

KENAI PENINSULA BOROUGH

ASSEMBLY PACKET

June 19, 2012

7:00 p.m.

June 2012

Monthly Planner

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday																																																																																			
	<div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 5px; background-color: #fff9c4;"> <p style="text-align: center; margin: 0;">May 2012</p> <table style="width: 100%; border-collapse: collapse; font-size: 8px;"> <tr><th>S</th><th>M</th><th>T</th><th>W</th><th>T</th><th>F</th><th>S</th></tr> <tr><td></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; background-color: #fff9c4;"> <p style="text-align: center; margin: 0;">Jul 2012</p> <table style="width: 100%; border-collapse: collapse; font-size: 8px;"> <tr><th>S</th><th>M</th><th>T</th><th>W</th><th>T</th><th>F</th><th>S</th></tr> <tr><td></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> </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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July 2012

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June 2012 - December 2012

Assembly Yearly Planner

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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. (Pittsburgh)

AUGUST

- 7 Assembly Meeting
- 14 8/14-8/17 AML Summer Legislative Conf. (Bethel)

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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TUESDAY, JUNE 19, 2012

- 3:00 PM Finance Committee**
- 3:45 PM Lands Committee**
- 4:15 PM Policies and Procedures Committee**
- 7:00 PM Regular Assembly Meeting**

Above listed meetings will be held in:

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

June 19, 2012	3:00 PM	Assembly Chambers George A. Navarre Kenai Peninsula Borough Administration Building, Soldotna
Bill Smith, Chair	Ray Tauriainen, Vice Chair	All Assembly Members

AGENDA

M. PUBLIC HEARINGS ON ORDINANCES

- 4. 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)46

O. NEW BUSINESS

- 1. Resolutions
 - *a. Resolution 2012-053: Authorizing the Mayor to Execute a Joint Funding Agreement with the U.S. Department of the Interior U.S. Geological Survey to Cooperatively Maintain the Stream River Gages and Gaging Stations (Mayor).....51
 - *b. Resolution 2012-054: Approving the Revised Salary Schedules for Appendix A Personnel (Mayor).....60
- 2. Ordinances
 - *a. Ordinance 2011-19-91: Authorizing the Transfer of \$104,226 in Residual Interest Earnings in the Bond Funded Capital Project Fund to Various Capital Project Funds (Mayor) (Hearing on 08/07/12).....65
 - *b. Ordinance 2012-19-06: Accepting and Appropriating a Grant in the Amount of \$975,000 from the State of Alaska on Behalf of the Nikiski Fire Service Area for the Purchase of an Aerial Fire Apparatus (Mayor) (Hearing on 08/07/12).....69
 - *c. Ordinance 2012-19-07: Accepting and Appropriating a Grant in the Amount of \$100,750 from the State of Alaska on Behalf of the Central Emergency Service Area for the Purchase of a Rescue Boat (Mayor) (Hearing on 08/07/12)75

*d. Ordinance 2012-19-08: Accepting and Appropriating Grants in the Amount of \$1,107,500 from the State of Alaska on Behalf of the Kenai Peninsula Borough School District for Equipment, Supplies and Student Nutrition Services (Mayor) (Hearing on 08/07/12)81

*e. Ordinance 2012-19-09: Accepting and Appropriating a Grant in the Amount of \$3,100,000 from the State of Alaska for Soldotna High School and Kenai High School Track and Field Improvements (Mayor) (Hearing on 08/07/12)90

*f. Ordinance 2012-19-10: Accepting and Appropriating a Grant in the Amount of \$1,625,000 from the State of Alaska for Security Camera Systems in Borough-Owned Facilities (Mayor) (Hearing on 08/07/12).....96

*g. Ordinance 2012-19-11: Accepting and Appropriating a Grant in the Amount of \$15,000 from the State of Alaska on behalf of the River Center for the Septic Tank Removal and Sewer System Connection Project (Mayor) (Hearing on 08/07/12).....102

*h. Ordinance 2012-19-12: Accepting and Appropriating a Grant in the Amount of \$2,000,000 from the State of Alaska on behalf of the Central Kenai Peninsula Hospital Service Area for the Radiation Oncology Facility Construction Project (Mayor) (Hearing on 08/07/12).....108

*i. Ordinance 2012-19-13: Accepting and Appropriating a Grant in the Amount of \$1,000,000 from the State of Alaska for Hazard Tree Removal (Mayor) (Hearing on 08/07/12).....115

*j. Ordinance 2012-19-14: Accepting and Appropriating \$8,050,000 from the State of Alaska on Behalf of the Road Service Area for Capital Improvement Projects (Mayor) (Hearing on 08/07/12)121

3. Other

*a. Approving the Application for Restaurant Designation Permit Filed by Margaret K. Lupton and Jeffery T. Clonts dba Magpye’s Pizzeria.....195

*Consent Agenda Items

June 19, 2012

3:45 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

- *k. Ordinance 2012-19-15: Authorizing the Acquisition of Real Property Adjacent to the Property Used by Aurora Borealis Charter School in Kenai on Behalf of the Kenai Peninsula Borough School District and Appropriating Funds for the Acquisition (Mayor) (Shortened Hearing on 07/03/12).....127

- *l. Ordinance 2012-19-16: Approving the Acquisition of Real Property along Salmon Creek for Flood Mitigation and Appropriating \$27,700 from Seward Bear Creek Flood Service Area for the Acquisition of Four Parcels and Approving a Contribution from the Conservation Fund for the Acquisition of Five Additional Parcels Along Salmon Creek (Mayor) (Hearing on 08/07/12).....149

*Consent Agenda Items

Policies and Procedures Committee

June 19, 2012

4:15 PM

Assembly Chambers
George A. Navarre Kenai Peninsula
Borough Administration Building, Soldotna

Mako Haggerty, Chair

Charlie Pierce, Vice Chair

Linda Murphy

AGENDA

K. MAYOR’S REPORT.....19

- 1. Assembly Requests/Responses – None.
- 2. Agreements and Contracts
 - a. Authorization to Award Contract for the Road Service Area Summer & Winter Road Maintenance for Central Region Units 1, 2, 4 & 10, South Region Units 3, 4, 7, 8 & 9 and West Region Units 1, 4, 5 & 6 to various contractors20
 - b. Request for Waiver of Formal Bidding Procedures – Finance High Density Mobile Storage System for the Finance/Legal Borough Administration Remodel Project to Northwest /Think Office LLC22
 - c. Authorization to Award Contract for Workers Compensation Third Party Claims Adjustor to Alaska Municipal League Joint Insurance Association.....23
 - d. Request for Waiver of Formal Bidding Procedures – Homer Baling Facility to Pioneer Supply Inc.....24
 - e. Request for Waiver of Formal Bidding Procedures for the Fee Proposal for providing shredded rubber fall surface material for the North Peninsula Recreation Service Area Playground to SiteLines Park and Playground Products25
- 3. Other
 - a. Certification of the 2012 Main Roll Assessment.....26
 - b. Letter from James Greeley, State Petroleum Property Assessor, regarding the total assessed value of oil and gas property in the Kenai Peninsula Borough27

M. PUBLIC HEARINGS ON ORDINANCES

- 1. Ordinance 2012-15: Authorizing the Grant of Assets from the Lowell Point Emergency Service Area to the Lowell Point Volunteer Fire Department (McClure).....28
- 2. Ordinance 2012-16: Amending KPB 5.22.050 Regarding the Senior Citizen’s Grant Program for Adult Day Care Centers (Mayor).....35
- 3. 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)39

O. NEW BUSINESS

- 1. Resolutions
 - *c. Resolution 2012-055: Revising Borough Policy TR-02, Reimbursement of Business Meals (Murphy)63
- 2. Ordinances
 - *m. Ordinance 2012-25: Amending KPB 16.06.030(A) to Extend the Deadline for Service Areas to Obtain an Energy Audit (Mayor) (Shortened Hearing on 07/03/12).....191

*Consent Agenda Items

Assembly Agenda

June 19, 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. June 5, 2012 Regular Assembly Meeting Minutes..... 1

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

I. PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

- 1. Janice Chumley, Invasive Weed Awareness and Control (10 minutes)

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

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- 1. Assembly Requests/Responses – None.
- 2. Agreements and Contracts
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 - b. Letter from James Greeley, State Petroleum Property Assessor, regarding the total assessed value of oil and gas property in the Kenai Peninsula Borough27

L. ITEMS NOT COMPLETED FROM PRIOR AGENDA – None.

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

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- 4. 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) (Referred to Finance Committee)46

N. UNFINISHED BUSINESS - None.

O. NEW BUSINESS

1. Resolutions

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*h. Ordinance 2012-19-12: Accepting and Appropriating a Grant in the Amount of \$2,000,000 from the State of Alaska on behalf of the Central Kenai Peninsula Hospital Service Area for the Radiation Oncology Facility Construction Project (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee).....108

*i. Ordinance 2012-19-13: Accepting and Appropriating a Grant in the Amount of \$1,000,000 from the State of Alaska for Hazard Tree Removal (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)115

*j. Ordinance 2012-19-14: Accepting and Appropriating \$8,050,000 from the State of Alaska on Behalf of the Road Service Area for Capital Improvement Projects (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)121

*k. Ordinance 2012-19-15: Authorizing the Acquisition of Real Property Adjacent to the Property Used by Aurora Borealis Charter School in Kenai on Behalf of the Kenai Peninsula Borough School District and Appropriating Funds for the Acquisition (Mayor) (Shortened Hearing on 07/03/12) (Referred to Lands Committee)127

*l. Ordinance 2012-19-16: Approving the Acquisition of Real Property along Salmon Creek for Flood Mitigation and Appropriating \$27,700 from Seward Bear Creek Flood Service Area for the Acquisition of Four Parcels and Approving a Contribution from the Conservation Fund for the Acquisition of Five Additional Parcels Along Salmon Creek (Mayor) (Hearing on 08/07/12) (Referred to Lands Committee).....149

*m. Ordinance 2012-25: Amending KPB 16.06.030(A) to Extend the Deadline for Service Areas to Obtain an Energy Audit (Mayor) (Shortened Hearing on 07/03/12) (Referred to Policies and Procedures Committee).....191

3. Other

*a. Approving the Application for Restaurant Designation Permit Filed by Margaret K. Lupton and Jeffery T. Clonts dba Magpye's Pizzeria (Referred to Finance Committee)195

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

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. July 3, 2012 Regular Assembly Meeting 7:00 PM Soldotna

R. ASSEMBLY COMMENTS

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

1. Resolution 2011-108: Approving a New Senior Clerk Typist Classified Position in the River Center Department (Mayor) (Referred to Policies and Procedures Committee) *TABLED 01/17/12*

2. Ordinance 2011-36: Amending KPB 14.40.155 Temporary Road Closure, to Clarify and Expand the Reasons and Procedure for Closing Borough Roads and Rights-of-Way (Mayor) (Referred to Policies and Procedures Committee) *TABLED 12/06/11*

3. Ordinance 2011-19-90: 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) (Referred to Finance Committee)

4. 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)

5. 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) (Referred to Finance Committee)

6. 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) (Referred to Finance Committee)
7. 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) (Referred to Finance Committee)
8. 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) (Referred to Lands Committee)
9. 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) (Referred to Policies and Procedures Committee)
10. 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) (Referred to Policies and Procedures Committee)
11. 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) (Referred to Lands Committee)
12. 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) (Referred to Lands 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 July 3, 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

June 5, 2012

Regular Meeting - Soldotna, Alaska

CALL TO ORDER

A Regular Meeting of the Kenai Peninsula Borough Assembly was held on June 5, 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 Sue McClure.

There were present:

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

Charlie Pierce
Hal Smalley
Bill Smith
Ray Tauriainen

comprising a quorum of the assembly.

Also in attendance were:

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

COMMITTEE REPORTS

(07:02:29)

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

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

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

MOTION:

Pierce moved to authorize our NACo Representative, Assembly Member Hal Smalley and NACo Steering Committee Member, Assembly Member Linda Murphy to attend the National Association of Counties'

Annual Conference in Pittsburg, Pennsylvania
July 12-18, 2012.

MOTION PASSED: Unanimous.

MOTION: Smith moved to increase Borough Clerk Johni Blankenship and Deputy Clerk Shellie Saner's Salaries by five percent effective July 1, 2012.

Assembly Member Pierce and Tauriainen spoke in opposition to the motion.

Assembly Member Murphy spoke in support of the motion.

President Knopp spoke in support of the motion.

VOTE ON MOTION:

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

No: Pierce, Tauriainen

Absent: None

MOTION PASSED: 7 Yes, 2 No, 0 Absent

APPROVAL OF THE AGENDA AND CONSENT AGENDA

MOTION TO APPROVE AGENDA: Pierce moved for the approval of the agenda and consent agenda. (07:32:30)

[Clerk's Note: President Knopp passed the gavel to Vice President Pierce and declared a conflict with Resolution 2012-047 as he was the owner of G&H Construction, he noted that he had also bid on the projects outlined in Resolutions 2012-046 and 2012-049. Vice President Pierce ruled a conflict did exist regarding Resolution 2012-047. President Knopp abstained from discussion and voting on Resolution 2012-047.]

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

The following item was added to the consent agenda:

- Resolution 2012-052: Authorizing the Mayor to Enter Into an Agreement with MS Govern for the Purpose of a Self Reporting Tax Software Module for the Estimated Amount of \$674,085 (Mayor) (Referred to Finance 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 15, 2012 Regular Assembly Meeting Minutes

- Resolution 2012-046: Authorizing Road Service Area Capital Improvement Project: Territorial Road, Swan Drive, and Chena Drive #W1TER Contract Award and Allocation (Mayor) (Referred to Finance Committee)
- Resolution 2012-047: Authorizing Road Service Area Capital Improvement Project: Ansel Street and Goose Berry Street Approaches #C3GOO Contract Award and Allocation (Mayor) (Referred to Finance Committee)
- Resolution 2012-048: Authorizing Road Service Area Capital Improvement Project: Katamar Avenue and Brown Drive #S5KAT Contract Award and Allocation (Mayor) (Referred to Finance Committee)
- Resolution 2012-049: Authorizing Road Service Area Capital Improvement Project: Strawberry Road, Strawberry Court and Dori Lynn Street #C5STR Contract Award and Allocation (Mayor) (Referred to Finance Committee)
- 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) (Referred to Finance Committee)
- Resolution 2012-051: 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) (Referred to Policies and Procedures Committee)

[Clerk's Note: Amendments were made to Resolution 2012-051 as follows: The eleventh whereas to read, "at its meeting of May 31, 2012, the CPGHI board [CONSIDERED THIS SUBLEASE AGREEMENT AND RECOMMENDED] delegated authority to its Executive Committee to take action on the approval of the proposed sublease; and", insert a new twelfth whereas to read, "on June 4, 2012 the CPGHI Executive Committee adopted Executive Committee Resolution 2012-045 (amended) approving the sublease with RBS Evolution of Alaska, LLC; and", the final whereas to read, "at its meeting of June 4, 2012 the Central Kenai Peninsula Hospital Service Area board considered the sublease agreement and recommended approval by unanimous consent;"]

- Resolution 2012-052: Authorizing the Mayor to Enter Into an Agreement with MS Govern for the Purpose of a Self Reporting Tax Software Module for the Estimated Amount of \$674,085 (Mayor) (Referred to Finance Committee)
- 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) (Referred to Finance Committee)

- 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)
- 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) (Referred to Finance Committee)
- 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) (Referred to Finance Committee)
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- 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) (Referred to Policies and Procedures Committee)
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- 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) (Referred to Lands Committee)

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

AGENDA APPROVED AS AMENDED:

Without objection.

