

KENAI PENINSULA BOROUGH

ASSEMBLY PACKET

June 5, 2012

7:00 p.m.

Assembly Chambers, 144 N. Binkley Street, Soldotna

June 2012

Monthly Planner

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday																																																																																						
	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p style="text-align: center; margin: 0;">May 2012</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td>S</td><td>M</td><td>T</td><td>W</td><td>T</td><td>F</td><td>S</td> </tr> <tr> <td></td><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td></td> </tr> <tr> <td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td> </tr> <tr> <td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td> </tr> <tr> <td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td> </tr> <tr> <td>27</td><td>28</td><td>29</td><td>30</td><td>31</td><td></td><td></td> </tr> </table> </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p style="text-align: center; margin: 0;">Jul 2012</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td>S</td><td>M</td><td>T</td><td>W</td><td>T</td><td>F</td><td>S</td> </tr> <tr> <td></td><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>31</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	31			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	31									1	2
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APC = Advisory Planning Commission; FSA = Fire Service Area; SA = Service Area; MAG = Mayor's Advisory Group

July 2012

Monthly Planner

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June 2012 - December 2012

Assembly Yearly Planner

Jun 2012						
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JUNE

- 5 Assembly Meeting
- 19 Assembly Meeting

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

SEPTEMBER

- 3 Borough Holiday: Labor Day
- 4 Assembly Meeting
- 18 Assembly Meeting (Homer)

OCTOBER

- 2 Borough Election
- 9 Assembly Meeting
- 23 Assembly Meeting

NOVEMBER

- 6 General Election
- 12 11/12-11/16 AML Annual Conf. (Anchorage)
- Borough Holiday: Veterans Day
- 20 Assembly Meeting
- 22 Borough Holiday: Thanksgiving
- 23 Borough Holiday: Thanksgiving

DECEMBER

- 4 Assembly Meeting
- 24 Borough Holiday: Christmas Eve
- 25 Borough Holiday: Christmas

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Assembly Meeting Schedule

TUESDAY, JUNE 5, 2012

- 2:30 PM Finance Committee**
- 3:30 PM Lands Committee**
- 4:00 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

June 5, 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. Discussion Regarding Borough Clerk and Deputy Clerk’s Salaries for FY2013 (10 minutes)
[Executive Session May Be Held]

M. PUBLIC HEARINGS ON ORDINANCES

1. 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).....42
2. Ordinance 2011-19-88: Appropriating \$420,000 from Previously Appropriated Central Emergency Service (CES) Capital Projects for Roof Replacement at the Soldotna Fire Station 1 (Mayor).....46
3. Ordinance 2011-19-89: Appropriating \$16,000 in Supplemental Funding for the Purchase of Class A Pumper for the Anchor Point Fire and Emergency Service Area (Mayor)51
6. Ordinance 2012-17: Amending KPB 2.40.030(D), 5.12.054(G), and 21.20.220(J) Increasing the Compensation for the Chairperson of the Planning Commission, Board of Equalization, and Board of Adjustment (Knopp).....69
7. Ordinance 2012-19: Appropriating Funds for Fiscal Year 2013 (Mayor).....73

O. NEW BUSINESS

1. Bid Awards
 - *a. Resolution 2012-046: Authorizing Road Service Area Capital Improvement Project: Territorial Road, Swan Drive, and Chena Drive #W1TER Contract Award and Allocation (Mayor)105

*b.	<u>Resolution 2012-047: Authorizing Road Service Area Capital Improvement Project: Ansel Street and Goose Berry Street Approaches #C3GOO Contract Award and Allocation (Mayor)</u>	110
*c.	<u>Resolution 2012-048: Authorizing Road Service Area Capital Improvement Project: Katamar Avenue and Brown Drive #S5KAT Contract Award and Allocation (Mayor).....</u>	115
*d.	<u>Resolution 2012-049: Authorizing Road Service Area Capital Improvement Project: Strawberry Road, Strawberry Court and Dori Lynn Street #C5STR Contract Award and Allocation (Mayor).....</u>	120
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*a.	<u>Resolution 2012-050: Setting the Rate of Levy for Real and Personal Property Taxes for the Kenai Peninsula Borough and For Service Areas Within the Borough for Fiscal Year 2013, Tax Year 2012 (Mayor)</u>	125
3.	Ordinances	
*a.	<u>Ordinance 2011-19-90: Appropriating \$61,809.66 from the State of Alaska Division of Emergency Services to Reimburse the Borough for Costs Incurred While Responding to Wind Storms that Occurred in November 2011 and to Recognize Revenue of \$4,602.90 for Equipment Rental (Mayor) (Hearing on 07/03/12).....</u>	135
*b.	<u>Ordinance 2012-19-02: Accepting and Appropriating \$19,790.10 on Behalf of Bear Creek Fire Service Area from the Alaska Department of Natural Resources for the Volunteer Fire Assistance Program (Mayor) (Hearing on 07/03/12).....</u>	139
*c.	<u>Ordinance 2012-19-03: Accepting and Appropriating \$150,000 from the State of Alaska for North Peninsula Recreation Service Area (NPRSA) Trails Upgrade and Expansion Project (Mayor) (Hearing on 07/03/12).....</u>	143
*d.	<u>Ordinance 2012-19-04: Appropriating \$250,000 in the Solid Waste Capital Projects Fund for Closure Cost at the Homer Landfill and Awarding a Contract for Design of a Closure Cap System to HDR Alaska, Inc. (Mayor) (Hearing on 07/03/12)</u>	146
*e.	<u>Ordinance 2012-19-05: Accepting and Appropriating \$19,816 on Behalf of Kachemak Emergency Service Area from the Alaska Department of Natural Resources for the Volunteer Fire Assistance Program (Mayor) (Hearing on 07/03/12).....</u>	149

*Consent Agenda Items

June 5, 2012	3:30 PM	Assembly Chambers George A. Navarre Kenai Peninsula Borough Administration Building, Soldotna
Sue McClure, Chair	Brent Johnson, Vice Chair	Ray Tauriainen

AGENDA

O. NEW BUSINESS

2. Ordinances

- *f. Ordinance 2012-20: Approving Widgeon Woods R-1, Single-Residential Local Option Zoning District, and Amending KPB 21.46.040 (Mayor) (Hearing on 07/03/12)153
- *i. Ordinance 2012-23: Authorizing Retention or Sale of Certain Real Property Obtained by the Kenai Peninsula Borough Through Tax Foreclosure Proceedings (Mayor) (Hearing on 07/03/12)171
- *j. Ordinance 2012-24: Authorizing the Sale of Certain Parcels of Borough Land in Widgeon Woods Phase Two Subdivision in the Ciechanski Area by Sealed Bid Procedures (Mayor) (Hearing on 07/03/12).....187

*Consent Agenda Items

Policies and Procedures Committee

June 5, 2012	4:00 PM	Assembly Chambers George A. Navarre Kenai Peninsula Borough Administration Building, Soldotna
Mako Haggerty, Chair	Charlie Pierce, Vice Chair	Linda Murphy

AGENDA

ITEMS NOT APPEARING ON THE REGULAR MEETING AGENDA

- 1. Discussion Regarding Negotiated Settlement Between Tesoro and KPB Administration (10 minutes)
[Executive Session May Be Held]

- K. MAYOR'S REPORT16**
 - 1. Assembly Requests/Responses – None.

 - 2. Agreements and Contracts
 - a. Authorization to Award Contract for Central Peninsula Landfill Truck Scale Replacement to Endries Company.....17

 - b. Authorization to Award Contract for Ninilchik School Re-Roof to AMES 1, LLC19

 - c. Authorization to Award Contract for ITB12-022 1, 250 GPM Pumper to H&W Pacific Emergency Vehicle Group21

 - d. Authorization to Award Contract for RFP12-016 Playground Equipment Module to SiteLines Park and Playground Products.....23

 - e. Authorization to Award Contract for ITB12-050 Soldotna High School Elevator Upgrade to FT Elevator, LLC24

 - f. Authorization to Award Contract for North Peninsula Service Area Closed-Circuit Television System to Guardian Security26

 - g. Authorization to Award Contract for Mountain View Elementary School Flooring Replacement to Westside Flooring28

h.	Authorization to Award Contract for Kenai Middle School Asbestos Abatement 2012 to Far North Services	30
i.	Authorization to Award Contract for Skyview High School/Nikiski High School Flooring Replacement to Aurora Flooring.....	32
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b.	Revenue-Expenditure Report April, 2012	39
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4.	<u>Ordinance 2012-13</u> : 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).....	56
5.	<u>Ordinance 2012-14</u> : 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)	60
N.	UNFINISHED BUSINESS	
1.	Postponed Item	
a.	<u>Resolution 2012-045</u> : Waiving for Good Cause the February 15, 2012 Deadline for Senior Citizen and Disabled Veteran Exemption Applications Filed after that Date but on or before March 31, 2012 (Mayor)	82
O.	NEW BUSINESS	
2.	Resolutions	
*b.	<u>Resolution 2012-051</u> : Approving the Sublease Agreement Between Central Peninsula General Hospital, Inc. and RSB Evolution of Alaska, LLC to Provide Radiation Oncology Medical Services in the Radiation Oncology Addition to be Constructed at the Central Peninsula Hospital (Mayor)	130

3. Ordinances

- *g. Ordinance 2012-21: Repealing KPB 5.04.110 and KPB 16.16.085 Which Require Voter Approval for Certain Major Capital Improvement Projects (Mayor) (Hearing on 07/03/12).....163
- *h. Ordinance 2012-22: Amending KPB 16.04.080 Administrative Employees—Appointment, Qualifications, and Removal to Clarify that All Service Area Directors Including Fire Chiefs, Whether Employees or Volunteers, are Appointed by the Mayor (Mayor) (Hearing on 07/03/12).....167

*Consent Agenda Items

Assembly Agenda

June 5, 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 Tauriainen
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. May 15, 2012 Regular Assembly Meeting Minutes..... 1

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

I. PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

1. Kenai Peninsula School District Quarterly Report (10 Minutes)

2. South Peninsula Hospital Quarterly Report (10 Minutes)

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

K. MAYOR'S REPORT 16

1. Assembly Requests/Responses – None.

2.	Agreements and Contracts	
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h.	Authorization to Award Contract for Kenai Middle School Asbestos Abatement 2012 to Far North Services.....	30
i.	Authorization to Award Contract for Skyview High School/Nikiski High School Flooring Replacement to Aurora Flooring.....	32
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- 3. Ordinance 2011-19-89: Appropriating \$16,000 in Supplemental Funding for the Purchase of Class A Pumper for the Anchor Point Fire and Emergency Service Area (Mayor) (Referred to Finance Committee)51
- 4. 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) (Referred to Policies and Procedures Committee)56
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- 1. Postponed Item
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- *b. Ordinance 2012-19-02: Accepting and Appropriating \$19,790.10 on Behalf of Bear Creek Fire Service Area from the Alaska Department of Natural Resources for the Volunteer Fire Assistance Program (Mayor) (Hearing on 07/03/12) (Referred to Finance Committee)139
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Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

- 1. June 19, 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 2012-15: Authorizing the Grant of Assets from the Lowell Point Emergency Service Area to the Lowell Point Volunteer Fire Department (McClure) (Hearing on 06/19/12) (Referred to Policies and Procedures Committee)
- 4. Ordinance 2012-16: Amending KPB 5.22.050 Regarding the Senior Citizen's Grant Program for Adult Day Care Centers (Mayor) (Hearing on 06/19/12) (Referred to Policies and Procedures Committee)
- 5. Ordinance 2012-18: Authorizing the Assessor to Accept the Late-Filed Disabled Veteran Exemption Application of James M. Boyer for 2012, Filed After March 31 (Smith) (Hearing on 06/19/12) (Referred to Policies and Procedures Committee)
- 6. Ordinance 2012-19-01: Accepting and Appropriating \$1,100,000 From the State of Alaska for the Homer High School Athletic Facilities Construction Project (Mayor) (Hearing on 06/19/12) (Referred to Finance 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 June 19, 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

May 15, 2012

Regular Meeting - Soldotna, Alaska

CALL TO ORDER

A Regular Meeting of the Kenai Peninsula Borough Assembly was held on May 15, 2012, in the Borough Assembly Chambers, Soldotna, 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 Assembly Member Brent Johnson.

There were present:

Gary Knopp, Presiding
Mako Haggerty
Brent Johnson
Sue McClure

Linda Murphy
Charlie Pierce
Ray Tauriainen

comprising a quorum of the assembly.

Absent:

Smith (excused)
Smalley (excused)

Also in attendance were:

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

COMMITTEE REPORTS

(07:01:41)

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

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

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

President Knopp said the Committee of the Whole met and discussed its agenda item.

APPROVAL OF THE AGENDA AND CONSENT AGENDA

(07:10:09)

MOTION TO APPROVE AGENDA:

Pierce moved for the approval of the agenda and consent agenda.

[Clerk's Note: President Knopp stated he had bid on the project outlined in Resolution 2012-043; however, was not awarded the contract.]

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

The following item was removed from the consent agenda:

- Resolution 2012-045: Waiving for Good Cause the February 15, 2012 Deadline for Senior Citizen and Disabled Veteran Exemption Applications Filed after that Date but on or before March 31, 2012 (Mayor) (Referred to Policies and Procedures Committee)

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

- May 1, 2012 Regular Assembly Meeting Minutes
- Resolution 2012-042: Authorizing Road Service Area Capital Improvement Project: Even Lane and Willow Brook Subdivision Roads #W7EVE Contract Award and Allocation (Mayor) (Referred to Finance Committee)
- Resolution 2012-043: Authorizing Road Service Area Capital Improvement Project: Suva Street, Malaita Avenue, Tikopia Street, Ambryn Avenue, Tarawa Street and Galen Avenue #N3SUV Contract Award and Allocation (Mayor) (Referred to Finance Committee)
- Resolution 2012-044: Determining the Amount to be Provided from Local Sources for School Purposes During Fiscal Year 2013 (Mayor) (Referred to Finance Committee)

[Clerk's Note: Technical amendments were made to Resolution 2012-044 as follows: The third whereas to read, "the borough is proposing that school funding from local sources for FY2013 be \$[43,500,000] 43,000,000; ", Section 2 to read, "That \$[43,500,000] 43,000,000 shall be made available from local sources to fund school district operations for Fiscal Year 2013 as follows: A. Local Effort \$[34,306,586] 33,806,586 B. Borough Maintenance 7,038,861 C. School District Utilities 81,145 D. Insurance 1,884,254 E. Audit 60,000 F. Custodial Services 129,154 TOTAL LOCAL FUNDING PER AS 14.17.410 \$[43,500,000] 43,000,000"

- Ordinance 2011-19-88: Appropriating \$420,000 from Previously Appropriated Central Emergency Service (CES) Capital Projects for Roof Replacement at the Soldotna Fire Station 1 (Mayor) (Shortened Hearing on 06/05/12) (Referred to Finance Committee)

- Ordinance 2011-19-89: Appropriating \$16,000 in Supplemental Funding for the Purchase of Class A Pumper for the Anchor Point Fire and Emergency Service Area (Mayor) (Shortened Hearing on 06/05/12) (Referred to Finance Committee)
- Ordinance 2012-15: Authorizing the Grant of Assets from the Lowell Point Emergency Service Area to the Lowell Point Volunteer Fire Department (McClure) (Hearing on 06/19/12) (Referred to Policies and Procedures Committee)
- Ordinance 2012-16: Amending KPB 5.22.050 Regarding the Senior Citizen's Grant Program for Adult Day Care Centers (Mayor) (Hearing on 06/19/12) (Referred to Policies and Procedures Committee)
- Ordinance 2012-17: Amending KPB 2.40.030(D), 5.12.054(G), and 21.20.220(J) Increasing the Compensation for the Chairperson of the Planning Commission, Board of Equalization, and Board of Adjustment (Knopp) (Shortened Hearing on 06/05/12) (Referred to Finance Committee)
- Ordinance 2012-18: Authorizing the Assessor to Accept the Late-Filed Disabled Veteran Exemption Application of James M. Boyer for 2012, Filed After March 31 (Smith) (Hearing on 06/19/12) (Referred to Policies and Procedures Committee)
- Ordinance 2012-19-01: Accepting and Appropriating \$1,100,000 From the State of Alaska for the Homer High School Athletic Facilities Construction Project (Mayor) (Hearing on 06/19/12) (Referred to Finance Committee)
- Authorizing an Application for a New Liquor License and Restaurant Designation Permit Filed by Gwin's Resorts, LLC dba Gwin's Lodge/Gwin's Roadhouse (Referred to Finance Committee)

President Knopp called for public comment.

The following person spoke in support of Resolution 2012-044:

Dr. Steve Atwater, Kenai Peninsula Borough School District Superintendent

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

AGENDA APPROVED AS AMENDED: Without objection.

COMMENDING RESOLUTIONS AND PROCLAMATIONS - None.

PRESENTATIONS WITH PRIOR NOTICE

(07:27:27)

John Hendrix, General Manager, Apache Corporation gave a presentation on, "Apache Corporation Ventures into Cook Inlet."

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

(07:47:58)

President Knopp called for public comment.

The following people spoke in opposition to the enactment of Ordinance 2011-12:

George Pierce, P.O. Box 80, Kasilof
Joe Demaree, P.O. Box 1125, Kenai
Diane MacRea, 55175 Elaine Avenue, Kasilof
Stacy Oliva, P.O. Box 8567, Nikiski
Manoo Samm, P.O. Box 1741, Soldotna

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

MAYOR'S REPORT

(08:01:54)

1. Assembly Requests/Responses - None
2. Agreements and Contracts
 - a. Authorization to Award Contract for Sterling Elementary Re-Roof to Rain Proof Roofing
 - b. Authorization to Award Contract for Nikiski Middle/High School Re-Roof to Earhart Roofing Company
 - c. Authorization to Award Contract for Seward Elementary School Re-Roof and Seward High School Re-Roof to Earhart Roofing Company
 - d. Authorization to Award Contract for Central Peninsula Landfill and Homer Baler Facility Baler Wire Purchase to Pacific Wire Group
 - e. Authorization to Award Contract for Chapman School Re-Roof to G&S Management Services, LLC
 - f. Authorization to Award Contract for the Purchase of Engine-Generator Sets to Cummins NW, LLC
 - g. Authorization to Award Contract for Homer Transfer Building to Steiners North Star Construction, Inc.
 - h. Authorization to Award Contract for Homer Middle School Re-Roof and Paul Banks Elementary School Re-Roof to Rain Proof Roofing
 - i. Request for Waiver of Formal Bidding for Purchase of Light Poles and Fixtures for Seward High School Parking Lot Upgrade from Crescent Electric

3. Other

- a. Spruce Bark Beetle Monthly Status Report April, 2012

ITEMS NOT COMPLETED FROM PRIOR AGENDA - None.

PUBLIC HEARING ON ORDINANCES

(08:16:37)

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)

MOTION: Tauriainen moved to enact Ordinance 2011-19-82.

President Knopp called for public comment.

The following people spoke in opposition to Ordinance 2011-19-82:

George Pierce, P.O. Box 80, Kasilof
Marc Crouse, 36314 Kenai Spur Highway, Soldotna
Fred Sturman, 136 Riverview, Soldotna
Diane MacRea, 55175 Elaine Avenue, Kasilof

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

VOTE ON MOTION TO ENACT:

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

No: None

Absent: Smalley, Smith

MOTION TO ENACT PASSED: 7 Yes, 0 No, 2 Absent

(08:33:00)

Ordinance 2011-19-85: Appropriating \$45,058.74 in Donations for the Nikiski Community Playground Project (Mayor) (Referred to Finance Committee)

MOTION: Tauriainen moved to enact Ordinance 2011-19-85.

President Knopp called for public comment with none being offered.

MOTION: Tauriainen moved to amend Ordinance 2011-19-85 as follows:

Title to read, "An Ordinance Appropriating \$[45,058.74] 89,458.74 in Donations for the Nikiski Community Playground Project"

The second whereas to read, "the NPRSA has received donations totaling \$[45,058.74] 89,458.74 for the playground project allowing the NPRSA to increase the scope of the project to include synthetic/engineered surface protection and art work/themed components which will be installed as part of the project; and"

Section 1 to read, "That \$[45,058.74] 89,458.74 in donations is appropriated to the NPRSA Capital Project Fund account 459.61110.12028.49999 for costs associated with the community playground project."

MOTION TO AMEND PASSED:

Without objection.

VOTE ON MOTION TO ENACT AS AMENDED:

Yes:

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

No:

None

Absent:

Smalley, Smith

MOTION TO ENACT AS AMENDED PASSED: 7 Yes, 0 No, 2 Absent

(08:36:07)

Ordinance 2012-06: Amending KPB 21.18.025(B) 21.18.081 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.

Jason Tauriainen, P.O. 7373, Kasilof, spoke in support of the amendment proposed by the Planning Commission.

The following person spoke in support of Ordinance 2012-06:

Tim Dillon, Seldovia City Manager

The following person spoke in opposition to Ordinance 2012-06:

George Pierce, P.O. Box 80, Kasilof

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

Assembly Member Pierce and spoke in opposition to Ordinance 2012-06.

Assembly Members Tauriainen, Murphy, Johnson and Haggerty spoke in support of Ordinance 2012-06.

VOTE ON MOTION TO ENACT:

Yes: Haggerty, Johnson, McClure, Murphy,
Tauriainen, Knopp
No: Pierce
Absent: Smalley, Smith
MOTION TO ENACT PASSED: 6 Yes, 1 No, 2 Absent

(09:03:27)

Ordinance 2012-12: Reducing Disposal Fees for AIMM Technologies, Inc. for up to 3,000 tons of Special Waste (Mayor) (Referred to Policies and Procedures Committee)

MOTION: Haggerty moved to enact Ordinance 2012-12.

President Knopp called for public comment with none being offered.

VOTE ON MOTION TO ENACT:

Yes: Haggerty, Johnson, McClure, Murphy, Pierce,
Tauriainen, Knopp
No: None
Absent: Smalley, Smith
MOTION TO ENACT PASSED: 7 Yes, 0 No, 2 Absent

(09:05:12)

Ordinance 2012-19: Appropriating Funds for Fiscal Year 2013 (Mayor) (Final Hearing on 06/05/12) (Referred to Finance Committee)

MOTION: Tauriainen moved to enact Ordinance 2012-19.

President Knopp called for public comment with none being offered.

MOTION: Tauriainen moved to postpone Ordinance 2012-19 until June 5, 2012.

VOTE ON MOTION TO POSTPONE:

Yes:

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

No:

None

Absent:

Smalley, Smith

MOTION TO POSTPONE PASSED:

7 Yes, 0 No, 2 Absent

UNFINISHED BUSINESS - None.

NEW BUSINESS

(09:08:15)

Resolution 2012-045: Waiving for Good Cause the February 15, 2012 Deadline for Senior Citizen and Disabled Veteran Exemption Applications Filed after that Date but on or before March 31, 2012 (Mayor) (Referred to Policies and Procedures Committee)

MOTION:

Haggerty moved to adopt Resolution 2012-045.

President Knopp called for public comment with none being offered.

MOTION:

Murphy moved to amend Resolution 2012-045 as follows:

Section 2 to read, "That the deadline for filing applications for the Senior Citizen and the Disabled Veteran real property exemptions, as applicable, for the following parcels is hereby waived for good cause:

Senior Citizen | Parcel No. | Year | Reason for late file | [FORBES, HOWARD | 179-310-03 | 2012 | DID NOT KNOW DEADLINE WAS FEB 15 ** | WILLIAMSON, JOHN | 148-060-05 | 2012 | MISSED DEADLINE DUE TO VACATION ** | HUTCHINGS, DAVID | 059-190-47 | 2012 | DIDN'T REMEMBER UNTIL AFTER DEADLINE | GREENHALGH, EDWARD | 133-350-04 | 2012 | THOUGHT HE HAD APPLIED IN 2011, (THROUGH CONVERSATION W/CLERK) IT WAS A DIFFERENT EXEMPTION HE HAD APPLIED FOR IN 2011 AND THOUGH EXEMPTION WAS AUTOMATIC AT 65] | Johnson, Elizabeth | 174-380-13 | 2012 | Health issues, returned to AK 2/29/2012 | [DAILEY, GARY | 012-14-09 | 2012 | PAPERWORK LOST DUE TO CONSTRUCTION

WORK IN HOUSE. FOUND PAPERWORK AFTER DEADLINE ** | GOMEZ, MICHAEL | 059-360-37 | DIDN'T KNOW OF FILING DEADLINE ** | MCLAY, JAMES | 174-111-11 | 2012 | FOUND OUT ABOUT EXEMPTION AFTER DEADLINE | PILCH, RODNEY | 125-130-17 | 2012 | UNAWARE OF DEADLINE, THOUGHT EXEMPTION AUTOMATIC AT 65 ** | DOUGLAS, DENNIS | 159-143-22 | 2012 | STATES WAS TOLD TO WAIT UNTIL 4/12/2012 TO APPLY ** | [MARTIN, JOHN | 174-170-13 | 2012 | UNAWARE OF EXEMPTION UNTIL AFTER DEADLINE | BAKKE, ANDREW | 173-310-54 | 2012 | UNAWARE OF EXEMPTION UNTIL AFTER DEADLINE | BANIC, ANKA | 145-180-27 | 2012 | UNAWARE OF EXEMPTION UNTIL AFTER DEADLINE | MATTI, JAMES | 185-503-27 | 2012 | UNAWARE OF EXEMPTION DEADLINE UNTIL PAST, DIFFICULTY GETTING TO POST OFFICE ** | COLLINS, DAVID | 137-321-28 | 2012 | UNAWARE OF FILING DEADLINE OR EXEMPTION | REICHERT, JOHN | 063-550-47 | 2012 | UNAWARE OF FILING DEADLINE | MULLAN JR., PAT | 060-140-19 | 2012 | UNAWARE OF EXEMPTION] | Davis, Paul | 173-520-18 | 2012 | Out of state assisting wife who is on a lung transplant list. Physician's letter confirms. ** | Thompson, Donna | 148-040-2012 | Had a stroke and husband had a heart infection ** | [BLACK, NOEL | 159-300-17 | 2012 | UNAWARE OF WHEN THE FILING DEADLINE WAS | ABBOTT, W. FINLAY | 193-300-12 | 2012 | UNAWARE THAT HE MAY QUALIFY FOR EXEMPTION UNTIL AFTER FILING DEADLINE **] | Lee, Patricia | 043-100-16 | 2012 | Cancer Rx ** attached letter ** | [LACROSS, MEGAN | 131-280-33 | 2012 | DIDN'T REALIZE SHE COULD APPLY AS WIDOW FOR HUSBAND'S EXEMPTION UNTIL AFTER DEADLINE ** | *STOKES, ROBERT | 065-076-30 | 2012 | UNAWARE OF DEADLINE UNTIL PAST ** | *GAUTHIER, JANICE | 049-410-03 | 2012 | UNAWARE OF FILING DEADLINE & UNABLE TO LOCATE BIRTH CERTIFICATE] | *Don Lacy Family Trust | 013-390-13 | 2012 | Hospitalized in Oregon and thought filing deadline was same as PFD | Munn, Gilliam |

177-051-26 | 2012 | Cancer diagnosis recently
- traveling for medical exams | [*NESS,
CAROLE LIVING TRUST | 013-320-34 | 2012 |
FAILED TO UNDERSTAND SHE NEEDED TO FILE
BY FEB. 15TH]

*applicant exemption eligibility pending
confirmation of PFD eligibility

** please see late-file waiver for a more
detailed explanation for filing late.

[DISABLED VETERAN | PARCEL NO. | YEAR |
REASON FOR A LATE FILE | TORNAI, MARK |
135-260-27 | 2012 | UNAWARE OF EXEMPTION
UNTIL AFTER DEADLINE ** | SVOBODA
COMMUNITY PROPERTY TRUST | 175-070-31 |
2012 | MISUNDERSTOOD DEADLINE/ORAL
SURGERY IN FEBRUARY **

** PLEASE SEE LATE-FILE WAIVER FOR A MORE
DETAILED EXPLANATION FOR FILING LATE.]”

(09:13:16)

MOTION: (SECONDARY)

Haggerty moved to amend the main motion to
amend as follows:

Section 2 to read, “That the deadline for filing
applications for the Senior Citizen and the
Disabled Veteran real property exemptions, as
applicable, for the following parcels is hereby
waived for good cause:

Senior Citizen | Parcel No. | Year | Reason for
late file | Johnson, Elizabeth | 174-380-13 |
2012 | Health issues, returned to AK
2/29/2012 | Douglas, Dennis | 159-143-22 |
2012 | States was told to wait until 4/12/2012
to apply ** | Davis, Paul | 173-520-18 | 2012
| Out of state assisting wife who is on a lung
transplant list. Physician’s letter confirms. **
| Thompson, Donna | 148-040-2012 | Had a
stroke and husband had a heart infection ** |
Lee, Patricia | 043-100-16 | 2012 | Cancer Rx
** attached letter ** | *Don Lacy Family Trust
| 013-390-13 | 2012 | Hospitalized in Oregon
and thought filing deadline was same as PFD

| Munn, Gilliam | 177-051-26 | 2012 | Cancer diagnosis recently - traveling for medical exams

*applicant exemption eligibility pending confirmation of PFD eligibility

** please see late-file waiver for a more detailed explanation for filing late.”

SECONDARY MOTION PASSED:

MOTION: (SECONDARY)

Without objection.

(09:14:26)

McClure moved to amend the main motion to amend as amended as follows:

Section 2 to read, “That the deadline for filing applications for the Senior Citizen and the Disabled Veteran real property exemptions, as applicable, for the following parcels is hereby waived for good cause:

Senior Citizen | Parcel No. | Year | Reason for late file | Johnson, Elizabeth | 174-380-13 | 2012 | Health issues, returned to AK 2/29/2012 | Douglas, Dennis | 159-143-22 | 2012 | States was told to wait until 4/12/2012 to apply ** | Banic, Anka | 145-180-27 | 2012 | Unaware of exemption until after deadline ** | Davis, Paul | 173-520-18 | 2012 | Out of state assisting wife who is on a lung transplant list. Physician’s letter confirms. ** | Thompson, Donna | 148-040-2012 | Had a stroke and husband had a heart infection ** | Lee, Patricia | 043-100-16 | 2012 | Cancer Rx ** attached letter ** | *Don Lacy Family Trust | 013-390-13 | 2012 | Hospitalized in Oregon and thought filing deadline was same as PFD | Munn, Gilliam | 177-051-26 | 2012 | Cancer diagnosis recently - traveling for medical exams

*applicant exemption eligibility pending confirmation of PFD eligibility

** please see late-file waiver for a more detailed explanation for filing late.”

President Knopp passed the gavel to Vice President Pierce and spoke in opposition to the secondary amendment.

VOTE ON SECONDARY MOTION TO AMEND:

Yes: Haggerty, McClure
No: Johnson, Murphy, Pierce, Tauriainen, Knopp
Absent: Smalley, Smith
SECONDARY MOTION TO AMEND FAILED: 2 Yes, 5 No, 2 Absent

Vice President Pierce returned the gavel to President Knopp.

(09:16:38)

VOTE ON MAIN MOTION TO AMEND
AS AMENDED:

Yes: Haggerty, Johnson, McClure, Murphy, Pierce,
Tauriainen, Knopp
No: None
Absent: Smalley, Smith
MAIN MOTION TO AMEND AS
AMENDED PASSED: 7 Yes, 0 No, 2 Absent

President Knopp passed the gavel to Vice President Pierce.

MOTION: Knopp moved to postpone Resolution 2012-045 until June 5, 2012.

VOTE ON MOTION TO POSTPONE:

Yes: Haggerty, Johnson, McClure, Murphy, Pierce,
Tauriainen, Knopp
No: None
Absent: Smalley, Smith
MOTION TO POSTPONE PASSED: 7 Yes, 0 No, 2 Absent

Vice President Pierce returned the gavel to President Knopp.

(09:22:50)

Approval of Settlement and Release Agreement Settling with Prejudice the Lawsuit Files by Kahtnu Ventures, LLC against Central Peninsula General Hospital, Inc., and the Kenai Peninsula Borough in Case No. 3AN-11-12713 CI (Referred to Policies and Procedures Committee)

[Clerk's Note: An Executive Session was held during Policy and Procedure Committee.]

MOTION: Murphy moved that the Assembly authorize the Mayor to execute the settlement and release agreement settling with prejudice the lawsuit filed by Kahtnu Ventures, LLC against Central Peninsula General Hospital, Inc. And

the Kenai Peninsula Borough in Case No. 3AN-11-12713CI.

VOTE ON MOTION TO AUTHORIZED:

Yes: Haggerty, Johnson, McClure, Murphy, Pierce, Tauriainen, Knopp
No: None
Absent: Smalley, Smith
MOTION TO AUTHORIZE PASSED: 7 Yes, 0 No, 2 Absent

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

(09:24:40)

President Knopp called for public comment.

