1, 2012 and ending
23 June 30, 2013.

24 **SECTION 10.** That appropriations for the Capital Projects Funds for the fiscal year beginning
25 July 1, 2012 and ending June 30, 2013 are as follows:

1		
2	School Revenue	\$1,050,000
3	Solid Waste	70,000
4	General Government	376,059
5	Service Areas:	
6	Nikiski Fire	95,000
7	Anchor Point Fire and Emergency	60,000
8	Central Emergency	832,800
9	Kachemak Emergency	30,000
10	North Peninsula Recreation	20,000
11	South Kenai Peninsula Hospital	1,365,497

12 **SECTION 11.** That appropriations for the Internal Service Funds for the fiscal year beginning
13 July 1, 2012 and ending June 30, 2013 are as follows:

14	Insurance and Litigation	\$3,427,581
15	Health Insurance Reserve	6,178,536
16	Equipment Replacement	700,000

17 **SECTION 12.** That the FY2013 budget of the Kenai Peninsula Borough, as submitted to the
18 Assembly on May 1, 2012, is incorporated as a part of this ordinance to
19 establish the appropriations assigned to the various departments and accounts
20 and the positions authorized therein.

21 **SECTION 13.** That funds reserved for outstanding encumbrances as of June 30, 2012 are
22 reappropriated for the fiscal year beginning July 1, 2012 and ending June 30,
23 2013.

24 **SECTION 14.** That this ordinance takes effect at 12:01 a.m. on July 1, 2012.

1 ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS *
2 DAY OF * 2012.

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520
Toll-free within the Borough: 1-800-478-4441
PHONE: (907) 262-4441 • **FAX:** (907) 262-1892
www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Gary Knopp, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Mike Navarre, Mayor *P.O. for M.N.*

FROM: Craig Chapman, Director of Finance *C Chapman*

DATE: April 18, 2012

SUBJECT: Ordinance 2012-19, Appropriating Funds for Fiscal Year 2013

Ordinance 2012-19 appropriates the money necessary to fund the borough's annual budget for fiscal year July 1, 2012 to June 30, 2013 (FY13). The amounts included in the ordinance correspond with those appearing in the FY13 Kenai Peninsula Borough Proposed Budget as presented to the assembly on May 1, 2012.

Public hearings on May 15, 2012 and on June 5, 2012 are requested.

KENAI PENINSULA BOROUGH

Office of the Borough Clerk

144 North Binkley Street
Soldotna, AK 99669
Phone 907-714-2160
Fax 907-714-2388

Johni Blankenship, MMC
Borough Clerk

MEMORANDUM

To: Assembly President Gary Knopp
Members of the Assembly

Thru: Johni Blankenship, Borough Clerk *B*

From: Katie Ring, Borough Clerk Secretary *KR*

Date: May 1, 2012

Re: Protest of Liquor License Renewal Due to Unpaid Taxes

In accordance with KPB 7.10.020, the Borough Assembly shall cause protest to be filed with the State Alcohol Beverage Control Board on any type of application submitted for the sale of alcoholic beverages, when Borough records indicate the applicant is in violation of Borough tax ordinances and regulations. The KPB Finance Department has reviewed the tax account listed below and found it to be in arrears as follows:

▶ TKL Associates LLC dba Trophy King Lodge..... Due \$ 7815.36

RECOMMENDATION: That the Assembly protest the renewal of the above listed liquor license due to unpaid taxes due to the Borough.

cc: Above - named applicant

Memorandum

To: Johni Blankenship, Borough Clerk
Thru: Craig Chapman, Finance Director *C Chapman*
From: (W) Lauri Lingafelt, Delinquent Accounts Specialist
Date: April 19, 2012
Subject: Liquor License Renewal

The Finance Department has reviewed all relevant tax accounts related to the following businesses and found the licensees to be delinquent as follows:

License Location---Kenai Peninsula Borough
License #4563 Lodge
TKL Associates LLC dba Trophy King Lodge
6756 Lupine Cr Arvada, CO 80007
(Premise: 24915 Driftwood Court)

Real Property Tax #15914128 (premise)	\$7,516.02
Real Property Tax #15914122	\$ 299.34
Total Due	\$7,815.36

KENAI PENINSULA BOROUGH

Office of the Borough Clerk

144 North Binkley Street
Soldotna, AK 99669
Phone 907-714-2160
Fax 907-714-2388

Johni Blankenship, MMC
Borough Clerk

MEMORANDUM

TO: Gary Knopp, Assembly President
Kenai Peninsula Borough Assembly Members

THRU: Johni Blankenship, Borough Clerk *B*

FROM: Katie Ring, Borough Clerk Secretary *KR*

DATE: April 19, 2012

RE: Protest of Liquor License Renewal – Longemere Lake Liquor Store

The KPB Finance Department has reviewed all relevant tax accounts related to **LL Liquor Store, Inc. dba Longemere Lake Liquor Store** and found that they are not currently/properly registered for sales tax collection.