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

COMMENDING RESOLUTIONS AND PROCLAMATIONS - None.

PRESENTATIONS WITH PRIOR NOTICE

(07:41:56)

Kenai Peninsula Borough School District Superintendent **Dr. Steve Atwater** and Kenai Peninsula Borough Board of Education President **Joe Arness** gave a quarterly report.

South Peninsula Hospital Chief Executive Officer **Robert Letson** presented a quarterly report for the period ending March 2012.

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

(08:07:24)

President Knopp called for public comment.

The following people addressed the Assembly regarding the rights of the property owners in regards to KPB 21.18:

Debbie Brown, 27370 Tideland, Kasilof
George Pierce, PO Box 80, Kasilof
Ivan Every, 58132 Kenai Spur Highway, Kenai

The following person spoke in support of Resolution 2012-051:

Rick Davis, 35467 K-Beach Road, Kenai

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

MAYOR'S REPORT

(08:22:50)

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
 - a. Authorization to Award Contract for Central Peninsula Landfill Truck Scale Replacement 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 and Restoration to A&A Enterprises
3. Other
- a. Budget Revisions April, 2012
 - b. Revenue-Expenditure Report April, 2012

ITEMS NOT COMPLETED FROM PRIOR AGENDA - None.

PUBLIC HEARING ON ORDINANCES

(08:43:27)

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) (Referred to Finance Committee)

MOTION: Smith moved to enact Ordinance 2011-19-86.

President Knopp called for public comment.

The following person spoke in opposition to any nonprofits being contracted in regards to Ordinance 2011-19-86:

Debbie Brown, 27370 Tideland Street, 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, Smalley, Smith, Tauriainen, Knopp
No: None
Absent: None
MOTION TO ENACT PASSED: 9 Yes, 0 No, 0 Absent

(08:49:15)

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) (Referred to Finance Committee)

MOTION: Smith moved to enact Ordinance 2011-19-88.

President Knopp called for public comment with none being offered.

VOTE ON MOTION TO ENACT:

Yes: Haggerty, Johnson, McClure, Murphy, Pierce, Smalley, Smith, Tauriainen, Knopp
No: None
Absent: None
MOTION TO ENACT PASSED: 9 Yes, 0 No, 0 Absent

(08:50:49)

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)

MOTION: Smith moved to enact Ordinance 2011-19-89.

President Knopp called for public comment with none being offered.

MOTION: Smith moved to amend Ordinance 2011-19-89 as follows:

The fourth whereas to read, "the Service Area at its May [14] 10, 2012 meeting recommended approval by unanimous consent."

Insert a new fifth whereas to read, "former Mayor Carey authorized waiver of the administrative support fee on this project."

Insert a new Section 2 to read, "The administrative support fee is waived on this project."

Renumber remaining section accordingly.

MOTION PASSED:

Unanimous.

VOTE ON MOTION TO ENACT AS AMENDED:

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

No: None

Absent: None

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

(08:52:45)

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)

MOTION:

Haggerty moved to enact Ordinance 2012-13.

President Knopp called for public comment with none being offered.

VOTE ON MOTION TO ENACT:

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

No: None

Absent: None

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

(08:54:20)

Ordinance 2012-14: Amending KPB 16.20.010 to Revise the Legal Description of the Kachemak Emergency Service Area Boundary to Make it Consistent with the Recently Amended Kachemak City Boundary Legal Description Due to Annexation (Mayor) (Referred to Policies and Procedures Committee)

MOTION:

Haggerty moved to enact Ordinance 2012-14.

President Knopp called for public comment with none being offered.

VOTE ON MOTION TO ENACT:

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

No: None

Absent: None

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

(08:56:07)

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) (Referred to Finance Committee)

MOTION: Smith moved to enact Ordinance 2012-17.

President Knopp called for public comment with none being offered.

VOTE ON MOTION TO ENACT:

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

No: None

Absent: None

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

(08:58:07)

**Ordinance 2012-19: Appropriating Funds for Fiscal Year 2013 (Mayor)
(Referred to Finance Committee)**

[Clerk's Note: The motion to enact Ordinance 2012-19 was on the floor from the May 15, 2012 meeting.]

President Knopp called for public comment.

The following people spoke in opposition to Non-Departmental funding:

Debbie Brown, 27370 Tideland Street, Kasilof
George Pierce, P.O. Box 80, Kasilof

The following person addressed the Assembly regarding reductions to the budget:

Fred Sturman, 136 Riverview, Soldotna

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

Assembly Member Smith spoke in support of Ordinance 2012-19.

(09:08:20)

MOTION: Smith moved to amend the FY2013 budget document as follows:

Page 134, Non Departmental, increase line item 100.94910.00000.50264, Transfers, "911 Communications Fund," \$20,000.

Page 208, 911 Communications, increase line item 264.11255.00000.43011, Services, "Contract Services," \$20,000.

MOTION TO AMEND PASSED: Unanimous.

(09:13:16)

MOTION: Smith moved to amend FY2013 budget document as follows:

Page 57, Assembly Administration, add line item 100.11110.00000.43019, Services "Software Licensing," \$2,200.

MOTION TO AMEND PASSED:

Unanimous.

(09:14:04)

MOTION:

Smith moved to amend FY2013 budget document as follows:

Page 59, Assembly Clerk, increase line item 100.11120.00000.43610, Services "Utilities," \$4,300.

MOTION TO AMEND PASSED:

Unanimous.

(09:14:48)

MOTION:

Smith moved to amend FY2013 budget document as follows:

Page 68, Mayor Administration, increase line item 100.11120.00000.43999, Services "Contingency," \$28,725.

MOTION TO AMEND PASSED:

Unanimous.

(09:16:13)

MOTION:

Smith moved to amend FY2013 budget document as follows:

Page 275, Nikiski Senior Service Area, increase line item 280.63190.00000.43011, Services, "Contractual Services," \$12,000.

MOTION TO AMEND PASSED:

Unanimous.

(09:17:10)

MOTION:

Smith moved to amend FY2013 budget document as follows:

Page 134, Non Departmental, decrease line item 100.94910.00000.50241, Transfers "S/D Operations," \$500,000.

Page 252, School Fund, decrease line item 241.94910.00000.50241, Transfers "School District Operations," \$500,000.

MOTION TO AMEND PASSED:

Unanimous.

MOTION: Smalley moved to amend the FY2013 budget document as follows: (09:18:21)

Page 134, Non Department, increase line item 100.94910.00000.43010, Services, "Contractual Services - CARTS", \$25,0000.

Assembly Members Johnson and Tauriainen spoke in opposition to the amendment.

VOTE ON MOTION TO AMEND:

Yes: Haggerty, McClure, Murphy, Smalley
No: Johnson, Pierce, Smith, Tauriainen, Knopp
Absent: None
MOTION TO AMEND FAILED: 4 Yes, 5 No, 0 Absent

MOTION: Smalley moved to amend FY2013 budget document as follows: (09:20:51)

Page 134, Non Departmental, increase line item 100.94910.00000.43021, Services, "Peninsula Promotion - KPTMC", \$60,000.

Assembly Members Johnson, Tauriainen and Pierce spoke in opposition to the amendment.

President Knopp spoke in support of the amendment.

Assembly Members Murphy, Haggerty McClure, Smith and Smalley spoke in support of the amendment.

VOTE ON MOTION TO AMEND:

Yes: Haggerty, McClure, Murphy, Smith, Smalley, Knopp
No: Johnson, Pierce, Tauriainen
Absent: None
MOTION TO AMEND PASSED: 6 Yes, 3 No, 0 Absent

MOTION: Murphy moved to amend the FY2013 budget document as follows: 9:38:10

Page 59, Assembly Administration, increase line item 100.11110.00000.43215, Services, "Travel Out of State", \$10,000.

VOTE ON MOTION TO AMEND:

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

No: None

Absent: None

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

(9:42:00)

MOTION: Tauriainen moved to amend the FY2013 budget document as follows:

Page 134, Non Departmental, decrease line item 100.94910.00000.43009, Services, "Contractual Services - EDD", \$50,000.

Assembly Members Smith and Haggerty spoke in support of the amendment.

Assembly Members Smalley, Murphy, and Johnson spoke in opposition to the amendment.

VOTE ON MOTION TO AMEND:

Yes: Haggerty, Smith, Tauriainen

No: Johnson, McClure, Murphy, Pierce, Smalley, Knopp

Absent: None

MOTION TO AMEND FAILED: 3 Yes, 6 No, 0 Absent

(09:54:46)

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

MOTION: Knopp moved to amend the FY2013 budget document as follows:

Page 57, Assembly Administration, increase line item 100.11110.00000.40120, Personnel, "Temporary Wages", \$200,000.

Assembly Member Johnson spoke in opposition to the amendment.

Assembly Members Haggerty, Smalley, Murphy and Smith spoke in support of the amendment.

VOTE ON MOTION AMEND:

Yes: Haggerty, McClure, Murphy, Pierce, Smalley, Knopp

No: Johnson, Pierce, Tauriainen

Absent: None

MOTION TO AMEND PASSED: 6 Yes, 3 No, 0 Absent

MOTION:

Smith moved to amend Ordinance 2012-19 as follows:

Section 1 to read, "That \$[73,104,303] 72,929,528 is appropriated in the General Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013 as follows:

General Government Operations \$[16,852,574] 17,157,799 | Transfer to School District for Operations and In-Kind Services [43,500,000] 43,000,000 | Transfer to School Debt Service 2,571,245 | Transfer to Special Revenue Funds: | Solid Waste 8,043,557 | Post Secondary Education 667,189 | Land Trust Fund 57,692 | 911 Communications Fund [309,065] 329,065 | Nikiski Senior Service Area 52,981 | Transfer to Capital Projects Funds: | School Revenue 1,050,000"

Section 2 to read, "The following is appropriated to the school fund from the local sources for operations purposes and in-kind services:

A. Local Effort \$[34,306,586] 33,806,586 | B. Maintenance 7,038,861 | C. School District Utilities 81,145 | D. School District Insurance 1,884,254 | E. School District Audit 60,000 | F. Custodial Services 129,154 | Total Local Contribution per AS 14.17.410 \$[43,500,000] 43,000,000 "

Section 4 to read, "That the appropriations for the Special Revenue Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013 are as follows:

Nikiski Fire Service Area \$4,093,126 | Bear Creek Fire Service Area 382,011 | Anchor Point Fire and Emergency Medical Service Area 579,093 | Central Emergency Service Area 7,921,471 | Central Peninsula Emergency Medical Service Area 8,716 | Kachemak Emergency Service Area 907,770 | Seward

Bear Creek Flood Service Area 263,597 | 911 Communications [1,884,300] 1,904,300 | Kenai Peninsula Borough Road Service Area 6,255,036 | Engineer's Estimate Fund 2,000 | North Peninsula Recreation Service Area 1,601,493 | Seldovia Recreation Service Area 42,189 | Post-Secondary Education 667,189 | Land Trust 1,128,756 | Nikiski Senior Service Area [261,210] 273,210 | Solid Waste 9,036,945 | Central Kenai Peninsula Hospital 3,846,139 | South Kenai Peninsula Hospital 3,541,916"

MOTION TO AMEND PASSED: Unanimous.

VOTE ON MOTION TO ENACT AS AMENDED:

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

No: None

Absent: None

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

UNFINISHED BUSINESS - Postponed Item

(10:23:12)

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)

[Clerk's Note: The motion to adopt Resolution 2012-045 was on the floor from the May 15, 2012 meeting.]

President Knopp called for public comment with none being offered.

MOTION: Haggerty 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 | 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 Truxt | 013-390-13 | 2012 | Hospitalized in Oregon and though filing deadline was same as PFD. | *Munn, Gillian | 177-051-26 | 2012 | Cancer diagnosis recently - traveling for medical exams | Lott, Colin | 172-170-17 | 2012 | Out of state from Feb 10 - Mar 2 |

*applicants exemption eligibility pending confirmation of PFD eligibility.

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

Assembly Members Murphy and Smalley spoke in opposition to the amendment.

President Knopp spoke in opposition to the amendment.

VOTE ON MOTION TO AMEND:

Yes:

None

No:

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

Absent:

None

MOTION TO AMEND FAILED:

0 No, 9 Yes, 0 Absent

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 | 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 TRUXT | 013-390-13 | 2012 | HOSPITALIZED IN OREGON AND THOUGH FILING DEADLINE WAS SAME AS PFD.] | *Munn, Gillian | 177-051-26 | 2012 | Cancer diagnosis recently - traveling for medical exams”

Assembly Members Tauriainen, Smith and Haggerty spoke in opposition to the amendment.

Assembly Member Johnson spoke in support of the amendment.

President Knopp spoke in support of the amendment.

VOTE ON MOTION TO AMEND:

Yes: Johnson, McClure, Smalley, Knopp
No: Haggerty, Murphy, Pierce, Smith, Tauriainen
Absent: None
MOTION TO AMEND FAILED: 4 Yes, 5 No, 0 Absent

VOTE ON MOTION TO ADOPT AS AMENDED:

Yes: Haggerty, Johnson, McClure, Murphy, Pierce, Smalley, Smith, Tauriainen, Knopp
No: None
Absent: None
MOTION TO ADOPT AS AMENDED PASSED: 9 Yes, 0 No, 0 Absent

NEW BUSINESS - None.

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

(10:38:27)

President Knopp called for public comment.

The following people addressed the Assembly regarding the rights of the property owners in regards to KPB 21.18:

Debbie Brown, 27370 Tideland, Kasilof
Ivan Every, 58132 Kenai Spur Highway, Kenai
George Pierce, PO Box 80, Kasilof

The following person addressed the Assembly regarding the current budget process and potential spending cuts:

Fred Sturman, 136 Riverview, Soldotna

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

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

(10:56:07)

The next meeting of the Kenai Peninsula Borough Assembly was scheduled for June 19, 2012, at 7:00 p.m. in the Borough Assembly Chambers, Soldotna, Alaska.

ASSEMBLY COMMENTS

(10:56:08)

Assembly Member Haggert thanked Borough Attorney Colette Thompson for her work on the Resolution 2012-051 Sublease Agreement. He noted that KPB 21.18 and the changes being made needed to be approached slow and deliberately, and it would eventually be correct without destroying everything. He invited everyone to come enjoy "Trails Day in Kachemak Bay State Park" on June 9, 2012, where there would be inexpensive water taxi rides across the bay.

Assembly Member Johnson thanked everyone involved with negotiating the sublease agreement for Resolution 2012-051. He stated that KPB 21.18 was important and he looked forward to future debates on the issue. He wished everyone a safe and fabulous summer.

Assembly Member McClure noted her appreciation for the comments made by Mayor Navarre regarding anadromous streams, and stated there were definitely polarized views on the subject and a working group was needed to find the balance between protection and personal rights. She said this was her third budget process and it had been pleasant.