Fred Sturman, 136 Riverview, Soldotna, addressed the Assembly regarding fiscal responsibility during the budget process.

The following people addressed the Assembly regarding Ordinance 2011-12 and Ordinance 2012-06:

Diane MacRea, 55175 Elaine Avenue, Kasilof
George Pierce, P.O. Box 80, Kasilof

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

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

(09:32:20)

The next meeting of the Kenai Peninsula Borough Assembly was scheduled for June 5, 2012, at 7:00 p.m. in the Borough Assembly Chambers, Soldotna, Alaska.

ASSEMBLY COMMENTS

(09:32:28)

Assembly Member Haggerty stated as a small business man he always considered small businesses when taking action as an Assembly representative.

Assembly Member Johnson congratulated Lagi Wong who won both the shot put and discus event during the Kenai Peninsula Borough Track and Field Championships, he also congratulated the Skyview Highschool Boys track team for taking first place at Regions. He thanked the constituents who commented regarding the cost of healthcare, and said the health risks taken by an insured individual was something that should be considered when looking into the overall cost of health insurance. He noted that Providence Hospital no longer hired smokers. He said the current cost of healthcare was detrimental to the public and eventually healthcare may go to some type of social control.

Assembly Member McClure noted her appreciation for Mayor Navarre's dedication in regards to healthcare costs. She said it was nice to meet with the School Board Members and Staff during the School Board meeting held in Seward. She noted that the Seward Highway was now being closed at night, and said the Seward Harbor Opening weekend would begin on Saturday, May 19, 2012 and there would also be a dance. She wished everyone safe travels.

Assembly Member Taurianen thanked Mayor Navarre for his comments regarding Ordinance 2011-19-82, and stated he was concerned with increasing health care costs. He said higher deductibles may help and should be discussed during collective bargaining. He thanked Assembly Member Murphy for her assistance during the meeting.

Assembly Member Murphy stated regardless of having had a career in public service she and her husband had owned a small business for over thirty years, and she spent more time with people as a member of the community. She said that she sympathized with the small business owners as she was also one, and thanked the Mayor for doing everything he could to reduce healthcare costs. She said when collective bargaining began this year, healthcare costs had to be one of the issues addressed. She replied to comments from the public which stated the borough should not provide healthcare for the employees, she stated it could not be done since it was part of an agreement with the organized employees of the borough. She stated she was not an authority on habitat protection; however, she listened to the people who were hired to give advice on the subject, and if given a choice of protecting the habitat that was important in protecting a resource that was a large part of the borough's economy, she would vote to protect the resource rather than vote in a manner to be reelected.

Vice President Pierce said that he supported habitat protection; however, there had to be better way to do it, which would include more of a thought process. He said when compared to the rivers in Oregon and Washington consideration also had to be given to the number of dams and the processes in those areas, Alaska was not building dams on the rivers and the people living on the lakes and rivers did not have the same impacts to the fish. He said there had been a lot of money spent on restoration of the river, and he cared about the fish; however, there were aspects of Ordinance 2011-12 that were too restrictive. He also noted that he did not support hiring more employees to manage the restrictions which were applied by Ordinance 2011-12. He said in order to protect the resource a balance had to be met between habitat and the fishing industries. He congratulated all of the 2012 graduates and wished them well in their futures. He thanked Mayor Navarre and Chief of Staff Paul Ostrander for one of the most organized and easy processes to school funding, and noted his appreciation for Mayor Navarre for being prepared to answer questions from the Assembly.

President Knopp noted that the healthcare issue was on the minds of everyone, especially the Mayors and Mayor Navarre would address it. He thanked the Mayor for his work on the budget and noted that when the State's budget was finalized, Mayor Navarre went back and worked with the School District to make appropriate changes. He noted that he had never liked Ordinance 2011-12, he was not opposed to habitat protection; however, Ordinance 2011-12 was overreaching. He said an ordinance like 2011-12 was applicable to borough owned lands; however, this was crossing onto private property. He felt encompassing all of the water bodies in the borough was too much and it was time to consider repealing it in the entirety and rethinking the process.

ADJOURNMENT

With no further business to come before the assembly, President Knopp adjourned the meeting at 9:51 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of May 15, 2012.

Johni Blankenship, MMC, Borough Clerk

Approved by Assembly:_____



KENAI PENINSULA BOROUGH

144 North Binkley St. Soldotna, Alaska 99669-7520
Toll-Free within the Borough 1-800-478-4441
Phone 907-714-2150 • Fax 907-714-2377
www.borough.kenai.ak.us

**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: June 5, 2012

Assembly Requests/ Response

None

Agreements and Contracts

- a. Authorization to Award Contract for Central Peninsula Landfill Truck Scale Replacemtn to Endries Company
- b. Authorization to Award Contract for Ninilchik School Re-Roof to AMES 1, LLC
- c. Authorization to Award Contract for ITB12-022 1, 250 GPM Pumper to H&W Pacific Emergency Vehicle Group
- d. Authorization to Award Contract for RFP12-016 Playground Equipment Module to SiteLines Park and Playground Products
- e. Authorization to Award Contract for ITB12-050 Soldotna High School Elevator Upgrade to FT Elevator, LLC
- f. Authorization to Award Contract for North Peninsula Service Area Closed-Circuit Television System to Guardian Security
- g. Authorization to Award Contract for Mountain View Elementary School Flooring Replacement to Westside Flooring
- h. Authorization to Award Contract for Kenai Middle School Asbestos Abatement 2012 to Far North Services
- i. Authorization to Award Contract for Skyview High School/Nikiski High School Flooring Replacement to Aurora Flooring
- j. Authorization to Award Contract for Old Mill Subdivision Demolition & Restoration to A&A Enterprises

Other

- a. Budget Revisions April, 2012
- b. Revenue-Expenditure Report April, 2012


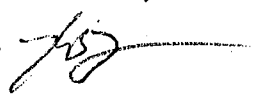


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**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM


TO: Mike Navarre, Mayor
THRU: Mark Fowler, Purchasing & Contracting Director 
FROM: Kevin Lyon, Capital Projects Director 
DATE: May 2, 2012
SUBJECT: Authorization to Award Contract for Central Peninsula Landfill
Truck Scale Replacement

The Purchasing and Contracting Office formally solicited and received bids for the Central Peninsula Landfill Truck Scale Replacement. Bid packets were released on March 20, 2012 and the Invitation to Bid was advertised in the Peninsula Clarion on March 20, and March 23, 2012 and in the Anchorage Daily News on March 20, 2012.

The project consists of removal and replacement of two 70' x 10' truck scales including scale pit preparation, new scale platforms, load cells, electronics and electrical work.

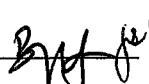
On the due date of April 18, 2012 two (2) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$286,500.00 was submitted by Endries Company, Soldotna, AK.

Your approval for this bid award is hereby requested. Funding for this project is in account number 411.32122.12SCL.49101.


Mike Navarre, Mayor

5/3/12
Date

RECEIVED
MAY 03 2012
KPB
FINANCE ADMINISTRATION

FINANCE DEPARTMENT
FUNDS VERIFIED
ACT # 411.32122.12SCL.49101 (\$286,500.00)
BY:  DATE: 5/2/12
17

**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB12-046 Central Peninsula Landfill Truck Scale Replacement

CONTRACTOR	BASE BID	ADDITIVE ALTERNATE 1	TOTAL EXTENDED BID
Peninsula Construction	\$ 364,200.00	\$ 73,300.00	\$ 437,500.00
Endries Company	\$ 286,500.00	\$ 69,788.59	\$ 356,288.59

Engineers Estimate \$225,000.00

DUE DATE: April 18, 2012 @ 2:00 PM

KPB OFFICIAL: 
Mark Fowler, Purchasing & Contracting Officer



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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Mike Navarre, Mayor
THRU: Mark Fowler, Purchasing & Contracting Director *mf*
FROM: Kevin Lyon, Capital Projects Director *KL*
DATE: April 30, 2012
SUBJECT: Authorization to Award Contract for Ninilchik School Re-Roof

The Purchasing and Contracting Office formally solicited and received bids for the Ninilchik School Re-Roof. Bid packets were released on March 26, 2012 and the Invitation to Bid was advertised in the Peninsula Clarion and the Anchorage Daily News on March 26, and April 2, 2012 and in the Homer News on March 29, 2012.

The project consists of The project consists of demolition and re-roofing per plans and specifications with Contractor's option BUR System with mineral cap sheet. The existing Ninilchik School roof is 18,491 sq. ft.

On the due date of April 18, 2012 five (5) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$664,000.00 was submitted by AMES 1, LLC, Anchorage, AK.

Your approval for this bid award is hereby requested. Funding for this project is in account number 401.71100.11SCH.49101.

Mike Navarre

Mike Navarre, Mayor

5/3/12

Date

RECEIVED
APR 30 2012
KPB
FINANCE ADMINISTRATION

FINANCE DEPARTMENT
FUNDS VERIFIED
ACT #401.71100.11SCH.49101 (\$664,000.00)
BY: *pc* DATE: *4/20/12*
19
C. Chapp

**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB12-048 Ninilchik School Re-Roof

CONTRACTOR	BASE BID
Interior Roofing	\$695,000.00
G&S Management	\$788,424.00
E/P Roofing	\$665,000.00
Rain Proof Roofing	\$678,250.00
AMES 1	\$664,000.00
Engineers Estimate	\$793,541.00

DUE DATE: April 18, 2012 @ 2:00 PM

KPB OFFICIAL: 


Mark Fowler, Purchasing & Contracting Officer



KENAI PENINSULA BOROUGH
 144 North Binkley Street • Soldotna, Alaska 99669-7520
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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Mike Navarre, Mayor
FROM: Mark Fowler, Purchasing & Contracting Director 
DATE: May 2, 2012
SUBJECT: Authorization to Award Contract for ITB12-022 1,250 GPM Pumper

The Purchasing and Contracting Office formally solicited and received bids for a 1,250 GPM Pumper. Bid packets were released on March 23, 2012 and the Invitation to Bid was advertised in the Peninsula Clarion on March 23, 2012.

The project consists of a 1,250 gallon per minute pumper for Anchor Point Fire Service Area.

On the due date of April 25, 2012 two (2) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$240,944.00 was submitted by H&W Pacific Emergency Vehicle Group of Marysville, Washington which exceeds the available budget. Upon review of the documents deductions were found to enable the purchase of the apparatus for \$224,333.00.

Your approval for this bid award is hereby requested. Funding for this project is in account number 444.51410.12PMP.48514.




 Mike Navarre, Mayor

5/4/12

 Date

RECEIVED
 MAY 03 2012
 KPB
 FINANCE ADMINISTRATION


FINANCE DEPARTMENT FUNDS VERIFIED	
ACT #444.51410.12PMP.48514 - \$224,333.00	
BY: <u>pc</u>	DATE: <u>5/3/12</u>
	

**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB12-022 1,250 GPM Pumper

CONTRACTOR	Chassis	Pumper	Inspection Trips	Total Extended Price
H&W	\$ 89,596.00	\$ 147,748.00	\$ 3,600.00	\$240,944.00
Spencer	\$ 92,410.75	\$ 201,892.00	\$ 8,000.00	\$302,302.75

DUE DATE: April 25, 2012 @ 2:00 PM

KPB OFFICIAL: 
 Mark Fowler, Purchasing & Contracting Officer



KENAI PENINSULA BOROUGH

Purchasing & Contracting
144 North Binkley Street • Soldotna, Alaska 99669-7520
Phone (907) 714-2260 • Fax (907) 714-2373
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**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

TO: Mike Navarre, Mayor
THRU: Mark Fowler, Purchasing & Contracting Director
Dave Tressler, Maintenance Department Director
FROM: Scott Griebel, Maintenance Department Foreman
DATE: May 3, 2012
SUBJECT: Authorization to Award Contract for RFP12-016 Playground Equipment Module

The Purchasing and Contracting Office formally solicited and received proposals for the Playground Equipment Module. Proposal packets were released on March 23, 2012 and the Request for Proposal was advertised in the Peninsula Clarion on March 23, 2012.

The project consists of provide playground equipment modules for Chapman and Ninilchik schools.

On the due date of April 19, 2012 five (5) proposals were received and ranked by a review committee as follows:

<u>FIRM</u>	<u>TOTAL SCORE</u>
SiteLines	424
Playcraft Direct	373
All Play systems	366
NWR & Associates	355
Play Systems	332

The highest ranking proposal, which includes a cost factor, was submitted by SiteLines Park and Playground Products with a lump sum cost proposal of \$43,396.05. The proposal review committee recommends award of a contract to SiteLines Park and Playground Products. Your approval for this award is hereby requested.

Funding for this project is in account number 400.78050.11780.

Mike Navarre

Mike Navarre, Mayor

5/7/12

Date

RECEIVED

MAY 04 2012

**KPB
FINANCE ADMINISTRATION**

FINANCE DEPARTMENT FUNDS VERIFIED	
ACT #400.78050.11780.48521 - \$43,396.05	
BY: <u>pc</u>	DATE: <u>5/4/12</u>
<i>Bvt JCC</i>	



KENAI PENINSULA BOROUGH

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**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

TO: Mike Navarre, Mayor
THRU: Mark Fowler, Purchasing & Contracting Director
FROM: Dave Tressler, Maintenance Department Director
DATE: May 3, 2012
SUBJECT: Authorization to Award Contract for ITB12-050 Soldotna High School Elevator Upgrade

The Purchasing and Contracting Office formally solicited and received bids for the Soldotna High School Elevator Upgrade. Bid packets were released on March 28, 2012 and the Invitation to Bid was advertised in the Peninsula Clarion on March 28, 2012.

The project consists of the upgrade of the elevator at Soldotna High School.

On the due date of April 26, 2012 three (3) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$53,700.00 was submitted by FT Elevator, LLC of Anchorage Alaska.

Your approval for this bid award is hereby requested. Funding for this project is in account number 400.78050.09803 and 400.78050.12803.

Mike Navarre
Mike Navarre, Mayor

5/7/12
Date

RECEIVED

MAY 03 2012

**KPB
FINANCE ADMINISTRATION**

FINANCE DEPARTMENT
FUNDS VERIFIED
ACT #400.78050.09803.43780 - \$43,255.58
#400.78050.12803.43780 - \$10,444.42
BY: pc DATE: 5/3/12

But see CCC

**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB12-050 Soldotna High Elevator Upgrade

CONTRACTOR	BASE BID	ADDITIVE ALTERNATE	TOTAL EXTENDED PRICE
FT Elevator	\$ 45,250.00	\$ 8,450.00	\$53,700.00
Arcfic Elevator	\$ 58,500.00	\$ 12,300.00	\$70,800.00
Thyssen Krupp	\$ 74,779.00	\$ 13,500.00	\$88,279.00

DUE DATE: April 26, 2012 @ 2:00 PM

KPB OFFICIAL:



Mark Fowler, Purchasing & Contracting Director



KENAI PENINSULA BOROUGH

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**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

TO: Mike Navarre, Mayor
THRU: Mark Fowler, Purchasing & Contracting Director
FROM: Kevin Lyon, Capital Projects Director
DATE: May 9, 2012
SUBJECT: Authorization to Award Contract for North Peninsula Service Area CCTV System

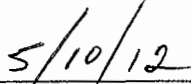
The Purchasing and Contracting Office formally solicited and received bids for the North Peninsula Service Area CCTV System. Bid packets were released on April 12, 2012 and the Invitation to Bid was advertised in the Peninsula Clarion and the Anchorage Daily News on April 12, and April 15, 2012.

The project consists of installation of a complete CCTV system as indicated on drawings and specifications.



On the due date of May 2, 2012 three (3) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$53,618.00 was submitted by Guardian Security.

Your approval for this bid award is hereby requested. Funding for this project is in account number 459.61110.12453.43011


Mike Navarre, Mayor


Date

RECEIVED
MAY 09 2012
KPB
FINANCE ADMINISTRATION

FINANCE DEPARTMENT
FUNDS VERIFIED
ACT #459.61110.12453.43011 (\$53,618.00)
BY:  DATE: 5/09/12


**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB 12-057 North Peninsula Recreation Service Area CCTV System

CONTRACTOR	BASE BID	ADDITIVE ALT 1	EXTENDED BID PRICE
Action Security	\$83,133.00	\$8,070.00	\$91,203.00
Kachemak Electric	\$57,292.00	\$2,706.00	\$59,998.00
Guardian Security	\$53,018.00	\$600.00	\$53,618.00

DUE DATE: May 2, 2012 @ 2:00 PM



KPB OFFICIAL: _____
Mark Fowler, Purchasing & Contracting Director



KENAI PENINSULA BOROUGH

Maintenance Department
47140 East Poppy Lane, Soldotna Alaska
phone (907) 262-4011 fax (907) 262-5882
www.borough.kenai.ak.us

MIKE NAVARRE
MAYOR

MEMORANDUM

TO: Mike Navarre, Mayor

THRU: Mark Fowler, Purchasing & Contracting Director *M*

THRU: Dave Tressler, Maintenance Director *DT*

FROM: Pat Malone, Project Manager *PM*

DATE: May 9, 2012

SUBJECT: Authorization to Award Contract for Mountain View Elementary School Flooring Replacement

The Purchasing and Contracting Office formally solicited and received bids for the "Mountain View Elementary School Flooring" project. Bid packets were released on April 11, 2012 and the Invitation to Bid was advertised in the Peninsula Clarion on April 11, 2012.

The project at Mountain View Elementary School, Kenai, Alaska, consists of removing existing carpet, prepare floor, and furnish and install approximately 2,770 square feet of carpet tile and 610 lineal feet of wall base and accessories and removing existing carpet, prepare floor, and furnish and install 1,868 square feet of carpet tile and 550 lineal feet of wall base and accessories.

On the due date of May 1, 2012, Six (6) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$32,310.46 was submitted by Westside Flooring, 3620 Jewel Lake Rd., Anchorage, AK 99502.

Your approval for this bid award is hereby requested. Funding for this project is in account numbers 400.78050.11755.43780.

Approved:

Mike Navarre

Mike Navarre, Mayor

5/11/12

Date

RECEIVED

MAY 10 2012

KPB
FINANCE ADMINISTRATION

FINANCE DEPARTMENT
FUNDS VERIFIED

Acct #400.78050.11755.43780 - \$32,310.46

BY: *pe* DATE: *5/10/12*

Chavez

**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB12-055 Mt. View Elementary School Flooring Replacement

CONTRACTOR	BASE BID	ADDITIVE ALTERNATE	TOTAL EXTENDED BID
Westside Flooring	\$ 21,199.20	\$ 11,411.26	\$32,610.46
Four D Carpet	\$ 26,837.00	\$ 14,111.00	\$40,948.00
Kenai Quality Flooring	\$ 28,059.28	\$ 15,982.00	\$44,041.28
Floor-Ever	\$ 24,734.90	\$ 14,156.44	\$38,891.34
Jungle Jim's	\$ 23,916.00	\$ 13,025.00	\$36,941.00
Northwest Carpet	\$ 30,319.57	\$ 9,738.10	\$40,057.67

DUE DATE: May 1, 2012 @ 2:00 PM

KPB OFFICIAL:



Mark Fowler, Purchasing & Contracting Director



KENAI PENINSULA BOROUGH

Maintenance Department
47140 East Poppy Lane, Soldotna Alaska
phone (907) 262-4011 fax (907) 262-5882
www.borough.kenai.ak.us

MIKE NAVARRE
MAYOR

MEMORANDUM

TO: Mike Navarre, Mayor
THRU: Mark Fowler, Purchasing & Contracting Director *mk*
THRU: Dave Tressler, Maintenance Director *DT*
FROM: Pat Malone, Project Manager *PM*
DATE: May 9, 2012
SUBJECT: Authorization to Award Contract for Kenai Middle School Asbestos Abatement 2012

The Purchasing and Contracting Office formally solicited and received bids for the "Kenai Middle School Asbestos Abatement 2012" project. Bid packets were released on April 2, 2012 and the Invitation to Bid was advertised in the Peninsula Clarion on April 2, 2012.

The project at Kenai Middle School, Kenai, Alaska, consists of providing all labor, materials and equipment to remove and dispose of approximately 620 square feet of vinyl asbestos tile (VAT) and 1,260 of cement asbestos wall panels.

On the due date of April 17, 2012, five (5) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$23,607.00 was submitted by Far North Services, PO Box 210483, Anchorage, AK 99521.

Your approval for this bid award is hereby requested. Funding for this project is in account numbers 400.78050.11756.43780 and 400.78050.11755.43780.

Approved:

Mike Navarre

Mike Navarre, Mayor

5/11/12

Date

RECEIVED

MAY 10 2012

KPB
FINANCE ADMINISTRATION

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct #400.78050.11756.43780 - \$16,674.00	
Acct #400.78050.11755.43780 - \$ 6,933.00	
BY: <i>pc</i>	DATE: <i>5/10/12</i>

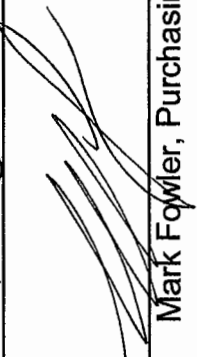
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**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB12-051 Kenai Middle School Asbestos Abatement

CONTRACTOR	BASE BID	ADDITIVE ALT	EXTENDED BID PRICE
ECC A&E	\$17,835.00	\$23,678.00	\$41,513.00
Alaska Abatement	\$12,800.00	\$16,900.00	\$29,700.00
Central Environmental	\$20,365.00	\$16,872.00	\$37,237.00
Far North Services	\$13,866.00	\$9,741.00	\$23,607.00
Action Environmental	\$18,878.00	\$24,733.00	\$43,611.00

DUE DATE: April 17, 2012 @ 2:00 PM



KPB OFFICIAL: Mark Fowler, Purchasing & Contracting Officer



KENAI PENINSULA BOROUGH

Maintenance Department
47140 East Poppy Lane, Soldotna Alaska
phone (907) 262-4011 fax (907) 262-5882
www.borough.kenai.ak.us

MIKE NAVARRE
MAYOR

MEMORANDUM

TO: Mike Navarre, Mayor

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

THRU: Dave Tressler, Maintenance Director *[Signature] For DT*

FROM: Pat Malone, Project Manager *[Signature]*

DATE: May 15, 2012

SUBJECT: Authorization to Award Contract for Skyview High School / Nikiski High School Flooring Replacement

The Purchasing and Contracting Office formally solicited and received bids for the "Skyview High School/Nikiski High School Flooring Replacement" project. Bid packets were released on April 16, 2012 and the Invitation to Bid was advertised in the Peninsula Clarion on April 16, 2012.

The project at SKYVIEW HIGH SCHOOL, 46188 Sterling Highway, Soldotna, Alaska consists of removal and disposal of existing carpet, furnish and install approximately 3,035 square feet of glue-down carpet, 800 lineal feet of rubber wall base, divider strips and other required accessories. At NIKISKI HIGH SCHOOL, 52275 Education Drive, Nikiski, Alaska removal and disposal of existing carpet, furnish and install approximately 1,114 square feet of glue-down carpet, 130 lineal feet of rubber wall base, divider strips and other required accessories.

On the due date of May 9, 2012, Six (6) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. One bid was withdrawn. Of the remaining five responsive, responsible bidders, the low bid of \$15,122.18 was submitted by Aurora Flooring, 5630 Silverado Way, Anchorage, AK 99518.

Your approval for this bid award is hereby requested. Funding for this project is in account numbers 400.78050.12755.43780.

Approved:

[Signature: Mike Navarre]
Mike Navarre, Mayor

5/18/12
Date

RECEIVED

MAY 16 2012

KPB
FINANCE ADMINISTRATION

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct #400.78050.12755.43780 - \$15,122.18	
BY: <u>pc</u>	DATE: <u>5/16/12</u>
<i>[Signature]</i>	

**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB12-059 Skyview High School & Nikiski High School Flooring

CONTRACTOR	SKYVIEW HIGH	NIKISKI HIGH	TOTAL EXTENDED BID PRICE
Floor Ever	\$12,862.84	\$8,053.08	\$20,915.92
Aurora Flooring	\$9,382.88	\$5,739.30	\$15,122.18
Eastside Carpet	Withdrawn		
Kenai Quality Flooring	\$20,064.52	\$10,247.64	\$30,312.16
PCS General	\$34,381.00	\$12,619.00	\$47,000.00
Westside Flooring	\$12,385.11	\$4,895.22	\$17,280.33

DUE DATE: MAY 9, 2012 @ 2:00 PM

KPB OFFICIAL:  **Mark Fowler, Purchasing & Contracting Director**



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: Mark Fowler, Purchasing & Contracting Director
FROM: Kevin Lyon, Capital Projects Director
DATE: May 23, 2012
SUBJECT: Authorization to Award Contract for Old Mill Subdivision
Demolition & Restoration

The Purchasing and Contracting Office formally solicited and received bids for the Old Mill Subdivision Demolition & Restoration. Bid packets were released on April 20, 2012 and the Invitation to Bid was advertised in the Peninsula Clarion on April 20, 2012, the Anchorage Daily News on April 20, and April 26, 2012, and the Seward Log on April 26, 2012.

The project consists of demolition and/or removing four (4) each housing structures including foundations; three (3) fuel tank systems and limited soils if fuel contamination is discovered; decommission five (5) wells and five (5) septic tanks; backfill and regrade, install new topsoil and, seed, for the following lots: Lots 1 and 2 Block 2, Lots 1 and 2 Block 3, Lot C1, Lot 1A Block 1 in the Old Mill Subdivision in Seward, AK.

On the due date of May 17, 2012 four (4) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$209,000.00 was submitted by A&A Enterprises.

Your approval for this bid award is hereby requested. Funding for this project is in account number 271.94910.OMIL3.49101.

Mike Navarre, Mayor

5/24/12
Date

RECEIVED

MAY 23 2012

**KPB
FINANCE ADMINISTRATION**

FINANCE DEPARTMENT FUNDS VERIFIED	
ACT # <u>271.94910.OMIL3.49101 (\$209,000.00)</u>	
BY: <u>pc</u>	DATE: <u>5/23/12</u>

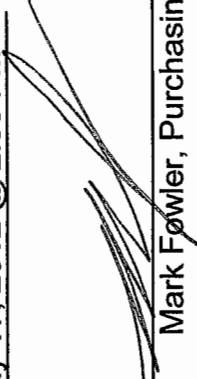
**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB12-060 Old Mill Subdivision Demolition and Restoration

CONTRACTOR	BASE BID
Cordova Handyman Services	\$246,000.00
A&A Enterprises	\$209,000.00
Metco	\$248,027.27
Central Environmental	\$359,930.00

DUE DATE: May 17, 2012 @ 2:00 PM

KPB OFFICIAL:


Mark Fowler, Purchasing & Contracting Director



KENAI PENINSULA BOROUGH

Finance Department

144 North Binkley Street • Soldotna, Alaska 99669-8250

PHONE: (907) 714-2170 • FAX: (907) 714-2376

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: May 11, 2012

Subject: Budget Revisions – April 2012

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

	<u>INCREASE</u>	<u>DECREASE</u>
<u>KACHEMAK EMERGENCY SERVICES:</u> Transfer funds to cover cost of wages for temporary position and extra snow removal. Also move funds to cover postage for sending turnout gear in for repairs.		
212.51810.00000.48710 (Minor Office Equipment)		3,000.00
212.51810.00000.40120 (Temporary Wages)	3,000.00	
212.51810.00000.48720 (Minor Office Furniture)		2,895.00
212.51810.00000.40120 (Temporary Wages)	2,895.00	
212.51810.00000.42210 (Operating Supplies)		200.00
212.51810.00000.43140 (Postage)	200.00	
<u>FINANCE DEPARTMENT:</u> Transfer funds to cover cost of office supplies.		
100.11410.00000.42110 (Office Supplies)	200.00	
100.11410.00000.43210 (Transportation/Subsistence)		200.00
<u>GENERAL SERVICES - ADMINISTRATION:</u> Transfer funds to cover utility costs through fiscal year end.		
100.11230.00000.43610 (Public Utilities)	1,000.00	
100.11230.00000.40120 (Temporary Wages)		500.00
100.11230.00000.42210 (Operating Supplies)		500.00
<u>GIS DEPARTMENT:</u> Move funds to cover cost of a new computer for GIS manager, to replace one that can no longer be repaired.		
100.11232.00000.48120 (Office Machines)	7,846.04	
100.11232.00000.40110 (Regular Wages)		7,846.04
<u>GENERAL SERVICES - ADMINISTRATION:</u> Transfer funds to cover additional travel expenses for General Services Director to attend Alaska Bar Association seminars.		
100.11230.00000.43210 (Transportation/Subsistence)	1,000.00	
100.11230.00000.40120 (Temporary Wages)		1,000.00
<u>BEAR CREEK FIRE SERVICE AREA:</u> Move funds to cover increased utility costs for the year.		
207.51210.00000.43610 (Public Utilities)	2,000.00	
207.51210.00000.42360 (Motor Vehicle Repair Supplies)		1,000.00
207.51210.00000.42310 (Repair & Maint. Supplies)		1,000.00
<u>BEAR CREEK FIRE SERVICE AREA:</u> Move funds to cover cost of an additional user of the software.		
207.51210.00000.43019 (Software Licensing)	560.00	
207.51210.00000.42310 (Repair & Maint. Supplies)		560.00

	<u>INCREASE</u>	<u>DECREASE</u>
<u>MAINTENANCE:</u> Transfer funds to cover unanticipated increase in cost of snow removal, and to cover the cost of the sweeping contracts.		
241.41010.00000.43140 (Postage)	20.00	
241.41010.00000.43764 (Snow Removal)	12,500.00	
241.41010.00000.43780 (Buildings/Grounds Maintenance)	20,000.00	
241.41010.00000.42310 (Repair & Maint. Supplies)		22,520.00
241.41010.00000.43011 (Contractual Services)		10,000.00
<u>RISK MANAGEMENT:</u> Transfer funds to cover maintenance on AED defibrillators throughout the Borough.		
700.11234.00000.43720 (Equipment Maintenance)	308.76	
700.11234.00000.42410 (Small Tools & Minor Equipment)		308.76
<u>RISK MANAGEMENT:</u> Transfer funds to cover unanticipated parts replacement for Security Manager's computer.		
700.11234.00000.48710 (Minor Office Equipment)	1,262.95	
700.11234.00000.42120 (Computer Software)		900.00
700.11234.00000.42410 (Small Tools & Equipment)		362.95
<u>RISK MANAGEMENT:</u> Transfer funds to cover unforeseen increase in utilities this year.		
700.11234.00000.43610 (Public Utilities)	500.00	
700.11234.00000.48730 (Minor Communications Equipment)		500.00



KENAI PENINSULA BOROUGH

Finance Department

144 North Binkley Street • Soldotna, Alaska 99669-8250

PHONE: (907) 714-2170 • **FAX:** (907) 714-2376

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: May 11, 2012

Subject: Revenue-Expenditure Report – April 2012

Attached is the Revenue-Expenditure Report of the General Fund for the month of April, 2012. Please note that 83.33% of the year has elapsed, 78.30% of budgeted expenditures have been made, and 93.02% of budgeted revenues have been collected.