Pursuant to KPB 7.10.020(A)(1) and (B), the assembly shall cause a protest to be filed with the Alaska Beverage Control Board for renewal of a liquor license when Borough records indicate that the applicant and/or transferor is in violation of Borough sales, and/or personal and real property tax ordinances and regulations, and has failed to comply with any of the filing, reporting or payment provisions of Borough ordinances or regulations.

RECOMMENDATION: That the Assembly protest the renewal of the referenced liquor license due to non-compliance of Borough ordinances and regulations.

cc: Above-named applicant

Memorandum

To: Johni Blankenship, Borough Clerk
Thru: *C. Chapman* Craig Chapman, Finance Director
From: *L. Lingafelt* Lauri Lingafelt, Delinquent Accounts Specialist
Date: April 19, 2012
Subject: Liquor License Renewal

The Finance Department has reviewed all relevant tax accounts related to the following business and found the licensee not to be in compliance as follows:

License Location---Kenai Peninsula Borough
License #1644 Package Store
LL Liquor Store Inc. dba Longmere Lake Liquor
(Premise: 36590 Balsma Fir Cir Soldotna, AK 99669)
PO Box 671091
Chugiak, AK 99567

Reason of Protest:

Owner of Liquor License application is not currently registered for sales tax collection.

Kenai Peninsula Borough Assembly Committees 2011 – 2012

ASSEMBLY COMMITTEES

- **Finance Committee**
Bill Smith, Chair
Ray Tauriainen, Vice Chair
Gary Knopp
- **Lands Committee**
Sue McClure, Chair
Brent Johnson, Vice Chair
Ray Tauriainen
- **Policies & Procedures Committee**
Mako Haggerty, Chair
Charlie Pierce, Vice Chair
Linda Murphy
- **Legislative Committee**
Hal Smalley, Chair
Linda Murphy, Vice Chair
All Assembly Members
- **President Pro Tem**
Bill Smith

OTHER BOROUGH & SCHOOL DISTRICT COMMITTEES

- **KPB Emergency Planning**
[VACANT]
Gary Knopp, Alternate
- **Planning Commission Representative**
Ray Tauriainen
Bill Smith, Alternate
- **School Board**
Charlie Pierce
Brent Johnson, Alternate
Ray Tauriainen, Alternate

SERVICE AREA BOARD LIAISONS

- **Anchor Point Fire & EMS** - Mako Haggerty
- **Bear Creek Fire** - Sue McClure
- **CES/CPEMS** - Brent Johnson
- **Central Peninsula General Hospital**
Gary Knopp, Charlie Pierce, Linda Murphy
- **Kachemak Emergency Service Area**
Mako Haggerty
- **KPB Roads**
Gary Knopp, Charlie Pierce
- **Lowell Point Emergency SA** - Sue McClure
- **Nikiski Seniors** - Ray Tauriainen
- **Nikiski Fire** - Ray Tauriainen
- **North Peninsula Recreation** - Ray Tauriainen
- **Seward/Bear Creek Flood SA** - Sue McClure
- **South Peninsula Hospital** - Mako Haggerty,
Bill Smith

NON-BOROUGH COMMITTEES

- **Cook Inlet Aquaculture**
Brent Johnson
[VACANT], Alternate
- **Cook Inlet R.C.A.C.**
Grace Merkes, Term Expires March, 2014
- **Economic Development District**
Linda Murphy, Term Expires 12/31/13
Hal Smalley, Term Expires 12/31/14
- **Kenai Peninsula College Council**
Hal Smalley, Term Expires 06/30/14
- **Kenai River Special Management Area
Advisory Board**
Brent Johnson
[VACANT], Alternate
- **Prince William Sound R.C.A.C.**
Blake Johnson, Term Expires May, 2013