Assembly Member Tauriainen thanked Mayor Navarre and Finance Director Craig Chapman for bringing forward a budget that was easy to work with. He reiterated the statement made by Assembly Member Smith, "in three years the budget had only gone up three percent," this did not represent a runaway budget. He noted that KPB 21.18 was not on the agenda tonight but it was discussed, and he felt that it hadn't been approached slow and deliberate, and had he known all of the water bodies involved with it he would not have supported it.

Assembly Member Smith stated that habitat protection was important in order to make sure that future generations had plenty of salmon. He stated in regards to slow and deliberate, the amendment he had introduced to KPB 21.18 was introduced in June and then adopted in February, it was set so that the Planning Commission could have several discussions on the subject. He said information provided from the River Center showed that privately owned parcels affected by KPB 21.18 prior to the amendment was 2,797 and after the amendment it only increased by 871 privately owned parcels. He did not feel it was an overreach for the borough, all it did was extend protection to less than 900 parcels. He said when it came to constitutional issues, basically this was a land use ordinance, it controlled land use like zoning, to say that zoning or land use control by municipalities was unconstitutional was clearly not true, cities and boroughs in the state of Alaska that had zoning

or land use regulations and they were constitutional, an example would be the 20-foot set back from a right-of-way.

Assembly Member Murphy said that when you owned a piece of property there were always certain restrictions, and it was the responsibility of the Assembly to protect the resource which was a vital part of the economy and wanted her children and grandchildren to be able to enjoy the same resource. She said she had read the constitution and was not a constitutional lawyer and yes it may seem clear when read; however, if it were all that clear there would not be so many constitutional lawyers who fought over provisions in those documents. She noted that she and her husband owned a small business and the employees had received pay increases this year, the carpenters received about a ten percent increase and in addition they were given extra money to pay for gas. She said anyone who wanted to help with the Coastal Zone Management issue, the State would be holding a meeting on July 2, 2012 in the KPB Assembly Chambers.

Assembly Member Smalley thanked Mayor Navarre, Finance Director Craig Chapman and all staff involved for the work done on the budget and the presentations given, it was one of the most painless budget processes he had been through. He thanked Mayor Navarre for the comments made on KPB 21.18 and said slow and deliberate was a good position to take. He congratulated his wife Susan Smalley for 44 years of marriage. He noted his WIR NACo trip report was available in the Clerk's Office.

President Knopp said there were several things to be thankful for and noted Resolution 2012-051 being adopted and an easy budget cycle as two of them.

ADJOURNMENT

With no further business to come before the assembly, President Knopp adjourned the meeting at 11:18 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of June 5, 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 19, 2012

Assembly Requests/ Response

None

Agreements and Contracts

- a. Authorization to Award Contract for the Road Service Area Summer & Winter Road Maintenance for Central Region Units 1,2,4 & 10, South Region Units 3,4,7,8 & 9 and West Region Units 1,4,5 & 6 to various contractors
- b. Request for Waiver of Formal Bidding Procedures – Finance High Density Mobile Storage System for the Finance/Legal Borough Administration Remodel Project to Northwest /Think Office LLC
- c. Authorization to Award Contract for Workers Compensation Third Party Claims Adjustor to Alaska Municipal League Joint Insurance Association
- d. Request for Waiver of Formal Bidding Procedures – Homer Baling Facility to Pioneer Supply Inc
- e. Request for Waiver of Formal Bidding Procedures for the Fee Proposal for providing shredded rubber fall surface material for the North Peninsula Recreation Service Area Playground to SiteLines Park and Playground Products

Other

- a. Certification of the 2012 Main Roll Assessment
- b. Letter from James Greeley, State Petroleum Property Assessor, regarding the total assessed value of oil and gas property in the Kenai Peninsula Borough



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

TO: Mike Navarre, Mayor

THRU: Mark Fowler, Purchasing & Contracting Director
Craig Chapman, Director of Finance

FROM: Doug Schoessler, Road Service Area Director
Road Service Area
Signature: _____

RECEIVED

MAY 24 2012

KPB
FINANCE DEPT ACCOUNTING

DATE: May 24, 2012

SUBJECT: Authorization to Award Contract for the Road Service Area Summer & Winter Road Maintenance for Central Region, Units 1, 2, 4 & 10, South Region, Units 3, 4, 7, 8 & 9 and West Region, Units 1, 4, 5 & 6

On April 27, 2012 the Kenai Peninsula Borough Road Service Area formally solicited for proposals for Road Service Area Summer & Winter Road Maintenance for Central Region, Units 1, 2, 4 & 10, South Region, Units 3, 4, 7, 8 & 9 and West Region, Units 1, 4, 5 & 6. The request for proposals was advertised in the Peninsula Clarion April 27, 29 & May 2, 2012 and in the Homer News May 3 & 10, 2012.

These contracts consist of furnishing all labor, materials and equipment to perform summer and winter road maintenance. These are three year contracts with an option for two one-year extensions.

On the due date of May 15, 2012 proposals were received for the Central Region from A&L Construction, Inc., the sole bidder in units 1 and 2. RSP, Inc. was the sole bidder in unit 4. Hammond Trucking, Inc. was the sole bidder in unit 10.

Proposals were received for the South Region from Paul's Services, the sole bidder in units 3 & 4. East Road Services, Inc. was the sole bidder in units 7 & 8. Seldovia Native Association was the sole bidder in unit 9.

Proposals were received in the West Region from S&R Enterprises, the sole bidder in unit 1. Mountain Vista Estates was the sole bidder in units 4 & 5. S&R Enterprises and D&L Construction Company, Inc. for unit 6.

The RSA evaluation committee evaluated the proposals consistent with the criteria established in the RFP. The Road Service Area Board at their May 23, 2012 meeting approved Road Service Area Resolution 2012-05 Recommending Approval of Contract for Summer & Winter Road Maintenance in the following regions and units:

Central Regions

Central Region, Unit 1
Central Region, Unit 2
Central Region, Unit 4
Central Region, Unit 10

Contractor

A&L Construction, Inc.
A&L Construction, Inc.
RSP, Inc. dba S&R Enterprises
Hammond Trucking, Inc.

South Regions

South Region, Unit 3
South Region, Unit 4
South Region, Unit 7
South Region, Unit 8
South Region, Unit 9

Contractor

Paul's Services
Paul's Services
East Road Services, Inc.
East Road Services, Inc.
Seldovia Native Association, Inc.

West Regions

West Region, Unit 1
West Region, Unit 4

West Region, Unit 5

West Region, Unit 6

Contractor

S&R Enterprises
Mountain Vista Estates dba Captain Cook Construction
Mountain Vista Estates dba Captain Cook Construction
D&L Construction Company, Inc.

Funding is available in the FY2013 Road Service Area operating budget. Expenditures for the contracts will be charged to account number 236.33950.00000.43952.

FINANCE DEPARTMENT
FUNDS VERIFIED
Pending Assembly Approval of FY2013 Budget Document
Amount: \$2.0m
Acct. # 236.33950.00000.43952
By: pc Date: 5/24/12

Approved

Mike Navarre
Mike Navarre, Kenai Peninsula Borough Mayor

5/29/12
Date

Routed From Mayor's Office to:
Clerk
Assembly
Legal
Finance
Assessing
Planning
Roads
S&B
Purchasing
Other
Date: 5/30/12



KENAI PENINSULA BOROUGH

Capital Projects Department

47140 East Poppy Lane • Soldotna, Alaska 99669

Toll-free within the Borough: 1-800-478-4441

PHONE: (907) 262-9657 • FAX: (907) 262-6090

www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Mike Navarre, Borough Mayor

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

FROM: Kevin Lyon, Capital Projects Director *KL*

DATE: May 24, 2012

SUBJECT: Request for Waiver of Formal Bidding Procedures - Finance High Density Mobile Storage System for the Finance / Legal Borough Administration Remodel Project.

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

Capital Projects would like to request waiving formal bidding procedures for the purchase of the Finance High Density Storage for the Borough Administration Remodel Project. If approved the High Density Storage system will be purchased by the Borough thorough the purchasing co-op NJPA (National Joint Powers Alliance), at a discounted price based on the group purchasing agreement.

This project was funded by the passage of Ordinance 2011-19-48. All expenditures for this project will be charged to account number 407.19010.1040A.

The Capital Projects Department recommends awarding the contract for the purchase High Density Storage to Spacesaver Northwest/Think Office LLC in the amount of \$19,907.62.

We appreciate your consideration on the subject.

Mike Navarre
Approved: Mike Navarre, Borough Mayor

5/29/12
Date

RECEIVED

MAY 25 2012

KPB
FINANCE DEPT ACCOUNTING

FINANCE DEPARTMENT

FUNDS VERIFICATION

ACCT # 407.19010.1040^A48110 (\$19,907.62)

BY: BNA DATE: 5/25/12



KENAI PENINSULA BOROUGH

Purchasing & Contracting
144 North Binkley Street • Soldotna, Alaska 99669-7520
Phone (907) 714-2260 • Fax (907) 714-2373
www.borough.kenai.ak.us/purchasing

**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

TO: Mike Navarre, Mayor
THRU: Mark Fowler, Purchasing & Contracting Director *CKH*
FROM: Julie Cisco, Risk Manager *Julie Cisco*
DATE: May 29, 2012
SUBJECT: Authorization to Award Contract for Workers Compensation Third Party Claims Adjustor *CKH*

The Purchasing and Contracting Office formally solicited and received proposals for the Workers Compensation Third Party Claims Adjustor. 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 Workers Compensation third party claims adjusting for the Borough and School District.

On the due date of April 10, 2012 two (2) proposals were received and ranked by a review committee as follows:

<u>FIRM</u>	<u>TOTAL SCORE</u>
Alaska Municipal League Joint Insurance Association	238
PointSure/SeaBright	187

The highest ranking proposal, which includes a cost factor, was submitted by Alaska Municipal League Joint Insurance Association with a lump sum cost proposal of \$30,000.00 per year for three (3) years beginning July 1, 2012. The proposal review committee recommends award of a contract to Alaska Municipal League Joint Insurance Association. Your approval for this award is hereby requested.

Funding for this project is in account number 700.11236.00000.43508.

Mike Navarre

Mike Navarre, Mayor

5/30/12
Date

RECEIVED

MAY 29 2012

**KPB
FINANCE ADMINISTRATION**

FINANCE DEPARTMENT	
FUNDS VERIFIED	
Pending Assembly Approval of Budget Document	
ACT #	700.11236.00000.43508-830,000
BY:	<i>pc</i>
DATE:	5/30/12



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: Mike Navarre, Borough Mayor
THRU: Mark Fowler, Purchasing & Contracting Director *SKH*
FROM: Jack Maryott, Solid Waste Director *JM*
DATE: May 31, 2012
SUBJECT: Request for Waiver of Formal Bidding – Homer Baling Facility

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

The cylinder failed due to normal wear and tear after 30 years of use and is unable to be repaired in a cost effective and timely manner.

The Borough utilized the Harris baler for the primary means of compaction of solid waste before landfill burial as well as preparation of recyclables for efficient shipment as bales to Anchorage markets. Once the Homer Transfer Facility (HTF) is operational, the baler will be used exclusively for managing the Homer area recyclables.

Lack of an operating baler is causing significant challenges for waste management with heavy congestion of commercial hauler and public disposers with resulting safety concerns. Additional operational funds are being expended in order to maintain the current level of recycling. Time is of the essence due the long lead time for this part.

Quotes were requested from Pioneer Supply Inc. from Wasilla Alaska, with a cost of \$76,512.00, and Himes Service Company from Waco Texas, with a cost of \$148,000.00.

We request that a contract be awarded to Pioneer Supply Inc for a not to exceed amount of \$76,512.00.

Grant funds for the HTF have been approved for use and available in account 411.32310.12380.

Approved: *Mike Navarre*
Mike Navarre

Date: *5/31/12*

RECEIVED

MAY 31 2012

KPB
FINANCE ADMINISTRATION

FINANCE DEPARTMENT FUNDS VERIFICATION	
ACT # 411.32310.12380 (\$76,512.00)	
BY: <u><i>pc</i></u>	DATE: <u><i>5/31/12</i></u>

C. Thompson



KENAI PENINSULA BOROUGH

Capital Projects Department
47140 East Poppy Lane • Soldotna, Alaska 99669
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www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Mike Navarre, Borough Mayor
THRU: Mark Fowler, Purchasing & Contracting Director *SKH MF*
FROM: Kevin Lyon, Capital Projects Director *KL*
DATE: May 23, 2012

SUBJECT: Request for Waiver of Formal Bidding Procedures for the Fee Proposal for providing shredded rubber fall surface material for the North Peninsula Recreation Service Area Playground.

This memo is to request that waiver of formal bidding procedures, per KP Code 5.28.300, be considered for the following reasons and under the listed limitations:

Capital Projects would like to request waiving formal bidding procedures for the purchase of the shredded rubber fall surface material for North Peninsula Recreation Service Area Playground Project. If approved the shredded rubber fall surface material will be purchased by the Borough thorough the co-op U.S. Communities purchasing group, at a discounted price based on the group purchasing agreement.

This project was funded by the passage of Ordinance 2011-19-20 and Ordinance 2011-19-85. All expenditures for this project will be charged to account number 459.61110.12028.48521.

The Capital Projects Department recommends awarding the contract for the purchase shredded rubber fall surface material to SiteLines Park and Playground Products in the amount of \$22,100.

We appreciate your consideration on the subject.

Mike Navarre
Approved: Mike Navarre, Borough Mayor

5/31/12
Date

FINANCE DEPARTMENT	
FUNDS VERIFICATION	
ACCT # <u>459.61110.12028.48521</u> (\$22,100.00)	
BY: <i>pc</i>	DATE: <u>5/31/12</u>



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: Mike Navarre, Borough Mayor
FROM: Tom Anderson, Director of Assessing
DATE: May 31, 2012
SUBJECT: Certification of the 2012 Main Roll Assessment

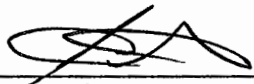
The undersigned, duly qualified and appointed Assessor of the Kenai Peninsula Borough, does hereby certify that the following is the total valuation contained in the 2012 Main Assessment Roll as of May 30, 2012.

The total assessed value for the Kenai Peninsula Borough, including all properties on the assessment roll is as follows:

PERSONAL PROP.	REAL PROPERTY	OIL PROPERTY	TOTAL PROPERTY
\$278,294,415	\$15,215,704,000	\$810,065,070	\$16,304,063,485

The total taxable amount for the Kenai Peninsula Borough is as follows:

PERSONAL PROP.	REAL PROPERTY	OIL PROPERTY	TOTAL PROPERTY
\$245,839,489	\$5,641,918,435	\$810,065,070	\$6,697,822,994



Tom Anderson
Director of Assessing

STATE OF ALASKA

DEPARTMENT OF REVENUE

Tax Division

Sean Parnell, Governor

□ State Office Building
PO Box 110420
Juneau, AK 99811-0420
907.465.2320

* 550 W 7th Ave Suite 500
Anchorage, AK 99501-3555
907.269.6620

www.tax.state.ak.us

June 1, 2012

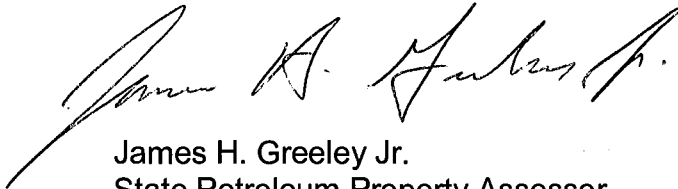
The Honorable Mike Navarre
Mayor, Kenai Peninsula Borough
144 N. Binkley
Soldotna, AK 99669

RE: Tax Year 2012 Certified AS 43.56 Oil and Gas Property Tax Roll –
Kenai Peninsula Borough

Dear Mayor Navarre:

As provided by AS 43.56.135, please consider this letter notification that for Tax Year 2012 the total certified assessed value of all oil and gas property in your jurisdiction is **\$810,065,070**. I have sent to your assessor the certified AS 43.56 oil and gas property tax roll for your jurisdiction.