KENAI PENINSULA BOROUGH
REVENUE REPORT
FOR THE PERIOD
APRIL 1
THROUGH APRIL 30, 2012

ACCOUNT NUMBER	DESCRIPTION	ESTIMATED REVENUE	YTD RECEIPTS	PTD RECEIPTS	VARIANCE	% COLLECTED
31100	TOTAL REAL TAX	\$ 25,255,890	\$ 24,658,073	\$ 104,426	\$ (597,817)	97.63%
31200	TOTAL PERS TAX	1,397,706	1,528,836	19,529	131,130	109.38%
31300	TOTAL OIL TAX	3,145,460	3,157,500	-	12,040	100.38%
31400	MOTOR VEHICLE TAX	700,000	441,918	40,825	(258,082)	63.13%
31510	PROPERTY TAX PENALTY & INTEREST	458,937	438,023	28,463	(20,914)	95.44%
31610	SALES TAX	28,671,825	25,282,985	1,896,452	(3,388,840)	88.18%
33110	IN LIEU PROPERTY TAX	3,118,550	3,080,253	-	(38,297)	98.77%
33117	OTHER FEDERAL REVENUE	68,500	32,367	-	(36,133)	47.25%
34110	SCHOOL DEBT REIMBURSEMENT	1,682,639	1,113,192	235,822	(569,447)	66.16%
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	881,251	52,490	(93,749)	90.38%
39000	OTHER LOCAL REVENUE	257,015	194,283	41,640	(62,732)	75.59%
	SOLID WASTE REVENUE	525,105	687,698	61,019	162,593	130.96%
TOTAL REVENUES		\$ 69,226,627	\$ 64,393,266	\$ 2,480,666	\$ (4,833,361)	93.02%

KENAI PENINSULA BOROUGH
EXPENDITURE REPORT
FOR THE PERIOD
APRIL 1
THROUGH APRIL 30, 2012

DESCRIPTION	REVISED BUDGET	YTD EXPENDED	PTD EXPENDED	AMOUNT ENCUMBERED	AVAILABLE BALANCE	% EXPENDED
ASSEMBLY ADMINISTRATION	\$ 494,033	\$ 296,209	\$ 18,568	\$ 9,966	\$ 187,858	59.96%
ASSEMBLY CLERK	499,716	377,989	31,066	7,954	113,773	75.64%
ASSEMBLY ELECTIONS	168,797	134,182	-	10,822	23,793	79.49%
ASSEMBLY RECORDS MANAGEMENT	234,009	174,290	14,737	(1,837)	61,556	74.48%
MAYOR ADMINISTRATION	578,015	418,824	39,915	1,789	157,402	72.46%
PURCHASING AND CONTRACTING	242,332	152,898	19,895	2,641	86,793	63.09%
GENERAL SERVICES	548,196	423,926	42,461	12,218	112,052	77.33%
GENERAL SERVICES - MIS	1,753,797	1,269,178	97,931	10,701	473,918	72.37%
GENERAL SERVICES - GIS	518,373	352,979	23,195	8,335	157,059	68.09%
GENERAL SERVICES - PRINT/MAIL	244,160	140,371	12,025	18,381	85,408	57.49%
GENERAL SERVICES - CUSTODIAL MAINT	119,285	89,203	9,477	1,721	28,361	74.78%
EMERGENCY MANAGEMENT	644,881	443,405	41,096	53,691	147,785	68.76%
LEGAL ADMINISTRATION	995,571	684,573	77,217	88,699	222,299	68.76%
FINANCE - ADMINISTRATION	487,151	378,243	42,478	871	108,037	77.64%
FINANCIAL SERVICES	870,443	688,478	75,001	1,605	180,360	79.10%
FINANCE - PROPERTY TAX AND COLLECTION	906,645	674,168	120,344	24,783	207,694	74.36%
FINANCE - SALES TAX	510,093	407,554	36,138	4,121	98,418	79.90%
ASSESSING ADMINISTRATION	1,178,023	908,265	82,951	18,900	250,858	77.10%
ASSESSING APPRAISAL	1,704,002	1,154,562	108,313	76,617	472,823	67.76%
RESOURCE PLANNING ADMINISTRATION	1,141,708	869,308	89,302	22,270	250,130	76.14%
THE RIVER CENTER	763,084	567,956	59,588	10,199	184,929	74.43%
MAJOR PROJECTS - ADMINISTRATION	281,772	183,386	18,722	3,372	95,014	65.08%
SENIOR CITIZENS GRANT PROGRAM	491,608	415,734	64,976	75,874	-	84.57%
SCHOOL DISTRICT OPERATIONS	46,614,905	38,598,949	3,604,261	-	8,015,956	82.80%
SOLID WASTE TRANSFER	8,781,197	5,944,111	383,547	1,126,135	1,710,951	67.69%
NON-DEPARTMENTAL	2,216,757	1,399,030	(1,908)	266,663	551,064	63.11%
TOTAL EXPENDITURES	\$72,988,553	\$ 57,147,771	\$ 5,111,296	\$ 1,856,491	\$13,984,291	78.30%

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

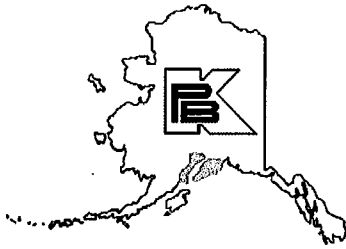
ATTEST:

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.V.*
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  *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: Mayor
Date: 05/15/12
Shortened Hearing: 06/05/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2011-19-88**

**AN ORDINANCE APPROPRIATING \$420,000 FROM PREVIOUSLY APPROPRIATED
CENTRAL EMERGENCY SERVICE AREA (CES) CAPITAL PROJECTS FOR ROOF
REPLACEMENT AT THE SOLDOTNA FIRE STATION 1**

- 1 **WHEREAS**, the Soldotna Fire Station apparatus bay roof suffered significant damage this year
2 from water leakage and unusually large snow loading; and
- 3 **WHEREAS**, the borough's capital projects department has determined that a roof replacement
4 is the best option for a long term solution; and
- 5 **WHEREAS**, the estimated cost to replace the roof is \$413,538; and
- 6 **WHEREAS**, CES Capital Project Fund has funds from previously appropriated projects that
7 will not be expended and could be used to support expenditures associated with
8 replacing the roof at Station 1; and
- 9 **WHEREAS**, \$400,000 was appropriated in FY2011 for upgrading the radio equipment at CES,
10 account 443.51610.11466.49999; and
- 11 **WHEREAS**, with the recent agreement with the Alaska Division of Homeland Security and
12 Emergency Management to provide equipment upgrades for CES's existing
13 mobile and portable radios, \$220,000 remains in this project that will not be
14 expended and is available for redirection; and
- 15 **WHEREAS**, \$200,000 was appropriated in FY2012 for design work for remodeling Station 1
16 and this project has been postponed while other options are explored; and

1 **WHEREAS**, the CES service area board at its March 15, 2012, board meeting approved
2 replacement of the roof using these previously appropriated funds;

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

5 **SECTION 1.** That \$420,000 is appropriated in the CES Capital Projects Fund to account
6 443.51610.12RUF.49999 for roof replacement at Station 1.

7 **SECTION 2.** That the appropriation of \$220,000 is canceled from the CES radio equipment
8 upgrade, account 443.51610.11466.49999, and transferred to the CES roof
9 replacement project at Station 1.

10 **SECTION 3.** That the appropriation for CES Station 1 remodel project, account
11 443.51610.12461.49999, is canceled and the previous appropriation of \$200,000
12 is transferred to the CES roof replacement project at Station 1.

13 **SECTION 4.** That this ordinance takes effect 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:



Central Emergency Services

Central Kenai Peninsula Fire & EMS Providers

Chris Mokracek
Fire Chief

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

THRU: Mike Navarre, Borough Mayor *MD*
Craig Chapman, Director of Finance *CM jr CC*

FROM: Chris Mokracek, Fire Chief *Ch. Mok*

DATE: May 3, 2012

SUBJECT: Ordinance 2011-19-88, Redirecting funds previously appropriated for Soldotna Fire Station Design and Radio Equipment Upgrade capital projects to replace the roof on the Soldotna Fire Station

The Soldotna Fire Station apparatus bay roof suffered significant damage this year from water leakage and unusually large snow loading. This is the original metal roof constructed in 1985. Several repairs have been made in the last 5 years. After an evaluation by capital projects it has been determined that a roof replacement is the best option for a long term solution.

The estimated cost for the replacement, per Capital Projects, was approximately \$420,000.

At the regular meeting of the Central Emergency Service Area Board on March 15, 2012, options were provided and an approval was made to replace the roof using previously appropriated funds. It is recommended that these funds come from the following Capital Projects:

- Soldotna Fire Station Remodel Design – 443.51610.12461.49999 - \$200,000
- Radio Equipment Upgrade – 443.51610.11466.49999 - \$220,000

The fire station remodel design project can be postponed while other options are explored in the future. The radio upgrade project came in significantly under budget with our transfer to ALMR.

A shortened hearing is respectfully requested for this ordinance so that construction can be completed before the next snowfall.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	443.51610.12461.49999 - \$200,000.⁰⁰ 443.51610.11466.49999 - \$220,000.⁰⁰
Amount	_____
By: <i>pc</i>	Date: <u>5/2/12</u>

**STATEMENT OF PROBABLE COST
KENAI PENINSULA BOROUGH CAPITAL PROJECTS DEPARTMENT**

Project Name: CES Station 1 Roof Repairs Long Term **Date:** March 28, 2012

Description: The project consists removal and replacement 7,850 square feet of roofing, installation of ventilation to the above insulation space and sealing all ceiling penetrations and installing FRP panels over the entire ceiling area. (Apparatus Bay portion of the building only)

A/E Firm: To Be Determined

Project Manager: David May

Funding: To Be Determined

Account Number: N/A

PROJECT COST ESTIMATE

1. Demolition Costs		
A. Removal of 7,850 s.f. metal roofing and moisture barrier	\$26,500.00	
B. Disposal Fees	\$1,700.00	
2. Construction Costs		
A. Roofing and Moisture barrier replacement	\$81,000.00	
B. Power ventilation of attic space	\$10,500.00	
C. Sealing of ceiling penetrations	\$8,000.00	
D. FRP panel installation	\$85,000.00	
Subtotal	\$212,700.00	
Contractor Overhead 8%	\$17,016.00	
Contractor Profit 8%	\$17,016.00	
Bonds and Insurance 4%	\$8,508.00	
Subtotal	\$255,240.00	
Construction Contingency 15%	\$38,286.00	
Total Construction Cost:		\$293,526.00
2. Other Project Costs		
A. Design and Development (includes CA)	\$46,964.16	
B. Contract Admin. & Const. Mngt. 7%	\$20,546.82	
C. Permits:	\$3,500.00	
D. Project Contingency 5%	\$18,226.85	
Total Other Costs:	\$89,237.83	
3. Subtotal Project Cost:		\$382,763.83
A. Annual Inflation Rate 5% over 12 months =5%	\$19,138.19	
B. Legal & Admin. Costs: 3.04%	\$11,636.02	
Total Inflation and Administrative Costs	\$30,774.21	
Total Project Cost:		\$413,538.04

work item	book price	units	1.5 alaska multiplier	Estimations number	7,850 sq. ft area
Demo Metal Roof	0.89	sf	1.335		\$ 10,479.75
Demo 2-ply moisture barrier	1.35	sf	2.025		\$ 15,896.25
New moisture barrier		sf	0	1.78	\$ 13,973.00
new metal roofing	5.7	sf	8.55		\$ 67,117.50
FRP panels on ceiling	6.98	sf	10.47		\$ 82,189.50
VR primer	0.37	sf	0.555		\$ 4,356.75
VR paint	0.33		0.495		\$ 3,885.75
Power vent (4@500 cfm ea)	1000		1500		\$ 10,500.00
Wall vents (6" x			0		\$ -
			0		\$ -
dump (7 ton)	165	ton	247.5		\$ 1,732.50
					\$ -
caulking					

Introduced by: Mayor
Date: 05/15/12
Shortened Hearing: 06/05/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2011-19-89**

**AN ORDINANCE APPROPRIATING \$16,000 IN SUPPLEMENTAL FUNDING FOR
THE PURCHASE OF A CLASS A PUMPER FOR THE ANCHOR POINT FIRE AND
EMERGENCY SERVICE AREA**

1 **WHEREAS**, as part of the FY2012 Anchor Point Fire and Emergency Service Area (Service
2 Area) Capital budget \$225,000 was appropriated for the purchase of a Class A
3 Pumper; and

4 **WHEREAS**, a request for proposals (RFP) was issued on March 23, 2012, two bids were
5 received and the low bid was \$240,944 by H & W Emergency Vehicles; and

6 **WHEREAS**, additional funding of \$16,000 is needed for this project; and

7 **WHEREAS**, the Service Area board at its May 14, 2012, meeting recommended;

8 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
9 **PENINSULA BOROUGH:**

10 **SECTION 1.** That the amount of \$16,000 is hereby appropriated from the Anchor Point Fire
11 and Emergency Service Capital Project Fund, fund balance to account
12 444.51410.12PMP.48514 for supplemental funding for the purchase of a Class A
13 pumper.

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

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**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: May 18, 2012

SUBJECT: Ordinance 2011-19-89, appropriating \$16,000 in supplemental funding for the purchase of a class A pumper for Anchor Point Fire and Emergency Service Area

The following amendment is being made at the mayor's request.

- Change the fourth whereas as follows:

WHEREAS, the Service Area at its May 10 [14], 2012 meeting recommended approval by unanimous consent.

- Add a fifth whereas as follows:

WHEREAS, former Mayor Carey authorized waiver of the administrative support fee on this project.

- Renumber Section 2 to Section 3.

- Add a new section 2 as follows:

SECTION 2. The administrative support fee is waived on this project.



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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: May 3, 2012

SUBJECT: Ordinance 2011-19-89, FY12 Supplemental Appropriation of \$16,000 for Purchase of a Class A Pumper for Anchor Point Fire and Emergency Service Area

As part of the FY2012 Anchor Point Fire and Emergency Service Area (Service Area) Capital budget, \$225,000 was appropriated for the purchase of a Class A Pumper.

An RFP was issued on March 23, 2012, with a due date of April 25, 2012. Two bids were received by the due date and the low bid was \$240,944 by H & W Emergency Vehicles.

The Service Area has sufficient funds in its Capital Project Fund, fund balance for the additional funding needed for this project. The Service Area board will consider this supplemental funding request at its May 14, 2012, board meeting.

Shortened hearing is being requested on this ordinance in order that the pumper truck may be built to the original specifications pursuant to the original schedule. The truck is needed as soon as possible.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>444.27910 FB</u>
Amount	<u>\$16,000.00</u>
By:	<u>pc</u> Date: <u>5/1/12</u>

**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB12-022 1,250 GPM Pumper

CONTRACTOR	Chassis	Pumper	Inspection Trips	Total Extended Price
H&W	\$ 89,596.00	\$ 147,748.00	\$ 3,600.00	\$240,944.00
Spencer	\$ 92,410.75	\$ 201,892.00	\$ 8,000.00	\$302,302.75

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

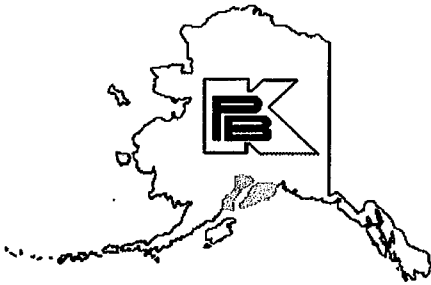
ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

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**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

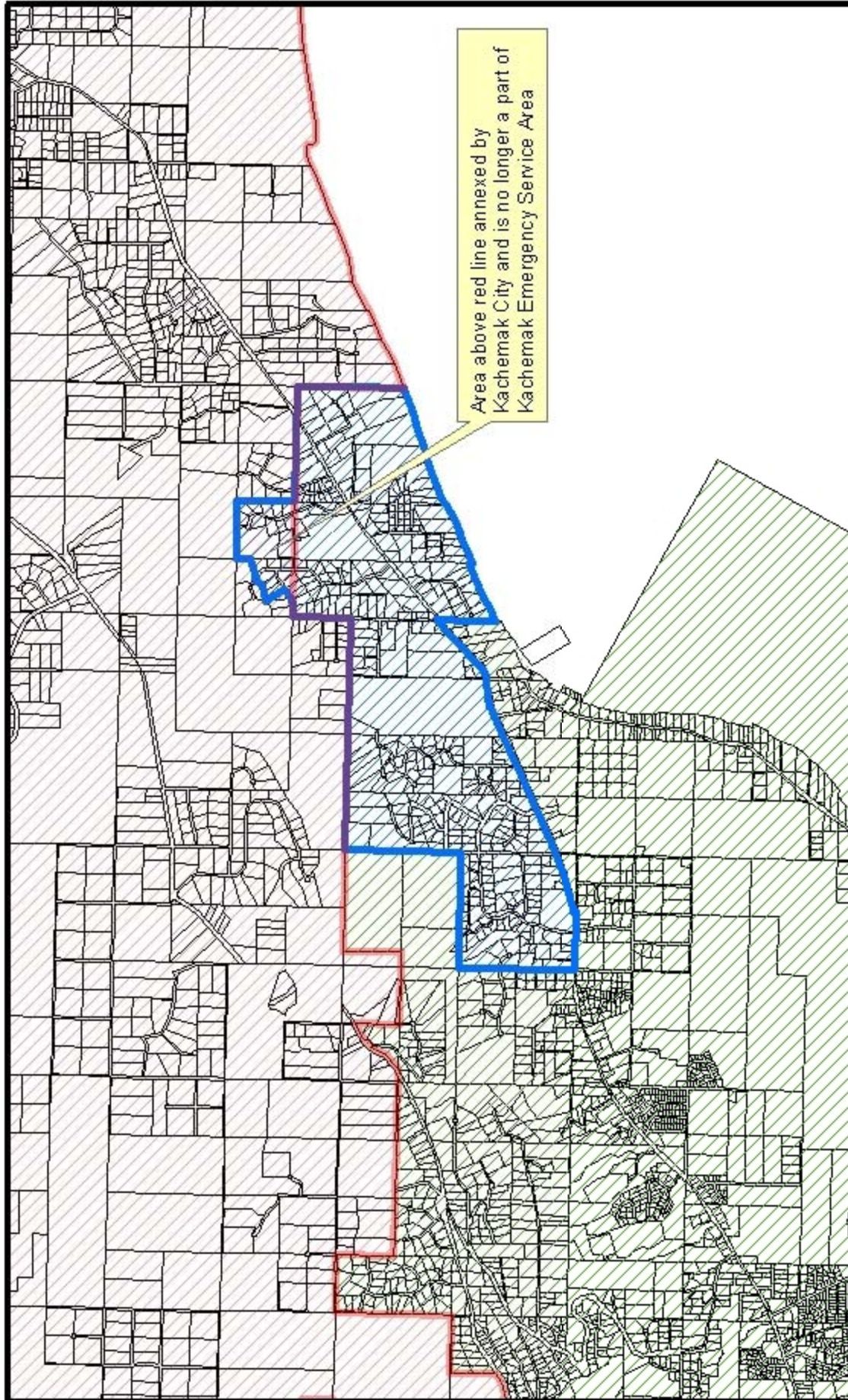
SUBJECT: Ordinance 2012-14, amending KPB 16.20.010 to revise the legal description of the Kachemak Emergency Service Area boundary to make it consistent with the recently amended Kachemak City boundary legal description due to annexation

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: Knopp
Date: 05/15/12
Shortened Hearing: 06/05/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-17**

**AN ORDINANCE AMENDING KPB 2.40.030(D), 5.12.054(G), AND 21.20.220(J)
INCREASING THE COMPENSATION FOR THE CHAIRPERSON OF THE
PLANNING COMMISSION, BOARD OF EQUALIZATION, AND BOARD OF
ADJUSTMENT**

1 **WHEREAS**, KPB 2.40.030(D) provides, in relevant part, that the Planning Commission (PC)
2 members receive compensation at the rate of \$125 per regular or special meeting;
3 and

4 **WHEREAS**, KPB 5.12.052(G) provides, in relevant part, that Board of Equalization (BOE)
5 members receive compensation at the rate of \$100 per session to a maximum of
6 \$100 per day; and

7 **WHEREAS**, KPB 21.20.220(J) provides, in relevant part, that Board of Adjustment (BOA)
8 members receive compensation at the rate of \$100 per meeting; and

9 **WHEREAS**, the chairpersons of the BOE, BOA and PC receive no greater compensation than
10 do regular board members or commissioners; and

11 **WHEREAS**, in recognition of the extra responsibility, workload, and duties of the chairpersons
12 of the BOE, BOA and PC it is fair and reasonable to provide additional
13 compensation for these chairpersons;

14 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
15 **PENINSULA BOROUGH:**

1 **SECTION 1.** That KPB 2.40.030(D) is amended as follows:

2 **2.40.030. Terms—Vacancy filling—Compensation—Voting restrictions.**

3 Members and membership of the planning commission shall be subject to the
4 following conditions:

5 ...

6 D. Duly appointed, confirmed and qualified official members of the
7 commission shall be compensated monthly at the rate of \$125.00 per
8 regular or special meeting attended except the chairperson, who shall be
9 compensated at the rate of \$150.00 per regular or special meeting.

10 **SECTION 2.** That KPB 5.12.052(G) is amended as follows:

11 **5.12.052 – Board of equalization.**

12 ...

13 G. Board members shall be compensated at the rate of \$100.00 per session
14 for each session except the board chair, who shall be compensated at the
15 rate of \$150.00 per session for each session, subject to a maximum of
16 \$100.00 per day or \$150.00 per day respectively. All requests for
17 reimbursement shall be actual expenses incurred on authorized board
18 business.

19 **SECTION 3.** That KPB 21.20.220(J) is amended as follows:

20 **21.20.220. Board of adjustment—Established; quorum.**

21 ...

22 J. Compensation and reimbursement. Board members shall be compensated
23 at the rate of \$100.00 per meeting except the board chair, who shall be
24 compensated at the rate of \$150.00 per meeting. Board members shall be

1 reimbursed for actual expenses incurred on authorized board business at
2 the same rate as are Kenai Peninsula Borough employees.

3 **SECTION 4.** That this ordinance shall take effect retroactively on June 1, 2012.

4 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
5 **DAY OF * 2012.**

Gary Knopp, Assembly President

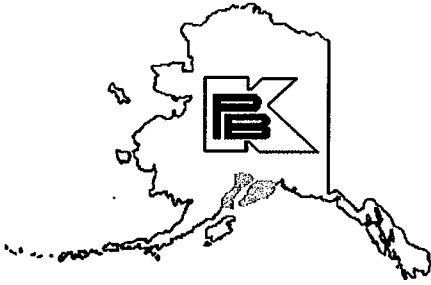
ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

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**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

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

FROM: Gary Knopp, Assembly Member *GK*

DATE: May 3, 2012

SUBJECT: Ordinance 2012-17, amending KPB 2.40.030(D), 5.12.054(G), and 21.20.220(J)
to increase the compensation for the chairperson of the Planning Commission,
Board of Equalization, and Board of Adjustment

Kenai Peninsula Borough code currently provides for the chairpersons of the board of equalization (BOE), board of adjustment (BOA) and planning commission (PC) to receive the same compensation as other board members. The chairperson of each board or commission has extra responsibilities, duties and generally a higher work load than other members. This ordinance proposes to increase the compensation for the chairperson of the BOE from \$100 per session per day to \$150 per session per day with a maximum of \$150 per day. The compensation for chairperson of the BOA would be increased from \$100 per meeting to \$150 per meeting. Further, the planning commission members are compensated \$125 per meeting, and the ordinance would increase the compensation for the chair to \$150 per meeting. This is not intended to apply to chairs of subcommittees.

Shortened hearing is requested so the changes can be effective prior to the beginning of the 2012 BOE hearings, scheduled to begin on June 1.

Your consideration is appreciated.

Introduced by:	Mayor
Date:	05/01/12
Hearings:	05/15/12 & 06/05/12
Action:	Postponed Until 06/05/12
Date:	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

1	Seward Bear Creek Flood Service Area	263,597
2	911 Communications	1,884,300
3	Kenai Peninsula Borough Road Service Area	6,255,036
4	Engineer's Estimate Fund	2,000
5	North Peninsula Recreation Service Area	1,601,493
6	Seldovia Recreation Service Area	42,189
7	Post-Secondary Education	667,189
8	Land Trust	1,128,756
9	Nikiski Senior Service Area	261,210
10	Solid Waste	9,036,945
11	Central Kenai Peninsula Hospital	3,846,139
12	South Kenai Peninsula Hospital	3,541,916

13 **SECTION 5.** That \$2,571,245 is appropriated in the School Debt Service Fund for the fiscal
14 year beginning July 1, 2012 and ending June 30, 2013.

15 **SECTION 6.** That \$1,881,950 is appropriated in the Solid Waste Debt Service Fund for the
16 fiscal year beginning July 1, 2012 and ending June 30, 2013.

17 **SECTION 7.** That \$190,378 is appropriated in the Central Emergency Services Debt Service
18 Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013.

19 **SECTION 8.** That \$3,625,975 is appropriated in the Central Kenai Peninsula Hospital Service
20 Area Debt Service Fund for the fiscal year beginning July 1, 2012 and ending
21 June 30, 2013.

22 **SECTION 9.** That \$1,986,872 is appropriated in the South Kenai Peninsula Hospital Service
23 Area Debt Service Fund for the fiscal year beginning July 1, 2012 and ending
24 June 30, 2013.

1 **SECTION 10.** That appropriations for the Capital Projects Funds for the fiscal year beginning
2 July 1, 2012 and ending June 30, 2013 are as follows:

3		
4	School Revenue	\$1,050,000
5	Solid Waste	70,000
6	General Government	376,059
7	Service Areas:	
8	Nikiski Fire	95,000
9	Anchor Point Fire and Emergency	60,000
10	Central Emergency	832,800
11	Kachemak Emergency	30,000
12	North Peninsula Recreation	20,000
13	South Kenai Peninsula Hospital	1,365,497

14 **SECTION 11.** That appropriations for the Internal Service Funds for the fiscal year beginning
15 July 1, 2012 and ending June 30, 2013 are as follows:

16	Insurance and Litigation	\$3,427,581
17	Health Insurance Reserve	6,178,536
18	Equipment Replacement	700,000

19 **SECTION 12.** That the FY2013 budget of the Kenai Peninsula Borough, as submitted to the
20 Assembly on May 1, 2012, is incorporated as a part of this ordinance to
21 establish the appropriations assigned to the various departments and accounts
22 and the positions authorized therein.

23 **SECTION 13.** That funds reserved for outstanding encumbrances as of June 30, 2012 are
24 reappropriated for the fiscal year beginning July 1, 2012 and ending June 30,
25 2013.

26 **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:

Johi 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 *MN*

DATE: May 21, 2012

SUBJECT: Ordinance 2012-19

At the May 15, 2012 Committee of the Whole, Borough Clerk Johni Blankenship and IT Director Ben Hanson gave a presentation supporting funding for a Legislative Automation software solution, to be included in the Clerks FY13 budget. Assembly President Gary Knopp requested that I discuss this solution with staff and provide input on the importance of and need for this project.

After reviewing the functionality of the software and discussing with staff, I am in full support of this project. Though the initial scope of the project will focus on Legislative Automation, the efficiencies gained will extend to all departments involved in the legislative process. Additionally, the potential for expanded application into general borough business practices further validates the purchase and implementation of this software.

Your consideration of the \$100,000 FY13 funding requested is appreciated.

Memorandum

To: Gary Knopp, Assembly President
Member, Kenai Peninsula Borough Assembly

Thru: Mike Navarre, Mayor *MN*

From: Craig Chapman, Finance Director *C Chapman*

Date: June 5, 2012

Subject: Ordinance 2012-19, budget amendments

The following are proposed adjustments to the FY2013 budget for your consideration

Budget amendments

1. Increase expenditures in the 911 Communication Special Revenue Fund \$20,000. When the budget was put together, funding for an operating cost analysis study was not included. The following changes are needed to include this in the budget:

General Fund, budget document, page 134

Increase line item 100.94910.00000.50264, transfer to 911 Communication Fund, from \$309,065 to \$329,065.

911 Communication Fund, budget document, page 208

Increase line item 264.11255.00000.43011, contract service, from \$317,414 to \$337,414.

2. Increase expenditures in the assembly's budget \$2,200 for software licensing and support. When the budget was put together, funding of "For The Record", the software used to record the assembly meetings, was not included in the budget. The following change is needed to include this in the budget:

General Fund, budget document, page 57

Add line item 100.11110.00000.43019, software licensing, \$2,200

3. Increase expenditures in the clerk's budget \$4,300 for utilities. The finance department made an input error that reduced the clerk's department budget for utilities to \$2,000 rather than increasing it by \$2,000. The following change is needed to include the correct budget amount in the budget:

General Fund, budget document, page 59

Increase line item 100.11120.00000.43610, utilities, \$4,300

4. 2012 represents the 20th year anniversary of the sister city relationship the Borough has had with Akita, Japan. A delegation of 17 members from the City of Akita, will be visiting the Borough between July 25 and August 1, 2012. The Borough is expected to pay for certain expenses of the delegation while they are here to including lodging, some meals, transportation, etc. This is similar to type of items the City of Akita was responsible for when the Borough sent a delegation to Akita in 2010. The estimated cost of these expenses is \$28,725 and has not been included in the budget. The following change is needed to include the correct budget amount in the budget:

General Fund, budget document, page 68

Increase line item 100.11120.00000.43999, contingency, \$28,725

5. Increase expenditures in the Nikiski Seniors Service Area budget \$12,000. When the Nikiski Seniors Service Area budget was prepared, expenditures were based upon projected revenues. Since that time, revenues have increased. The administration is requesting the budget be increased by \$12,000, to be used by Nikiski Senior Citizens Inc for operation of the senior center. The following change is needed to include the correct budget amount in the budget:

Nikiski Seniors Service Area, budget document, page 275

Increase line item 280.63190.00000.43011, contractual services, \$12,000

6. Change the Borough's funding of education from \$43,500,000 to \$43,000,000 as approved by Resolution 2012-044. The following changes are need to reflect this change into the budget:

General Fund, budget document, page 134

Decrease line item 100.94910.00000.50241, transfer to School Fund, from \$43,500,000 to \$43,000,000.

School Fund, budget document, page 252

Decrease line item 241.94910.00000.50241, School district operations, from \$34,306,586 to \$33,806,586.



KENAI PENINSULA BOROUGH

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**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.

Introduced by: Mayor
Date: 05/15/12
Action: Postponed as Amended
Until 06/05/12
Date: 06/12/12
Action:
Voted:

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-045**

**A RESOLUTION WAIVING FOR GOOD CAUSE THE FEBRUARY 15, 2012
DEADLINE FOR SENIOR CITIZEN AND DISABLED VETERAN EXEMPTION
APPLICATIONS FILED AFTER THAT DATE BUT ON OR BEFORE MARCH 31, 2012**

1 **WHEREAS**, the Kenai Peninsula Borough Assessing Department has received twenty-eight
2 (28) late-filed applications for the senior citizen residential real property
3 exemption and two (2) late-filed applications for the disabled veteran residential
4 real property exemption, all of which were filed on or before March 31, 2012; and

5 **WHEREAS**, under Alaska Statute 29.45.030(f), the governing body for good cause shown may
6 waive a claimant's failure to make timely application; and

7 **WHEREAS**, KPB 5.12.105(E) sets the filing deadline on February 15 and allows for the
8 assembly to approve accepting late applications filed by March 31 if the
9 application is accompanied by a signed affidavit stating good cause for failure to
10 comply with the February 15 filing deadline; and

11 **WHEREAS**, KPB 5.12.105(E)(4) in relevant part provides good cause for failure to file by
12 February 15, includes but is not limited to, extended travel out of state, medical
13 conditions, health related conditions, family medical needs or emergencies, or
14 other similar causes that reasonably prevented the applicant from timely filing.
15 Absent extraordinary circumstances, a mere failure to pick up or read mail or to
16 make arrangements for an appropriate and responsible person to pick up or read
17 mail or a failure to timely provide a current address to the Department of
18 Assessing will not be deemed good cause;

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

3 **SECTION 1.** Upon reviewing the list and applications provided by the assessing department
4 with this resolution, the assembly finds good cause for waiving the February 15
5 deadline for filing the Senior Citizen and/or Disabled Veteran Exemption
6 applications set out in Section 2 below.

7 **SECTION 2.** That the deadline for filing applications for the Senior Citizen and the Disabled
8 Veteran real property exemptions, as applicable, for the following parcels is
9 hereby waived for good cause:

<u>Senior Citizen</u>	<u>Parcel No.</u>	<u>Year</u>	<u>Reason for late file</u>
Johnson, Elizabeth	174-380-13	2012	Health issues, returned to AK 2/29/2012.
Douglas, Dennis	159-143-22	2012	States was told to wait until 4/12/2012 to apply **
Davis, Paul	173-520-18	2012	Out of state assisting wife who is on a lung transplant list. Physician's letter confirms.**
Thompson, Donna	148-040-08	2012	Had a stroke and husband had a heart infection**
Lee, Patricia	043-100-16	2012	Cancer Rx ** attached letter**
*Don Lacy Family Trust	013-390-13	2012	Hospitalized in Oregon and thought filing deadline was same as PFD.
*Munn, Gillian	177-051-26	2012	Cancer diagnosis recently – traveling for medical exams

*applicants exemption eligibility pending confirmation of PFD eligibility

**please see late-file waiver for a more detailed explanation for filing late.

10 **SECTION 3.** That the assessor shall process the applications in accordance with standard
11 assessing department procedures for processing such applications.

12 **SECTION 4.** That this resolution shall take effect immediately upon its adoption.

1 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS**
2 **15TH DAY OF MAY, 2012.**

Gary Knopp, Assembly President

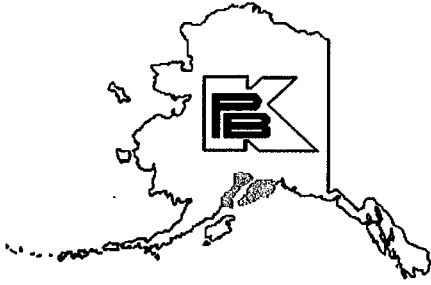
ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

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www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

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

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

FROM: Tom Anderson, Director of Assessing *TCA*

DATE: May 25, 2012

SUBJECT: An amendment to resolution 2012-045 (as amended), waiving for good cause the application deadline for the 2012 senior citizen and disabled veterans' exemption

The assessing department has one (1) additional late-filed application for the Senior Citizen exemption from property taxes that was inadvertently omitted from the initial introduction of Resolution 2012-045, which was amended and then postponed at the May 15, 2012, meeting. The following applicant and accompanying paperwork is submitted for assembly consideration as an addition to section 2:

<u>Senior</u>	<u>Parcel No.</u>	<u>Year</u>	<u>Reason for late file</u>
Colin Lott	172-170-17	2012	Out of state from Feb 10 - Mar 2

Resolution 2012-045, as amended, considers late-filed senior citizen and disabled veteran exemptions from property taxes received between February 15 and March 31.

The assessing department has no recommendation for approval or denial, but appreciates your consideration.

AFFIDAVIT OF Colin Lott
(Senior Citizen or Disabled Veteran Name)
AND APPLICATION FOR APPROVAL OF LATE FILING
FOR SENIOR CITIZEN AND/OR DISABLED VETERAN

This Application is made Pursuant to A.S. 29.45.030 Required Exemptions and KPB Code 5.12.105. Real Property Tax-Exemptions - Senior Citizens, Disabled Veterans and surviving spouses thereof.

Failure to meet the filing deadline is based on the following good cause: (see reverse for definition of good cause)

OUT OF STATE. THE PROPERTY HAD THE EXEMPTION UNDER MY SPOUSE'S NAME, BUT SHE PASSED AWAY. I WAS NOT OLD ENOUGH AT THE TIME. I WAS IN MEXICO FROM FEB 10 - MAR 2 SO I MISSED THE DEADLINE TO FILE.

FURTHER AFFIANT SAITH NAUGHT.

Dated at Home, Alaska, this 29TH day of MARCH, 2012.

Colin Lott
(Senior Citizen and/or Disabled Veteran Signature)

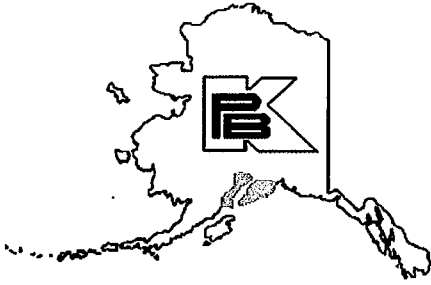
SUBSCRIBED AND SWORN TO before me this 29TH day of MARCH, 2012.

Notary Public
SHARON STEWART
State of Alaska
My Commission Expires April 14, 2014

Sharon Stewart
Notary Public, State of Alaska
My Commission Expires: 04/14/14

(Exemption applications submitted for consideration for late-file acceptance will be forwarded to the Assembly from the Mayor's Office).

ASSEMBLY ACTION: APPROVAL _____ DENIAL _____



KENAI PENINSULA BOROUGH


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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

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

THRU: Mike Navarre, Mayor *MN*

FROM: Tom Anderson, Director of Assessing 

DATE: May 3, 2012

SUBJECT: Resolution 2012-045, waiving for good cause the February 15, 2012, deadline for senior citizen & disabled veteran exemption applications on applications filed on or before March 31, 2012

The assessing department has received twenty-eight (28) late-filed applications for the Senior Citizen exemption from property taxes and two (2) late-filed applications for the Disabled Veteran exemption from property taxes received between February 15 and March 31. With regard to these exemptions AS 29.45.030 (f) provides that "The governing body of the municipality for good cause shown may waive the claimant's failure to make timely application for exemption and authorize the assessor to accept the application as if timely filed." KPB 5.12.105(E) sets the filing deadline on February 15 and allows for the assembly to approve acceptance of late applications filed by March 31 for good cause shown.

KPB 5.12.105(E)(4) defines "good cause" to include, but not be limited to, extended travel out of state, medical conditions, health related conditions, family medical needs or emergencies, or other similar causes that reasonably prevented the applicant from timely filing. Absent extraordinary circumstances, a mere failure to pick up or read mail or to make arrangements for an appropriate and responsible person to pick up or read mail or a failure to timely provide a current address to the Department of Assessing will not be deemed good cause.

The assessing department has no recommendation for approval or denial.

LATIMER



SENIOR CITIZEN EXEMPTION
 (INCLUDING THE \$20,000 RESIDENTIAL EXEMPTION)

2012

DUE ON OR BEFORE FEBRUARY 15TH OF THE EXEMPTION YEAR
 APPLICANTS MUST BE AGE 65 ON OR BEFORE DECEMBER 31 OF THE PRECEDING YEAR
 VERIFICATION OF AGE MUST ACCOMPANY INITIAL FILING (PASSPORT OR BIRTH CERTIFICATE)

RECEIVED

Return completed form and requested information to:
 Kenai Peninsula Borough Assessor - 144 North Binkley - Soldotna, AK 99669
 907-714-2230 or 1-800-478-4441 Fax 907-714-2393
 www.borough.kenai.ak.us/assessingdept

MAR 7 2012

KPB ASSESSING DEPT

Name: Elizabeth Ann Johnson Assessor's Parcel Number: 174-380-13
 Mailing Address: PO Box 695 Physical Address: 40070 Fernwood Dr
 City: Homer AK Zip 99603 Legal Description: T 6S R 12W SEC 6 SEW

MOU HM 07100576 FERNWOOD
 UNIT 2
 LOT 2
 BLK 3

Home Phone: <u>907-235-8686</u>	Applicants date of birth:	Spouses name: <u>Deceased '07</u>
Cell Phone:		Spouses date of birth:
I am applying as a: <input checked="" type="checkbox"/> Senior age 65 and spouse <input checked="" type="checkbox"/> Individual age 65 or older <input type="checkbox"/> Surviving spouse age 60 or older		
Dwelling type: <input checked="" type="checkbox"/> Single Family <input type="checkbox"/> Condominium <input type="checkbox"/> Mobile Home <input type="checkbox"/> Multi-Family Dwelling <input type="checkbox"/> Other		
What percent of ownership do you alone (or jointly with your spouse) have in this property? <u>100</u> %		
Is any portion of this property used for Commercial Purposes? <u>No</u> Yes Rental Purposes? <u>No</u> Yes		
Is occupancy shared with someone other than your spouse and/or minor children? <u>No</u> Yes		
If yes, when did shared occupancy begin? Date _____ What percent of the home do they occupy? _____ %		
If live in care is medically necessary, attach letter from the doctor.		
Do you or your spouse own property in another state? <u>No</u> Yes Do you receive any exemptions on that property? No Yes		
When traveling outside the state of Alaska, at what address do you primarily reside? <u>N.A. I rarely can afford to travel outside the state</u>		
Did you receive a 2011 Alaska Permanent Fund Dividend? No <u>Yes</u>		
Will you qualify for a 2012 Alaska Permanent Fund Dividend? No <u>Yes</u> Will you or have you applied? No <u>Yes</u>		
If you answered "No" to any of the PFD questions, you must also complete KPB Supplemental Form #1 (available at the Assessing Department or online).		

I CERTIFY: This property is my primary residence and permanent place of abode. I will occupy it for a minimum of 185 days prior to each year in which I receive exemption. The property is not used for non residential, temporary or vacation purposes, and is my true and fixed permanent residence. I hereby certify that the information I am supplying on and with this form is TRUE and CORRECT to the best of my knowledge. I understand that willful misrepresentation is punishable by (1) forfeiture of the exemption for that year, and (2) imposition of a civil fine of up to \$1,000 for each violation; and (3) loss of eligibility to receive the next five years' exemptions.

Elizabeth Ann Johnson Elizabeth Ann Johnson 7 MAR 2012
 PRINT OR TYPE OWNER NAME SIGNATURE DATE

****ASSESSOR'S USE ONLY****

New Filing
 Occupancy PP Age Denied Approved SM
 Prior Filing Ownership 2011 PFS Perm Fund Full Variable Contig Entered by:

AFFIDAVIT OF ELIZABETH ANN JOHNSON
(Senior Citizen or Disabled Veteran Name)
AND APPLICATION FOR APPROVAL OF LATE FILING
FOR SENIOR CITIZEN AND/OR DISABLED VETERAN

SON

This Application is made Pursuant to A.S. 29.45.030 Required Exemptions and KPB Code 5.12.105. Real Property Tax-Exemptions - Senior Citizens, Disabled Veterans and surviving spouses thereof.

Failure to meet the filing deadline is based on the following reason(s):

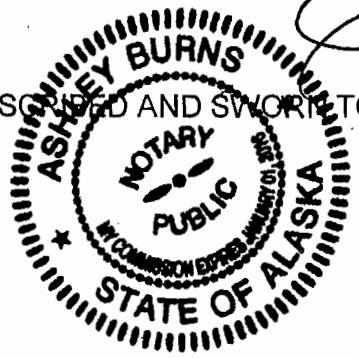
Health issues that kept me out of town till 29 Feb. 2012 on the late plane

FURTHER AFFIANT SAITH NAUGHT.

Dated at 7 Mar 2012, Alaska, this 7 day of March, ~~2011~~ 2012
Honor

Elizabeth Ann Johnson
(Senior Citizen and/or Disabled Veteran Signature)

SUBSCRIBED AND SWORN TO before me this 7 day of March, ~~2011~~ 2012



Ashley Burns
Notary Public, State of Alaska
My Commission Expires: 11/11/11

(Exemption applications submitted for consideration for late-file acceptance will be forwarded to the Assembly from the Mayor's Office).

ASSEMBLY ACTION: APPROVAL _____ DENIAL _____



SENIOR CITIZEN EXEMPTION
(INCLUDING THE \$20,000 RESIDENTIAL EXEMPTION)

DUE ON OR BEFORE FEBRUARY 15TH OF THE EXEMPTION YEAR
APPLICANTS MUST BE AGE 65 ON OR BEFORE DECEMBER 31 OF THE PRECEDING YEAR
VERIFICATION OF AGE MUST ACCOMPANY INITIAL FILING (PASSPORT OR BIRTH CERTIFICATE)

2012

Return completed form and requested information to:
Kenai Peninsula Borough Assessor - 144 North Binkley - Soldotna, AK 99669
907-714-2230 or 1-800-478-4441 Fax 907-714-2393
www.borough.kenai.ak.us/assessingdept

DOUGLAS DENNIS
PO BOX 39043
NINILCHIK AK 99639-0043

Assessor's Parcel Number: 159-143-22
Physical Address: 69455 RESCH AVE
Legal Description: T 3S R 14W SEC 30 Seward Meridian HM 0970086
PIPERS HAVEN UNIT 2 LOT 3

Home Phone: 907-394-9119	Applicants date of birth:	Spouses name: N/A
Cell Phone: SAME ↑		Spouses date of birth:
I am applying as a: <input type="checkbox"/> Senior age 65 and spouse <input checked="" type="checkbox"/> Individual age 65 or older <input type="checkbox"/> Surviving spouse age 60 or older		
Dwelling type: <input checked="" type="checkbox"/> Single Family <input type="checkbox"/> Condominium <input type="checkbox"/> Mobile Home <input type="checkbox"/> Multi-Family Dwelling <input type="checkbox"/> Other _____		
What percent of ownership do you alone (or jointly with your spouse) have in this property? 100 %		
Is any portion of this property used for any Commercial Purposes? (No) Yes Rental Purposes? (No) Yes		
Is occupancy shared with someone other than your spouse and/or minor children? (No) Yes		
If yes, when did shared occupancy begin? Date _____ What percent of the home do they occupy? _____ %		
If live in care is medically necessary, attach letter from the doctor.		
Do you or your spouse own property in another state? (No) Yes Do you receive any exemptions on that property? No		
When traveling outside the state of Alaska, at what address do you primarily reside?		
Did you receive a 2012 Alaska Permanent Fund Dividend? No (Yes)		
Will you qualify for a 2013 Alaska Permanent Fund Dividend? No (Yes) Will you or have you applied? No (Yes)		
If you answered "No" to any of the PFD questions, you must also complete KPB Supplemental Form #1 (available at the Assessing Department or online).		

I CERTIFY: This property is my primary residence and permanent place of abode. I will occupy it for a minimum of 185 days prior to each year in which I receive exemption. The property is not used for non residential, temporary or vacation purposes, and is my true and fixed permanent residence. I hereby certify that the information I am supplying on and with this form is TRUE and CORRECT to the best of my knowledge. I understand that willful misrepresentation is punishable by (1) forfeiture of the exemption for that year, and (2) imposition of a civil fine of up to \$1,000 for each violation; and (3) loss of eligibility to receive the next five years' exemptions.

DOUGLAS DENNIS Dennis Douglas 3/5/12
PRINT OR TYPE OWNER NAME SIGNATURE DATE

****ASSESSOR'S USE ONLY ****

New Filing
 Occupancy
 Age
 Denied
 Approved
 Entered by:

Prior Filing
 Ownership
 2011 Perm Fund
 Full
 Variable
 Contig

SMV

AFFIDAVIT OF Dennis P. Douglas
(Senior Citizen or Disabled Veteran Name)
AND APPLICATION FOR APPROVAL OF LATE FILING
FOR SENIOR CITIZEN AND/OR DISABLED VETERAN

This Application is made Pursuant to A.S. 29.45.030 Required Exemptions and KPB Code 5.12.105. Real Property Tax-Exemptions - Senior Citizens, Disabled Veterans and surviving spouses thereof.

Failure to meet the filing deadline is based on the following reason(s):

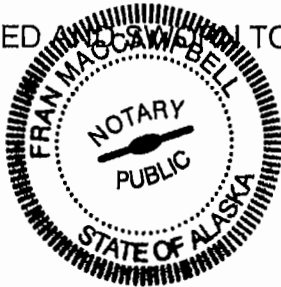
Was Told LAST YEAR THAT HAD TO WAIT UNTIL
APRIL 12 12 TO APPLY. TALKED AGAIN MARCH 5, 12
& RETURNED W/ BIRTH CERTIFICATE 3/15/12.

FURTHER AFFIANT SAITH NAUGHT.

Dated at HOMER, Alaska, this 15th day of MARCH, 2012

Dennis P. Douglas
(Senior Citizen and/or Disabled Veteran Signature)

SUBSCRIBED AND SWORN TO before me this 15th day of MARCH, 2012



Mac
Notary Public, State of Alaska
My Commission Expires: 2-8-14

(Exemption applications submitted for consideration for late-file acceptance will be forwarded to the Assembly from the Mayor's Office).

ASSEMBLY ACTION: APPROVAL _____ DENIAL _____

LATE FILER

SENIOR CITIZEN EXEMPTION 2012
(INCLUDING THE \$20,000 RESIDENTIAL EXEMPTION)
DUE ON OR BEFORE FEBRUARY 15TH OF THE EXEMPTION YEAR
APPLICANTS MUST BE AGE 65 ON OR BEFORE DECEMBER 31 OF THE PRECEDING YEAR

VERIFICATION OF AGE MUST ACCOMPANY INITIAL FILING (PASSPORT OR BIRTH CERTIFICATE)

Return completed form and requested information to:
Kena Peninsula Borough Assessor - 144 North Binkley - Soldotna AK 99689
907-714-2280 or 1-800-478-4441 Fax 907-714-2393
www.borough-kenal.ak.us/assessingdept

RECEIVED

MAR 30 2012

KPB ASSESSING DEPT

173-520-18

Name: Paul Wesley Davis
Mailing Address: 41066 A Ruth Way
City: Homer AK AK Zip: 99603

Assessor's Parcel Number: 17352018
Physical Address: 41066 Ruth Way
Legal Description: T 65 R 14W Sec 9 Seward Meridian
HM 015033 Sunny Slope Sub Unit 1
Lot 18 BIR 1

Home Phone: <u>907-235-7291</u>	Applicants date of birth:	Spouses name: <u>Caron Davis</u>
Cell Phone: <u>907-399-4300</u>		Spouses date of birth:
I am applying as a: <input checked="" type="checkbox"/> Senior age 65 and spouse <input type="checkbox"/> Individual age 65 or older <input type="checkbox"/> Surviving spouse age 60 or older		
Dwelling type: <input checked="" type="checkbox"/> Single Family <input type="checkbox"/> Condominium <input type="checkbox"/> Mobile Home <input type="checkbox"/> Multi-Family Dwelling <input type="checkbox"/> Other _____		
What percent of ownership do you alone (or jointly with your spouse) have in this property? <u>100</u> %		
Is any portion of this property used for Commercial Purposes? <input checked="" type="radio"/> No Yes Rental Purposes? <input checked="" type="radio"/> No Yes any		
Is occupancy shared with someone other than your spouse and/or minor children? <input checked="" type="radio"/> No Yes		
If yes, when did shared occupancy begin? Date _____ What percent of the home do they occupy? _____ % If live in care is medically necessary, attach letter from the doctor.		
Do you or your spouse own property in another state? No <input checked="" type="radio"/> Yes Do you receive any exemptions on that property? <input checked="" type="radio"/> No Yes		
When traveling outside the state of Alaska, at what address do you primarily reside?		
Did you receive a 2011 Alaska Permanent Fund Dividend? No <input checked="" type="radio"/> Yes		
Will you qualify for a 2012 Alaska Permanent Fund Dividend? No <input checked="" type="radio"/> Yes Will you or have you applied? No <input checked="" type="radio"/> Yes		
If you answered "No" to any of the PFD questions, you must also complete KPB Supplemental Form #1 (available at the Assessing Department or online).		

I CERTIFY: This property is my primary residence and permanent place of abode. I will occupy it for a minimum of 185 days prior to each year in which I receive exemption. The property is not used for non residential, temporary or vacation purposes, and is my true and fixed permanent residence. I hereby certify that the information I am supplying on and with this form is TRUE and CORRECT to the best of my knowledge. I understand that willful misrepresentation is punishable by (1) forfeiture of the exemption for that year, and (2) imposition of a civil fine of up to \$1,000 for each violation; and (3) loss of eligibility to receive the next five years' exemptions

Paul Wesley Davis PRINT OR TYPE OWNER NAME Paul Wesley Davis SIGNATURE 3/28/2012 DATE

****ASSESSOR'S USE ONLY****

____ New Filing ____ Occupancy PP Age ____ Denied ____ Approved SVM Entered by:
____ Prior Filing ____ Ownership 2011 Perm Fund ____ Full ____ Variable ____ Contig

RECEIVED

MAR 30 2012

KPB ASSESSING DEPT

AFFIDAVIT OF Paul Wesley Davis
(Senior Citizen or Disabled Veteran Name)
AND APPLICATION FOR APPROVAL OF LATE FILING
FOR SENIOR CITIZEN AND/OR DISABLED VETERAN

This Application is made Pursuant to A.S. 29.45.030 Required Exemptions and KPB Code 5.12.105 Real Property Tax-Exemptions - Senior Citizens, Disabled Veterans and surviving spouses thereof.

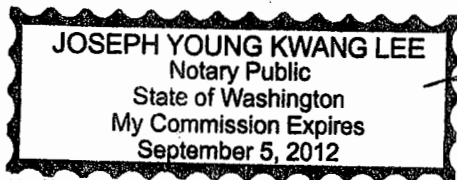
Failure to meet the filing deadline is based on the following good cause: (see reverse for definition of good cause) My wife is on the lung transplant list at Univ. of Wash and we have to reside here until the transplant happens and at least three months longer. We have here since June 25, 2011

FURTHER AFFIANT SAITH NAUGHT.

Dated at Seattle, WA ~~Alaska~~ this 28th day of March, 2012.

Paul Wesley Davis
(Senior Citizen and/or Disabled Veteran Signature)

SUBSCRIBED AND SWORN TO before me this 28th day of March, 2012.



Joseph Young Kwang Lee
Notary Public, State of ~~Alaska~~ Washington
My Commission Expires: Sept. 5th 2012

(Exemption applications submitted for consideration for late-file acceptance will be forwarded to the Assembly from the Mayor's Office).

ASSEMBLY ACTION: APPROVAL _____ DENIAL _____

P:\Forms\late File Waiver Affidavit SR & VET.doc Revised 11-2009

LATE FILER

SENIOR CITIZEN EXEMPTION (INCLUDING THE \$20,000 RESIDENTIAL EXEMPTION)

2012

DUE ON OR BEFORE FEBRUARY 15TH OF THE EXEMPTION YEAR APPLICANTS MUST BE AGE 65 ON OR BEFORE DECEMBER 31 OF THE PRECEDING YEAR

VERIFICATION OF AGE MUST ACCOMPANY INITIAL FILING (PASSPORT OR BIRTH CERTIFICATE)

Return completed form and requested information to: Kenai Peninsula Borough Assessor - 144 North Binkley - Soldotna, AK 99669

RECEIVED MAR 29 2012 KPBA ASSESSING DEPT

THOMPSON DAVID & DONNA PO BOX 1615 SEWARD AK 99664-1615

Assessor's Parcel Number: 148-040-08 Physical Address: 103 MADISON ST Legal Description: T 1S R 1W SEC 10 Seward MERIDIAN SW 0000001 ORIGINAL TOWNSITE OF SEWARD LOT 38 THRU 40 BLOCK 26

Form with fields for Home Phone, Cell Phone, Applicants date of birth, Spouses name, Dwelling type, Commercial Purposes, Rental Purposes, etc.

I CERTIFY: This property is my primary residence and permanent place of abode. I will occupy it for a minimum of 185 days prior to each year in which I receive exemption.

Donna Sue Thompson PRINT OR TYPE OWNER NAME [Signature] SIGNATURE 3/29/12 DATE

****ASSESSOR'S USE ONLY**** New Filing Occupancy Age Denied Approved Entered by: Prior Filing Ownership 2012 Perm Fund Full Variable Contig

AFFIDAVIT OF Donna Sue Thompson
(Senior Citizen or Disabled Veteran Name)
AND APPLICATION FOR APPROVAL OF LATE FILING
FOR SENIOR CITIZEN AND/OR DISABLED VETERAN

This Application is made Pursuant to A.S. 29.45.030 Required Exemptions and KPB Code 5.12.105. Real Property Tax-Exemptions - Senior Citizens, Disabled Veterans and surviving spouses thereof.

Failure to meet the filing deadline is based on the following good cause: (see reverse for definition of good cause)

She had a Stroke. Heavily involved in medical.
Husband had cardio endocarditis. = heart infection.

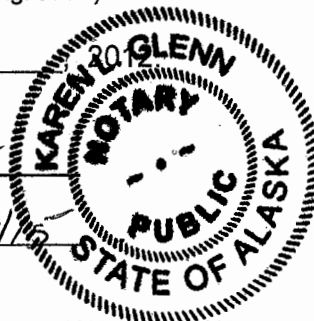
FURTHER AFFIANT SAITH NAUGHT.

Dated at Seward, Alaska, this 29 day of March, 2012.

Donna S. Thompson
(Senior Citizen and/or Disabled Veteran Signature)

SUBSCRIBED AND SWORN TO before me this 29th day of March

Karen L. Glenn
Notary Public, State of Alaska
My Commission Expires: 4/17/19



(Exemption applications submitted for consideration for late-file acceptance will be forwarded to the Assembly from the Mayor's Office).

ASSEMBLY ACTION: APPROVAL _____ DENIAL _____



SENIOR CITIZEN EXEMPTION (INCLUDING THE \$20,000 RESIDENTIAL EXEMPTION)

2012

DUE ON OR BEFORE FEBRUARY 15TH OF THE EXEMPTION YEAR
APPLICANTS MUST BE AGE 65 ON OR BEFORE DECEMBER 31 OF THE PREVIOUS YEAR

VERIFICATION OF AGE MUST ACCOMPANY INITIAL FILING (PASSPORT OR BIRTH CERTIFICATE)

RECEIVED

FEB 28 2012

Return completed form and requested information to:
Kenai Peninsula Borough Assessor - 144 North Binkley - Soldotna, AK 99669
907-714-2230 or 1-800-478-4441 Fax 907-714-2393
www.borough.kenai.ak.us/assessingdept

KPB ASSESSING DEPT

Name: Patricia Lee-Carl Lee
Mailing Address: PO Box 1703
City: Kenai AK Zip 99611

Assessor's Parcel Number: 043-100-16
Physical Address: 1708 2nd AVE
Legal Description: LOT 1 Washet subdivision

Home Phone: <u>907-335-0538</u>	Applicants date of birth:	Spouses name: <u>Carl Lee</u>
Cell Phone:		Spouses date of birth:
I am applying as a: <input checked="" type="checkbox"/> Senior age 65 and spouse <input type="checkbox"/> Individual age 65 or older <input type="checkbox"/> Surviving spouse age 60 or older		
Dwelling type: <input checked="" type="checkbox"/> Single Family <input type="checkbox"/> Condominium <input type="checkbox"/> Mobile Home <input type="checkbox"/> Multi-Family Dwelling <input type="checkbox"/> Other _____		
What percent of ownership do you alone (or jointly with your spouse) have in this property? <u>100</u> %		
Is any portion of this property used for Commercial Purposes? <input checked="" type="radio"/> No Yes Rental Purposes? No Yes		
Is occupancy shared with someone other than your spouse and/or minor children? <input checked="" type="radio"/> No Yes		
If yes, when did shared occupancy begin? Date _____ What percent of the home do they occupy? _____ %		
If live in care is medically necessary, attach letter from the doctor.		
Do you or your spouse own property in another state? <input checked="" type="radio"/> No Yes Do you receive any exemptions on that property? No Yes		
When traveling outside the state of Alaska, at what address do you primarily reside? <u>NA</u>		
Did you receive a 2011 Alaska Permanent Fund Dividend? <input checked="" type="radio"/> No Yes		
Will you qualify for a 2012 Alaska Permanent Fund Dividend? No <input checked="" type="radio"/> Yes Will you or have you applied? No Yes		
If you answered "No" to any of the PFD questions, you must also complete KPB Supplemental Form #1 (available at the Assessing Department or online).		

I CERTIFY: This property is my primary residence and permanent place of abode. I will occupy it for a minimum of 185 days prior to each year in which I receive exemption. The property is not used for non residential, temporary or vacation purposes, and is my true and fixed permanent residence. I hereby certify that the information I am supplying on and with this form is TRUE and CORRECT to the best of my knowledge. I understand that willful misrepresentation is punishable by (1) forfeiture of the exemption for that year, and (2) imposition of a civil fine of up to \$1,000 for each violation; and (3) loss of eligibility to receive the next five years' exemptions.

Patricia Lee Carl Lee Patricia Lee Carl Lee 2-22-12
PRINT OR TYPE OWNER NAME SIGNATURE DATE

****ASSESSOR'S USE ONLY****

___ New Filing ___ Occupancy BK Age ___ Denied ___ Approved Entered by:
___ Prior Filing ___ Ownership 2012 Perm Fund ___ Full ___ Variable ___ Contig yes

RECEIVED

FEB 28 2012

KPB ASSESSING DEPT

AFFIDAVIT OF Patricia Lee
(Senior Citizen or Disabled Veteran Name)
AND APPLICATION FOR APPROVAL OF LATE FILING
FOR SENIOR CITIZEN AND/OR DISABLED VETERAN

This Application is made Pursuant to A.S. 29.45.030 Required Exemptions and KPB Code 5.12.105. Real Property Tax-Exemptions - Senior Citizens, Disabled Veterans and surviving spouses thereof.

Failure to meet the filing deadline is based on the following good cause: (see reverse for definition of good cause) Cancer R

FURTHER AFFIANT SAITH NAUGHT.

Dated at 9:15 AM, Alaska, this 24th day of February 2012.

Patricia Lee
(Senior Citizen and/or Disabled Veteran Signature)

SUBSCRIBED AND SWORN TO before me this 24th day of February, 2012.



Sheryl L. Fanning
Notary Public, State of Alaska
My Commission Expires: 4-14-14

(Exemption applications submitted for consideration for late-file acceptance will be forwarded to the Assembly from the Mayor's Office).

ASSEMBLY ACTION: APPROVAL _____ DENIAL _____

over

RECEIVED

MAR 07 2012

Mar. 7, 2012 KPBA ASSESSING DEPT

Patt & Carl Lee
P.O. Box 1703
Kenai, AK 99611

907-335-0558

Dear Mr. Navarre,

My husband, age 83, & I, age 76, are residents of Kenai (1708 2nd Ave). This is the 1st time we are eligible for the Senior Property tax exemption. I did not know there was a deadline, as I was told by the tax office that you had to be approved for the PFD & that hasn't come through yet. No notice was sent to us or in news as we were used to. While going through papers on Feb 16, I discovered that the filing deadline was Feb 15. I immediately called & talked with Susan Guzman. She sent me a "Late Filing Form" to fill out which I did. ("Received Feb 28.") I did not elaborate on the reason for being distracted (Cancer Rx). The past 2 yrs. 6-7 major cancer surgeries, 2 mo Radiation Rx in Anchorage, numerous PET/CT scans, \$5K+ dental work (Radiation ruined my teeth). My Husband, surgery for Fractured hip, medical bills, etc. We are living on SS & this tax would be a financial hardship. Please Help.

Sincerely,

Patricia Lee (Carl & Lee)

RECEIVED

MAR 07 2012

KPB ASSESSING DEPT

List of surgeries.

DTC & biopsy.

Total Hysterectomy, bilateral salpingo-oophorectomy, Radical Aortic & Per-Aortic node dissection, Cholecystectomy, excision & biopsy perineal tumor, Radical excision & biopsy of perineal tumor,

2 mo. Radiation Rx @ Providence Anchorage, Thoracotomy, excision & biopsy nodes in RA.

Lung, numerous PET & CT Scans.

\$5,000 + Dental bills for teeth since Radiation

Husband surgery for broken hip this past year.

All this plus dealing with bills, medicare, etc.



LATE FILER

SENIOR CITIZEN EXEMPTION

2012

(INCLUDING THE \$20,000 RESIDENTIAL EXEMPTION)

DUE ON OR BEFORE FEBRUARY 15TH OF THE EXEMPTION YEAR

APPLICANTS MUST BE AGE 65 ON OR BEFORE DECEMBER 31 OF THE PRECEDING YEAR

VERIFICATION OF AGE MUST ACCOMPANY INITIAL FILING (PASSPORT OR BIRTH CERTIFICATE)

Return completed form and requested information to:

Kenai Peninsula Borough Assessor - 144 North Binkley - Soldotna, AK 99669

907-714-2230 or 1-800-478-4441 Fax 907-714-2393

www.borough.kenai.ak.us/assessingdept

MAR 26 2012
ASSESSING DEPT.

LACY DON FAMILY TRUST
~~104 NE 14TH AVE~~
~~HILLSBORO OR 97124-3352~~

Assessor's Parcel Number: 013-390-13

Physical Address: 47530 MARCH RD

Legal Description: T 7N R 11W SEC 28 Seward Meridian KN 0770160
MARCH ACRES SUB LOT 2 BLK 3

Home Phone: 907-776-4058	Applicant's date of birth:	Spouses name:
Cell Phone: 907-394-0388		Spouses date of birth:
I am applying as a:		
<input type="checkbox"/> Senior age 65 and spouse	<input checked="" type="checkbox"/> Individual age 65 or older	<input checked="" type="checkbox"/> Surviving spouse age 60 or older
Dwelling type:		
<input checked="" type="checkbox"/> Single Family	<input type="checkbox"/> Condominium	<input type="checkbox"/> Mobile Home <input type="checkbox"/> Multi-Family Dwelling <input type="checkbox"/> Other _____
What percent of ownership do you alone (or jointly with your spouse) have in this property? 100 %		
Is any portion of this property used for any Commercial Purposes? <input checked="" type="radio"/> No Yes Rental Purposes? <input checked="" type="radio"/> No Yes		
Is occupancy shared with someone other than your spouse and/or minor children? <input checked="" type="radio"/> No Yes		
If yes, when did shared occupancy begin? Date _____ What percent of the home do they occupy? _____ %		
If live in care is medically necessary, attach letter from the doctor.		
Do you or your spouse own property in another state? No <input checked="" type="radio"/> Yes Do you receive any exemptions on that property? <input checked="" type="radio"/> No Yes		
When traveling outside the state of Alaska, at what address do you primarily reside?		
7185 SW Hyland Park Ct, Beaverton, OR 97008		
Did you receive a 2011 Alaska Permanent Fund Dividend? <input checked="" type="radio"/> No Yes		
Will you qualify for a 2012 Alaska Permanent Fund Dividend? No <input checked="" type="radio"/> Yes Will you or have you applied? No <input checked="" type="radio"/> Yes		
If you answered "No" to any of the PFD questions, you must also complete KPB Supplemental Form #1 (available at the Assessing Department or online).		

I CERTIFY: This property is my primary residence and permanent place of abode. I will occupy it for a minimum of 185 days prior to each year in which I receive exemption. The property is not used for non residential, temporary or vacation purposes, and is my true and fixed permanent residence. I hereby certify that the information I am supplying on and with this form is TRUE and CORRECT to the best of my knowledge. I understand that willful misrepresentation is punishable by (1) forfeiture of the exemption for that year, and (2) imposition of a civil fine of up to \$1,000 for each violation; and (3) loss of eligibility to receive the next five years' exemptions.