Sincerely,



James H. Greeley Jr.
State Petroleum Property Assessor

Cc: Tom Anderson, Assessor



Introduced by: McClure
Date: 05/15/12
Hearing: 06/19/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-15**

**AN ORDINANCE AUTHORIZING THE GRANT OF ASSETS FROM THE LOWELL
POINT EMERGENCY SERVICE AREA TO THE LOWELL POINT VOLUNTEER
FIRE DEPARTMENT**

1 **WHEREAS**, in the October 4, 2011, regular election the voters of the Lowell Point Emergency
2 Service Area (Service Area) approved a proposition calling for the abolishment of
3 the service area effective July 1, 2012; and

4 **WHEREAS**, the Service Area at its April 17, 2012, board meeting requested that remaining
5 assets of the service area be transferred to the Lowell Point Volunteer Fire
6 Department (LPVFD); and

7 **WHEREAS**, the LPVFD has requested the transfer of all remaining service area assets; and

8 **WHEREAS**, it is in the best interest of Lowell Point residents that service area fire fighting
9 assets that were accumulated using taxpayer dollars and grants remain in the area
10 for the purpose of the continued provision of firefighting, rescue and response
11 services; and

12 **WHEREAS**, the LPVFD has been registered with the State and intends to continue providing
13 fire fighting, rescue and response services in the Lowell Point area; and

14 **WHEREAS**, the borough has authority to transfer Service Area assets subject to the
15 requirement that they be used for a public purpose that is within the power of the
16 borough to provide; and

1 **WHEREAS**, a public purpose would be served by the continuation of fire response and
2 emergency services in the Lowell Point area and the borough has fire fighting
3 response and associated rescue powers in Lowell Point until July 1, 2012;

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

6 **SECTION 1.** The mayor is authorized to enter into a grant agreement with the Lowell Point
7 Volunteer Fire Department (LPVFD) to convey the remaining assets, except as
8 specifically described below, of the Lowell Point Emergency Service Area to the
9 LPVFD provided that the LPVFD remain a registered fire department with the
10 state, the assets are used for the public purposes of fire prevention, response and
11 rescue, and LPVFD comply with borough grant requirements.

12 **SECTION 2.** That the assets to be transferred are valued at approximately \$ _____ and
13 generally include the following:

14 _____
15 _____

16 **SECTION 3.** That the grant specifically shall not include the transfer of the following radio
17 equipment as required by Federal Register OMB A-102:

Item #	Property	Model #	Serial #	Make
1	Radio	AAH25KDF9AA5	749HE80215	Motorola
2	Radio	AAH25KDF9AA5	749HE8J528	Motorola
3	Radio	AAH25KDF9AA5	749HE8J536	Motorola
4	Radio	AAH25KDF9AA5	749HE8D221	Motorola
5	Radio	AAH25KDF9AA5	749HE8J533	Motorola
6	Radio	AAH25KDF9AA5	749HE8D555	Motorola
7	Radio	AAH25KDF9AA5	749HE8D177	Motorola

8	Radio	AAH25KDF9AA5	749HE8J531	Motorola
9	Radio	AAH25KDF9AA5	749HE8D213	Motorola
10	Radio	AAH25KDF9AA5	749HE8J522	Motorola
11	Radio	AAH25KDF9AA5	749HE8D547	Motorola
12	Radio	AAH25KDF9AA5	749HE8D222	Motorola
13	Radio	XTS 1500 conv.	687CMR0705	Motorola
14	Radio	XTS 1500 conv.	687CMR0706	Motorola

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

2 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
3 **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

FROM: Sue McClure, Assembly Member *SB for S.M.*

DATE: May 3, 2012

SUBJECT: Ordinance 2012-15, authorizing the grant of assets from the Lowell Point Emergency Service Area to the Lowell Point Volunteer Fire Department

The Lowell Point Emergency Service Area (LPESA) will be abolished effective July 1, 2012. Any remaining service area assets would normally revert to the Kenai Peninsula Borough except as may otherwise be required for any assets purchased with grant funds. The administration is working to determine a list of assets owned by the Service Area. It is anticipated that the list will be included in the ordinance prior to final hearing.

The Lowell Point Volunteer Fire Department, a volunteer fire department in Lowell Point, has requested that all remaining assets of the LPESA be transferred to it before July 1, 2012, to be used for fire and rescue purposes. Transferring the assets with the requirement that they be used for fire and rescue purposes would serve a public purpose. Upon abolishment of the service area the Kenai Peninsula Borough will no longer have the power to directly provide for fire and emergency medical services in that area.

The assets were obtained through grant funds and a service area mill rate levied upon real property owners within the former service area. Accordingly, it is appropriate to convey these assets to the volunteer fire department on the condition that the assets are used for a public purpose and that the assets are subject to all applicable borough grant requirements, including maintaining and operating a registered fire department, providing regular reports to the borough and meeting any audit requirements. It is anticipated the grant agreement would be for a three year term.

Your favorable consideration of this ordinance would be appreciated.

12 April 2012

To: Sue McClure, Kenai Peninsula Borough

From: Gloria Sears, Chair, Lowell Point Emergency Services Area

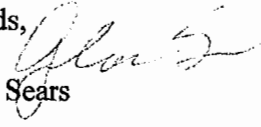
Re: Transfer of Fund Balances from the Lowell Point Emergency Services Area to the Lowell Point Volunteer Fire Department.

To Whom it May Concern:

The Lowell Point Emergency Services Area Board of Directors met on Tuesday April 11, 2012 and voted unanimously to transfer any fund balances to the Lowell Point Volunteer Fire Department on or before 30 June 2012.

A copy of the draft minutes of that meeting are attached.

Regards,


Gloria Sears
Chair

Lowell Point Emergency Service Area Board of Directors.

12 April 2012

To: Sue McClure, Kenai Peninsula Borough Assembly

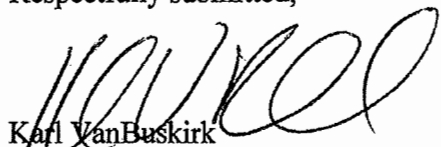
From: Karl VanBuskirk, Chief, Lowell Point Volunteer Fire Department

Re: Transfer of assets of the Lowell Point Emergency Services Area to the Lowell Point Volunteer Fire Department

To Whom it May Concern,

The Lowell Point Volunteer Fire Department respectfully requests that any and all of the assets of the Lowell Point Emergency Services Area be transferred to the Lowell Point Volunteer Fire Department on or before 30 June 2012.

Respectfully submitted,



Karl VanBuskirk
Chief

Lowell Point Volunteer Fire Department
PO Box 709
Seward, AK 99664

Lowell Point Community Council, Inc.
Agenda
Penny Hardy Community Center
April 17, 2012

- 1) Call to Order
- 2) Roll Call: Jim McCracken __, Gloria Sears ____, Mary Miller ____, George Walker ____, Alan Heavirland ____, Mica VanBuskirk ____, Susan Lang ____
- 3) Introduction of guests
- 4) Approval of Agenda
- 5) Approval of Minutes
20 March 2012
- 6) Public Comments
- 7) Unfinished Business
 - a) Website
 - b) Building Committee
 1. LPCC sticky labels for cots
 - c) LPVFD Report
 - d) Petty Cash Report
 - e) Admin Assistant Report
 - f) MLFA Update
 - g) Road Updates
 - h) Insurance Update
 - i) Furniture Update
 - j) Transition Committees
 1. Finance, Funding & Budget - Gloria and Mary
 2. Mutual Aid Agreements and Memoranda of Understanding – Jim and Mica
 3. Inventory & Buildings – George and Alison
 4. Evacuation center/emergency shelter – Sue
 - k) Need to hire attorney – telephone conference
 1. Designation of the LPCC and LPESA facilities and Penny Hardy Center property as perpetuity. To legally designate the property for the community.
 - l) Carbonite update
- 8) New Business
 - a) Annual Meeting committees
- 9) Correspondence
- 10) Board Comments
- 11) Items for next Agenda
- 12) Next Meeting – May 21, 2012
- 13) Adjournment

Introduced by: Mayor
Date: 05/15/12
Hearing: 06/19/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-16**

**AN ORDINANCE AMENDING KPBB 5.22.050 REGARDING THE SENIOR CITIZEN'S
GRANT PROGRAM FOR ADULT DAY CARE CENTERS**

1 **WHEREAS**, in 1986 the Kenai Peninsula Borough voters approved a program for funding
2 senior citizen centers which has been implemented through the adoption of KPBB
3 Chapter 5.22; and

4 **WHEREAS**, in 1998 the code was amended to expand the senior citizen grant program to
5 include adult day care centers; and

6 **WHEREAS**, funding is calculated for each center based on the number of eligible persons
7 served; and

8 **WHEREAS**, the determination of the number of eligible persons served by each adult day care
9 center was established at 10 percent of individuals over 65 years of age within the
10 election precincts being served by the adult day care center; and

11 **WHEREAS**, the senior citizen allocation is based upon the number of individuals served over
12 the age of 60; and

13 **WHEREAS**, to be consistent with the grant for senior citizen centers it is appropriate to change
14 the age criteria of eligible individuals for adult day care centers to those over 60
15 years of age;

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

3 **SECTION 1.** That KPB 5.22.050(B) is amended as follows:

4 **5.22.050. Number of persons served by each center.**

5 Allocation of grant funds shall be determined using the following formulas based
6 upon election precincts using the latest census figures.

7 . . .

8 B. Adult Day Care Centers. The number of persons served by each adult day
9 care center shall be ten percent of individuals over 60 [65] years old
10 within the election precincts being served by the adult day care center, as
11 determined by the last census count that has a count of individuals over 60
12 [65] years of age. If more than one adult day care center serves all or a
13 portion of the senior citizen population within a precinct, the assembly
14 may make a determination of the number of senior citizens served by each
15 organization based on the 1990 or latest census blocks within each
16 precinct; taking into consideration the location of those census blocks to
17 the nearest senior center.

18 **SECTION 2.** That this ordinance takes effect immediately upon its enactment.

19 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
20 **DAY OF * 2012.**

Gary Knopp, Assembly President

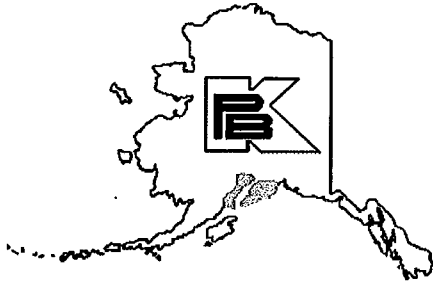
ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

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

**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

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

THRU: Mike Navarre, Mayor *MN*

FROM: Craig Chapman, Director of Finance *CC*

DATE: May 3, 2012

SUBJECT: Ordinance 2012-16, Amending KPB 5.22.050 Regarding the Senior Citizen's Grant Program for Adult Day Care Centers

The senior citizens grant program provides funding to senior citizen centers and adult day care centers throughout the borough for approved operating purposes. Funding amounts for senior citizen centers are calculated by determining the number of individuals over 60 years old in each precinct served by each center. The amount available for each center is divided in proportion to the number of persons over 60 in the precincts served by each center.

To be consistent the same age criteria should be applied to both groups of people. This ordinance would set the eligible age at 60 for both groups.

Your approval of this ordinance would be appreciated.

Introduced by: Smith
Date: 05/15/12
Hearing: 06/19/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-18**

**AN ORDINANCE AUTHORIZING THE ASSESSOR TO ACCEPT THE LATE-FILED
DISABLED VETERAN EXEMPTION APPLICATION OF JAMES M. BOYER FOR
2012, FILED AFTER MARCH 31**

1 **WHEREAS**, KPB 5.12.105(E) provides that an application for a disabled veteran exemption
2 must be filed by February 15 of the year for which the exemption is sought; and

3 **WHEREAS**, consistent with AS 29.45.030(f) and KPB 5.12.105(E) late-filed applications may
4 be accepted by the assembly until March 31 of the year for which the exemption
5 is sought, for good cause shown; and

6 **WHEREAS**, KPB 5.12.105(E)(5) allows for the assembly to waive the claimant's failure to file
7 the application by March 31 based on the claimant's inability to comply caused
8 by a serious condition or extraordinary event beyond the taxpayers control;

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

11 **SECTION 1.** Upon reviewing James Boyer's application and affidavit submitted with this
12 ordinance, for good cause shown the assembly waives the March 31 deadline for
13 filing the disabled veteran exemption application based on a finding that Mr.
14 Boyer's inability to comply with the March 31 deadline was caused by a serious
15 condition or extraordinary event beyond his control.

16 **SECTION 2.** That the assessor shall process the application in accordance with standard
17 assessing department procedures for processing such applications.

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

2 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
3 **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

FROM: Bill Smith, Assembly Member *Bill Smith*

DATE: May 3, 2012

SUBJECT: 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

James M. Boyer has requested the assembly allow the assessor to accept his late-filed real property tax disabled veteran exemption application filed after March 31, 2012. KP.B 5.12.105 and AS 29.45.030(f) allow for late-filed exemptions to be granted by the assembly. For an application filed after February 15 and before March 31 the applicant must file an affidavit stating good cause for failure to comply with the February 15 deadline. Good cause is defined by KP.B 5.12.105(E)(4) as:

Good cause for failure to file by February 15, for purposes of this subsection, include but are not 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.

For applications filed after March 31 the applicant has the additional burden of showing an inability to comply based on a serious condition or extraordinary event beyond the taxpayers control. KP.B 5.12.105(E)(5) provides:

If an otherwise qualified claimant is unable to comply with the March 31 deadline for filing an application, the assembly may, by ordinance, waive the claimant's failure to file the application by such date, and authorize the Assessor to accept the application as if timely filed. For purposes of this subsection, an

inability to comply must be caused by a serious condition or extraordinary event beyond the taxpayer's control. This section does not create any private rights whatsoever, nor does it in any manner require the mayor or any assembly member to introduce or approve any such ordinance.

Mr. Boyer states in his attached letter that he recently retired from the U.S. Coast Guard and underwent great trouble getting his disability determination from the Veteran's Administration. It was only after intervention from Congressman Don Young's office that he was able to obtain a final determination on March 28, 2012. Additionally he states that he was not in Alaska at the time of the official filing deadline. Finally, he notes that the borough's application form for this exemption states at the top that "applicants must provide documentation each year of 50% or more service connected disability to qualify." He understood this to mean that he had to have all the documentation before filing for this exemption.