Donald Elacy PRINT OR TYPE OWNER NAME Donald E Lacy SIGNATURE 03/26/12 DATE

****ASSESSOR'S USE ONLY ****

___ New Filing ___ Occupancy Proof Age ___ Denied ___ Approved Entered by:
___ Prior Filing ___ Ownership ___ / ___ Perm Fund ___ Full ___ Variable ___ Contig

AFFIDAVIT OF _____
(Senior Citizen or Disabled Veteran Name)
**AND APPLICATION FOR APPROVAL OF LATE FILING
FOR SENIOR CITIZEN AND/OR DISABLED VETERAN**

This Application is made Pursuant to A.S. 29.45.030 Required Exemptions and KPB Code 5.12.105. Real Property Tax-Exemptions - Senior Citizens, Disabled Veterans and surviving spouses thereof.

Failure to meet the filing deadline is based on the following good cause: (see reverse for definition of good cause)

(1) I did not know the ~~tax~~^{tax} abatement & fd dates were different
(2) I was hospitalized in Oregon when the date arrived.

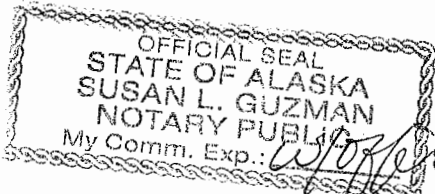
FURTHER AFFIANT SAITH NAUGHT.

Dated at 3/26/2012, Alaska, this 26 day of March, 2012.
S. P. Dotna

Donald S. Lacy
(Senior Citizen and/or Disabled Veteran Signature)

SUBSCRIBED AND SWORN TO before me this 26 day of March, 2012.

Susan L. Guzman
Notary Public, State of Alaska
My Commission Expires: w/office



(Exemption applications submitted for consideration for late-file acceptance will be forwarded to the Assembly from the Mayor's Office).

ASSEMBLY ACTION: APPROVAL _____ DENIAL _____

RECEIVED

MAR 8 2012

KPBASSESSING DEPT

AFFIDAVIT OF GILLIAN MUNN
(Senior Citizen or Disabled Veteran Name)
AND APPLICATION FOR APPROVAL OF LATE FILING
FOR SENIOR CITIZEN AND/OR DISABLED VETERAN

This Application is made Pursuant to A.S. 29.45.030 Required Exemptions and KPB Code 5.12.105. Real Property Tax-Exemptions - Senior Citizens, Disabled Veterans and surviving spouses thereof.

Failure to meet the filing deadline is based on the following good cause: (see reverse for definition of good cause)

I was diagnosed with Cancer 7 months ago and have been travelling both to Anchorage and out of state for discussions/examinations of cancer

FURTHER AFFIANT SAITH NAUGHT.

Dated at 3-1-12, Alaska, this 1st day of March, 2012.

Gillian Munn
(Senior Citizen and/or Disabled Veteran Signature)

SUBSCRIBED AND SWORN TO before me this 1 day of March, 2012.

Angela M. Newby
Notary Public, State of Alaska
My Commission Expires: 3/14/2013

(Exemption applications submitted for consideration for late-file acceptance will be forwarded to the Assembly from the Mayor's Office).

ASSEMBLY ACTION: APPROVAL _____ DENIAL _____

Introduced by:

Mayor

Date:

06/05/12

Action:

Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-046**

**A RESOLUTION AUTHORIZING ROAD SERVICE AREA CAPITAL
IMPROVEMENT PROJECT: TERRITORIAL ROAD, SWAN DRIVE, AND CHENA
DRIVE #W1TER 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 • 434.33950.11252.49999

11 **WHEREAS**, the RSA has solicited and received five (5) bids for the RSA Capital Improvement
12 Project: Territorial Road, Swan Drive & Chena Drive Project #W1TER; 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: Territorial Road, Swan Drive and Chena
3 Drive #W1TER for the bid amount of \$155,084.00.

4 **SECTION 2.** That the mayor is authorized to allocate project cost, \$202,636.00, to account
5 number 434.3395.W1TER.49999.
6

7 **SECTION 3.** That the mayor is authorized to execute all documents and make all agreements
8 deemed necessary to complete this project in accordance with this resolution and
9 contract documents.

10 **SECTION 4.** That this resolution shall take effect immediately upon its adoption.

11 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH**
12 **DAY OF JUNE, 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 *MN*
Craig Chapman, Director of Finance *C Chapman*
Mark Fowler, Purchasing & Contracting Director *Mark Fowler*

FROM: Doug Schoessler, Road Service Area Director *DS*

DATE: May 24, 2012

SUBJECT: Resolution 2012- 046, Road Service Area Capital Improvement Project:
Territorial Road, Swan Drive and Chena Drive #W1TER Contract Award and
Allocation

On May 7, 2012, the Kenai Peninsula Borough Road Service Area formally solicited bids for Territorial Road, Swan Drive and Chena Drive Capital Improvement Project #W1TER for completion in summer 2012. The invitation to bid was advertised in the Peninsula Clarion on May 7, 9 & 13, 2012 and Homer News on May 10 & 17, 2012.

On the due date of May 23, 2012, five (5) 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 \$155,084.00. The total costs for this project are \$202,636.00 which include 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: \$202,636.00

Acct. #434.33950.11252.49999

By: *pe*

Date: 5/24/12

**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

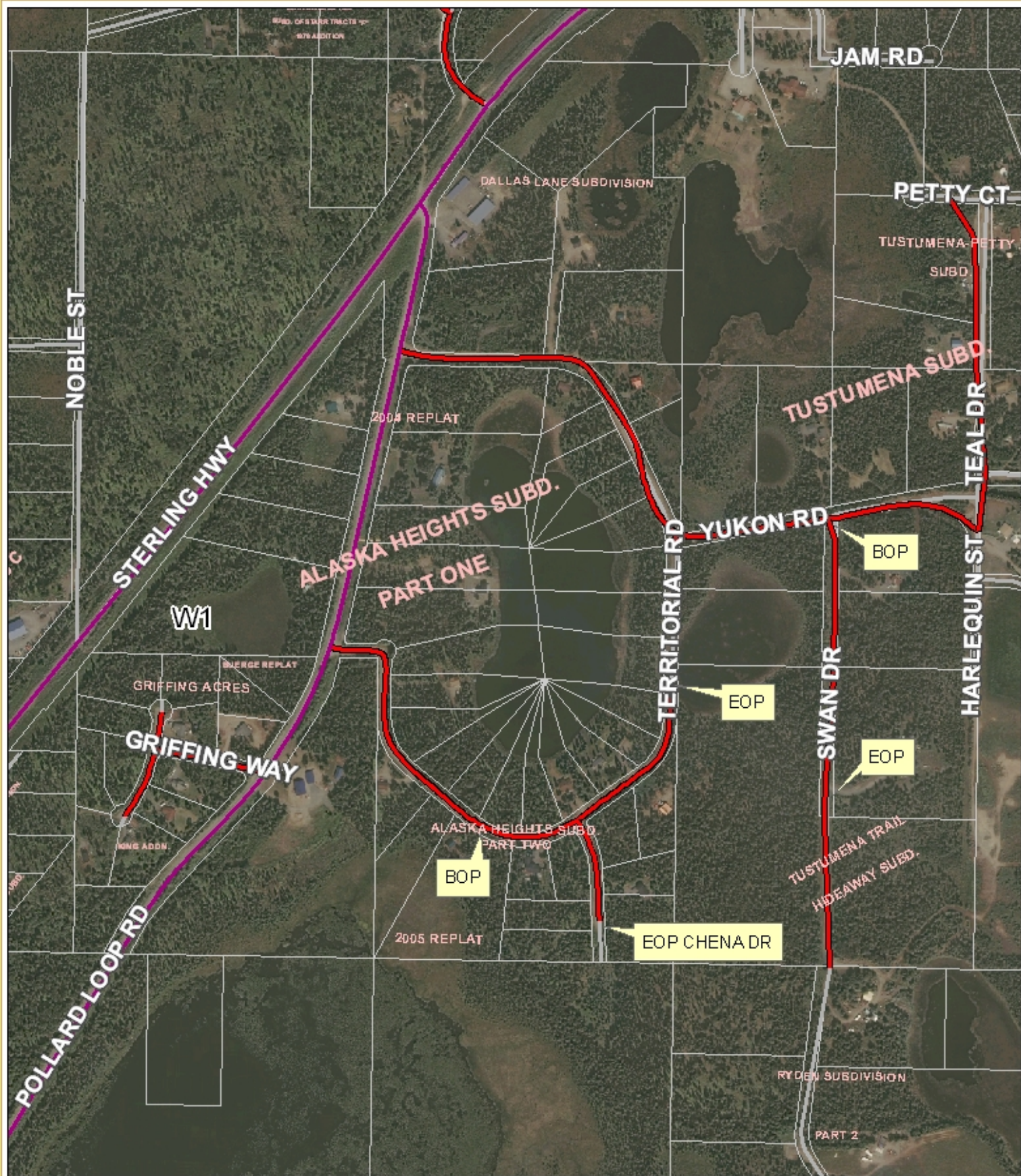
BID TAB FOR: ITB12-067 RSA 2012 CIP Territorial Road, Swan Drive & Chena Drive #W1TER

CONTRACTOR	BASE BID	ADDITIVE ALTERNATE 2	TOTAL EXTENDED PRICE
G&H Construction	\$214,916.75	\$11,052.00	\$225,968.75
CIC Inc.	\$146,336.00	\$8,748.00	\$155,084.00
Peninsula Construction	\$179,795.50	\$6,120.00	\$185,915.50
Ross Services	\$193,149.00	\$5,652.00	\$198,801.00
Wolverine Supply	\$165,986.00	\$5,040.00	\$171,026.00
Engineer's Estimate			\$188,734.00

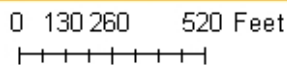
DUE DATE: May 23, 2012 @ 4:00 PM



KPB OFFICIAL: Mark Fowler, Purchasing & Contracting Director



The information depicted here is only for a graphical representation only of best available sources. The Pease Lake Borough assumes no responsibility for any errors on this map.



TERRITORIAL RD, SWAN DR, CHENA DR

Introduced by:
Date:
Action:
Vote:

Mayor
06/05/12

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-047**

**A RESOLUTION AUTHORIZING ROAD SERVICE AREA CAPITAL
IMPROVEMENT PROJECT: ANSEL STREET AND GOOSE BERRY STREET
APPROACHES #C3GOO 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 • 434.33950.11252.49999

11 **WHEREAS**, the RSA has solicited and received six (6) bids for the RSA Capital Improvement
12 Project: Ansel Street & Goose Berry Street Approaches Project #C3GOO; and

13 **WHEREAS**, the bids have been reviewed by the RSA and the low responsive bid was
14 submitted by G&H Construction;

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 G&H Construction to perform
2 the work for RSA Capital Improvement Project: Ansel Street & Goose Berry
3 Street Approaches #C3GOO for the bid amount of \$94,090.00.

4 **SECTION 2.** That the mayor is authorized to allocate project cost, \$136,060.00, to account
5 number 434.33950.C3GOO.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 5TH**
11 **DAY OF JUNE, 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 *MN*
Craig Chapman, Director of Finance *C Chapman*
Mark Fowler, Purchasing & Contracting Director *Mark Fowler*

FROM: Doug Schoessler, Road Service Area Director *D Bell*

DATE: May 23, 2012

SUBJECT: Resolution 2012- 047, Road Service Area Capital Improvement Project: Ansel Street and Goose Berry Street Approaches #C3GOO Contract Award and Allocation

On May 7, 2012, the Kenai Peninsula Borough Road Service Area formally solicited bids for Ansel Street & Goose Berry Street Approaches Capital Improvement Project #C3GOO for completion in summer 2012. The invitation to bid was advertised in the Peninsula Clarion on May 7, 9 & 13, 2012 and Homer News on May 10 & 17, 2012.

On the due date of May 23, 2012, six (6) 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 \$94,090.00. The total costs for this project are \$136,060.00 which include 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: \$136,060.00
Acct. #434.33950.11252.49999

By: pc Date: 5/24/12

**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB12-064 RSA 2012 CIP Goose Berry Ave & Ansel St Approaches #C3GOO

CONTRACTOR	BASE BID
Chumley's Inc.	\$125,481.56
G&H Construction	\$94,090.00
Peninsula Construction	\$96,185.75
Ross Services	\$97,125.00
Great Northern Construction	\$95,626.00
Foster Construction	\$97,937.00
Engineer's Estimate	\$92,845.50

DUE DATE: May 23, 2012 @ 2:00 PM



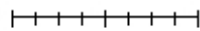
KPB OFFICIAL:

Mark Fowler, Purchasing & Contracting Director



The information depicted hereon is for a graphical representation only of best available sources. The Federal Peninsula Borough assumes no responsibility for any errors on this map.

0 130 260 520 Feet



GOOSE BERRY AVE APPROACH



Introduced by:
Date:
Action:
Vote:

Mayor
06/05/12

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-048**

**A RESOLUTION AUTHORIZING ROAD SERVICE AREA CAPITAL
IMPROVEMENT PROJECT: KATAMAR AVENUE AND BROWN DRIVE #S5KAT
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 • 434.33950.12383.49999

11 **WHEREAS**, the RSA has solicited and received four (4) bids for the RSA Capital
12 Improvement Project: Katamar Avenue and Brown Drive Project #S5KAT; and

13 **WHEREAS**, the bids have been reviewed by the RSA and the low responsive bid was
14 submitted by JC Johnson & Son;

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 JC Johnson & Son to perform
2 the work for RSA Capital Improvement Project: Katamar Avenue and Brown
3 Drive #S5KAT for the bid amount of \$305,561.75.

4 **SECTION 2.** That the mayor is authorized to allocate project cost, \$371,611.00, to account
5 number 434.33950.S5KAT.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 5TH**
11 **DAY OF JUNE, 2012.**

Gary Knopp, Assembly President

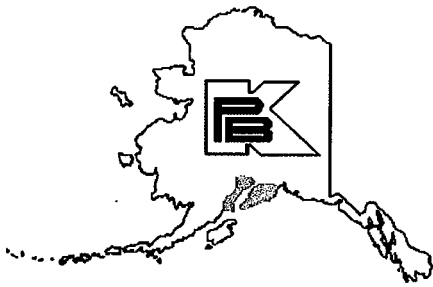
ATTEST:

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 *MN*
Craig Chapman, Director of Finance *C Chapman*
Mark Fowler, Purchasing & Contracting Director *M Fowler*

FROM: Doug Schoessler, Road Service Area Director *D Schoessler*

DATE: May 23, 2012

SUBJECT: Resolution 2012- 048, Road Service Area Capital Improvement Project:
Katamar Avenue and Brown Drive #S5KAT Contract Award and Allocation

On May 7, 2012, the Kenai Peninsula Borough Road Service Area formally solicited bids for Katamar Avenue and Brown Drive Capital Improvement Project #S5KAT for completion in summer 2012. The invitation to bid was advertised in the Peninsula Clarion on May 7, 9 & 13, 2012 and Homer News on May 10 & 17, 2012.

On the due date of May 23, 2012, four (4) 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 JC Johnson & Son in the amount of \$305,561.75. The total costs for this project are \$371,611.00 which include 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: \$371,611.00

Acct. #434.33950.12383.49999

By: pc

Date: 5/24/12

**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB12-065 RSA 2012 CIP Katamar Avenue & Brown Drive #S5KAT

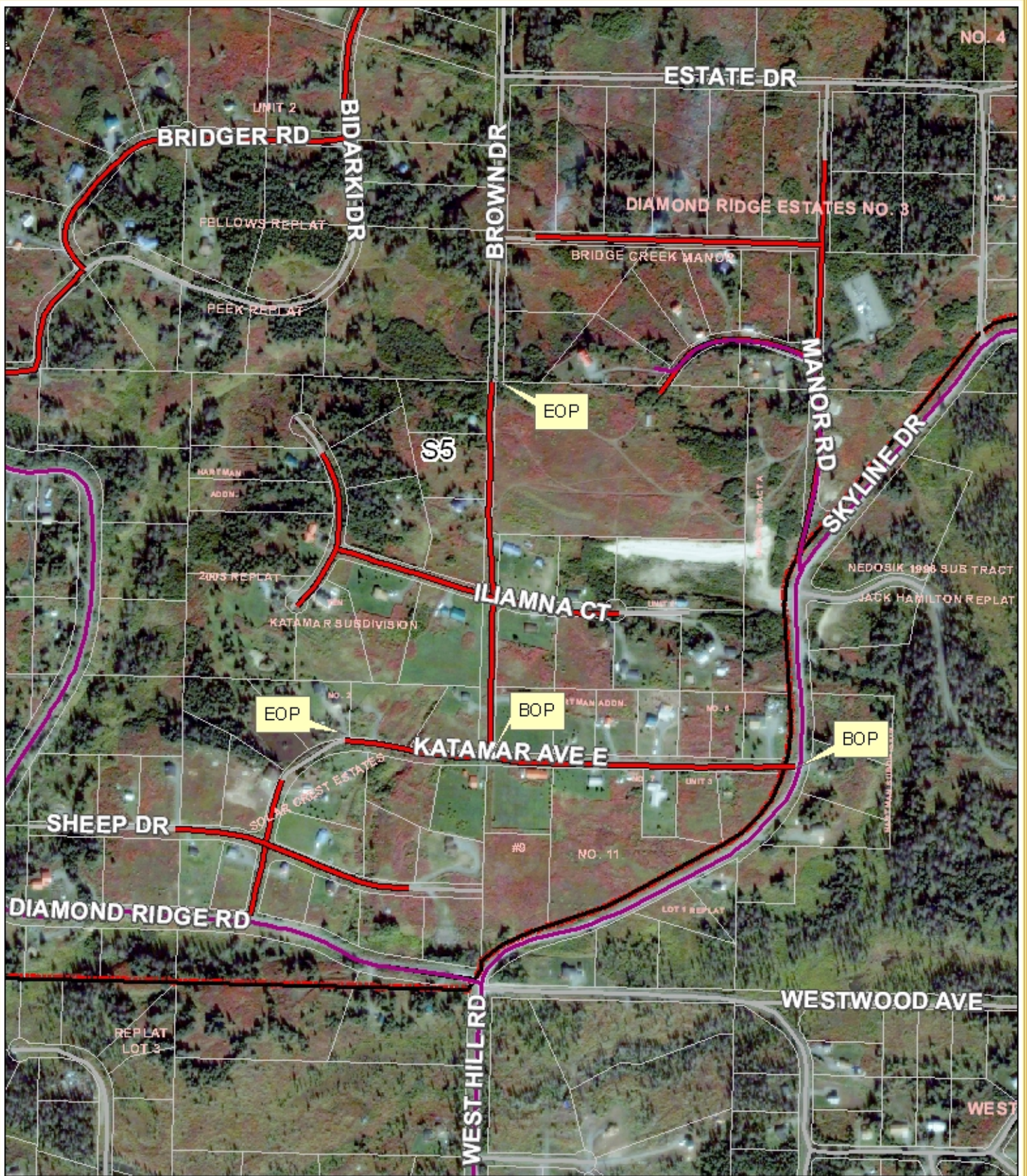
CONTRACTOR	BASE BID
JC Johnson & Son	\$305,561.75
Anchor Excavations	\$368,093.99
East Road Services	\$315,801.00
Arno Construction	\$348,997.25
Engineer's Estimate	\$344,540.25

DUE DATE: May 23, 2012 @ 2:00 PM

KPB OFFICIAL:

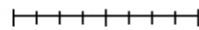


Mark Fowler, Purchasing & Contracting Director



The information depicted here is for a graphical representation only of best available sources. The Pearl and Hermes National Monument assumes no responsibility for any errors on this map.

0 130 260 520 Feet



KATAMAR AVE, BROWN DR



Introduced by:
Date:
Action:
Vote:

Mayor
06/05/12

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-049**

**A RESOLUTION AUTHORIZING ROAD SERVICE AREA CAPITAL
IMPROVEMENT PROJECT: STRAWBERRY ROAD, STRAWBERRY COURT AND
DORI LYNN STREET #C5STR 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 • 434.33950.11252.49999

11 **WHEREAS**, the RSA has solicited and received seven (7) bids for the RSA Capital
12 Improvement Project: Strawberry Road, Strawberry Court and Dori Lynn Street
13 Project #C5STR; and

14 **WHEREAS**, the bids have been reviewed by the RSA and the low responsive bid was
15 submitted by Wolverine Supply, 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 Wolverine Supply, Inc to
4 perform the work for RSA Capital Improvement Project: Strawberry Road,
5 Strawberry Court and Dori Lynn Street #C5STR for the bid amount of
6 \$180,611.00.

7 **SECTION 2.** That the mayor is authorized to allocate project cost, \$235,069.00, to account
8 number 434.33950.C5STR.49999.

9 **SECTION 3.** That the mayor is authorized to execute all documents and make all agreements
10 deemed necessary to complete this project in accordance with this resolution and
11 contract documents.

12 **SECTION 4.** That this resolution shall take effect immediately upon its adoption.

13 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH**
14 **DAY OF JUNE, 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

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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 *MN*
Craig Chapman, Director of Finance *C Chapman*
Mark Fowler, Purchasing & Contracting Director *Mark Fowler*

FROM: Doug Schoessler, Road Service Area Director *D Schoessler*

DATE: May 24, 2012

SUBJECT: Resolution 2012- 049, Road Service Area Capital Improvement Project:
Strawberry Road, Strawberry Court and Dori Lynn Street #C5STR Contract
Award and Allocation

On May 7, 2012, the Kenai Peninsula Borough Road Service Area formally solicited bids for Strawberry Road, Strawberry Court and Dori Lynn Street Capital Improvement Project #C5STR for completion in summer 2012. The invitation to bid was advertised in the Peninsula Clarion on May 7, 9 & 13, 2012 and Homer News on May 10 & 17, 2012.

On the due date of May 23, 2012, seven (7) 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 Wolverine Supply, Inc. in the amount of \$180,611.00. The total costs for this project are \$235,069.00 which include 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: \$235,069.00

Acct. #434.33950.11252.49999

By: pc Date: 5/24/12

**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB12-066 RSA 2012 CIP Strawberry Rd, Strawberry Ct & Dori Lynn St #C5STR

CONTRACTOR	BASE BID
G&H Construction	\$246,207.65
CIC Inc	\$198,348.05
North Star Paving	\$226,422.00
Peninsula Construction	\$198,034.85
Goode Construction	\$235,723.20
Foster Construction	\$208,658.60
Wolverine Supply	\$180,611.00
Engineer's Estimate	\$216,749.25

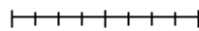
DUE DATE: May 23, 2012 @ 4:00 PM



KPB OFFICIAL: Mark Fowler, Purchasing & Contracting Director



0 130 260 520 Feet



**STRAWBERRY RD, STRAWBERRY CT
DORI LYNN ST**



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.

Introduced by:
Date:
Action:
Vote:

Mayor
06/05/12

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-050**

**A RESOLUTION SETTING THE RATE OF LEVY FOR REAL AND PERSONAL
PROPERTY TAXES FOR THE KENAI PENINSULA BOROUGH AND FOR SERVICE
AREAS WITHIN THE BOROUGH FOR FISCAL YEAR 2013, TAX YEAR 2012**

BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

1 **SECTION 1.** That the rate of levy of taxes on all real and personal property within the Kenai
2 Peninsula Borough for the tax year 2012 is hereby set at 4.50 mills on each one
3 dollar of assessed value as determined by the assessment roll and any
4 supplemental rolls hereafter certified by the Borough Assessor.

5 **SECTION 2.** That in addition to any other rate or rates of levy applicable for other purposes,
6 the rate of levy of taxes on all real and personal property within the Nikiski Fire
7 Service Area for said area for the tax year 2012 is hereby set at 3.00 mills on
8 each one dollar of assessed value as determined by the assessment roll and any
9 supplemental rolls hereafter certified by the Borough Assessor.

10 **SECTION 3.** That in addition to any other rate or rates of levy applicable for other purposes,
11 the rate of levy of taxes on all real and personal property within the Bear Creek
12 Fire Service Area for said area for the tax year 2012 is hereby set at 2.25 mills
13 on each one dollar of assessed value as determined by the assessment roll and
14 any supplemental rolls hereafter certified by the Borough Assessor.

15 **SECTION 4.** That in addition to any other rate or rates of levy applicable for other purposes,
16 the rate of levy of taxes on all real and personal property within the Anchor
17 Point Fire and Emergency Medical Service Area for said area for the tax year
18 2012 is hereby set at 2.25 mills on each one dollar of assessed value as

1 determined by the assessment roll and any supplemental rolls hereafter certified
2 by the Borough Assessor.

3 **SECTION 5.** That in addition to any other rate or rates of levy applicable for other purposes,
4 the rate of levy of taxes on all real and personal property within the Central
5 Emergency Service Area for said area for the tax year 2012 is hereby set at 2.65
6 mills on each one dollar of assessed value as determined by the assessment roll
7 and any supplemental rolls hereafter certified by the Borough Assessor.

8 **SECTION 6.** That in addition to any other rate or rates of levy applicable for other purposes,
9 the rate of levy of taxes on all real and personal property within the Kachemak
10 Emergency Service Area for said area for the tax year 2012 is hereby set at 2.25
11 mills on each one dollar of assessed value as determined by the assessment roll
12 and any supplemental rolls hereafter certified by the Borough Assessor.

13 **SECTION 7.** That in addition to any other rate or rates of levy applicable for other purposes,
14 the rate of levy of taxes on all real and personal property within the Seldovia
15 Recreation Service Area for said area for the tax year 2012 is hereby set at 0.75
16 mills on each one dollar of assessed value as determined by the assessment roll
17 and any supplemental rolls hereafter certified by the Borough Assessor.

18 **SECTION 8.** That in addition to any other rate or rates of levy applicable for other purposes,
19 the rate of levy of taxes on all real and personal property within the Central
20 Peninsula Emergency Medical Service Area for said area for the tax year 2012
21 is hereby set at 1.00 mill on each one dollar of assessed value as determined by
22 the assessment roll and any supplemental rolls hereafter certified by the
23 Borough Assessor.

24 **SECTION 9.** That in addition to any other rate or rates of levy applicable for other purposes,
25 the rate of levy of taxes on all real and personal property within the North
26 Peninsula Recreation Service Area for said area for the tax year 2012 is hereby

1 set at 1.00 mill on each one dollar of assessed value as determined by the
2 assessment roll and any supplemental rolls hereafter certified by the Borough
3 Assessor.

4 **SECTION 10.** That in addition to any other rate or rates of levy applicable for other purposes,
5 the rate of levy of taxes on all real and personal property within the Kenai
6 Peninsula Borough Road Service Area for said area for the tax year 2012 is
7 hereby set at 1.40 mill on each one dollar of assessed value as determined by the
8 assessment roll and any supplemental rolls hereafter certified by the Borough
9 Assessor.

10 **SECTION 11.** That in addition to any other rate or rates of levy applicable for other purposes,
11 the rate of levy of taxes on all real and personal property within the Seward
12 Bear Creek Flood Service Area for said area for the tax year 2012 is hereby set
13 at .50 mill on each one dollar of assessed value as determined by the assessment
14 roll and any supplemental rolls hereafter certified by the Borough Assessor.

15 **SECTION 12.** That in addition to any other rate or rates of levy applicable for other purposes,
16 the rate of levy of taxes on all real and personal property within the Nikiski
17 Senior Service Area for said area for the tax year 2012 is hereby set at .20 mill
18 on each one dollar of assessed value as determined by the assessment roll and
19 any supplemental rolls hereafter certified by the Borough Assessor.

20 **SECTION 13.** That in addition to any other rate or rates of levy applicable for other purposes,
21 the rate of levy of taxes on all real and personal property within the Central
22 Kenai Peninsula Hospital Service Area for said area for the tax year 2012 is
23 hereby set at .02 mill on each one dollar of assessed value as determined by the
24 assessment roll and any supplemental rolls hereafter certified by the Borough
25 Assessor.

1 **SECTION 14.** That in addition to any other rate or rates of levy applicable for other purposes,
2 the rate of levy of taxes on all real and personal property within the South Kenai
3 Peninsula Hospital Service Area for said area for the tax year 2012 is hereby set
4 at 2.30 mills on each one dollar of assessed value as determined by the
5 assessment roll and any supplemental rolls hereafter certified by the Borough
6 Assessor.

7 **SECTION 15.** That this resolution takes effect at 12:01 a.m., Alaska Daylight Time, on July 1,
8 2012.

9 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH**
10 **DAY OF JUNE, 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: May 24, 2012

SUBJECT: Resolution 2012-050, setting the rate of levy for Fiscal Year 2013, Tax Year 2012

The attached resolution establishes the property tax rates for Fiscal Year 2013 (FY2013), Tax Year 2012. The tax revenue generated from these rates will provide the largest single source of funding for the borough's FY2013 budget. The mill rate for FY2013 must be set prior to June 15, 2012. Action on this resolution is requested for the meeting of June 5, 2012.

The administration is proposing the following changes from the Fiscal Year 2012 mill rates:

	FY2012 Mill Rate	Proposed FY2013 Mill Rate
CES	2.45	2.65
Seldovia Recreation Service Area	n/a	.75

All other tax rates are proposed to remain the same.

Introduced by: Mayor
Date: 06/05/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-051**

**A RESOLUTION APPROVING THE SUBLEASE AGREEMENT BETWEEN
CENTRAL PENINSULA GENERAL HOSPITAL, INC. AND RBS EVOLUTION OF
ALASKA, LLC. TO PROVIDE RADIATION ONCOLOGY MEDICAL SERVICES IN
THE RADIATION ONCOLOGY ADDITION TO BE CONSTRUCTED AT THE
CENTRAL PENINSULA HOSPITAL**

1 **WHEREAS,** the Kenai Peninsula Borough has entered into a Lease and Operating Agreement
2 with Central Peninsula General Hospital, Inc. (CPGHI) for the lease and operation
3 of Central Peninsula Hospital and other Medical Facilities, to operate these
4 Medical Facilities on a nonprofit basis in order to ensure the continued
5 availability of the Medical Facilities to the service area residents and visitors; and

6 **WHEREAS,** on March 13, 2012, the assembly adopted Resolution 2012-016 authorizing the
7 mayor to execute an amendment to the Central Peninsula Hospital (CPH) lease
8 and operating agreement to authorize CPGHI to sublease a portion of the facility
9 for oncology services; and

10 **WHEREAS,** the borough and CPGHI have entered into the Fourth Amendment to the Lease
11 and Operating Agreement, which authorized CPGHI to sublease a portion of the
12 hospital campus to a qualified radiation oncology professional organization for
13 the purpose of providing cancer treatment for a period of up to 20 years after
14 construction of the facility is completed, subject to Assembly approval of the
15 sublease agreement by resolution; and

16 **WHEREAS,** the assembly enacted Ordinance 2011-19-72 on March 13, 2012, appropriating
17 \$4,700,000 for construction of a radiation oncology facility at Central Peninsula
18 Hospital; and

1 **WHEREAS**, in CPGHI Resolution 2012-26, the CPGHI board of directors determined that it is
2 in the best interest of CPGHI, the cancer patients served by CPH and other
3 physicians in the service area, and the residents of the service area for there to be
4 sole source negotiations with RBS a radiation oncology services provider whose
5 members include Anchorage Associates in Radiation Medicine, LLC, John B.
6 Halligan, M.D., Manager, for their participation in the Central Peninsula
7 Radiation Oncology project as the provider of radiation oncology medical
8 services to be located in the new medical office building to be constructed on the
9 campus of CPH; and

10 **WHEREAS**, in CPGHI Resolution 2012-26, the CPGHI board of directors also authorized the
11 Chief Executive Officer to negotiate proposed terms for a sublease with RBS in
12 accordance with the Lease and Operating Agreement, Stark Laws, and other laws
13 and regulations affecting transactions between hospital operators and physician
14 group practices, subject to the approval of the board and the borough; and

15 **WHEREAS**, the Sublease shall include a provision that at the time that the radiation oncology
16 center opens for business, John B. Halligan, M.D., and Dan Moore, both duly-
17 authorized persons of RBS Evolution of Alaska, LLC, or their duly-appointed
18 successors, will certify on behalf of RBS Evolution of Alaska, LLC that it is
19 qualified to provide radiation oncology medical services; and

20 **WHEREAS**, CPGHI administration, the borough administration, and RBS have negotiated the
21 terms and conditions of a proposed Sublease of certain medical office space
22 which is deemed to be approximately 4,570 square feet of leaseable area in the
23 new medical office building to be constructed by the borough for radiation
24 oncology medical services on the campus of CPH, with CPGHI as the
25 Sublandlord and RBS as the Subtenant, subject to the approval of the board and
26 the borough, and subject to the borough's written consent to the Sublease as Prime
27 Landlord; and

1 **WHEREAS**, the proposed sublease includes a term of 20-years in which the fair market value
2 is initially established by a fee appraisal, increased 2.5 percent per year for the
3 first ten years, additional fair market adjustments are made at the end of the tenth
4 and fifteenth years, and each interim year the rent is increased in accordance with
5 the then current annual increase as determined by the most recent appraisal; and

6 **WHEREAS**, the parties have agreed to the construction addendum establishing the design and
7 construction approval process; and

8 **WHEREAS**, at its meeting of May 31, 2012, the CPGHI board considered this sublease
9 agreement and recommended _____; and

10 **WHEREAS**, at its meeting of _____ the Central Kenai Peninsula Hospital
11 Service Area board considered this sublease agreement and recommended _____
12 _____;

13 **NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI**
14 **PENINSULA BOROUGH:**

15 **SECTION 1.** That the mayor is authorized to execute the consent to a sublease agreement and
16 construction addendum substantially in the form attached hereto and incorporated
17 herein by reference as Exhibit A.