Notwithstanding the requirements statement of the disabled veteran exemption form, it is Borough standard practice to accept exemption forms when further documentation is forthcoming but not yet available. A no or yes question on the form asks "Do you have a disability rated 50% or greater by the VA?" When documentation is forthcoming at a later date, this question cannot be answered in the affirmative. An option should be allowed for statements of forthcoming qualification. Until the form is clarified, this can lead to individuals not fully understanding their filing rights.

Your consideration is appreciated.



DISABLED VETERAN EXEMPTION

2012

DUE ON OR BEFORE FEBRUARY 15TH OF THE EXEMPTION YEAR

APPLICANTS MUST PROVIDE DOCUMENTATION EACH YEAR OF 50% OR MORE SERVICE CONNECTED DISABILITY TO QUALIFY

RECEIVED
APR 6 2012
KPB ASSESSING DEPT

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

Name: James M Boyer Assessor's Parcel Number: 17701027
Mailing Address: 935 S. Larkspur Circle Physical Address: same
City: Homer AK Zip 99603 Legal Description: T 6 S R 13 W Sec 17 Seward meridian
HM 0760104 Bayview Gardens Sub, Addn No 1
Lot 9 Blk 9

Home Phone: <u>907.235.4284</u>	Applicants date of birth: <u>1-20-1952</u>	Spouses name: <u>ELISE N. Boyer</u>
Cell Phone: <u>907.435.7273</u>	Spouses date of birth: <u>1-20-1952</u>	
I am applying as a: <input checked="" type="checkbox"/> Disabled veteran <input type="checkbox"/> Surviving spouse age 60 or older		
Have you received this exemption before? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If YES, list the account/parcel number for the previous exemption: _____		
Do you have a disability rated 50% or greater by the VA? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		
Is disability "service connected"? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		
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 any Commercial Purposes? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Rental Purposes? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
Is occupancy shared with someone other than your spouse and/or minor children? <input checked="" type="checkbox"/> No <input type="checkbox"/> 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="checkbox"/> No <input type="checkbox"/> Yes		
If yes, do you receive any exemptions on that property? <input type="checkbox"/> No <input type="checkbox"/> Yes <u>N/A</u>		
When traveling outside the state of Alaska, at what address do you primarily reside? <u>N/A, no other residence</u>		

I HEREBY APPLY FOR THE DISABLED VETERAN EXEMPTION ON MY PROPERTY AS PROVIDED IN AS29.45.030(E) FOR THE 2012 ASSESSMENT YEAR. AS OF JANUARY 1ST OF THE ASSESSMENT YEAR, I OWNED AND OCCUPIED THE ABOVE DESCRIBED PROPERTY AS MY PERMANENT PLACE OF RESIDENCE AT LEAST 183 DAYS DURING THE PREVIOUS YEAR

CERTIFICATION: I HEREBY CERTIFY THAT THE ANSWERS GIVEN ARE 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.

James M. Boyer [Signature] 03 APR 2012
PRINT OR TYPE OWNER NAME SIGNATURE DATE

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

____ New Filing ____ Occupancy ____ Denied ____ Approved Entered by:
____ Prior Filing ____ Ownership ____ Disability ____ Full ____ Variable ____ Contlg

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

RECEIVED
APR 6 2012
KPB ASSESSING DEPT

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)

see attachment

FURTHER AFFIANT SAITH NAUGHT.

Dated at Homer, Alaska, this 03 day of April, 2012.

[Signature]
(Senior Citizen and/or Disabled Veteran Signature)

SUBSCRIBED AND SWORN TO before me this 3 day of April, 2012.

STATE OF ALASKA
NOTARY PUBLIC
Cassie Lawver
My Commission Expires: October 13, 2014

[Signature]
Notary Public, State of Alaska
My Commission Expires: 10/13/14

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

ASSEMBLY ACTION: APPROVAL _____ DENIAL _____

03 April 2012

FAILURE TO MEET THE FILING DEADLINE IS BASED ON THE FOLLOWING GOOD CAUSE:

I officially retired from the U.S. Coast Guard on 01SEP2011. The VA allows you to submit your claim for compensation and pension (C&P) no more than 6 months before your retirement date. I submitted my claim to the Veterans Administration (VA) in March of 2011 for C&P via my local representative (the Anchorage American Legion), which the VA acknowledged receipt of on 25APR11 (see attachment 1). I then spent the next 10 months trying to get the VA to schedule my C&P medical exams. I called them and had my representative (Anchorage American Legion) contact them close to 50 times and submitted dozens of emails trying to get my exams scheduled. Finally, on 15 Dec 2011 I submitted a Congressional request to Congressman Don Young (see attachment 2) to ask for his involvement in getting my longstanding issue of getting my C&P exams scheduled. After substantial intervention by his staff the VA finally scheduled my C&P exams in mid-February and the last one was completed on 15 March 2011.

Yesterday, 02APR11 I received my final determination dated 28MAR12 from the VA (see attachment 1) stating that they determined my overall or combined rating of 60%. At this point I determined I was eligible to apply for the Disabled Veterans Exemption, but was outside of the official filing deadline. I submitted my package to the VA at the earliest time I was allowed and if they would have processed my claim within their advertised timeline of 5 months from the time an application is received I would have been able to meet the deadline. I did not know that I could have applied before getting my determination from the VA and assumed that I had to attach evidence to the application based on the wording at the top of the application which says "Applicants must provide documentation each year of 50% or more service connected disability to qualify." I did not have this evidence until I received my letter from the VA on 02APR11.

These delays were not caused by any actions on my part and were an extraordinary onetime event that was beyond my control. I ask for a waiver of the deadline and that I be granted the exemption for the 2012 tax year.

A handwritten signature in black ink, appearing to read "J. M. Boyer". The signature is fluid and cursive, with the first name "J. M." and the last name "Boyer" clearly distinguishable.

Introduced by: Mayor
Date: 05/15/12
Hearing: 06/19/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-19-01**

**AN ORDINANCE ACCEPTING AND APPROPRIATING \$1,100,000 FROM THE
STATE OF ALASKA FOR THE HOMER HIGH SCHOOL ATHLETIC FACILITIES
CONSTRUCTION PROJECT**

1 **WHEREAS**, the Borough requested funding to replace the Homer High School Track (Project)
2 in the 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 _____; 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 \$1,100,000 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 \$1,100,000
13 for the Homer High School Athletic Facilities, and is authorized to execute a grant
14 agreement and any other documents deemed necessary to accept and expend the
15 grant and to fulfill the intents and purposes of this ordinance.

1 **SECTION 2.** That grant funds in the amount of \$1,100,000 are appropriated to account no.
2 400.72010.12TRC.49999.

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

5 **SECTION 4.** This ordinance shall become effective July 1, 2012.

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

Gary Knopp, Assembly President

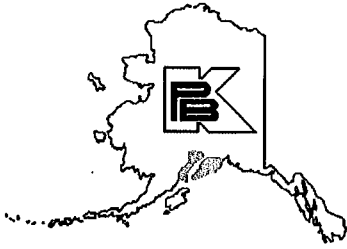
ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

Capital Projects

MEMORANDUM

MIKE NAVARRE
BOROUGH MAYOR

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

THRU: Mike Navarre, Borough Mayor *MN*

FROM: Craig Chapman, Director of Finance *CC*
Brenda Ahlberg, Community & Fiscal Projects Manager *BA*
Kevin Lyon, Capital Projects Director *KL*

DATE: May 3, 2012

SUBJECT: Ordinance 2012-19-01, Accepting and Appropriating \$1,100,000 from the State of Alaska for the Homer High School Athletic Facilities Construction Project

The Homer High School track was constructed in 1985 and has not been resurfaced in 26 years. In 2008 Homer High school canceled the "Homer Invitational Meet" due to the lack of participants willing to compete on the degraded track. Since that time no competitive meets have been held at the facility. On October 13, 2011, the Homer High School track was closed at the recommendation of borough Risk Management Committee due to safety concerns. This project has been set as a priority so that access to the track can resume as soon as possible.

On April 3, 2012 the Assembly passed Ordinance 2011-19-78, providing funding for the Homer High School track design in anticipation of legislative funding for construction of the project. The funding for this project is included in Senate Bill 160, which has passed the legislature and is awaiting the Governor's signature.

In order to meet the goal of project completion this year and in consideration of the weather and temperatures necessary for track replacement, time is of the essence. To maintain a successful project schedule, the project will go to bid in mid May with a bid opening on June 21, 2012. The construction contract is scheduled for award, contingent on funding, on July 2, 2012. If weather conditions cooperate and the schedule is maintained, the track will be ready for use in mid to late September.

Passage of this ordinance is contingent on the Governor signing SB160 without vetoing the funding for project.

Kevin Lyon, Capital Projects Director, shall be the project manager for the grant funds. The performance period ends June 30, 2017.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>N/A</u>
CONTINGENT UPON GRANT AWARD	
Amount	_____
By: <u>pc</u>	Date: <u>5/3/12</u>

Navarre, Mike

From: Ahlberg, Brenda
Sent: Thursday, May 03, 2012 9:01 AM
To: Pierce, Nancy A (CED)
Cc: Navarre, Mike; Ostrander, Paul; Chapman, Craig; Thompson, Colette; Lyon, Kevin
Subject: RE: SB160 - Homer Athletic Facilities Request

Good morning all
Ms Nancy has responded to my request for the Homer track. Please keep her response for your records.

Thanka for your response Nancy. Have a great day all. ☺B

Sent from my Alaska Communications Android

-----Original message-----

From: "Pierce, Nancy A (CED)" <nancy.pierce@alaska.gov>
To: "Ahlberg, Brenda" <bahlberg@borough.kenai.ak.us>
Sent: Thu, May 3, 2012 16:35:18 GMT+00:00
Subject: RE: SB160

Good morning Brenda,

I verified with my supervisor that we do not have a letter of "intent to award" other than the letter that we send out, after the Governor signs the bill, notifying grantees that a grant has been awarded to them. But as soon as the Governor signs the bill that is your assurance that a grant included in the bill has been awarded and you are free to start all procedures connected to the project even before we send out the letter of award.

Below is the website where you can track the bill. Just type in SB 160 in the search box, click on Full Text, and at this time you would click on the PDF of the last one that says "Await Transmit Gov". Other versions will be posted as the Governor processes the bill.

<http://www.legis.state.ak.us/basis/start.asp>

If you have any other questions please let me know.
Thank you!
Nancy

Nancy Pierce, Grants Administrator II

Dept of Commerce, Community and Economic Development
Div of Community and Regional Affairs Grants Section
PO Box 110809
Juneau, AK 99811
Ph: 907-465-2023
Fax: 907-465-5867

From: Ahlberg, Brenda [mailto:bahlberg@borough.kenai.ak.us]
Sent: Wednesday, May 02, 2012 4:18 PM
To: Pierce, Nancy A (CED)
Subject: SB160

Hello Nancy

The borough will be introducing an ordinance to accept and appropriate the legislative funds for the Homer Athletic Facilities project at the May 15th meeting.

Is it possible to get a letter of "intent to award" from DCCED as a support document? I realize that your department cannot obligate or act until the Governor signs the act and OMB has completed their processes. However, has DCCED verified pending awards for munis after the act became law? A

form of verification would be greatly appreciated. Thanks for your guidance in this matter. 🙏B

Sent from my Alaska Communications Android

Introduced by:

Mayor

Date:

06/19/12

Action:

Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-053**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A JOINT FUNDING
AGREEMENT WITH THE U.S. DEPARTMENT OF THE INTERIOR U.S.
GEOLOGICAL SURVEY TO COOPERATIVELY MAINTAIN THE STREAM RIVER
GAGES AND GAGING STATIONS**

1 **WHEREAS,** stream river gages and gaging stations are located on Grouse Creek near Seward,
2 Snow River near Seward, Anchor River near Anchor Point, Kenai River at
3 Cooper Landing, and Kenai River below Skilak Lake that provide valuable
4 hydrological data collected for flood warning and flood forecasting purposes on
5 the Kenai Peninsula; and

6 **WHEREAS,** the use of these gages has been jointly used by the borough and the U.S.
7 Geological Survey (USGS) for several years and the most recent joint funding
8 agreement expires June 30, 2012; and

9 **WHEREAS,** the proposed new agreement is for a one-year period from July 1, 2012, through
10 June 30, 2013, with the borough paying \$91,562 and with the USGS paying
11 \$54,054; and

12 **WHEREAS,** sufficient funds were appropriated for this agreement in the FY2013 annual
13 budget; and

14 **WHEREAS,** the borough's best interests are served by entering into this agreement to assist in
15 minimizing flood damage by providing early warning of impending flood hazards
16 to property owners in low-lying areas;

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

3 **SECTION 1.** That the mayor is authorized to execute a joint funding agreement with the U.S.
4 Department of the Interior U.S. Geological Survey substantially in the form of the
5 accompanying agreement in which the borough contributes \$91,562 towards joint
6 funding of costs of field maintenance and of analytic work using the above
7 described stream gages.

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

9 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS**
10 **19TH 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*
Eric Mohrmann, Emergency Management Director *emoh*

DATE: June 7, 2012

SUBJECT: Resolution 2012-053 authorizing the mayor to execute a joint funding agreement with the U.S. Department of the Interior U.S. Geological Survey

For many years the borough has participated in joint funding arrangements with the U.S. Geological Survey ("USGS") to fund stream gages which collect hydrologic data for flood warning and forecasting on the Kenai Peninsula. The gages are located on Grouse Creek and Snow River near Seward, Anchor River near Anchor Point, and the Kenai River at Cooper Landing and below Skilak Lake. This contract is for a one-year period in the total cost of \$91,562 to the borough. The USGS shall contribute an additional \$58,054 for a total project costs of \$149,616. Accompanying this resolution are the draft letter and projected annual costs, with future costs provided for planning purposes only. Sufficient funds were appropriated in the FY 2013 budget. Your favorable consideration of this resolution would be appreciated.

FINANCE DEPARTMENT
FUNDS VERIFIED

Acct. No. 100.11250.00000.43011

Amount \$91,562

By: C Chapman Date: 6/7/2012

Alaska Science Center
4230 University Drive, Suite 201
Anchorage, Alaska 99508

June 20, 2012

Honorable Mike Navarre, Mayor
Kenai Peninsula Borough
144 North Binkley
Soldotna, Alaska 99669

Attention: Eric Mohrmann

Dear Mayor Navarre:

Thank you for your interest in the continuation of hydrologic data collection for flood warning and flood forecasting on the Kenai Peninsula. We have enclosed a Joint Funding Agreement (JFA) to continue operation for the stage-only gaging station on Anchor River near Anchor Point, and the continuous record stream gaging stations on Grouse Creek near Seward, Snow River near Seward, Kenai River at Cooper Landing, and Kenai River below Skilak Lake Outlet near Sterling.