18 **SECTION 2.** That this resolution takes effect immediately upon its adoption.
19

1 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH**
2 **DAY OF JUNE, 2012.**

Gary Knopp, Assembly President

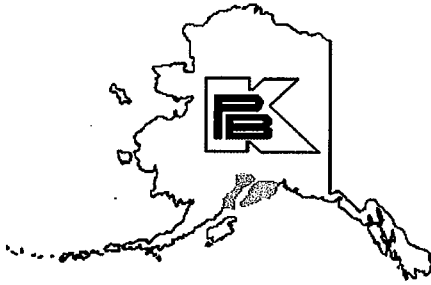
ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520
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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 *MN*

DATE: May 24, 2012

SUBJECT: Resolution 2012-051 approving the Sublease Agreement between Central Peninsula General Hospital, Inc. and RBS Evolution of Alaska, LLC. to provide radiation oncology medical services in the radiation oncology addition to be constructed at Central Peninsula Hospital

Central Peninsula General Hospital, Inc. (CPGHI), RBS Evolution of Alaska, LLC. (RBS), and the borough administration are negotiating a proposed sublease agreement in which RBS subleases a portion of the Central Peninsula Hospital (CPH) campus to provide radiation oncology services. This resolution authorizes the mayor to execute an approval of the sublease agreement substantially in the form of the agreement that will be attached to this resolution. The proposed sublease agreement was not finalized by the packet deadline and will be provided to the assembly members for review prior to the June 5, 2012 assembly meeting.

The sublease agreement is consistent with the terms set out in resolution 2012-016 as it subleases a portion of the CPH campus to RBS as a sublessee for a term of 20 years. RBS is a Delaware corporation and warrants that it will be qualified to provide radiation oncology services at the time the oncology center opens for business. Rental is set at fair market value based on an initial appraisal with annual increases, and a reappraisal at the end of both the tenth year and the fifteenth year to reset the rental rate as may be necessary to ensure it remains at fair rental value.

The CPGHI board is scheduled to consider this at its meeting of May 31st and its recommendation will be forwarded to the assembly. The Central Kenai Peninsula Hospital Service Area Board (SAB) is attempting to reschedule its meeting to consider this sublease before June 5. The SAB's recommendation shall be forwarded to the assembly.

Your approval of this resolution is respectfully requested.

Introduced by: Mayor
Date: 06/05/12
Hearing: 07/03/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2011-19-90**

**AN ORDINANCE APPROPRIATING \$61,809.66 FROM THE STATE OF ALASKA
DIVISION OF EMERGENCY SERVICES TO REIMBURSE THE BOROUGH FOR
COSTS INCURRED WHILE RESPONDING TO WIND STORMS THAT OCCURRED
IN NOVEMBER 2011 AND TO RECOGNIZE REVENUE OF \$4,602.90 FOR
EQUIPMENT RENTAL**

1 **WHEREAS**, the borough encountered a number of wind storms during November 2011
2 causing significant damage in the borough; and

3 **WHEREAS**, a disaster was declared by the borough Mayor on November 22, 2011, by the
4 State of Alaska Governor on December 12, 2011, and by President Obama on
5 February 2, 2012; and

6 **WHEREAS**, the borough incurred costs totaling \$61,809.66 associated with responding and
7 recovering from the storms as follows: OEM \$1,173.38, Nikiski Fire \$ 14,361.06,
8 CES \$8,030.10, and Roads \$38,245.12; and

9 **WHEREAS**, the costs incurred by the borough for response and recovery are eligible for
10 reimbursement from FEMA (Federal Emergency Management Agency) through
11 the State of Alaska, Division of Emergency Services; and

12 **WHEREAS**, Nikiski Fire was also awarded \$1,891.07 and Central Emergency Services (CES)
13 was awarded \$2,711.83 for equipment rental charges associated with the wind
14 storms;

15 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
16 **PENINSULA BOROUGH:**

1 **SECTION 1.** That the mayor is authorized to accept funds totaling \$61,809.66 from FEMA and
2 the State of Alaska Division of Emergency Services for reimbursement of costs
3 incurred by the borough in responding to the 2011 fall wind storms.

4 **SECTION 2.** That \$61,809.66 in costs incurred for initial response be appropriated to account
5 no. 260.11251.12WND.49999.

6 **SECTION 3.** That equipment rental revenues of \$1,891.07 will be recognized in the Nikiski
7 Fire operating fund and \$2,711.83 in the CES operating fund.

8 **SECTION 4.** That the appropriations made in this ordinance shall apply to the fiscal year
9 ending June 30, 2012.

10 **SECTION 5.** That this ordinance shall be effective upon its enactment.

11 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
12 **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
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PHONE: (907) 714-2150 • FAX: (907) 714-2377
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*
Craig Chapman, Director of Finance *C Chapman*
Brenda Ahlberg, Community & Fiscal Projects Manager *BA*

FROM: Eric Mohrmann, Emergency Management Director *EM*

DATE: May 24, 2012

SUBJECT: Ordinance 2011-19-90, appropriating \$61,809.66 from the State of Alaska Division of Emergency Services to reimburse the borough for costs incurred in responding to the wind storms occurring in November 2011

This ordinance appropriates money the State of Alaska Division of Emergency Services has awarded the borough for costs incurred in responding to the wind storms occurring during November 2011. At the time of packet closure outstanding costs of approximately \$2,500 for repairing a truck have not been paid. The truck is being repaired and the funds are expected to be spent prior to final hearing of this ordinance.

The ordinance includes funding for costs incurred by the Office of Emergency Management (OEM) of \$1,173.38, Nikiski Fire of \$14,361.06, Central Emergency Services (CES) of \$8,030.10 and the Road Service Area of \$38,245.12 in responding to the wind storms that occurred.

In addition, Nikiski Fire will receive \$1,891.07 and CES will receive \$2,711.83 in revenues for the use of department equipment which will be recognized in their operating funds. Attached please find a summary of the approved expenditures and communications from the state and federal agencies.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>260.11251.12WIND.49999</u>
Amount	<u>\$ 61,809.66</u>
By:	<u>pc</u> Date: <u>5/23/12</u>

**Kenai Peninsula Borough
Wind Storms
November 2011**

**State Declared Disaster AK12-237
November 1-14, 2011**

Approved Expenditures	ROADS	OEM	CES	NIKISKI	TOTAL
Road Contractors	15,953.07				15,953.07
Total State Disaster Nov 1-14, 2011	15,953.07				15,953.07

**Federal Declared Disaster FEMA-4054-DR
November 15-17, 2011**

Approved Expenditures	ROADS	OEM	NIKISKI	CES	TOTAL
Roads pickup truck damage	2,056.45				2,056.45
Road Contractors	20,235.60				20,235.60
OEM - Shelter/food/wages for shelter employee		1,173.38			1,173.38
Fire Dept - OT Wages			14,019.06	7,671.10	21,690.16
Fire Dept - equipment			1,891.07	2,711.83	4,602.90
Fire Dept - Materials (per diem meals)			342.00	359.00	701.00
Total Federal Disaster Nov 15-17, 2011	22,292.05	1,173.38	16,252.13	10,741.93	50,459.49
Total Federal & State Reimbursement - Wind Storms	38,245.12	1,173.38	16,252.13	10,741.93	66,412.56

Introduced by: Mayor
Date: 06/05/12
Hearing: 07/03/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-19-02**

**AN ORDINANCE ACCEPTING AND APPROPRIATING \$19,790.10 ON BEHALF OF
BEAR CREEK FIRE SERVICE AREA FROM THE ALASKA DEPARTMENT OF
NATURAL RESOURCES FOR THE VOLUNTEER FIRE ASSISTANCE PROGRAM**

1 **WHEREAS**, Bear Creek Fire Service Area (BCFSA) applied for a grant under the 2012
2 Volunteer Fire Assistance Program administered by the State of Alaska
3 Department of Natural Resources, Division of Forestry; and

4 **WHEREAS**, award notification has been given to BCFSA allowing the service area to purchase
5 firefighting equipment in the amount of \$19,790.10; and

6 **WHEREAS**, the Volunteer Fire Assistance Program requires a 10 percent match of local
7 expenditures toward the grant funds; and

8 **WHEREAS**, BCFSA will meet the match requirement through expenditures made from its
9 operating budget prior to December 31, 2012, for firefighting equipment; and

10 **WHEREAS**, at its regular meeting of _____, 2012, the BCFSA Board recommended ____
11 _____;

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

14 **SECTION 1.** That the mayor is authorized to accept the Volunteer Fire Assistance Program
15 grant funds from the Alaska Department of Natural Resources on behalf of Bear
16 Creek Fire Service Area and is authorized to execute the grant agreement and any

1 other documents deemed necessary to accept and expend the grant and to fulfill
2 the intents and purposes of this ordinance.

3 **SECTION 2.** That grant funds are appropriated as follows:

4 \$19,790.10 to account 207.51210.13VF1.48760, minor firefighting equipment.

5 **SECTION 3.** This ordinance shall become effective immediately upon its enactment.

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

Gary Knopp, Assembly President

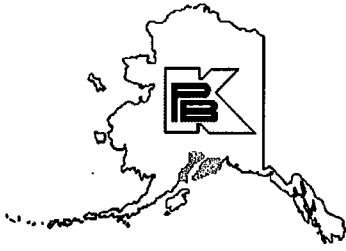
ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

Bear Creek Fire Service Area

MEMORANDUM

MIKE NAVARRE
BOROUGH MAYOR

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

THRU: Mike Navarre, Mayor *MN*
Craig Chapman, Director of Finance *C Chapman*
Brenda Ahlberg, Community & Fiscal Projects Manager *BA*

FROM: Mark Beals, BCFSA Fire Chief *Mark Beals*

DATE: May 24, 2012

SUBJECT: Ordinance 2012-19-02, accepting and appropriating a grant on behalf of Bear Creek Fire Service Area from the Alaska Department Natural Resources, Division of Forestry in the amount of \$19,790.10

The State of Alaska Department of Natural Resources, Division of Forestry provides assistance in training, equipment purchases and prevention activities through the Volunteer Fire Assistance Program (VFA). The VFA program may be used for both wildland and structure protection needs. The assistance is provided to increase firefighter safety, to improve the firefighting capabilities of rural volunteer fire departments, and to enhance protection in the urban-wildland interface.

Bear Creek Fire Service Area (BCFSA) applied for and has received an award notice for the purpose of purchasing minor firefighting equipment. The VFA program requires 10 percent matching funds. BCFSA will meet the 10 percent match requirement through expenditures made from its operating budget prior to December 31, 2012.

The performance period for the VFA grant ends December 31, 2012. Mark Beals, the BCFSA Fire Chief, shall provide grant oversight and project completion.

Attachment: award letter

FINANCE DEPARTMENT	
MATCH - FUNDS VERIFIED	
Pending Assembly Approval of FY13 budget document	
Acct. No.	<u>207.51210.00000.48514</u>
Amount	<u>\$1979.10</u>
By: <u>pc</u>	Date: <u>5/22/12</u>

STATE OF ALASKA

SEAN PARNELL, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF FORESTRY

42499 STERLING HIGHWAY
SOLDOTNA, ALASKA 99869
PHONE: (907) 260-4200
FAX: (907) 260-4205

May 3, 2012

Bear Creek Fire Services
P.O. Box 1565
Seward, AK 99664
Attn: Mark Beals

Certified Mail:

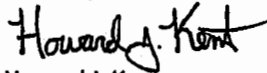
Dear Chief Beals,

Congratulations, your fire department has been awarded a grant through the 2012 Volunteer Fire Assistance program. Your grant will total \$19,790.10 and is a 10% match. This means that you will have to spend a total of \$1,979.10 in local matching funds as a condition of your grant. The VFA grant check is enclosed and must be cashed within 90 days or it will become void.

I have also included a copy of the VFA Criteria sheet for your reference. If you have any questions or if you need additional information on documentation required to complete the grant process you can contact me at the number listed below. Please send me copies of the receipts for documentation purposes as soon as the purchasing has been completed, so that I can keep current records. Documentation for purchases made under these funds will need to be sent back to me prior to January 31, 2013, in order to be eligible for next year's VFA grant application submittal.

Again, congratulations on being successful in receiving this year's VFA grant funding. Through interagency cooperation and local community effort, we can significantly reduce the impacts of wildfire here in Alaska. I look forward to working with you and the members of your fire department.

Sincerely,



Howard J. Kent
Fire Management Officer
Kenai/Kodiak Area Office
42499 Sterling Highway
Soldotna, AK 99669
907-260-4220

This is an award of Federal Financial Assistance and as such is subject to the Office of Management and Budget (OMB) Circular A-87, Cost Principles for State, Local and Indian Tribal Governments; OMB Circular A-102 (Grants and Cooperative Agreements with State and Local governments) as implemented by USDA regulation 7 CFR Part 3016 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments); and OMB Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations) as implemented by USDA regulation 7 CFR 3052. The OMB Circulars are available on the internet at www.whitehouse.gov/omb/grants. Electronic copies of the CFR's can be obtained at the following internet site: www.gpoaccess.gov/cfr/. If you are unable to retrieve these regulations electronically, please contact Arlene Weber-Sword at (907)269-8471.

Enclosure

"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."

Introduced by: Mayor
Date: 06/05/12
Hearing: 07/03/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-19-03**

**AN ORDINANCE ACCEPTING AND APPROPRIATING \$150,000 FROM THE STATE
OF ALASKA FOR THE NORTH PENINSULA RECREATION SERVICE AREA
(NPRSA) TRAILS UPGRADE AND EXPANSION PROJECT**

1 **WHEREAS**, the borough requested funding to upgrade and expand the NPRSA trails in the
2 borough's 2012 legislative priorities; and

3 **WHEREAS**, Senate Bill 160, which appropriated funding to the borough for the project, was
4 passed by the State Legislature and signed by the Governor on May 14, 2012; and

5 **WHEREAS**, the Alaska Department of Commerce, Community and Economic Development
6 ("DCCED") will provide to the borough the grant award in the amount of
7 \$150,000 for the Project; and

8 **WHEREAS**, it is in the best interest of the borough to accept the grant funds;

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

11 **SECTION 1.** That the mayor is authorized to accept a grant from the Alaska Department of
12 Commerce, Community and Economic Development in the amount of \$150,000
13 for the NPRSA Trails Upgrade and Expansion Project, and is authorized to
14 execute a grant agreement and any other documents deemed necessary to accept
15 and expend the grant and to fulfill the intents and purposes of this ordinance.

1 **SECTION 2.** That grant funds in the amount of \$150,000 are appropriated to account no.
2 459.61110.13TRL.49999.

3
4 **SECTION 3.** That due to the nature of this project the appropriation of these funds shall not
5 expire at the end of any particular fiscal year.

6
7 **SECTION 4.** This ordinance shall become effective immediately upon its enactment.

8 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
9 **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, KPB Mayor *MN*

FROM: Craig Chapman, Director of Finance *C Chapman*
 Brenda Ahlberg, Community & Fiscal Projects Manager *B Ahlberg*
 Rachel M. Parra, NPRSA Recreation Director *R Parra*

DATE: May 24, 2012

SUBJECT: Ordinance 2012-19- 03, Accepting and Appropriating \$150,000 from the State of Alaska for the North Peninsula Recreation Service Area Trails Upgrade and Expansion Project

In 2010 the North Peninsula Recreation Service Area (NPRSA) Spruce Bark Beetle Mitigation and Timber Sale was completed. The area mitigated was approximately 95 acres around the NPRSA facilities and existing trails system.

The objectives of this project were to reduce the wild land fire hazards, reduce falling tree hazards to recreational users of the area, reduce maintenance costs involved in removing hazard trees along trails, accelerate reforestation to improve long term forest growth, and finally, protect our current lands to create more recreational use and expand trails systems.

NPRSA is now ready to move to the final stage of the project, which includes upgrading existing portions of the trails and expanding a new trail system that will tie into the existing trails and provide for a lake access and disc golf course. The trails will be used for running, hiking, skiing, snowshoeing and disc golf. The opportunities for varied recreational uses are endless. The funding for this project is included in Senate Bill 160, which has passed the legislature and was authorized by the Governor.

In order to meet the goal of completion this year and in consideration of the weather and construction season necessary to complete the work, time is essential. If weather conditions cooperate and funding is available and appropriated by the beginning of July, the project completion date will be the end of October, just in time for the skiing season and winter trail activities to begin.

Your approval of this ordinance would be greatly appreciated.

FINANCE DEPARTMENT	
Acct # FUNDS VERIFIED	
Acct. No.	<u>459.61110.13TRL.49999</u>
Amount	<u>N/A</u>
By:	<u><i>pc</i></u> Date: <u>5/22/12</u>

Introduced by: Mayor
Date: 06/05/12
Hearing: 07/03/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-19-04**

**AN ORDINANCE APPROPRIATING \$250,000 IN THE SOLID WASTE CAPITAL
PROJECTS FUND FOR CLOSURE COST AT THE HOMER LANDFILL AND
AWARDING A CONTRACT FOR DESIGN OF A CLOSURE CAP SYSTEM TO HDR
ALASKA, INC.**

1 **WHEREAS**, state and federal laws and regulations require the borough to place a final cover
2 on its landfills when they stop accepting waste and to perform certain
3 maintenance and monitoring functions at the sites for up to 30 years after closure;
4 and;

5 **WHEREAS**, in accordance with Governmental Accounting Standard Board Statement 18,
6 “Accounting for Municipal Solid Waste Landfill Closure and Postclosure Care
7 Cost”, which the borough implemented in 1993, the borough has been
8 appropriating funds annually through the operating budget of the solid waste
9 department, to cover the estimated cost associated with closure and postclosure of
10 the Homer Landfill; and

11 **WHEREAS**, the borough has previously reserved \$2,295,895 for closure/postclosure costs
12 associated with the Homer Landfill in the solid waste capital projects fund; and

13 **WHEREAS**, the first step in the closure of the Homer Landfill is to contract with a firm for
14 design of the closure cap system; and

15 **WHEREAS**, the purchasing and contracting department formally solicited and received
16 proposals for the Homer Landfill Closure Design project and the highest ranking
17 proposal was received from HDR Alaska, Inc. in the amount of \$205,166.10;

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

3 **SECTION 1.** That \$250,000 of the funds reserved in the Solid Waste Capital Project Fund for
4 closure/postclosure be appropriated to account no. 411.32122.12HLC.49999 for
5 design cost associated with the Homer Landfill closure project.

6 **SECTION 2.** That HDR Alaska, Inc. be awarded a contract in the amount of \$205,166.10 for
7 design of a closure cap system for the Homer Landfill.

8 **SECTION 3.** That the appropriations made in this ordinance are of a project length nature and
9 as such do not lapse at the end of any particular fiscal year.

10 **SECTION 4.** That this ordinance takes effect immediately upon its enactment.

11 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
12 **DAY OF * 2012.**

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

Solid Waste Department

47140 East Poppy Lane • Soldotna, Alaska 99669
Toll-free within the Borough: 1-800-478-4441, Ext. 2004
PHONE: (907) 262-9667 • FAX: (907) 262-6090
www.borough.kenai.ak.us/SolidWaste

MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

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

THRU: Mike Navarre, Mayor *MN*

FROM: Jack Maryott, Solid Waste Director *JM*
Craig Chapman, Finance Director *C Chapman*
Mark Fowler, Purchasing and Contracting Director *mf*

DATE: May 21, 2012

SUBJECT: Ordinance 2012-19-04, appropriating \$250,000 in the Solid Waste Capital Projects Fund for design of a closure cap system at the Homer Landfill and awarding a contract to HDR Alaska, Inc.

The Homer Landfill is scheduled for closure in the fall of 2013. State and federal laws and regulations require the borough to place a final cover on its landfills when they stop accepting waste and to perform certain maintenance and monitoring functions at the sites for up to 30 years after.

In accordance with Governmental Accounting Standard Board Statement 18, "Accounting for Municipal Solid Waste Landfill Closure and Postclosure Care Cost", the borough has funded the estimated cost associated with closure and postclosure of the Homer Landfill in the Solid Waste Capital Project Fund through prior annual appropriations.

The first step in this process is to contract with a firm for design of the closure cap system. The Purchasing and Contracting Office formally solicited and received proposals for this project for which HDR Alaska, Inc. had the highest ranking proposal.

This ordinance would appropriate \$250,000 for the design of the closure cap system for the Homer Landfill and award the contract for the design to HDR Alaska Inc.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. <u>411.27900 FB</u>	
Amount <u>250,000.⁰⁰</u>	
By: <u>pc</u>	Date: <u>5/21/12</u>

Introduced by: Mayor
Date: 06/05/12
Hearing: 07/03/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-19-05**

**AN ORDINANCE ACCEPTING AND APPROPRIATING \$19,816 ON BEHALF OF
KACHEMAK EMERGENCY SERVICE AREA FROM THE ALASKA DEPARTMENT
OF NATURAL RESOURCES FOR THE VOLUNTEER FIRE ASSISTANCE PROGRAM**

1 **WHEREAS**, Kachemak Emergency Service Area (KESA) applied for a grant under the 2012
2 Volunteer Fire Assistance Program administered by the State of Alaska
3 Department of Natural Resources, Division of Forestry; and

4 **WHEREAS**, award notification has been given to KESA, allowing the service area to purchase
5 firefighting equipment in the amount of \$19,816; and

6 **WHEREAS**, the Volunteer Fire Assistance Program requires a 10 percent match of local
7 expenditures toward the grant funds; and

8 **WHEREAS**, KESA will meet the match requirement through expenditures made from its
9 operating budget prior to December 31, 2012, for firefighting equipment; and

10 **WHEREAS**, at its regular meeting of _____, 2012, the KESA Board
11 recommended _____;

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

14 **SECTION 1.** That the mayor is authorized to accept the Volunteer Fire Assistance Program
15 grant funds from the Alaska Department of Natural Resources on behalf of
16 Kachemak Emergency Service Area and is authorized to execute the grant

1 agreement and any other documents deemed necessary to accept and expend the
2 grant and to fulfill the intents and purposes of this ordinance.

3 **SECTION 2.** That grant funds are appropriated as follows:

4 \$19,816 to account no. 212.51810.13VF2.48760, minor firefighting equipment.

5 **SECTION 3.** This ordinance shall become effective 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

Kachemak Emergency Service Area

MEMORANDUM

MIKE NAVARRE
BOROUGH MAYOR

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

THRU: Mike Navarre, Mayor *MN*
Craig Chapman, Director of Finance *C Chapman*
Brenda Ahlberg, Community & Fiscal Projects Manager *BA*

FROM: Bob Cicciarella, KESA Fire Chief *BC*

DATE: May 17, 2012

SUBJECT: Ordinance 2012-19-05, accepting and appropriating a grant on behalf of Kachemak Emergency Service Area from the Alaska Department Natural Resources, Division of Forestry in the amount of \$19,816

The State of Alaska Department of Natural Resources, Division of Forestry provides assistance in training, equipment purchases and prevention activities through the Volunteer Fire Assistance Program (VFA). The VFA program may be used for both wildland and structure protection needs. The assistance is provided to increase firefighter safety, improve the firefighting capabilities of rural volunteer fire departments, and enhance protection in the urban-wildland interface.

KESA applied for and has been given an award notice for the purpose of purchasing minor firefighting equipment. The VFA program requires 10 percent matching funds. KESA will meet the 10 percent match requirement through expenditures made from its operating budget prior to December 31, 2012.

The performance period for the VFA grant ends December 31, 2012. Bob Cicciarella, the KESA Fire Chief, shall provide grant oversight and project completion.

Attachment: award letter

FINANCE DEPARTMENT	
Match- FUNDS VERIFIED	
Pending Assembly Approval of FY13 budget document	
Acct. No.	<u>212.51810.00000.48760</u>
Amount	<u>\$ 1,981.60</u>
By:	<u>pc</u>
Date:	<u>5/22/12</u>

STATE OF ALASKA

SEAN PARNELL, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF FORESTRY

42499 STERLING HIGHWAY
SOLDOTNA, ALASKA 99669
PHONE: (907) 260-4200
FAX: (907) 260-4205

May 3, 2012

Kachemak Emergency Services
P.O. Box 4849
Homer, AK 99603
Attn: Robert Cicciarella

Certified Mail:

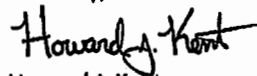
Dear Chief Cicciarella,

Congratulations, your fire department has been awarded a grant through the 2012 Volunteer Fire Assistance program. Your grant will total \$19,816.00 and is a 10% match. This means that you will have to spend a total of \$1,981.60 in local matching funds as a condition of your grant. The VFA grant check is enclosed and must be cashed within 90 days or it will become void.

I have also included a copy of the VFA Criteria sheet for your reference. If you have any questions or if you need additional information on documentation required to complete the grant process you can contact me at the number listed below. Please send me copies of the receipts for documentation purposes as soon as the purchasing has been completed, so that I can keep current records. Documentation for purchases made under these funds will need to be sent back to me prior to January 31, 2013, in order to be eligible for next year's VFA grant application submittal.

Again, congratulations on being successful in receiving this year's VFA grant funding. Through interagency cooperation and local community effort, we can significantly reduce the impacts of wildfire here in Alaska. I look forward to working with you and the members of your fire department.

Sincerely,



Howard J. Kent
Fire Management Officer
Kenai/Kodiak Area Office
42499 Sterling Highway
Soldotna, AK 99669
907-260-4220

This is an award of Federal Financial Assistance and as such is subject to the Office of Management and Budget (OMB) Circular A-87, Cost Principles for State, Local and Indian Tribal Governments; OMB Circular A-102 (Grants and Cooperative Agreements with State and Local governments) as implemented by USDA regulation 7 CFR Part 3016 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments); and OMB Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations) as implemented by USDA regulation 7 CFR 3052. The OMB Circulars are available on the internet at www.whitehouse.gov/omb/grants. Electronic copies of the CFR's can be obtained at the following internet site: www.gpoaccess.gov/cfr/. If you are unable to retrieve these regulations electronically, please contact Ariene Weber-Sword at (907)269-8471.

Enclosure

"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."

Introduced by: Mayor
Date: 06/05/12
Hearing: 07/03/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-20**

**AN ORDINANCE APPROVING WIDGEON WOODS R-1, SINGLE-RESIDENTIAL
LOCAL OPTION ZONING DISTRICT, AND AMENDING KPB 21.46.040**

1 **WHEREAS**, KPB Chapter 21.44 provides owners of property within the rural district an
2 opportunity to petition the assembly for the formation of a local option zoning
3 district (LOZ), in order to place greater restrictions on land than is otherwise
4 provided by borough code; and

5
6 **WHEREAS**, KPB 21.44.030(C) provides that an LOZ may be proposed at the time of
7 preliminary or final plat approval; and

8 **WHEREAS**, on August 21, 2007, the KPB assembly adopted Resolution 2007-053, which
9 classified as residential the parent parcel on which the Widgeon Woods
10 Subdivision was developed; and

11 **WHEREAS**, the Widgeon Woods Subdivision plat, KPB File Number 2008-254, was _____
12 by the KPB plat committee and filed in the Kenai recording district on _____
13 _____; and

14 **WHEREAS**, the Kenai Peninsula Borough and Cook Inlet Region, Inc. (CIRI) are the current
15 and sole owners of the subject property and the developers of the Widgeon
16 Woods Subdivision; and

17 **WHEREAS**, the KPB land management division and CIRI have submitted a petition for the
18 formation of an R-1, Single-Family Residential LOZ within Widgeon Woods
19 Subdivision; and

1 **WHEREAS**, Goal 6.5, Objective 1, of the 2005 KPB Comprehensive Plan is “to ensure that
2 land use regulations adopted by the Borough are necessary to control public and
3 private land uses that affect public health and safety, address adverse impacts on
4 the rights of adjacent property owners, or further the goals and objectives of the
5 Comprehensive Plan;” and

6 **WHEREAS**, public notice of the proposed LOZ was distributed to all property owners within
7 300 feet of the boundaries of the proposed district, pursuant to KPB 21.44.050;
8 and

9 **WHEREAS**, the Kenai Peninsula Borough Planning Commission held a public hearing on June
10 11, 2012, and recommended _____;

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

13 **SECTION 1.** That the Assembly finds the adoption of the Widgeon Woods local option zoning
14 district (LOZ) to be consistent with surrounding land uses and the KPB
15 Comprehensive Plan.

16 **SECTION 2.** That KPB 21.46.040 is hereby amended as follows:

17 **21.46.040. Single-Family Residential (R-1) Districts.**

18 A. The following Single-Family Residential (R-1) districts and official maps are
19 hereby adopted:

20 1. Ten Mar Ranch, described as a subdivision of the S ½ NE ¼, S ½ NW ¼,
21 N ½ SW ¼, and W ½ SE ¼ including Gov't. Lots 3 and 6, Mary Miller
22 Subdivision (Plat No. 97-90 KRD) excluding Hollingsworth Subdivision.

1 Located within Section 18, T5N, R9W, S.M., Kenai Recording District,
2 Kenai Peninsula Borough Alaska. Containing 311.893 acres.

3 2. Grande View Heights One, described as Grande View Heights
4 Subdivision Phase 1, Plat 2004-68, Kenai Recording District, Kenai
5 Peninsula Borough, Alaska, containing 56.912 acres.

6 a. The local option zoning applies to any further replats of Grande View
7 Heights Phase 1 Subdivision.

8 3. Funny River Grove, described as Funny River Grove Subdivision, KPB
9 File No. 2007-294, located within the SW ¼ of Section 24, T5N, R9W,
10 Seward Meridian, Kenai Recording District, State of Alaska, containing
11 52.622 acres.

12 a. The local option zoning applies to any further replats of Funny River
13 Grove Subdivision.

14 4. Widgeon Woods, described as Widgeon Woods Phase Two Subdivision,
15 located within the SE1/4 of Section 13 T5N, R11W S.M., Kenai
16 Recording District, Kenai Peninsula Borough, Alaska, KPB File No.
17 2008-254, excluding Lot 14 Block 4, and Tract B.

18
19 a. The local option zoning applies to any further replats of Widgeon
20 Woods Subdivision, except Lot 14 Block 4, and Tract B.

21 **SECTION 3.** That this LOZ shall be recorded in the Kenai recording district.

22 **SECTION 4.** 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:



MEMORANDUM

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

Thru: Mike Navarre, Borough Mayor *MN*

Thru: Max Best, Planning Director *MB*

From: Crista Cady, Planner *CC*

Date: May 24, 2012

Re: ORDINANCE 2012-20 AN ORDINANCE APPROVING WIDGEON WOODS R-1,
SINGLE-RESIDENTIAL LOCAL OPTION ZONING DISTRICT, AND AMENDING KPB
CHAPTER 21.46.030

This ordinance would approve the formation of a Single Family Residential (R-1) Local Option Zoning District (LOZ). The sole landowners of the subject property are the Kenai Peninsula Borough (KPB) and Cook Inlet Region, Inc. (CIRI). The proposed LOZ is currently described as: Widgeon Woods Phase Two Subdivision, located within the SE1/4 of Section 13 T5N, R11W S.M., Kenai Recording District, Kenai Peninsula Borough, Alaska, KPB File No. 2008-254, excluding lot 14 Block 4, and Tract B.

Pursuant to KPB 21.44.010, property owners may petition the assembly for greater restriction on land use that otherwise provided in Title 21 of the KPB Code. Furthermore, the proposed LOZ is consistent with Goal 6.5 of the 2005 KPB Comprehensive Plan which is to maintain the freedom of property owners in rural areas of the borough to make decisions and control use of their private land.

Attached is the LOZ petition form submitted by the KPB and CIRI. Also attached are a map showing the vicinity of the proposed R-1 LOZ district, the plat depicting lots in the LOZ boundary, and a definition of R-1, Single-Family Residential according to KPB code.

On June 11, 2012, the KPB Planning Commission will hold a public hearing and make a recommendation regarding the formation of the R-1 district. That recommendation will be reported to the Assembly.

Thank you for your consideration of this ordinance.

Local Option Zoning Petition

DATE: May 17, 2012


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

FROM: Marcus Mueller, Land Management Officer, Kenai Peninsula Borough
Dara Glass, Land Manager, Cook Inlet Region, Inc.

SUBJECT: Petition to the Kenai Peninsula Borough to Zone an Area as
R-1, Single-Family Residential


The undersigned petitioners represent the sole owners of property within the proposed Widgeon Woods Local Option Zoning District (LOZ), located in the Kalifornsky Beach/ Ciechanski Road area, described as Widgeon Woods Phase Two Subdivision, located within the SE1/4 of Section 13 T5N, R11W S.M., Kenai Recording District, Kenai Peninsula Borough, Alaska, KPB File No. 2008-254, excluding lot 14 Block 4, and Tract B. This petition is a formal request that the Kenai Peninsula Borough Assembly approve said LOZ, as being zoned R-1, Single-Family Residential.

The requirements of KPB Chapter 21.44, Local Option Zoning, have been followed in the development of this request, with notice of public hearings to be mailed to property owners within 300 feet of the proposed LOZ. The definition of R-1, Single-Family Residential Local Option Zoning District and a map are attached.



Marcus Mueller,
Land Management Officer, Kenai Peninsula Borough

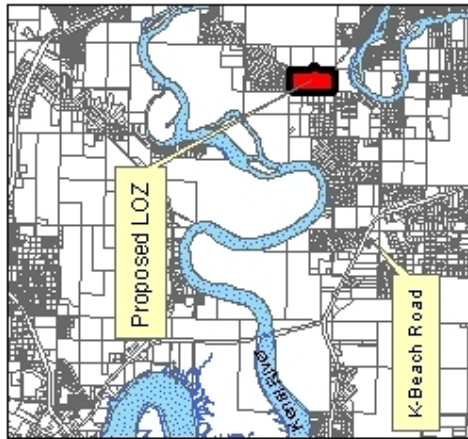
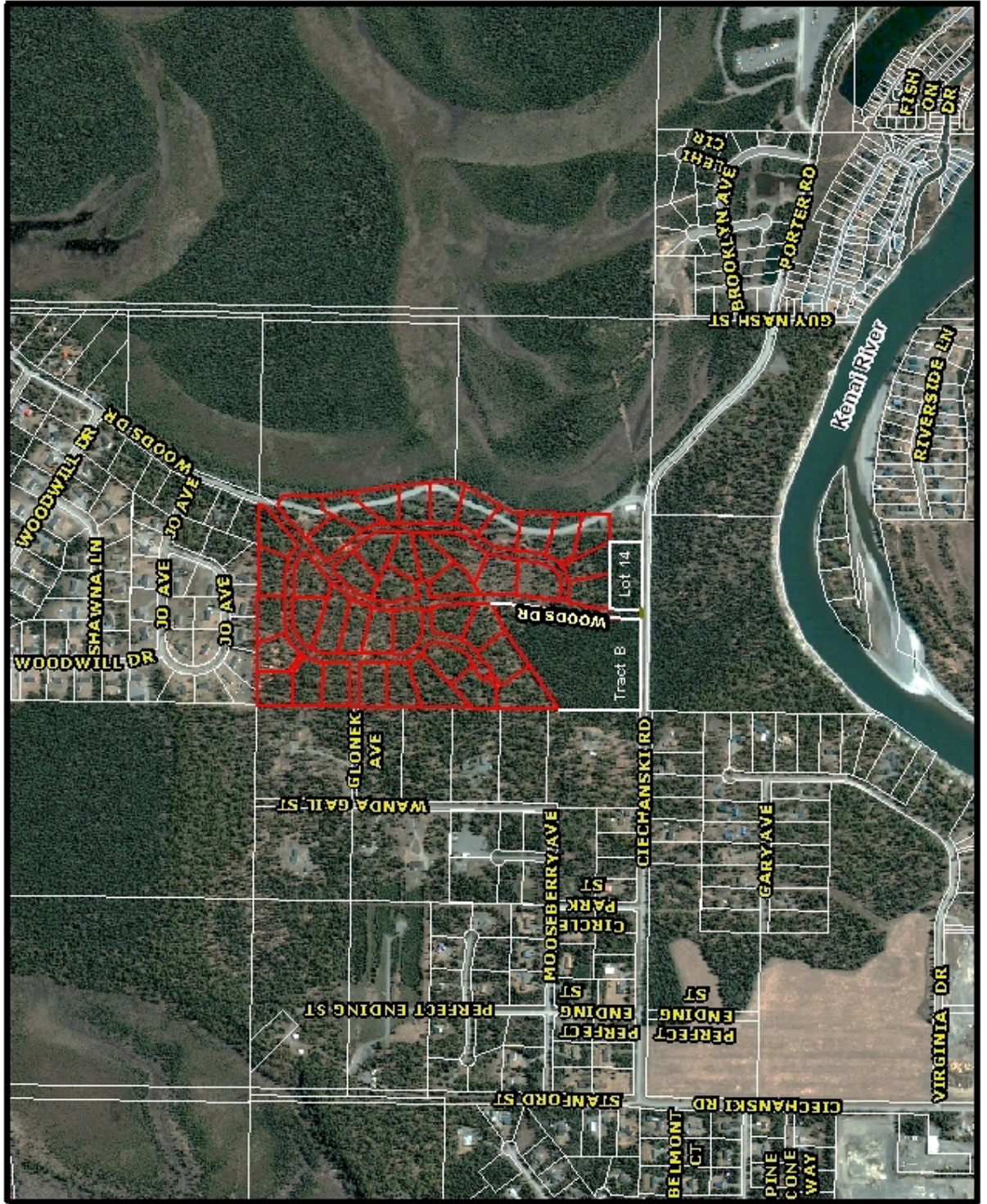
5-18-2012
Date





Dara Glass
Land Manager, Cook Inlet Region, Inc.

5-18-2012
Date

Proposed
"WIDGEON WOODS"
R-1, Single-Family Residential Local Option Zoning District

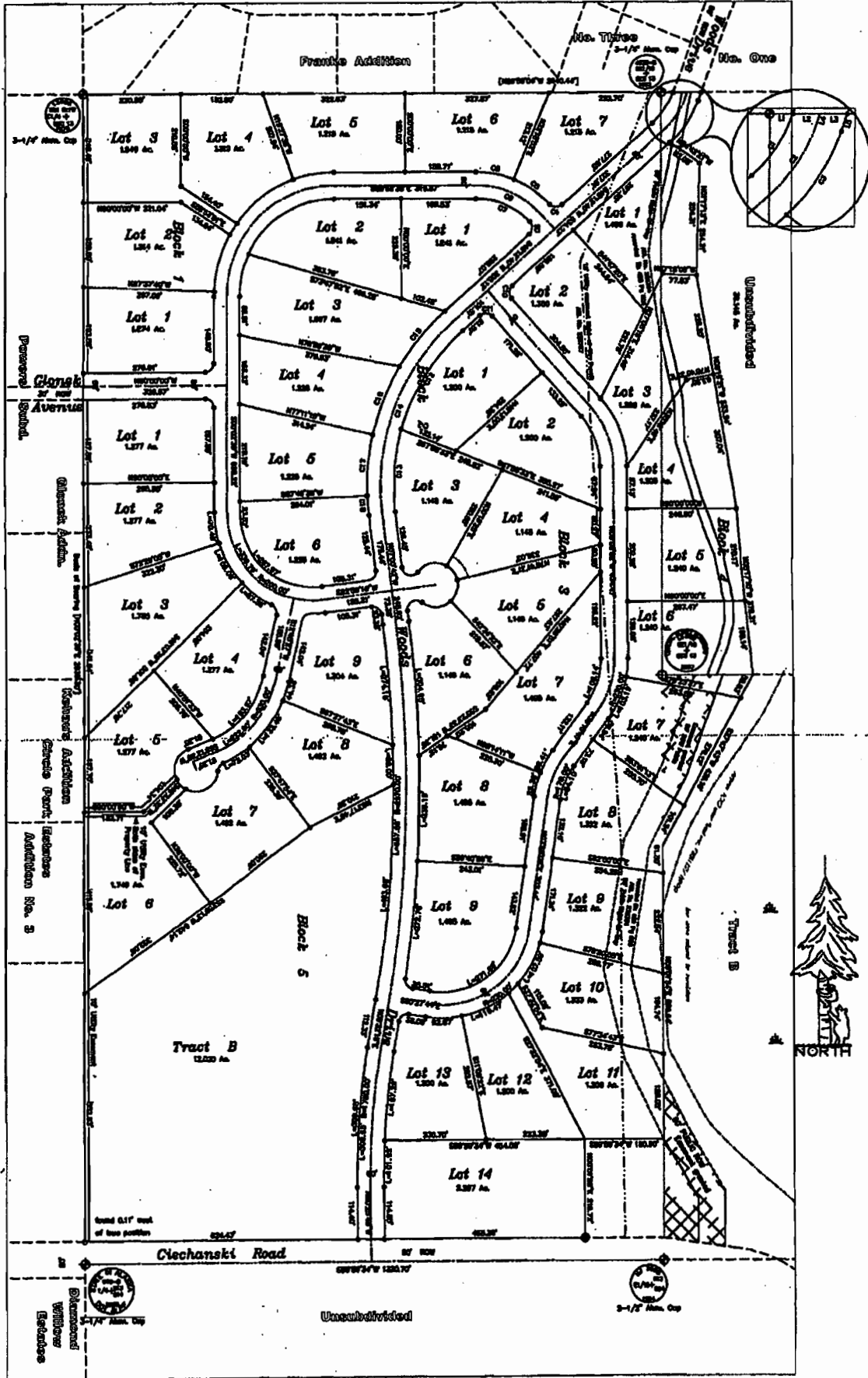


Legend

-  TAX PARCELS
-  PROPOSED LOZ PARCELS



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 5/15/12



**CERTIFICATE of OWNERSHIP
and DEDICATION**

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DELEGATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

David R. Carter, Mayor
Kenai Peninsula Borough
144 N. Bradley Street
Soldotna, Alaska 99601
(Treat A)

Lord Manger
Oak Creek Region, Inc.
P. O. Box 93350
Anchorage, Alaska 99509
(NE1/4 SE1/4 Sec. 13)

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SHOWN BEFORE ME THIS _____ DAY OF _____ 2013 FOR _____

ROTARY PUBLIC FOR ALASKA
BY COMMISSION EXPRESS _____

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SHOWN BEFORE ME THIS _____ DAY OF _____ 2013 FOR _____

ROTARY PUBLIC FOR ALASKA
BY COMMISSION EXPRESS _____

NOTES:

- 1) Proposed land uses are recreational, residential, agricultural, and commercial.
- 2) Building setback - A setback of 20 feet is required from all street right-of-way unless a lower setback is permitted by resolution of the appropriate Planning Commission.
- 3) No utility easements to State maintained roads permitted unless approved by the State of Alaska Department of Transportation.
- 4) Front 10 ft. of the building setback adjacent to right-of-way is also a utility easement. No permanent structure shall be constructed adjacent to 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 more in area 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 plowline easement is recorded in Book 448 Page 552. This easement is located within the SE1/4 SE1/4 Section 15 west of the existing roadbed may commonly known as Woods Drive.
- 8) There is a 23 ft. building setback from the right-of-way within Lot 4 Block 3 as shown.
- 9) No structures are permitted within the peninsula portion of the Bay (6)(c).

LEGEND:

- ⊗ 2-1/2" Brass Cap OLD Monument (round)
- ⊕ Monument (round)
- ⊙ 2-1/2" Alum. Cap Monument (flat)
- 5/8" Rebar (round)
- 5/8" Rebar (flat)
- ▲ Witness Corner Monument Corner
- ⊖ 5/8" Rebar (flat)
- [] Record Datum
- Former Lot Line
- ⊗ Plowline Easement: Book 448, Page 552

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____

KENAI PENINSULA BOROUGH

APPROVED OFFICIAL _____

RECORDED _____ REC. DIST. _____
DATE: _____ 2013
REQ. BY:
INTEGRITY SURVEYS
6185 KENAI SPUR HWY
KENAI, ALASKA 99811

KPB FILE No. 2008-254

**Widgeon Woods
Phase Two**

A subdivision of Tract A, Widgeon Woods - Phase One, Plat No. 2007-04, S. M., Kenai Recording District, Kenai Peninsula Borough, Alaska.
Located within the SE1/4 of Section 13, T24, R11W, S. M., Kenai Recording District, Kenai Peninsula Borough, Alaska.

Containing 22.331 Acres

Integrity Surveys, Inc.

6185 Kenai Spur Hwy
Kenai, Alaska 99811-3502
SURVEYORS PHONE - (907) 363-0047 FAX - (907) 363-0091 PLANNERS

JOB NO:	28163	DRAWN:	21 March, 2012	CS
SURVEYED:	77	SCALE:	1" = 100'	
FIELD BK:	77	DISK:	Widgeon Woods	

21.44.160 - Single-family residential district (R-1).

- A. *Allowed Principal Use.* Only single-family residential (R-1) dwelling units are allowed in this district.
- B. *Allowed Secondary Uses.* Secondary uses allowed in the R-1 zone are parks, playgrounds, schools, community centers, libraries, churches, and home occupations.
- C. *Development Standards.* Development standards apply to principle and accessory structures.
 - 1. *Setbacks.* Setbacks shall be 30 feet from the front yard line, 20 feet from the rear yard line, 15 feet from the side yard lines, and 50 feet from the shore and where applicable subject to the provisions of KPB 21.18
 - 2. *Maximum building height.* Maximum building height shall be 2½ stories above ground or 35 feet above average grade, whichever is less
 - 3. *Minimum lot size.* Minimum lot size shall be 40,000 square feet.
 - 4. *Drainage Ways.* Existing natural drainage ways shall be retained.
 - 5. *Buffers.* A forested buffer of at least 20 feet shall be retained between the building site and the roadway. Dead and diseased trees which are a safety hazard or which threaten structures may be removed. This section does not require revegetation of a buffer area that was cleared before the formation date of the local option zoning district.
 - 6. *Accessory structures.* Accessory structures commonly associated with residential dwellings, i.e., garages, storage sheds, greenhouses, workshops, and a single, noncommercial guesthouse per parcel, are allowed within the district.
 - 7. *Dog Lots:* Dog lots and kennels are prohibited.

(Ord. No. 2010-23, § 8, 6-22-10; Ord. No. 2001-12, § 1, 5-15-01; Ord. No. 2000-02, § 2, 5-16-00)

Introduced by: Mayor
Date: 06/05/12
Hearing: 07/03/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-21**

**AN ORDINANCE REPEALING KPB 5.04.110 AND KPB 16.16.085 WHICH REQUIRE
VOTER APPROVAL FOR CERTAIN MAJOR CAPITAL IMPROVEMENT PROJECTS**

1 **WHEREAS**, in 2004 the North Peninsula Recreation Service Area (NPRSA) voters approved
2 an initiative requiring NPRSA voter approval for all major capital improvement
3 projects to be constructed for the NPRSA costing more than \$500,000, which was
4 codified at KPB 16.16.085; and

5 **WHEREAS**, in 2005 the borough voters approved initiative Ordinance No. 2005-01 which
6 required 60 percent prior voter approval for borough capital improvement projects
7 to be constructed or acquired by the borough with a total cost of more than
8 \$1,000,000, which was codified at KPB 5.04.110; and

9 **WHEREAS**, in 2006 the Alliance of Concerned Taxpayers, Inc. (ACT) filed a lawsuit against
10 the Kenai Peninsula Borough which among other things claimed that the borough
11 had violated KPB 5.04.110 by not requiring prior voter approval for certain
12 capital improvement projects costing more than \$1,000,000 and requesting that
13 the court enjoin the borough from approving any such projects without prior voter
14 approval; and

15 **WHEREAS**, the borough claimed it had not violated the initiative and that the initiative was
16 legally invalid as it required an unconstitutional referendum on the appropriation
17 of public assets; and

1 **WHEREAS**, the superior court granted summary judgment in favor of the borough on this
2 issue ruling that the prior voter approval requirement violated the Alaska
3 Constitution by improperly restricting the assembly's appropriation powers; and

4 **WHEREAS**, ACT appealed the superior court's decision to the Alaska Supreme Court; and

5 **WHEREAS**, on April 6, 2012, the Alaska Supreme Court entered a final decision in favor of
6 the borough and concluded that allowing voters to veto capital improvement
7 projects has the effect of diluting the borough assembly's exclusive control over
8 the budget and is therefore an impermissible appropriation in violation of the
9 Alaska Constitution; and

10 **WHEREAS**, as both KPB 05.04.110 and 16.16.085 enable the voters to veto capital
11 improvement projects they are not legal provisions and should be removed from
12 the borough code;

13 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
14 **PENINSULA BOROUGH:**

15 **SECTION 1.** KPB 05.04.110, Major capital improvement projects – Referendum required, is
16 hereby repealed.

17 **SECTION 2.** KPB 16.16.085, Mayor capital improvement projects – Referendum required, is
18 hereby repealed.

19 **SECTION 3.** 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: Colette Thompson, Borough Attorney *CT*
Holly Montague, Deputy Borough Attorney *HM*

DATE: May 24, 2012

SUBJECT: Ordinance 2012-21, repealing KPB 5.04.110 and KPB 16.16.085 requiring voter approval for certain major capital improvement projects

This ordinance repeals two provisions in the borough code requiring voter approval before the assembly may appropriate funds for major capital improvement projects. In 2004 the North Peninsula Recreation Service Area (NPRSA) voters approved an initiative requiring the assembly to obtain voter approval before constructing any capital improvement projects costing in excess of \$500,000. In 2005 the voters throughout the borough approved an initiative requiring 60 percent voter approval of any borough capital improvement project costing more than \$1,000,000. The Alliance of Concerned Taxpayers, Inc. (ACT) sued the Kenai Peninsula Borough in 2006 asking the court to enjoin the borough from violating the 2005 initiative. The borough responded stating that it had not violated the initiative and claimed that the initiative was not legal as it constituted an illegal appropriation of public funds because it diluted the borough assembly's exclusive control over the budget. The superior court ruled in favor of the borough on this issue and ACT appealed. The Alaska Supreme court ruled in favor of the borough on April 6, 2012, finding that this provision had the effect of diluting the borough assembly's exclusive control over the budget and is therefore an impermissible appropriation in violation of the constitution. As both sections of the code contain the same prior voter approval requirement both constitute an impermissible appropriation and should be repealed. The assembly's approval of this ordinance is respectfully requested.

Introduced by: Mayor
Date: 06/05/12
Hearing: 07/03/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-22**

**AN ORDINANCE AMENDING KPB 16.04.080 ADMINISTRATIVE EMPLOYEES—
APPOINTMENT, QUALIFICATIONS, AND REMOVAL TO CLARIFY THAT ALL
SERVICE AREA DIRECTORS INCLUDING FIRE CHIEFS, WHETHER EMPLOYEES
OR VOLUNTEERS, ARE APPOINTED BY THE MAYOR**

1 **WHEREAS**, KPB 16.04.080 currently provides in relevant part that except as may otherwise
2 be provided for a specific service area, the director of a service area shall be
3 appointed by the mayor from a list of recommended names from the service area
4 board; and

5 **WHEREAS**, as referenced in KPB 16.04.080, pursuant to KPB 3.04.070 a director is defined as
6 a full-time paid staff; and

7 **WHEREAS**, KPB code is silent as to the appointment of other administrative heads of service
8 areas that are not full-time paid staff; and

9 **WHEREAS**, at least one service area, Bear Creek Fire Service Area, does not currently have a
10 paid director or fire chief; and

11 **WHEREAS**, amending KPB 16.04.080 to provide for mayoral appointment for the heads of
12 service areas, whether paid or volunteer, provides for uniformity amongst the
13 service areas and enables the mayor to exercise his responsibilities;

14 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
15 **PENINSULA BOROUGH:**

1 **SECTION 1.** KPB 16.04.080 is amended as follows:

2 **16.04.080. Administrative employees—Appointment, qualifications, and**
3 **removal.**

4 A. Service area directors. Except as may otherwise be provided for a specific
5 service area, the director of a service area, whether a paid employee or
6 volunteer [AS DETERMINED NECESSARY BY THE ASSEMBLY
7 AND AS DEFINED BY KPB 3.04.070] shall be appointed by the mayor
8 from a list of recommended names from the service area board. Except for
9 the road service area director, whose board consists of appointed
10 members, and as otherwise provided below, all other service area directors
11 may be removed by the mayor with a concurrent recommendation from
12 the applicable board. Such action by the service area board shall require a
13 majority vote of the board membership. In the event that the service area
14 board and the mayor are unable to agree within 30 days of the date the
15 action is recommended, then the mayor and the service area board shall
16 communicate to attempt to resolve the impasse. Such communication shall
17 occur no more than 60 days after the date of the initial recommendation
18 for removal. Following such communication, the mayor shall have the
19 final authority to determine whether or not to remove the director.

20 B. Other administrative employees. Other administrative employees
21 serve at the pleasure of the mayor who may suspend or discharge
22 such employees in his or her sole discretion. The service area
23 board may independently make a recommendation to the mayor
24 regarding the suspension or discharge of other administrative
25 employees; however, such suspension or discharge remains within
26 the sole discretion of the mayor.

1 C. Definition of service area director. For purposes of this section
2 “service area director” means the appointed administrative director
3 or chief of a service area.

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
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PHONE: (907) 262-4441 • **FAX:** (907) 262-1892
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**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

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

THRU: Mike Navarre, Mayor *MN*

FROM: Mark Dixon, Director of General Services *MD*

DATE: May 24, 2012

SUBJECT: Ordinance 2012-22, amending KPB 16.04.080 Administrative employees—
Appointment, qualifications, and removal, to clarify that all service area directors
including fire chiefs, whether employees or volunteers, are appointed by the
mayor

Full-time paid service area directors are appointed by the mayor from a list of recommended names provided by the service area board and are generally subject to removal by the mayor with a concurrent recommendation from the applicable service area board. However borough code is silent as to whether service area directors who are not full-time paid staff are appointed and removed by the mayor. The proposed ordinance would amend KPB 16.04.080 to clarify that all service area directors including fire and emergency service area chiefs, whether paid or volunteer, are appointed and subject to removal by the mayor. There is no proposed change as to the role of service area boards with regard to appointing or terminating service area directors.

The reason for the proposed change is to provide clarity as to roles and responsibilities, uniformity amongst the service areas and enable the mayor to efficiently exercise his responsibilities with regard to service area administration.

Introduced by: Mayor
Date: 06/05/12
Hearing: 07/03/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-23**

**AN ORDINANCE AUTHORIZING RETENTION OR SALE OF CERTAIN REAL
PROPERTY OBTAINED BY THE KENAI PENINSULA BOROUGH THROUGH TAX
FORECLOSURE PROCEEDINGS**

1 **WHEREAS**, certain real property has been deeded to the borough through tax foreclosure
2 proceedings pursuant to AS 29.45.290 et seq. for delinquent payment of taxes;
3 and

4 **WHEREAS**, the real property listed in this ordinance has been certified by the finance
5 department as foreclosed parcels; and

6 **WHEREAS**, these parcels have been reviewed by the Kenai Peninsula Borough School
7 District, all Kenai Peninsula Borough administrative departments, service areas,
8 cities, and the Kenai Peninsula Borough Planning Commission; and

9 **WHEREAS**, the administration recommends certain parcels be retained for the public purpose
10 noted; and

11 **WHEREAS**, notice of hearing of this ordinance was sent by certified mail to the former owners
12 of record of the real properties which are subject to this ordinance; and

13 **WHEREAS**, the notice was mailed within five (5) days of the first publication of the hearing
14 on this ordinance and is sufficient if mailed to the last record real property owner
15 as the name appears on the borough assessment records; and

1 **WHEREAS,** Parcel 012-220-09 was acquired by Clerk's Deed in 2004 and has been included
2 in three foreclosure sales without being sold and the accrued taxes, penalties, and
3 interest now exceed the assessed value of the parcel; and

4 **WHEREAS,** the best interest of the borough would be served by allowing Parcel 012-220-09 to
5 be sold for less than the full amount owed to return it to private ownership and
6 place it on the tax rolls again; and

7 **WHEREAS,** the Planning Commission conducted a public hearing on June 11, 2012 and
8 recommended _____;

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

11 **SECTION 1.** That the following real property as shown in Exhibit A is approved, accepted and
12 hereby designated as foreclosed parcels retained for public purpose with a
13 recommended applicable classification, pursuant to KPB 5.12.310.

14 **SECTION 2.** It is hereby determined that a public need for the real properties listed in Exhibit
15 B does not exist and they are hereby designated as foreclosed parcels for sale and
16 may be sold by outcry auction.

17 **SECTION 3.** That except as provided below in Section 7 for Parcel 012-220-09, the Mayor is
18 hereby authorized to sell the real property designated as foreclosed parcels for
19 sale for an amount not less than the judgment amount for taxes, plus penalties,
20 interest and other related costs as certified by the finance department, for cash at a
21 public outcry auction. All real property to be sold is subject to any and all
22 restrictions of record, zoning ordinances, and any and all plat requirements and
23 covenants.

1 **SECTION 4.** In the event that any of the parcels are sold for more than the amount of taxes,
2 penalties, interest and other related costs, the borough Director of Finance shall
3 provide written notice to the former record owner of the real property advising of
4 the amount of excess and the manner in which a claim for the balance of the
5 proceeds may be submitted. Notice is sufficient if mailed to the former record
6 owner at his/her last address of record. Upon presentation of a proper claim, the
7 borough shall remit the excess to the former record of owner. A claim for the
8 excess which is filed after six (6) months of the date of the sale is forever barred.

9 **SECTION 5.** That the Assembly authorizes the Mayor to conduct an outcry auction of the tax
10 foreclosed real property listed in Exhibit B to be held on October 13, 2012, in the
11 Soldotna High School Auditorium, Soldotna, Alaska, and to cause a public notice
12 to be published in a newspaper of general circulation in the borough not less than
13 thirty (30) days before the date of the sale and posted within that time in at least
14 three public places in the borough.

15 **SECTION 6.** That the Mayor will execute and deliver to the buyer of any of the sale parcels a
16 tax foreclosure deed without warranty or representation, which will convey any
17 and all interest the borough, might have in the real property. Prospective buyers
18 shall be put on notice by this ordinance and by other means of publication in the
19 public notice of the sale that the borough does not vouch for its rights, title or
20 interest in any of the properties to be sold; and the prospective buyers are put on
21 notice that the borough shall be held harmless from any and all claims regarding
22 title or possession to any of the properties on the list of real property to be sold.
23 The prospective buyers shall also be advised in the public notice that the borough
24 reserves the right to withdraw any or all of the parcels listed for sale and that,
25 pursuant to law, any or all of the real property listed for sale may be repurchased
26 by the record owners, or their assigns or heirs, at any time before the sale.

1 **SECTION 7.** That the Mayor is authorized to offer Parcel 012-220-09, as shown on Exhibit B,
2 for sale at a minimum bid of \$5,500. In the event that said property sells for less
3 than the full amount of taxes, penalties, interest and other related costs due to the
4 property on the date of sale, the Mayor is authorized to carry out such financial
5 procedures that are necessary and prudent to dispose of any account shortfall or
6 liability specific to said parcel.

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

8 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
9 **DAY 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, Kenai Peninsula Borough Mayor *MN*
Craig Chapman, Director of Finance *C Chapman*
Max Best, Director of Planning *MB*
Marcus Mueller, Land Management Officer *MM*

FROM: Dan Conetta, Land Management Agent *DC*

DATE: May 24, 2012

SUBJECT: Ordinance 2012- 23, Authorizing Retention or Sale of Certain Real Property Obtained by the Kenai Peninsula Borough (KPB) through Tax Foreclosure Proceedings

Pursuant to KPB 17.10.100(A) and tax foreclosure proceedings pursuant to AS 29.45.290 et seq. the borough has obtained a Clerk's Deed to the real property listed in the subject ordinance. Notice of sale was sent to the last owner(s) of record by certified mail within five days after the first publication of the hearing on the ordinance as per AS 29.45.460(c).

A preliminary list of parcels proposed for the 2012 auction was sent for review and comment to the Kenai Peninsula Borough School District, all KPB administrative departments, service areas, and cities. Subject ordinance authorizes 49 parcels to be sold by public outcry auction as shown on Exhibit B. The number of parcels to be sold or retained will change if taxes are paid.

There are 21 parcels proposed for retention for a public purpose with recommended classifications as shown on Exhibit A. These parcels include the following:

- 4 parcels have been identified as wetlands and would not serve a practical purpose in private ownership.

- 16 parcels are less than 40,000 s.f. Pursuant to KPB 20.20.190 parcels shall meet minimum acreage to provide for well and septic. Parcels less than 40,000 s.f. are generally considered to be "substandard" as they are not large enough to provide for both well and septic. These parcels could be proposed for a borough Substandard Lot Sale in the future and offered to the adjacent property owners who wish to combine it with their land.
- Parcel 01316213 would provide access to a water body leading to Bear Lake for recreational purposes. This parcel is subject to a plat note #2 reserving all open space area for lot owners and would not be practical to have in private ownership. The parcel, once retained, would be open to the public.

Please reference the attached maps / aerial photos of the parcels listed in the ordinance.

The tax foreclosure auction is scheduled for Saturday, October 13, 2012, in the Soldotna High School Auditorium. The KPB Planning Commission will consider this ordinance at its regularly scheduled meeting of June 11, 2012, and the action taken will be reported to the Assembly.



KENAI PENINSULA BOROUGH

Planning Department • Land Management Division
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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

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

THRU: Mike Navarre, Mayor *MN*

FROM: Craig Chapman, Director of Finance *c Chapman*
Marcus Mueller, Land Management Officer *MCM*

DATE: May 24, 2012

SUBJECT: Ordinance 2012- 23, Recommended procedures for sale of Tax Foreclosure Parcel No. 012-220-09

Parcel 012-220-09 was acquired by the borough by Clerk's Deed in 2003 and did not sell when it was first offered in the 2005 tax foreclosure sale. Subsequently this parcel was offered again in both the 2007 and 2009 tax foreclosure sales and received a bid but was then later forfeited. Going into this year's auction the accrued taxes owed, together with penalties, are estimated to be approximately \$9,400 which exceeds the current assessed value of \$9,100.

Because the amount owed exceeds the assessed value recapturing the full amount owed is not probable. Furthermore, setting the minimum bid price at the full amount is a likely barrier to selling this otherwise saleable property. Tax foreclosure buyers are typically motivated by price.

Designating a minimum bid amount for this parcel that is less than the amount of taxes, penalties, interest and fees is intended to capture what the market will bear and subsequently return this property to the tax roll. \$5,500 is the minimum amount recommended to encourage the sale of this property. In the event that property sells for less than the full amount owed against the property, the Finance Department would take appropriate measures in the borough's accounting system to account for the loss and Land Management would forego its fees. Section 6 of the proposed ordinance is intended to provide for this recommended action.