Beginning in Federal Fiscal Year (FFY) 2013 (October 1, 2012), and effective in years forward, Federal funding listed on Joint Funding Agreements (JFAs) reflects only monies directly associated with the Cooperative Water Program at the Water Science Center level. Other USGS services that are critical to the jointly funded work—such as those associated with facilities, quality assurance and quality control, technical training, and science support—are no longer reflected on the USGS side of the JFA. USGS continues to provide these support benefits and services, but under a new USGS business practice can no longer include these in the Cooperative Water Program appropriated funds line item on the JFA. Instead these important benefits services are supported in Water Science Centers through other Bureau common services accounting measures unrelated to the Cooperative Water Program.

This change in USGS business accounting does not change the overall gross costs of USGS work nor does it diminish the total benefits and services that are provided by the USGS to meet the high USGS standards of quality for Cooperative Water Program work in a timely fashion. In the tables below, funding is listed both under the new and old accounting practices, for comparison.

Annual costs to the Kenai Peninsula Borough (KPB) and U.S. Geological Survey (USGS) are summarized below:

	KPB	<i>USGS old formula</i>	<i>TOTAL old formula</i>	USGS new formula	TOTAL new formula
July 1, 2012 to June 30, 2013	\$91,562	\$67,600	\$159,162	\$54,259	\$145,821

Costs by stream gaging station are listed in the appendix.

As part of the operation of the gages, the USGS will:

- Operate and maintain the streamgage.
- Maintain datum at the site.
- Record stage data every 15 minutes.
- Make discharge measurements during visits to maintain the stage-discharge rating curve and to define the winter hydrograph.
- Post near real-time stage and discharge data on the USGS web site <http://waterdata.usgs.gov/ak/nwis/>.
- Store the data in the USGS databases.
- Publish the data in our annual Water-Resources Data for the United States report (<http://wdr.water.usgs.gov/>).

The Kenai Peninsula Borough will be billed quarterly, beginning September, 2012. The USGS DUNS number is 178930541. Work performed with funds from this agreement will be conducted on a fixed-cost basis. The USGS will retain all equipment purchased with funds from this agreement. It is understood that data obtained during the course of this work will be available to the USGS for publication and use in connection with related work. This agreement operates under the authority of statute 43 USC 50, which allows us to perform this work.

Please return one original signed JFA in the envelope provided. Please contact Chris Cady at (907) 786-7116 with any billing concerns. Thank you for your understanding and cooperation in this matter. If you have any questions, please call Chad Smith at 907 786-7103. We appreciate your support of this valuable water resources program.

Sincerely,

Mark Shasby
 Director, Alaska Science Center

cc: Chad Smith (USGS-ASC)
 David Meyer (USGS-ASC)

Enclosures:

APPENDIX

Annual flood warning gage costs
State Fiscal Years 2013-2017

For planning purposes, only. This agreement covers July 1, 2012 through June 30, 2013, only.

2013				
		KPB	USGS	TOTAL
Grouse Creek near Seward	July 1 to September 30	\$4,443	\$4,443	\$8,886
	October 1 to June 30	\$16,692	\$8,959	\$25,651
Snow River near Seward	July 1 to September 30	\$4,443	\$4,443	\$8,886
	October 1 to June 30	\$16,692	\$8,959	\$25,651
Anchor River near Anchor Point	July 1 to September 30	\$1,458	\$1,458	\$2,916
	October 1 to June 30	\$5,564	\$2,986	\$8,550
Kenai River at Cooper Landing	July 1 to September 30	\$4,443	\$4,443	\$8,886
	October 1 to June 30	\$16,692	\$8,959	\$25,651
Kenai River below Skilak Lake	July 1 to September 30	\$4,443	\$4,443	\$8,886
	October 1 to June 30	\$16,692	\$8,959	\$25,651
TOTAL		\$91,562	\$58,054	\$149,616

2014				
		KPB	USGS	TOTAL
Grouse Creek near Seward	July 1 to September 30	\$4,887	\$3,566	\$8,453
	October 1 to June 30	\$18,473	\$8,959	\$27,433
Snow River near Seward	July 1 to September 30	\$4,887	\$3,566	\$8,453
	October 1 to June 30	\$18,473	\$8,959	\$27,433
Anchor River near Anchor Point	July 1 to September 30	\$1,604	\$1,170	\$2,774
	October 1 to June 30	\$6,158	\$2,986	\$9,144
Kenai River at Cooper Landing	July 1 to September 30	\$4,887	\$3,566	\$8,453
	October 1 to June 30	\$18,473	\$8,959	\$27,433
Kenai River below Skilak Lake	July 1 to September 30	\$4,887	\$3,566	\$8,453
	October 1 to June 30	\$18,473	\$8,959	\$27,433
TOTAL		\$101,204	\$54,259	\$155,463

2015				
		KPB	USGS	TOTAL
Grouse Creek near Seward	July 1 to September 30	\$5,354	\$3,566	\$8,920
	October 1 to June 30	\$19,955	\$8,959	\$28,915
Snow River near Seward	July 1 to September 30	\$5,354	\$3,566	\$8,920
	October 1 to June 30	\$19,955	\$8,959	\$28,915
Anchor River near Anchor Point	July 1 to September 30	\$1,757	\$1,170	\$2,927
	October 1 to June 30	\$6,652	\$2,986	\$9,638
Kenai River at Cooper Landing	July 1 to September 30	\$5,354	\$3,566	\$8,920
	October 1 to June 30	\$19,955	\$8,959	\$28,915
Kenai River below Skilak Lake	July 1 to September 30	\$5,354	\$3,566	\$8,920
	October 1 to June 30	\$19,955	\$8,959	\$28,915
TOTAL		\$109,644	\$54,259	\$163,903

2016				
		KPB	USGS	TOTAL
Grouse Creek near Seward	July 1 to September 30	\$5,844	\$3,566	\$9,410
	October 1 to June 30	\$21,511	\$8,959	\$30,470
Snow River near Seward	July 1 to September 30	\$5,844	\$3,566	\$9,410
	October 1 to June 30	\$21,511	\$8,959	\$30,470
Anchor River near Anchor Point	July 1 to September 30	\$1,918	\$1,170	\$3,088
	October 1 to June 30	\$7,170	\$2,986	\$10,157
Kenai River at Cooper Landing	July 1 to September 30	\$5,844	\$3,566	\$9,410
	October 1 to June 30	\$21,511	\$8,959	\$30,470
Kenai River below Skilak Lake	July 1 to September 30	\$5,844	\$3,566	\$9,410
	October 1 to June 30	\$21,511	\$8,959	\$30,470
TOTAL		\$118,506	\$54,259	\$172,765

2017				
		KPB	USGS	TOTAL
Grouse Creek near Seward	July 1 to September 30	\$6,358	\$3,566	\$9,924
	October 1 to June 30	\$23,145	\$8,959	\$32,104
Snow River near Seward	July 1 to September 30	\$6,358	\$3,566	\$9,924
	October 1 to June 30	\$23,145	\$8,959	\$32,104
Anchor River near Anchor Point	July 1 to September 30	\$2,086	\$1,170	\$3,257
	October 1 to June 30	\$7,715	\$2,986	\$10,701
Kenai River at Cooper Landing	July 1 to September 30	\$6,358	\$3,566	\$9,924
	October 1 to June 30	\$23,145	\$8,959	\$32,104
Kenai River below Skilak Lake	July 1 to September 30	\$6,358	\$3,566	\$9,924
	October 1 to June 30	\$23,145	\$8,959	\$32,104
TOTAL		\$127,812	\$54,259	\$182,071

**U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement**

Customer #: TBD
Agreement #: TBD
Project #: TBD
TIN #: TBD
Fixed Cost Agreement Yes No

**FOR
Alaska Science Center**

THIS AGREEMENT is entered into as of the 7th day of June, 2012, by the U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the KENAI PENINSULA BOROUGH, party of the second part.

1. The parties hereto agree that subject to availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation of flood warning and flood forecasting on the Kenai Peninsula, herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50; and 43 USC 50b.
2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) includes In-Kind Services in the amount of \$0.00.
 - (a) \$54,259.00 by the party of the first part during the period
1 July 2012 to 30 June 2013
 - (b) \$91,562.00 by the party of the second part during the period
1 July 2012 to 30 June 2013
 - (c) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
 - (d) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.
3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.
4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.
5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.
6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.
7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

Form 9-1366
continued

**U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement**

Customer #: TBD
Agreement #: TBD
Project #: TBD
TIN #: TBD

- 8. The maps, records, or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records, or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program and, if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at costs, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records, or reports published by either party shall contain a statement of the cooperative relations between the parties.
- 9. USGS will issue billings utilizing Department of the Interior Bill for Collection (form DI-1040). Billing documents are to be rendered **quarterly**. Payments of bills are due within 60 days after the billing date. If not paid by the due date, interest will be charged at the current Treasury rate for each 30 day period, or portion thereof, that the payment is delayed beyond the due date. (31 USC 3717; Comptroller General File B-212222, August 23, 1983).

**U.S. Geological Survey
United States
Department of the Interior**

Kenai Peninsula Borough

USGS Point of Contact

Customer Point of Contact

Name: Chad Smith
Address: Alaska Science Center
1209 Orca Street
Anchorage, AK 99501
Telephone: 907-786-7103
Email: cwsmith@usgs.gov

Name: Mike Navarre
Address: Kenai Peninsula Borough
144 North Binkley
Soldotna, AK 99669
Telephone: 907-XXX-XXXX
Email: XX@XXX.XXX

Signatures

Signatures

By _____ Date _____
Name: Mark Shasby
Title: Director, Alaska Science Center

By _____ Date _____
Name: Mike Navare
Title: Mayor, Kenai Peninsula Borough

By _____ Date _____
Name:
Title:

By _____ Date _____
Name:
Title:

By _____ Date _____
Name:
Title:

By _____ Date _____
Name:
Title:

Introduced by:
Date:
Action:
Vote:

Mayor
06/19/12

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-054**

**A RESOLUTION APPROVING THE REVISED SALARY SCHEDULES FOR
APPENDIX A PERSONNEL**

1 **WHEREAS**, the assembly approved the fiscal year 2013 budget through enactment of
2 Ordinance 2012-19 on June 5, 2012; and

3 **WHEREAS**, included in that budget are the revised salary schedules for management and
4 classified personnel all of which reflect a 4.6 percent increase; and

5 **WHEREAS**, in 2010 the assembly amended KP.B 3.04.130 to require separate approval by
6 resolution to increase the salary schedule for Appendix A salaried personnel; and

7 **WHEREAS**, the salary schedule for Appendix A salaried personnel has not changed since 2010
8 while the salary schedule for the remaining personnel was increased by 2 percent
9 in FY 2012; and

10 **WHEREAS**, the proposed amended salary schedule for Appendix A personnel gives the mayor
11 the ability to increase salaries of Appendix A personnel and provides him greater
12 flexibility in the recruitment process;

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

15 **SECTION 1.** That the salary schedule for Appendix A salaried personnel contained in the
16 FY2013 budget and as shown below is hereby approved.

	<u>Level</u>	<u>Minimum</u>	<u>Mid point</u>	<u>Maximum</u>
1				
2	1	57,035	67,016	76,997
3	2	61,016	71,695	82,373
4	3	65,267	76,687	88,110
5	4	69,928	82,166	94,405
6	5	74,872	87,974	101,077
7	6	80,097	94,117	108,134
8	7	85,749	102,899	120,048

9 **SECTION 2.** That this resolution takes effect July 1, 2012.

10 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS**
 11 **19TH 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: Mark Dixson, Director of General Services *MD*
Colette Thompson, Borough Attorney *CT*
Craig Chapman, Finance Director *C Chapman*

DATE: June 6, 2012

SUBJECT: Resolution 2012-054, approving the salary schedule increase for Appendix A salaried personnel

In 2010 the assembly enacted ordinance 2010-30 requiring separate approval by resolution to increase the salary schedule ranges for Appendix A salaried personnel. The FY 2013 budget appropriated funds in accordance with the proposed new salary schedule. The proposed schedule reflects a total 4.6 percent increase, which includes a 3.6 percent cost of living allowance and an additional 1 percent. This matches the percentage increase approved for all borough employees. It is the intention of the administration to set salaries for the Appendix A personnel using the 3.6 percent increase and to consider increases using the funds from the remaining 1 percent for some individual cases. This salary schedule has not been increased since July 1, 2010.

Your favorable consideration of this resolution would be appreciated.

Introduced by: Murphy
Date: 06/19/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-055**

**A RESOLUTION REVISING BOROUGH POLICY TR-02,
REIMBURSEMENT OF BUSINESS MEALS**

1 **WHEREAS**, in Resolution 2011-037 the Assembly amended Borough Policy No. TR-02,
2 Reimbursement of Business Meals, to provide that the mayor and assembly
3 president should be afforded some discretion to authorize exceptions to these
4 policies where appropriate, fair, and consistent with good public policy; and

5 **WHEREAS**, further Resolution 2011-037 provided that upon further review, minor revisions to
6 the wording of the policies without changing their meaning were also in order;
7 and

8 **WHEREAS**, it has been determined that for Assembly members, having the option to choose
9 their method of reimbursement is in the best interest of the borough;

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

12 **SECTION 1.** That the attached Borough Policy No. TR-02 Reimbursement of Business Meals,
13 revised June 19, 2012, to grant Assembly members the option of which
14 reimbursement method to use is approved.

15 **SECTION 2.** That this resolution shall take effect immediately upon its adoption.

1 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS**
2 **19TH DAY OF JUNE, 2012.**

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:

EXCEPTION APPROVAL

Reimbursement of Business Meals

Purpose

To establish policy and procedure for reimbursement of business meal expense, this policy would be an exception to the Borough's per diem policy.

Policy

1. It is the policy of the Borough to reimburse employees for actual meal expenses incurred or, for Assembly members who choose, at the per diem reimbursement rate as identified in the borough travel policy, during their participation in Borough business under the following conditions:
 - Assembly members while conducting Borough business.
 - An employee is attending a meeting or similar function as an official representative of the Borough, and the business or program presentation is carried on during the meal for which the employee must pay.
 - An employee is engaged in negotiations or officially consulting with a representative of another government agency or commercial concern with which the Borough is cooperating or doing business and the meeting is for the benefit of the Borough. The employee may extend the courtesy of paying the guests meal and be reimbursed for the guests and his/her own meal.
 - The Mayor or designee (and spouse) is officially representing the Borough at a convention, banquet or similar function.
 - An employee is requested by their department head to work through lunch.
2. A service gratuity of up to 15% will be reimbursed when paid as part of the meal.
3. Reimbursement shall not be allowed for alcoholic beverages.
4. Reimbursement shall not be allowed for room service in excess of the standard per meal rate.
5. Receipts must accompany credit card charges.
6. The Borough Mayor and Assembly President, as applicable, are the only persons authorized to approve any exceptions to this policy.

Approved: _____

Date: _____

Introduced by: Mayor
Date: 06/19/12
Hearing: 08/07/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2011-19-91**

**AN ORDINANCE AUTHORIZING THE TRANSFER OF \$104,226 IN RESIDUAL
INTEREST EARNINGS IN THE BOND FUNDED CAPITAL PROJECT FUND TO
VARIOUS CAPITAL PROJECT FUNDS**

1 **WHEREAS**, between 2000 and 2009, the borough issued debt for the construction and
2 maintenance of various schools, hospitals, solid waste facilities, and emergency
3 response facilities; and

4 **WHEREAS**, these projects are now complete and residual interest earnings remain in the Bond
5 Funded Capital Project Fund; and

6 **WHEREAS**, the residual interest amounts are as follows: CES \$2,610; Solid Waste \$11,339;
7 School Capital Projects \$44,831; Central Peninsula General Hospital \$13,838 and
8 South Peninsula Hospital \$31,608; and

9 **WHEREAS**, with the completion of the projects, it appropriate to transfer the residual interest
10 earning to the respective capital projects fund of each entity for which the debt was
11 issued;

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

14 **SECTION 1.** That \$104,226 is appropriated from the Bond Funded Capital Projects Fund, fund
15 balance to the following accounts:

- 1 1. 401.51611.06CES.50211 transfer to CES Capital Projects Fund, in the amount of
2 \$2,610.
- 3 2. 401.32122.03SWB.50411 transfer to Solid Waste Capital Projects Fund, in the
4 amount of \$11,339.
- 5 3. 401.78050.00BND.50400 transfer to School Capital Projects Fund, in the amount
6 of \$1,013.
- 7 4. 401.78050.07BND.50400 transfer School Capital Projects Fund, in the amount of
8 \$43,818.
- 9 5. 401.81111.04CHB.50600 transfer to Central Peninsula General Hospital Capital
10 Projects Fund, in the amount of \$13,838.
- 11 6. 401.81211.04SHB.50601 transfer to South Peninsula Hospital Capital Projects
12 Fund, in the amount of \$1,427.
- 13 7. 401.81211.08SHB.50601 transfer to South Peninsula Hospital Capital Projects
14 Fund, in the amount of \$30,181.

15 **SECTION 2.** That this ordinance takes effect June 30, 2012.

16 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY**
17 **OF * 2012.**

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

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

MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

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

THRU: Mike Navarre, Mayor *MN*

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

DATE: June 7, 2012

SUBJECT: Ordinance 2011-19-91, an ordinance appropriating \$104,226 in residual interest income from the Bond Funded Capital Projects Fund

This is a housekeeping ordinance. Between 2000 and 2009, the borough issued debt for the construction and maintenance of various schools, hospitals, solid waste facilities, and emergency response facilities. The projects that occurred between 2000 and 2009 have been completed. Residual interest earnings remain in the Bond Funded Capital Project Fund. This ordinance would transfer these residual amounts of the interest earnings from the Bond Funded Capital Project Fund to the respective capital project fund of each respective entity for which the debt was issued.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>401.27910 FB</u>
Amount	<u>\$104,226.⁰⁰</u>
By:	<u>pe</u> Date: <u>6/7/12</u>

Introduced by: Mayor
Date: 06/19/12
Hearing: 08/07/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-19-06**

**AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT
OF \$975,000 FROM THE STATE OF ALASKA ON BEHALF OF THE NIKISKI FIRE
SERVICE AREA FOR THE PURCHASE OF AN AERIAL FIRE APPARATUS**

1 **WHEREAS**, the Nikiski Fire Service Area (NFSA) requested funding to purchase an aerial fire
2 apparatus in the Borough’s 2012 legislative priorities; and

3 **WHEREAS**, Senate Bill 160, which appropriated funding to the borough for the apparatus, 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 a grant award in the amount of \$975,000 to the
7 Borough on behalf of the NFSA for the project; and

8 **WHEREAS**, at its regular meeting on June 13, 2012, the NFSA Board of Directors
9 recommended _____;

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

12 **SECTION 1.** That the mayor is authorized to accept, on behalf of the Nikiski Fire Service Area,
13 a grant from the Alaska Department of Commerce, Community and Economic
14 Development in the amount of \$975,000 for the purchase of an aerial fire
15 apparatus, and is authorized to execute a grant agreement and any other
16 documents deemed necessary to accept and expend the grant and to fulfill the
17 intents and purposes of this ordinance.

1 **SECTION 2.** That funds in the amount of \$975,000 are appropriated to 441.51110.13439.49999
2 - project account number.

3 **SECTION 3.** That due to the length and nature of this project, the appropriations established
4 through this ordinance shall not lapse at the end of any particular fiscal year.

5 **SECTION 4.** 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

Nikiski Fire Service Area

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*
Brenda Ahlberg, Community & Fiscal Projects Manager *em*

FROM: James Baisden, NFSA Chief *JCB*

DATE: June 7, 2012

SUBJECT: Ordinance 2012-19- 06, accepting and appropriating a grant in the amount of \$975,000 from the State of Alaska on behalf of the Nikiski Fire Service Area for the purchase of an aerial fire apparatus

The Nikiski Fire Service Area (NFSA) submitted a request for legislative grant funding in the Fiscal Year 2012/2013 State of Alaska Capital Budget. Senate Bill 160, which appropriated funding in the amount of \$975,000 for the purchase of an aerial fire apparatus was passed by the State Legislature and signed by Governor Parnell on May 14, 2012.

This grant is for the replacement of the department's 30 year old ladder truck that is in poor condition. This apparatus is used to provide fire protection to the industrial, commercial, and residential occupancies throughout the service area and has accumulated more than 2,400 hours on the engine. The typical lifespan for this type of apparatus is between 20 and 25 years. Major engine, pump, and hydraulic problems have kept the apparatus out-of-service and downtime is exceeding in-service availability. Parts needed for repair are obsolete. The ladder truck failure severely hampers the department's emergency response capabilities and can have a negative effect on the insurance rating for the community. The ladder truck is necessary to support the required fire flow of water and foam at the LNG plant and the oil refinery located within the industrial complex of Nikiski.

The service area board will consider a motion recommending acceptance of the grant at its regular board meeting to be held June 13, 2012. The Alaska Department of Commerce, Community and Economic Development will provide the grant award with a five-year, project performance period ending June 30, 2017. James Baisden, NFSA Chief, shall provide grant oversight and project completion.

Attachment: Alaska Act HCS CSSB 160(FIN)
excerpt "Kenai Areawide (HD33-35) Only"

FINANCE DEPARTMENT	
ACCT#FUNDS VERIFIED	
Acct. No.	<u>441.51110.13439.49999</u>
Amount	<u>N/A</u>
By:	<u>pc</u> Date: <u>6/6/12</u>

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD	Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)							
	Commerce	Alaska Christian College - Emergency Generator Purchase	45,000	0	0	0	45,000
	Commerce	Alaska Energy Authority - Stetson Creek Diversion	5,825,500	0	0	0	5,825,500
	Commerce	Alutiiq Pride Shellfish Hatchery - Shellfish Hatchery Facilities Upgrades	0	460,000	0	0	460,000
	Commerce	Anchor Point Senior Citizens, Inc. - Anchor Point Senior Center Improvements	244,000	0	0	0	244,000
	Commerce	Boys & Girls Club of the Kenai Peninsula - Kasilof After School Program	75,000	0	0	0	75,000
	Commerce	Boys & Girls Clubs of the Kenai Peninsula - Kenai Technology Center Equipment	14,000	0	0	0	14,000
	Commerce	Boys & Girls Clubs of the Kenai Peninsula - Nikiski Technology Center Equipment	14,000	0	0	0	14,000
	Commerce	Boys & Girls Clubs of the Kenai Peninsula - Soldotna Portable Planning, Permitting and Acquisition	163,000	0	0	0	163,000
	Commerce	Cook Inlet Aquaculture - Tutka Bay Hatchery	699,000	0	0	0	699,000
	Commerce	Cook Inlet Regional Citizens Advisory Council - Ice Forecasting Network	70,000	0	0	0	70,000
	Trans	Cooper Landing - Walkable Community Project	550,000	0	0	0	550,000
	Commerce	Cooper Landing Senior Citizens Corporation, Inc. - Senior Housing Energy Projects	100,000	0	0	0	100,000
	Labor	Deferred Maintenance, Renewal, Repair and Equipment - AVTEC	1,000,000	0	0	0	1,000,000
	NatRes	Exxon Valdez Oil Spill - Parcel Purchase on Kenai River Mile 11	0	0	1,100,000	0	1,100,000
	Commerce	Friends of the Jesse Lee Home	5,000,000	0	0	0	5,000,000
	Trans	Greer Road Surfacing	150,000	0	0	0	150,000
	Commerce	Hailbut Cove Community Organization - Alaska Mussel Farming Demonstration Project	300,000	0	0	0	300,000
	Trans	Highway Safety Corridor - Sterling Highway - Sterling to Soldotna Widening	1,730,000	0	0	0	1,730,000
	Commerce	Homer - Fishing Lagoon Improvements	100,000	0	0	0	100,000
	Commerce	Homer - South Peninsula Natural Gas Pipeline	8,150,000	0	0	0	8,150,000
	Commerce	Homer Society of Natural History - Pratt Museum Building Design and Construction	100,000	0	0	0	100,000
	Commerce	Hope Community Resources, Inc. - Kenai/Soldotna Community Center	125,000	0	0	0	125,000
	Commerce	Hospice of The Central Peninsula - Durable Medical Equipment for Community Loan Closet	10,000	0	0	0	10,000
	Commerce	Kachemak - Kachemak Roads Repairs	60,000	0	0	0	60,000
	Univ	Kachemak Bay Campus - Pioneer Avenue Building Addition	50,000	0	0	0	50,000
	Commerce	Kachemak Bay Equestrian Association - Cottonwood Horse Park	10,000	0	0	0	10,000
	Commerce	Kachemak Shellfish Mariculture Association - Oyster Remote Setting Facility	60,000	0	0	0	60,000
	Commerce	Kasilof Regional Historical Association - Community of Kasilof - Cabin Restoration	38,000	0	0	0	38,000
	Trans	Kenai - Kalifornsky Beach Road and Bridge Access Road Pedestrian Paths	3,000,000	0	0	0	3,000,000
	Commerce	Kenai - Road and Infrastructure Improvements	4,000,000	0	0	0	4,000,000
	Commerce	Kenai - State Personal Use Fishery Improvement	150,000	0	0	0	150,000
	EnvCon	Kenai - Water Transmission Mains Phase 4	1,935,164	0	0	0	1,935,164
	Correct	Kenai - Wildwood Correctional Center Deferred Maintenance	50,000	0	0	0	50,000

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)						
M&VA	Kenai Armory Deferred Maintenance	10,000	0	0	10,000	20,000
Commerce	Kenai Peninsula Borough - Bear Creek Fire Service Area Community Multi-Use Facility	3,976,000	0	0	0	3,976,000
Commerce	Kenai Peninsula Borough - Central Emergency Service Area Rescue Boat	100,750	0	0	0	100,750
Commerce	Kenai Peninsula Borough - Central Peninsula General Hospital Radiation Oncology Center	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Classroom iTouch Project for Lower Peninsula Schools	52,500	0	0	0	52,500
Commerce	Kenai Peninsula Borough - Fox River Basargin Road Improvements	50,000	0	0	0	50,000
Commerce	Kenai Peninsula Borough - Gilman Kenai River Center Septic Tank Removal/Connection to Sewer System	15,000	0	0	0	15,000
Commerce	Kenai Peninsula Borough - Hazard Tree Removal	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Homer High School Athletic Facilities	1,100,000	0	0	0	1,100,000
Commerce	Kenai Peninsula Borough - Kachemak Emergency Service Area Diamond Ridge Community Center / Training Facility	100,000	0	0	0	100,000
Commerce	Kenai Peninsula Borough - Kenai & Soldotna High School Track and Field Improvements	3,100,000	0	0	0	3,100,000
Commerce	Kenai Peninsula Borough - Nikiski Fire Service Area Aerial Fire Apparatus Replacement	975,000	0	0	0	975,000
Commerce	Kenai Peninsula Borough - North Peninsula Recreation Service Area Trails Upgrade and Expansion	150,000	0	0	0	150,000
Commerce	Kenai Peninsula Borough - Road Projects	8,000,000	0	0	0	8,000,000
Commerce	Kenai Peninsula Borough - School District Equipment	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Security Camera System	1,625,000	0	0	0	1,625,000
Commerce	Kenai Peninsula Borough School District - Student Nutrition Services	40,000	0	0	0	40,000
Commerce	Kenai Peninsula Community Care Center - Gymnasium Repair and Renovations	52,000	0	0	0	52,000
Commerce	Kenai Peninsula Fair Association - Facilities Upgrades	188,000	0	0	0	188,000
Commerce	Kenai Peninsula Opportunities, Inc. - Kenai Peninsula Construction Academy Covered Storage	200,000	0	0	0	200,000
H&SS	Kenai Peninsula Youth Facility Deferred Maintenance	165,400	0	0	0	165,400
FishGm	Kenai River King Salmon Sonar Assessment Program	1,813,000	0	0	0	1,813,000
Commerce	Kenaizte Indian Tribe - Dena'ina Health and Wellness Center	15,000,000	0	0	0	15,000,000
Commerce	Lee Shore Center - Emergency Shelter Children's Outdoor Play Area Rehabilitation	96,444	0	0	0	96,444
NatRes	Lower Kaslof River Drift Boat Takeout - Phase 2 of 2	1,600,000	0	0	0	1,600,000
Labor	Marine Simulator Software	39,000	0	0	0	39,000
Commerce	Moose Pass Volunteer Fire Company - Fire Station Acquisition and Renovation	120,000	0	0	0	120,000
Commerce	Nikolaevsk, Inc. - Multi-Use Facility	50,000	0	0	0	50,000
Commerce	Nirilchik Emergency Services - Fire and EMS Station Project	2,275,000	0	0	0	2,275,000
Commerce	Nirilchik Senior Citizens, Inc. - Nirilchik Senior Center Improvements	24,800	0	0	0	24,800
Commerce	North Peninsula Community Council - Nikiski Beautification	100,000	0	0	0	100,000
NatRes	Parks and Outdoor Recreation Deferred Maintenance - Kenai Area	560,000	0	0	0	560,000

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD	Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)							
	Commerce	Seldovia - Jakolof Bay and Rocky Road Dusting	7,500	0	0	0	7,500
	Trans	Seldovia - Small Boat Harbor	1,000,000	0	0	0	1,000,000
	Commerce	Seldovia - Value Added Manufacturing Plant	330,000	0	0	0	330,000
	EnvCon	Seward - North Seward Water Storage Tank and Pumping Facility	2,583,240	0	0	0	2,583,240
	Trans	Seward - Seward Harbor	1,180,000	0	0	0	1,180,000
	Trans	Seward Highway - Recreational Improvements	0	0	0	650,000	650,000
	FishGm	Seward Vessel Wash-Down and Wastewater Recycling Facility	0	0	641,300	0	641,300
	Trans	Soldotna - Birch Street Signal at Sterling Highway	0	0	0	1,500,000	1,500,000
	Commerce	Soldotna - Centennial Park Trail Development	400,000	0	0	0	400,000
	Commerce	Soldotna - Paving Improvements	1,500,000	0	0	0	1,500,000
	Commerce	Soldotna - Police Building Roof Replacement	325,000	0	0	0	325,000
	EnvCon	Soldotna - Sterling Street Water and Sewer Replacement	377,465	0	0	0	377,465
	Commerce	Soldotna Area Senior Citizens, Inc. - Generator and Roof Improvements	82,000	0	0	0	82,000
	Commerce	Soldotna Little League - Field Upgrades	25,000	0	0	0	25,000
	PubSaf	Soldotna Post Facilities Deferred Maintenance	225,000	0	0	0	225,000
	Commerce	Sterling Area Senior Citizens, Inc. Garage for Storage and Work Shop	300,000	0	0	0	300,000
	Commerce	Sterling Community Club, Inc. - Multi-Use Building	400,000	0	0	0	400,000
	Trans	Sterling Highway - Milepost 157 to 169 Rehabilitation - Anchor Point to Baycrest Hill	0	0	0	2,500,000	2,500,000
	Trans	Sterling Highway - Milepost 37 to 45 Resurfacing	16,075,000	0	0	7,350,000	23,425,000
	Labor	Third Avenue Dormitory Replacement	0	0	0	0	0
	FishGm	Upper Cook Inlet East Side Set Net Chinook Salmon Harvest Patterns	0	789,000	0	0	789,000
Kenai Areawide (HD 33-35) total:			103,205,763	1,249,000	1,741,300	12,010,000	118,206,063
Report total:			103,205,763	1,249,000	1,741,300	12,010,000	118,206,063

Introduced by: Mayor
Date: 06/19/12
Hearing: 08/07/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-19-07**

AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$100,750 FROM THE STATE OF ALASKA ON BEHALF OF THE CENTRAL EMERGENCY SERVICE AREA FOR THE PURCHASE OF A RESCUE BOAT

1 **WHEREAS**, the Central Emergency Service Area (CES) requested funding to purchase a
2 rescue boat in the Borough’s 2012 legislative priorities; and

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

6 **WHEREAS**, the Alaska Department of Commerce, Community and Economic Development
7 (“DCCED”) will provide a grant award in the amount of \$100,750 to the
8 Borough on behalf of CES for the project; and

9 **WHEREAS**, at its regular meeting of May 17, 2012, the CES board passed a motion
10 recommending grant acceptance;

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

13 **SECTION 1.** That the mayor is authorized to accept, on behalf of the Central Emergency
14 Service Area, a grant from the Alaska Department of Commerce, Community and
15 Economic Development in the amount of \$100,750 for the purchase of a rescue
16 boat, and is authorized to execute a grant agreement and any other documents
17 deemed necessary to accept and expend the grant and to fulfill the intents and
18 purposes of this ordinance.