EXHIBIT A
PROPERTIES TO BE RETAINED FOR A PUBLIC PURPOSE

Parcel No.	Legal Description	General Location	Acres	Last Owner of Record	Reason for Retention	Recommended Applicable Classification
01316213	Lake and Reserved Use Area, Georgine Lake Subdivision Add'n No. 1, as shown on Plat No. 75-81, Kenai Recording District	Nikiski	6.87	Steib Georgine	Plat note #2 was intended to reserve all open space area for lot owners. This parcel provides access to a water body leading to a larger lake (Bear Lake) for recreational purposes.	Government
03903404	Lot 4, Block 4, Black Gold Estates Subdivision Amended, as shown on Plat No. 1399, Kenai Recording District	Kenai	0.17	Gonzalez Ismael	Less than 40,000 s.f.	Government
03903424	Lot 24, Block 4, Black Gold Estates Subdivision Amended, as shown on Plat No. 1399, Kenai Recording District	Kenai	0.17	Dahl Homes Inc	Less than 40,000 s.f.	Government
03903425	Lot 25, Block 4, Black Gold Estates Subdivision Amended, as shown on Plat No. 1399, Kenai Recording District	Kenai	0.17	Dahl Homes Inc	Less than 40,000 s.f.	Government
03903426	Lot 26, Block 4, Black Gold Estates Subdivision Amended, as shown on Plat No. 1399, Kenai Recording District	Kenai	0.17	Dahl Homes Inc	Less than 40,000 s.f.	Government
03910330	Lot 14, Block 11, Replat of Mommsens Subdivision Addition No. 1 & 2, Addition No. 2, as shown on Plat No. 1355, Kenai Recording District.	Kenai	0.34	Johnson J C & Blanche	Less than 40,000 s.f.	Government

Parcel No.	Legal Description	General Location	Acres	Last Owner of Record	Reason for Retention	Recommended Applicable Classification
03913116	Lot 2, Block 3, Replat of Mommsens Subdivision Addition No. 1 & 2, Addition No. 2, as shown on Plat No. 1355, Kenai Recording District.	Kenai	0.26	Barnell Joel O & Corrine A, Thompson Harold D & Carol H, Snyder Ken D & Charlotta A	Less than 40,000 s.f.	Government
04916071	That portion of Government Lot 3, Section 4, T5N, R11W, S.M., Alaska lying east of Lot 3, Bailey Estates Amended as shown on Plat No. 97-33, Kenai Recording District, and west of Inlet View Subdivision as shown on Plat No. 1434, Kenai Recording District and lying north of Inlet View Subdivision First Revision as shown on Plat No. 1515, Kenai Recording District	Kenai	0.33	McKeever T A & Springer E D	Less than 40,000 s.f.	Government
05753015	Lot 1, Block 2-A, Irons Subdivision Block 2-A, and a Portion of Block 3-A, Amended, as shown on Plat No. 75-4, Kenai Recording District	Ridgeway	0.34	Waln Paul D & Sheryl E	Less than 40,000 s.f.	Government
13132031	Lot 13, Journeys End Subdivision No. 4, as shown on Plat No. 76-24, Kenai Recording District	Kalifornsky	0.90	Henry Delbert Leroy & Norma Louise	Less than 40,000 s.f.	Government
13132032	Lot 37, Journeys End Subdivision No. 4, as shown on Plat No. 76-24, Kenai Recording District	Kalifornsky	0.90	Henry Delbert Leroy & Norma Louise	Less than 40,000 s.f.	Government

Parcel No.	Legal Description	General Location	Acres	Last Owner of Record	Reason for Retention	Recommended Applicable Classification
13315009	Lot 8, Block 13, U.S. Survey 3564 Townsite of Kasilof, as shown on Plat No. 3564, Kenai Recording District	Kasilof	0.26	Quan La Lay Woo	Less than 40,000 s.f.	Government
13315010	Lot 7, Block 13, U.S. Survey 3564 Townsite of Kasilof, as shown on Plat No. 3564, Kenai Recording District	Kasilof	0.26	Quan La Lay Woo	Less than 40,000 s.f.	Government
13315011	Lot 6, Block 13, U.S. Survey 3564 Townsite of Kasilof, as shown on Plat No. 3564, Kenai Recording District	Kasilof	0.26	Quan La Lay Woo	Less than 40,000 s.f.	Government
14509201	West 200 feet of the south 440 feet of Government Lot 5, Section 35, T1N, R1W, S.M., Alaska	Seward	2.02	Kowalski Martin N & Donna Estates of & Radde Edward	Wetland	Preservation
15912018	Tract 32, Happy Creek Homesites Subdivision, as shown on Plat No. 62- 711, Homer Recording District	Happy Valley	5.00	Tagala Florence E & Esequel M	Wetland	Preservation
16539032	Tract 32, Birch Haven Estates Subdivision, as shown on Plat No. 74- 2193, Homer Recording District	Anchor Point	7.97	Sellers Richard V	Wetland	Preservation
16540001	Tract 33, Birch Haven Estates Subdivision, as shown on Plat No. 74- 2193, Homer Recording District	Anchor Point	7.97	Taylor Robert L	Wetland	Preservation

Parcel No.	Legal Description	General Location	Acres	Last Owner of Record	Reason for Retention	Recommended Applicable Classification
16929232	Lot 32, Silver King Camp Unit III, as shown on Plat No. 85-45, Homer Recording District	Anchor Point	0.07	Flagg Earnest	Less than 40,000 s.f.	Government
17427007	Lot 10, Seaview Subdivision, as shown on Plat No. 69-641, Homer Recording District	Kachemak City	0.58	Semans Scott	Less than 40,000 s.f.	Government
18921307	Lot 7, Block 3, Martin Subdivision No. 1, as shown on Plat No. 30, Seward Recording District	Lowell Point	0.32	Brown Nathaniel	Less than 40,000 s.f.	Government

**EXHIBIT B
PROPERTIES TO BE SOLD BY OUTCRY AUCTION**

Parcel	Legal Description	General Location	Acres	Last Owner of Record
01205039	Lot 15, Block 6, Aurora Heights Sub Blocks 5, 6, 7, 8, 12, 13, and 14, as shown on Plat No. 1510, Kenai Recording District	Nikiski	0.17	Betz David Alexander
01210019	Lot 1, Block 4, Nikishka Subdivision No. 5, as shown on Plat No. 1437, Kenai Recording District	Nikiski	1.17	Smith Thomas & Riley Marvin
01213132	Lot 2, Wik Bluff Subdivision, as shown on Plat No. 82-54, Kenai Recording District	Nikiski	4.51	Andrews Johney C
01222009	Lot 7, Block 2, Field Subdivision No 1, as shown on Plat No. 529, Kenai Recording District	Nikiski	2.02	Preblich Evalyn L
01314118	Lot 3, Block 2, Agate Beach Subdivision Amended, as shown on Plat No. 84-202, Kenai Recording District	Nikiski	1.01	Laplante Glenn & Melissa
01321430	Lot 7, Block 5, Don's Place Subdivision Amended, as shown on Plat No. 83-44, Kenai Recording District	Nikiski	0.92	Andrews Johney C
01321547	Lot 7, Block 7, Don's Place Subdivision Amended, as shown on Plat No. 83-44, Kenai Recording District	Nikiski	0.92	Andrews Johney C
01360008	Lot 1, Block 1, Snowland Estates, Subdivision Part 2, as shown on Plat No. 81-94, Kenai Recording District	Nikiski	0.96	Voss Robert J
01423016	Lot 14, Block 2, Wooded Shores Subdivision No 2, as shown on Plat No. 83-251, Kenai Recording District	Nikiski	0.95	Andrews Johney C Living Trust
01423017	Lot 15, Block 2, Wooded Shores Subdivision No 2, as shown on Plat No. 83-251, Kenai Recording District	Nikiski	0.94	Andrews Johney C Living Trust
01431022	Lot 9, Block 4, Miller's Hide-Away Subdivision Amended, as shown on Plat No. 2003-1, Kenai Recording District	Nikiski	2.23	Gonzalez Ismael
01517302	Lot 2, Far West Subdivision, as shown on Plat No. 80-106, Kenai Recording District	Nikiski	1.91	Aguirre Jay S

Parcel	Legal Description	General Location	Acres	Last Owner of Record
01524066	Tract F-3, Northwood Acres Subdivision Arctic Storm Addition, as shown on Plat No. 2002-92, Kenai Recording District	Nikiski	1.05	Szwed Ethan A
01714012	Government Lot 31, Section 14, T6N, R12W, S.M., Alaska	Salamatof	2.00	Herring Edward Barnes & Cooke William
01726037	E½SW¼SW¼, Section 14, T6N, R12W, S.M., Alaska	Salamatof	20.00	Neve James K, Danny, Adam
01732807	Tract 34, Konovalof Lake Subdivision Amended, as shown on Plat No. 86-203, Kenai Recording District	Nikiski	36.94	Sacaloff Paul
04307003	That portion of Government Lot 57 beginning at the southwest corner of said lot, thence north 128 feet, thence east 320 feet, thence south 128 feet, thence west 320 feet to the point of beginning, Section 31, T6N, R11W, S.M., Alaska	Kenai	0.97	Neve James K, Danny, Adam
05522116	Lot 9, Block 2, Kenai River Bridge Subdivision Amended, as shown on Plat No. 75-28, Kenai Recording District	Kalifornsky	2.85	Hill James R & Erline
05542101	Lot 1, J & P Subdivision, as shown on Plat No. 82-96, Kenai Recording District	Kalifornsky	1.48	Gibbs James E & Patricia
06301701	Lot 1, Block 2, Sterling Crystal Estates Subdivision, as shown on Plat No. 86-40, Kenai Recording District	Sterling	1.03	Markwith Paul C
06301725	Lot 7, Block 3, Sterling Crystal Estates Subdivision, as shown on Plat No. 86-40, Kenai Recording District	Sterling	1.01	Nebraska T California
06301726	Lot 9, Block 3, Sterling Crystal Estates Subdivision, as shown on Plat No. 86-40, Kenai Recording District	Sterling	0.95	Nebraska T California
06301733	Lot 8, Block 3, Sterling Crystal Estates Subdivision, as shown on Plat No. 86-40, Kenai Recording District	Sterling	0.92	Kahn Edwin
06301804	Lot 4, Block 1, Inglebrook Subdivision, as shown on Plat No. 86-50, Kenai Recording District	Sterling	0.93	Matthews Del

Parcel	Legal Description	General Location	Acres	Last Owner of Record
06301805	Lot 5, Block 1, Inglebrook Subdivision, as shown on Plat No. 86-50, Kenai Recording District	Sterling	1.18	Matthews Del
06301807	Lot 7, Block 1, Inglebrook Subdivision, as shown on Plat No. 86-50, Kenai Recording District	Sterling	0.92	Matthews Del
06301808	Lot 8, Block 1, Inglebrook Subdivision, as shown on Plat No. 86-50, Kenai Recording District	Sterling	0.92	Matthews Del
06370003	Lot 2, Block 2, Sprucewood Terrace Subdivision, as shown on Plat No. 79-19, Kenai Recording District	Sterling	1.53	Passe Bruce E
06388013	Lot 15, Block Two, Naff Subdivision Part Two, as shown on Plat No. 84-275, Kenai Recording District	Sterling	0.93	Daiker Gary
06644358	Lot 8A, Block C, Lupine Subdivision No. 2, as shown on Plat No. 84-296, Kenai Recording District	Funny River	1.08	Hill Mike S & Angela E
13353063	Tract 5, Tri Estates Sub 1986 Addition, as shown on Plat No. 86-64, Kenai Recording District	Cohoe	4.03	Wardas John
13725051	Tract D3, Cohoe Industrial Park Subdivision Butler Addition, as shown on Plat No. 86-220, Kenai Recording District	Cohoe	1.06	Perpetuality Inc
13725052	Tract D2, Cohoe Industrial Park Sub Butler Addition, as shown on Plat No. 86-220, Kenai Recording District	Cohoe	1.06	Perpetuality Inc
13725053	Tract D1, Cohoe Industrial Park Sub Butler Addition, as shown on Plat No. 86-220, Kenai Recording District	Cohoe	5.50	Perpetuality Inc
13727148	Lot 23, North Ridge Estates Subdivision as shown on Plat No. 86-133, Kenai Recording District	Cohoe	1.02	Mackey Jason & Lisa L
13918002	Lot 4, Block 1, Clammers Haven Subdivision Addition No 2, as shown on Plat No. 78-26, Homer Recording District	Clam Gulch	4.54	Andrews Richard B & Klug Daniel J
14805003	Lot 29, Block 27, Original Townsite of Seward, as shown on Plat No. 1, Seward Recording District	Seward	0.07	Goresen Martin L Estate of & Goresen Betty A Estate of.

Parcel	Legal Description	General Location	Acres	Last Owner of Record
14805004	Lots 30, 31, and 32, Block 27, Original Townsite of Seward, as shown on Plat No. 1, Seward Recording District	Seward	0.21	Goresen Martin L Estate of & Goresen Betty A Estate of.
15706218	N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26, T1S, R14W, S.M., Alaska	Ninilchik	1.25	German William A
15912013	Tract 4, Happy Creek Homesites Subdivision, as shown on Plat No. 62-711, Homer Recording District	Happy Valley	5.00	Low Beatrice A
15912014	Tract 3, Happy Creek Homesites Subdivision, as shown on Plat No. 62-711, Homer Recording District	Happy Valley	5.00	Low Beatrice A
15931006	Parcel 2-D, J. Booth Recreational Subdivision Plat of Parcels A-1, A-2, B-1, B-2, C-1, D-1, & D-2, as shown on Plat No. 75-49, Homer Recording District	Happy Valley	2.13	Smith William D Estate of
15946010	Lot 4, Block 3, Sportsmans Glen Subdivision Unit 2, as shown on Plat No. 81-49, Homer Recording District	Happy Valley	5.21	Crego Frank Erwin & Weeks Wayne
16525037	Lot 14, Block 3, Williams North Fork Subdivision 1976 Addition, as shown on Plat No. 76-86, Homer Recording District	Anchor Point	1.09	Walters Tracy & Tomberlin Joey
16908311	Lot 11, Block 1, Anchor Estates Subdivision No 2, as shown on Plat No. 83-77, Homer Recording District	Anchor Point	1.05	Arrington Timothy
17102420	Lot 2, Sterling Acres Sub Unit 1, as shown on Plat No. 86-70, Homer Recording District	Anchor Point	2.03	Allen Christopher M
17102421	Lot 3, Sterling Acres Unit 1 Subdivision, as shown on Plat No. 86-70, Homer Recording District	Anchor Point	3.85	Allen Christopher M
17363001	Lot 1, Block 6, Diamond Cape Unit 2 Subdivision, as shown on Plat No. 77-79, Homer Recording District	Diamond Ridge	1.56	Ransom Anita E & Warnick Forrest James
19139005	Lot 20, Block 19, Barabara Heights Subdivision, as shown on Plat No. 79-6, Seldovia Recording District	Seldovia	3.14	Moonin Tianna Lee

PARCEL MAPS

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-23**

**AUTHORIZING RETENTION OR SALE OF CERTAIN REAL PROPERTY OBTAINED BY
THE KENAI PENINSULA BOROUGH THROUGH TAX FORECLOSURE PROCEEDINGS**

The Parcel Maps may be viewed on our website:

<http://www2.borough.kenai.ak.us/AssemblyClerk/Assembly/Ordinances/2012/O2012-23%20Parcel%20Maps.pdf>

ASSEMBLY MEMBERS AND ADMINISTRATION:

In accordance with KPB Energy Policy Guide,
the parcel maps have been bound separately and accompany this packet.

Please bring your bound copy of the parcel maps
to public hearing on 07/03/12.

Introduced by: Mayor
Date: 06/05/12
Hearing: 07/03/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-24**

**AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PARCELS OF
BOROUGH LAND IN WIDGEON WOODS PHASE TWO SUBDIVISION IN THE
CIECHANSKI AREA BY SEALED BID PROCEDURES**

- 1 **WHEREAS**, the borough has developed Widgeon Woods Subdivision Phase Two Subdivision
2 for disposal of lots to the general public; and
- 3 **WHEREAS**, the subdivided lots were independently appraised on November 16, 2009, by
4 Derry and Associates; and
- 5 **WHEREAS**, Widgeon Woods Subdivision contains 29 lots with similar size, characteristics,
6 and value which could be eligible for sale at this time, and
- 7 **WHEREAS**, it is the intent of the borough to sell the lots over a period of several years, by
8 offering up to eight lots per year; and
- 9 **WHEREAS**, offering eight lots in a “Bidder’s Choice Sealed Bid Land Sale” affords potential
10 buyers flexibility and encourages market exposure of all the 29 eligible lots, and
- 11 **WHEREAS**, for the purpose of this sale a single minimum bid value, \$33,000, which is
12 reflective of the general market value of the lots within the subdivision, can be
13 applied to any of the lots within the pool of lots eligible for sale; and
- 14 **WHEREAS**, the 2012 Widgeon Woods Bidder’s Choice Sealed Bid Land Sale would sell up to
15 eight lots to the eight highest bids with the opportunity for the bidders, to choose
16 from the pool of 29 eligible lots, and

1 **WHEREAS**, the Planning Commission at its regularly scheduled meeting of June 11, 2012,
2 recommended _____;

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

5 **SECTION 1.** The lots listed below are authorized for sale with a minimum bid set at \$33,000.

WIDGEON WOODS PHASE TWO SUBDIVISION (Ciechanski Area)		
LOT	BLOCK	ACRES
Lot 1	Block 1	1.274
Lot 2	Block 1	1.314
Lot 3	Block 1	1.349
Lot 4	Block 1	1.310
Lot 5	Block 1	1.215
Lot 6	Block 1	1.215

Lot 1	Block 2	1.241
Lot 2	Block 2	1.241
Lot 3	Block 2	1.597
Lot 4	Block 2	1.228
Lot 5	Block 2	1.225
Lot 6	Block 2	1.225

Lot 1	Block 3	1.200
Lot 3	Block 3	1.148
Lot 6	Block 3	1.148
Lot 7	Block 3	1.495
Lot 8	Block 3	1.495
Lot 9	Block 3	1.495

Lot 12	Block 4	1.200
Lot 13	Block 4	1.200

Lot 1	Block 5	1.277
Lot 2	Block 5	1.277
Lot 3	Block 5	1.785
Lot 4	Block 5	1.277
Lot 5	Block 5	1.277
Lot 6	Block 5	1.749
Lot 7	Block 5	1.492
Lot 8	Block 5	1.492
Lot 9	Block 5	1.304

1 **SECTION 2.** The method of disposal shall be by sealed bid pursuant to KPB 17.10.100(F).
2 The date of the sale shall be September 20, 2012. Bids shall be accepted at the
3 Kenai Peninsula Borough Administration building located at 144 N. Binkley St.,
4 Soldotna, Alaska 99669, by no later than, 2:00 pm, September 20, 2012.

5 **SECTION 3.** All parcels will be conveyed by Quitclaim Deed. Either title insurance or another
6 similar report must be obtained for all borough-financed sales, at the Buyer's
7 expense, showing the condition of title and that there are no unsatisfied judgments
8 or liens against the Buyer at the time of closing, the latter of which shall also be
9 verified by the Buyer. In the event a title report showing a reasonably acceptable
10 condition of title cannot be obtained, then either the Buyer or the KPB may elect

1 to terminate the purchase contract, in which case all monies on deposit will be
2 refunded to the Buyer. For borough-financed sales Buyers must execute a release
3 authorizing the borough to obtain a credit report on the Buyers.

4 **SECTION 4.** Upon successfully bidding or entering into a Purchase Agreement to acquire the
5 land, a down payment of ten percent (10%) of the sale price shall be made and the
6 applicable terms and provisions of KPB 17.10.120 and KPB 17.10.130 shall
7 apply.

8 **SECTION 5.** Parcels that do not sell as set forth herein shall be returned to the land bank.

9 **SECTION 6.** The mayor is authorized to sign any documents necessary to effectuate this
10 ordinance.

11 **SECTION 7.** This ordinance shall become effective immediately upon enactment.

12 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
13 **DAY OF * 2012.**

Gary Knopp, Assembly President

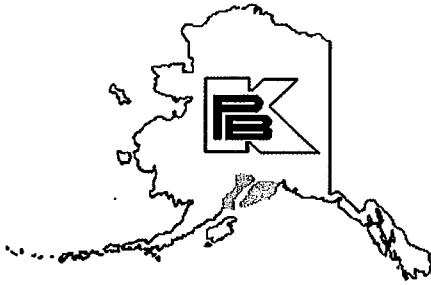
ATTEST:

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, Director of Planning *MB*

FROM: Marcus A Mueller, Land Management Officer *ma*

DATE: May 24, 2012

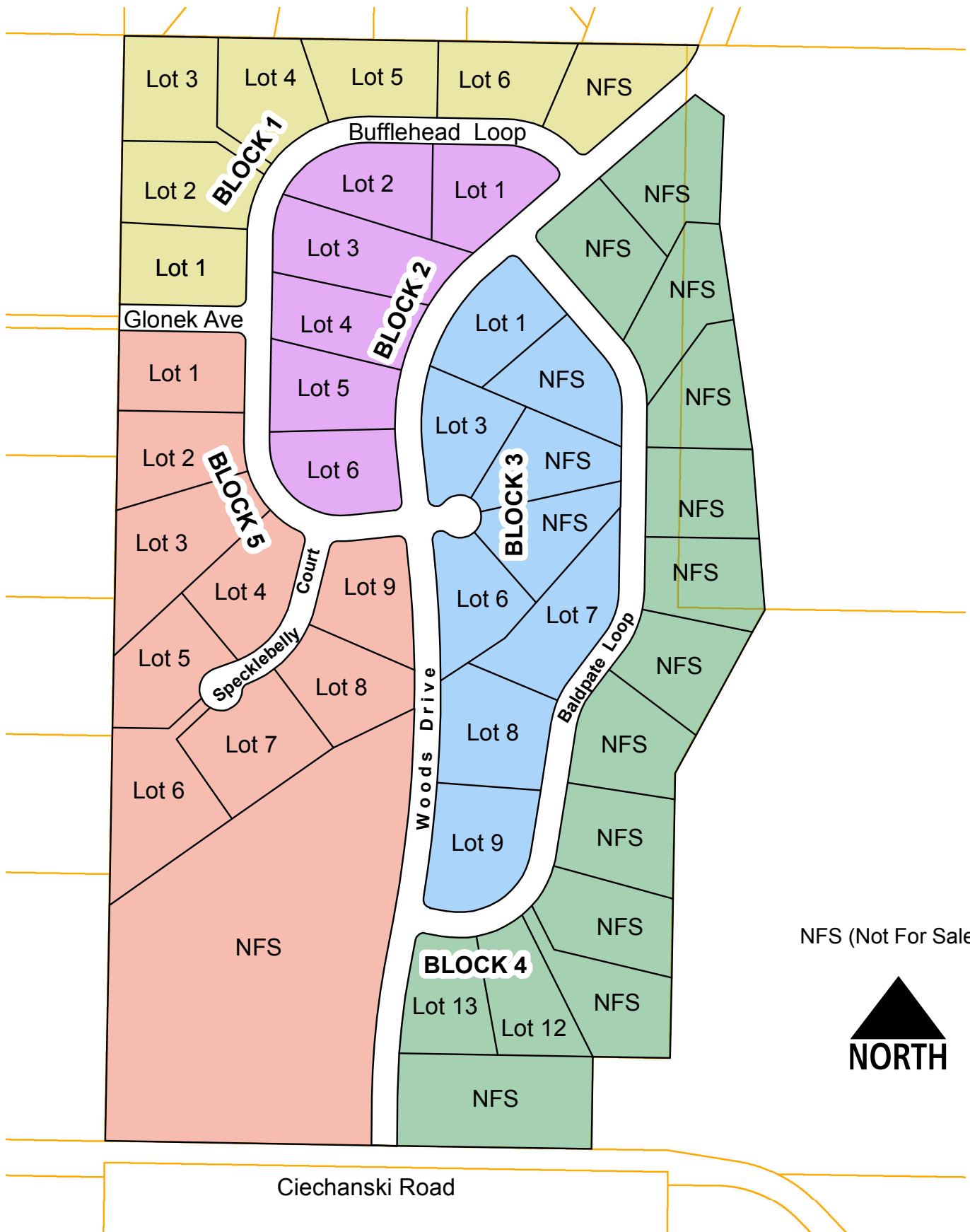
SUBJECT: Ordinance 2012-24, Authorizing the Sale of Certain Parcels of Borough Land in the Widgeon Woods Phase Two Subdivision by Sealed Bid Procedures

The Widgeon Woods Subdivision Project is nearly completed. All roads are constructed and electric and gas utilities are installed. Twenty-nine lots are available to be marketed. Thirteen additional lots will be available after easements have been vacated.

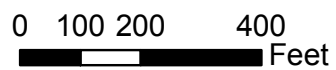
As an approach to achieve multiple goals with the sale of lots within Widgeon Woods Subdivision, a sealed bid land sale offering eight lots from the pool of twenty-nine available lots is recommended and proposed. This sale approach would establish a single minimum bid of \$33,000 per lot for the sale. Bidders would bid on the pool of available lots and the choice of lot would go to the bidders, in high bid order, until eight lots are sold.

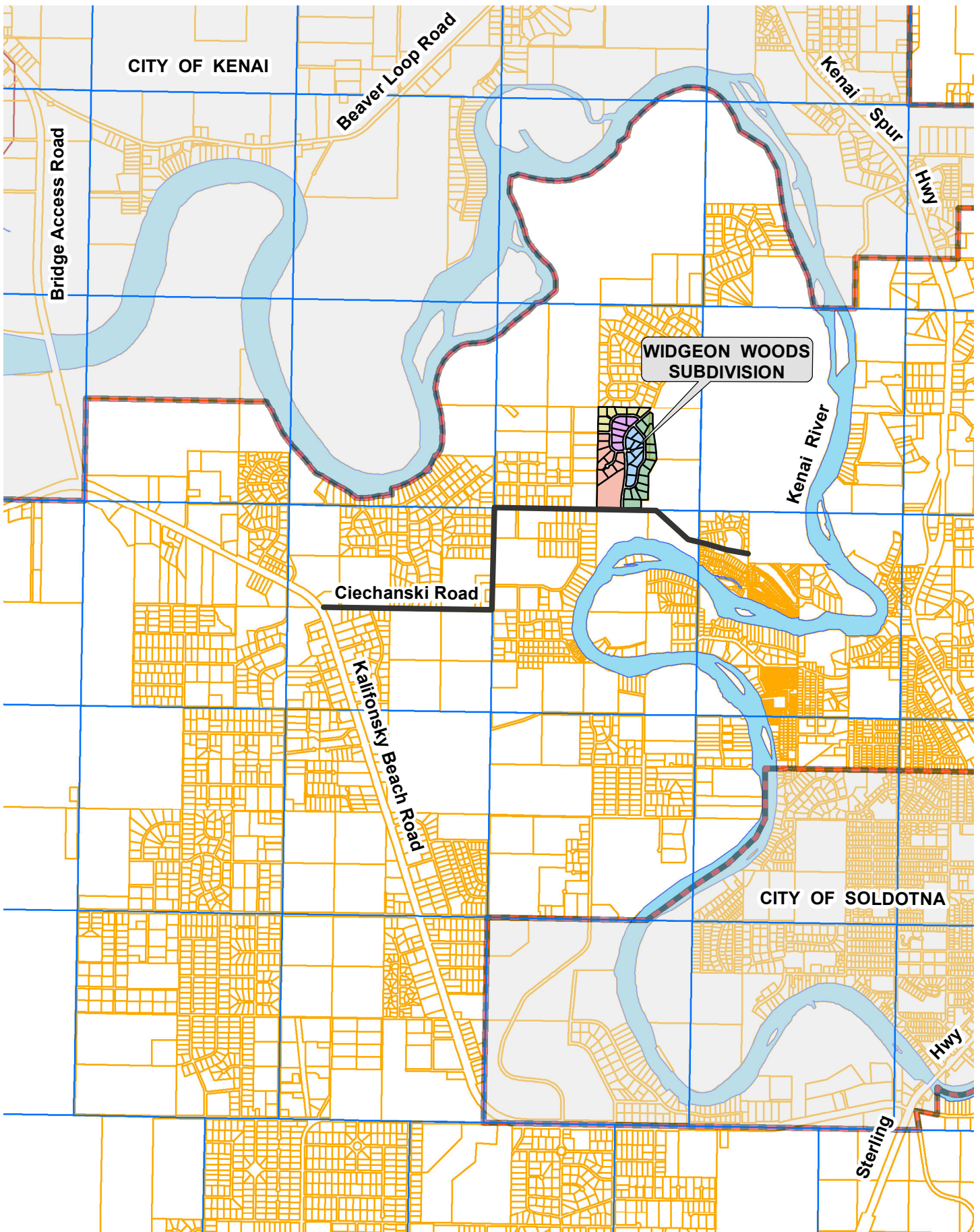
The bid opening is proposed for September 20, 2012. A sale brochure will be prepared which will delineate the parcels and explain the sealed bid procedures. Notice of the land sale will be published in accordance with KPB 17.10.110 and the brochure will be made available on the borough's land management website.

Your consideration of this ordinance is appreciated.



SUBDIVISION PARCEL MAP





VICINITY MAP



Market Value Conclusion, Widgeon Woods S/D, Phase Two

Legal Description	Size (acres)	Comparative features (to Key Lot)	Elements of Comparison (applied to Key Lot value/acre)				View amenity	Conclusion	
			Size	Topography	Attributes	Shape			
Key Lot Lt.5, Blk.2	1.225	Very gradual east slope down, partial cleared	1.225	gradual slope	typical	irreg. typcl.	double frntage	none	\$30,000
Block 1									
Lot 1	1.274	Very gradual north slope down, similar tree cover					corner		\$31,000
Lot 2	1.314	Very gradual north slope down, similar tree cover							\$30,000
Lot 3	1.349	Level, similar tree cover							\$30,000
Lot 4	1.310	Mostly level, similar tree cover							\$30,000
Lot 5	1.215	Mostly level, similar tree cover							\$29,000
Lot 6	1.215	Gradual west slope down, similar tree cover							\$29,000
Lot 7	1.215	Very gradual west slope down, similar tree cover					corner		\$30,000
Block 2									
Lot 1	1.241	Very gradual rolling, SE slope down, similar trees							\$30,500
Lot 2	1.241	Very gradual rolling, SE slope down, similar trees							\$30,000
Lot 3	1.597	Very gradual rolling, SE slope down, similar trees							\$31,500
Lot 4	1.225	Very gradual east slope down, similar trees							\$30,000
Lot Key 5	1.225	Key lot							\$30,000
Lot 6	1.225	Very gradual east slope down, similar trees					corner		\$30,000
Block 3									
Lot 1	1.200	Gradual northwest slope down, similar tree cover							\$29,500
Lot 2	1.200	Ridge along east, southeast slope down to ridge toe							\$32,000
Lot 3	1.148	Mostly level, similar tree cover							\$30,000
Lot 4	1.148	Ridge along east, southeast slope down to ridge toe							\$32,500
Lot 5	1.148	Ridge along east, top of ridge at southeast							\$34,000
Lot 6	1.148	Very gradual SE slope, top of ridge at SE lot bndry.							\$34,500
Lot 7	1.495	Includes ridge, toe of slope at road frontage & bndry.							\$34,000
Lot 8	1.495	Ridge intersects NW corner, mostly level							\$31,000
Lot 9	1.495	Includes small knoll, slopes west, south, east down							\$33,000



Market Value Conclusion, Widgeon Woods S/D, Phase Two

Legal Description	Size (acres)	Comparative features (to Key Lot)	Elements of Comparison (applied to Key Lot value/acre)				View amenity	Lot Value Conclusion
			Size	Topography	Attributes	Shape		
Key Lot Lt.5, Blk.2	1.225	Very gradual east slope down, partial cleared	1.225	gradual slope	typical	irreg. typcl.	none	\$30,000
Block 4								
Lot 1	1.450	Gradual SE ridge slope, top of slope at east lt boundary	--	+			+++	\$39,000
Lot 2	1.350	Gradual SE ridge slope, top of slope at SE lot boundary	--	+		corner	++	\$35,000
Lot 3	1.269	Gradual SE ridge slope, mid ridge along NW boundary					+	\$34,000
Lot 4	1.205	Very gradl. SE slope, includes slope to wetlands along east bndry.					+	\$32,500
Lot 5	1.240	Very gradl. SE slope, includes slope to wetlands along east bndry.					+	\$33,500
Lot 6	1.240	Very gradl. SE slope, includes slope to wetlands along east bndry.					++	\$36,500
Lot 7	1.240	Mostly level, includes slope to wetlands along SE boundary					++	\$35,000
Lot 8	1.322	Very gradl. SE slope, includes slope to wetlands along SE bndry.					++	\$35,000
Lot 9	1.322	Mostly level, includes all slope to wetlands along east bndry.					+	\$32,000
Lot 10	1.323	Mostly level, includes all slope to wetlands along east bndry.					+	\$32,000
Lot 11	1.200	Level, includes slope to wetlands along east bndry. & NE corner	+			-(flag lot)	+	\$29,500
Lot 12	1.200	Mostly level, similar tree cover	+					\$30,000
Lot 13	1.200	Very gradual SE slope down, similar tree cover	+			corner		\$30,000
Lot 14	2.267	Mostly level, very gradual east slope down	--			corner		\$50,000
Block 5								
Lot 1	1.277	Mostly level, similar tree cover				corner		\$31,000
Lot 2	1.277	Mostly level, similar tree cover						\$30,000
Lot 3	1.785	Mostly level, similar tree cover	--					\$32,000
Lot 4	1.277	Very gradual northwest slope down, similar tree cover				corner		\$31,500
Lot 5	1.277	Very gradual northwest slope down, similar tree cover						\$30,500
Lot 6	1.749	Gradual SE slope, includes ridge, top & toe of slope along SE	--				+	\$37,000
Lot 7	1.495	Gradual SE slope, includes ridge, top & toe of slope along SE	--			-(flag lot)	+	\$35,000
Lot 8	1.495	Gradual SE slope, includes ridge along SE lot boundary	--				+	\$35,000
Lot 9	1.304	Very gradual northeast slope down, similar tree cover				corner		\$30,500



DERRY & ASSOCIATES, INC.

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