1 **SECTION 2.** That funds in the amount of \$100,750 are appropriated to 443.51610.13165.49999
2 project account number.

3 **SECTION 3.** That due to the length and nature of this project, the appropriations established
4 through this ordinance shall not lapse at the end of any particular fiscal year.

5 **SECTION 4.** 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

Central Emergency Service Area

MEMORANDUM

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

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

FROM: Chris Mokracek, CES Chief *CR. MOKRACEK*

DATE: June 7, 2012

SUBJECT: Ordinance 2012-19- 07 an ordinance accepting and appropriating a grant in the amount of \$100,750 from the State of Alaska on behalf of the Central Emergency Service Area for the purchase of a rescue boat

The Central Emergency Service Area (CES) submitted a request for legislative grant funding in the Fiscal Year 2012/2013 State of Alaska Capital Budget. Senate Bill 160 which appropriated funding in the amount of \$100,750 for the purchase of a rescue boat was passed by the State Legislature and signed by Governor Parnell on May 14, 2012.

CES personnel are trained in swift water rescue and boat handling on rivers and open water. CES also has its own certified dive team for rescue and recovery operations. CES responds to mutual aid requests for Ninilchik, Nikiski, Kenai and Cooper Landing for water-related incidents. CES is called upon numerous times per year to perform rescues from overturned boats, sinking vessels, and for search and rescue operations when these bodies of water are at their most treacherous. The boat is also used to deploy wildland firefighters and equipment into remote areas.

This project replaces a 28 year-old inflatable that has had numerous repairs and will no longer hold air. It is well beyond its usable life span. The rescue boat project is a rigid hull inflatable/air filled foam boat (tested to U.S. Coast Guard standards), motor and trailer.

The CES board passed a motion, recommending acceptance of the grant at its regular board meeting held May 17, 2012. The Alaska Department of Commerce, Community and Economic Development will provide the grant award with a five-year project performance period ending June 30, 2017. The CES chief shall provide grant oversight and project completion.

Attachment: Alaska Act HCS CSSB 160(FIN)
excerpt "Kenai Areawide (HD33-35) Only"

FINANCE DEPARTMENT	
ACCT # FUNDS VERIFIED	
Acct. No.	<u>443.51610.13165.49999</u>
Amount	<u>N/A</u>
By:	<u>pc</u> Date: <u>6/6/12</u>

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD	Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)							
Commerce	Alaska Christian College - Emergency Generator Purchase	45,000	0	0	0	45,000	
Commerce	Alaska Energy Authority - Steitson Creek Diversion	5,825,500	0	0	0	5,825,500	
Commerce	Alutiiq Pride Shellfish Hatchery - Shellfish Hatchery Facilities Upgrades	0	460,000	0	0	460,000	
Commerce	Anchor Point Senior Citizens, Inc. - Anchor Point Senior Center Improvements	244,000	0	0	0	244,000	
Commerce	Boys & Girls Club of the Kenai Peninsula - Kasilof After School Program	75,000	0	0	0	75,000	
Commerce	Boys & Girls Clubs of the Kenai Peninsula - Kenai Technology Center Equipment	14,000	0	0	0	14,000	
Commerce	Boys & Girls Clubs of the Kenai Peninsula - Nikiski Technology Center Equipment	14,000	0	0	0	14,000	
Commerce	Boys & Girls Clubs of the Kenai Peninsula - Soldotna Portable Planning, Permitting and Acquisition	163,000	0	0	0	163,000	
Commerce	Cook Inlet Aquaculture - Tutka Bay Hatchery	699,000	0	0	0	699,000	
Commerce	Cook Inlet Regional Citizens Advisory Council - Ice Forecasting Network	70,000	0	0	0	70,000	
Trans	Cooper Landing - Walkable Community Project	550,000	0	0	0	550,000	
Commerce	Cooper Landing Senior Citizens Corporation, Inc. - Senior Housing Energy Projects	100,000	0	0	0	100,000	
Labor	Deferred Maintenance, Renewal, Repair and Equipment - AVTEC	1,000,000	0	0	0	1,000,000	
NatRes	Exxon Valdez Oil Spill - Parcel Purchase on Kenai River Mile 11	0	0	1,100,000	0	1,100,000	
Commerce	Friends of the Jesse Lee Home	5,000,000	0	0	0	5,000,000	
Trans	Greer Road Surfacing	150,000	0	0	0	150,000	
Commerce	Halibut Cove Community Organization - Alaska Mussel Farming Demonstration Project	300,000	0	0	0	300,000	
Trans	Highway Safety Corridor - Sterling Highway - Sterling to Soldotna Widening	1,730,000	0	0	0	1,730,000	
Commerce	Homer - Fishing Lagoon Improvements	100,000	0	0	0	100,000	
Commerce	Homer - South Peninsula Natural Gas Pipeline	8,150,000	0	0	0	8,150,000	
Commerce	Homer Society of Natural History - Pratt Museum Building Design and Construction	100,000	0	0	0	100,000	
Commerce	Hope Community Resources, Inc. - Kenai/Soldotna Community Center	125,000	0	0	0	125,000	
Commerce	Hospice of The Central Peninsula - Durable Medical Equipment for Community Loan Closet	10,000	0	0	0	10,000	
Commerce	Kachemak - Kachemak Roads Repairs	60,000	0	0	0	60,000	
Univ	Kachemak Bay Campus - Pioneer Avenue Building Addition	50,000	0	0	0	50,000	
Commerce	Kachemak Bay Equestrian Association - Cottonwood Horse Park	10,000	0	0	0	10,000	
Commerce	Kachemak Shellfish Maniculture Association - Oyster Remote Setting Facility	60,000	0	0	0	60,000	
Commerce	Kasilof Regional Historical Association - Community of Kasilof - Cabin Restoration	38,000	0	0	0	38,000	
Trans	Kenai - Kalifornsky Beach Road and Bridge Access Road Pedestrian Paths	3,000,000	0	0	0	3,000,000	
Commerce	Kenai - Road and Infrastructure Improvements	4,000,000	0	0	0	4,000,000	
Commerce	Kenai - State Personal Use Fishery Improvement	150,000	0	0	0	150,000	
EnvCon	Kenai - Water Transmission Mains Phase 4	1,935,164	0	0	0	1,935,164	
Correct	Kenai - Wildwood Correctional Center Deferred Maintenance	50,000	0	0	0	50,000	

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)						
M&VA	Kenai Armory Deferred Maintenance	10,000	0	0	10,000	20,000
Commerce	Kenai Peninsula Borough - Bear Creek Fire Service Area Community Multi-Use Facility	3,976,000	0	0	0	3,976,000
Commerce	Kenai Peninsula Borough - Central Emergency Service Area Rescue Boat	100,750	0	0	0	100,750
Commerce	Kenai Peninsula Borough - Central Peninsula General Hospital Radiation Oncology Center	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Classroom ITouch Project for Lower Peninsula Schools	52,500	0	0	0	52,500
Commerce	Kenai Peninsula Borough - Fox River Basargin Road Improvements	50,000	0	0	0	50,000
Commerce	Kenai Peninsula Borough - Gilman Kenai River Center Septic Tank Removal/Connection to Sewer System	15,000	0	0	0	15,000
Commerce	Kenai Peninsula Borough - Hazard Tree Removal	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Homer High School Athletic Facilities	1,100,000	0	0	0	1,100,000
Commerce	Kenai Peninsula Borough - Kachemak Emergency Service Area Diamond Ridge Community Center / Training Facility	100,000	0	0	0	100,000
Commerce	Kenai Peninsula Borough - Kenai & Soldotna High School Track and Field Improvements	3,100,000	0	0	0	3,100,000
Commerce	Kenai Peninsula Borough - Nikiski Fire Service Area Aerial Fire Apparatus Replacement	975,000	0	0	0	975,000
Commerce	Kenai Peninsula Borough - North Peninsula Recreation Service Area Trails Upgrade and Expansion	150,000	0	0	0	150,000
Commerce	Kenai Peninsula Borough - Road Projects	8,000,000	0	0	0	8,000,000
Commerce	Kenai Peninsula Borough - School District Equipment	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Security Camera System	1,625,000	0	0	0	1,625,000
Commerce	Kenai Peninsula Borough School District - Student Nutrition Services	40,000	0	0	0	40,000
Commerce	Kenai Peninsula Community Care Center - Gymnasium Repair and Renovations	52,000	0	0	0	52,000
Commerce	Kenai Peninsula Fair Association - Facilities Upgrades	188,000	0	0	0	188,000
Commerce	Kenai Peninsula Opportunities, Inc. - Kenai Peninsula Construction Academy Covered Storage	200,000	0	0	0	200,000
H&SS	Kenai Peninsula Youth Facility Deferred Maintenance	165,400	0	0	0	165,400
FishGm	Kenai River King Salmon Sonar Assessment Program	1,813,000	0	0	0	1,813,000
Commerce	Kenaitze Indian Tribe - Denaina Health and Wellness Center	15,000,000	0	0	0	15,000,000
Commerce	Lee Shore Center - Emergency Shelter Children's Outdoor Play Area Rehabilitation	96,444	0	0	0	96,444
NatRes	Lower Kaslof River Drift Boat Takeout - Phase 2 of 2	1,600,000	0	0	0	1,600,000
Labor	Marine Simulator Software	39,000	0	0	0	39,000
Commerce	Moose Pass Volunteer Fire Company - Fire Station Acquisition and Renovation	120,000	0	0	0	120,000
Commerce	Nikolaevsk, Inc. - Multi-Use Facility	50,000	0	0	0	50,000
Commerce	Ninilchik Emergency Services - Fire and EMS Station Project	2,275,000	0	0	0	2,275,000
Commerce	Ninilchik Senior Citizens, Inc. - Ninilchik Senior Center Improvements	24,800	0	0	0	24,800
Commerce	North Peninsula Community Council - Nikiski Beautification	100,000	0	0	0	100,000
NatRes	Parks and Outdoor Recreation Deferred Maintenance - Kenai Area	560,000	0	0	0	560,000

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD	Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)							
Commerce		Seldovia - Jakolof Bay and Rocky Road Dusting	7,500	0	0	0	7,500
Trans		Seldovia - Small Boat Harbor	1,000,000	0	0	0	1,000,000
Commerce		Seldovia - Value Added Manufacturing Plant	330,000	0	0	0	330,000
EnvCon		Seward - North Seward Water Storage Tank and Pumping Facility	2,583,240	0	0	0	2,583,240
Trans		Seward - Seward Harbor	1,180,000	0	0	0	1,180,000
Trans		Seward Highway - Recreational Improvements	0	0	0	650,000	650,000
FishGm		Seward Vessel Wash-Down and Wastewater Recycling Facility	0	0	641,300	0	641,300
Trans		Soldotna - Birch Street Signal at Sterling Highway	0	0	0	1,500,000	1,500,000
Commerce		Soldotna - Centennial Park Trail Development	400,000	0	0	0	400,000
Commerce		Soldotna - Paving Improvements	1,500,000	0	0	0	1,500,000
Commerce		Soldotna - Police Building Roof Replacement	325,000	0	0	0	325,000
EnvCon		Soldotna - Sterling Street Water and Sewer Replacement	377,465	0	0	0	377,465
Commerce		Soldotna Area Senior Citizens, Inc. - Generator and Roof Improvements	82,000	0	0	0	82,000
Commerce		Soldotna Little League - Field Upgrades	25,000	0	0	0	25,000
PubSaf		Soldotna Post Facilities Deferred Maintenance	225,000	0	0	0	225,000
Commerce		Sterling Area Senior Citizens, Inc. Garage for Storage and Work Shop	300,000	0	0	0	300,000
Commerce		Sterling Community Club, Inc. - Multi-Use Building	400,000	0	0	0	400,000
Trans		Sterling Highway - Milepost 157 to 169 Rehabilitation - Anchor Point to Baycrest Hill	0	0	0	2,500,000	2,500,000
Trans		Sterling Highway - Milepost 37 to 45 Resurfacing	0	0	0	7,350,000	7,350,000
Labor		Third Avenue Dormitory Replacement	16,075,000	0	0	0	16,075,000
FishGm		Upper Cook Inlet East Side Set Net Chinook Salmon Harvest Patterns	0	789,000	0	0	789,000
Kenai Areawide (HD 33-35) total:			103,205,763	1,249,000	1,741,300	12,010,000	118,206,063
Report total:			103,205,763	1,249,000	1,741,300	12,010,000	118,206,063

Introduced by: Mayor
Date: 06/19/12
Hearing: 08/07/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-19-08**

**AN ORDINANCE ACCEPTING AND APPROPRIATING GRANTS IN THE AMOUNT
OF \$1,107,500 FROM THE STATE OF ALASKA ON BEHALF OF THE KENAI
PENINSULA BOROUGH SCHOOL DISTRICT FOR EQUIPMENT, SUPPLIES AND
STUDENT NUTRITION SERVICES**

1 **WHEREAS**, the Kenai Peninsula Borough School District (KPBSD) has identified a need to
2 provide various materials, equipment and supplies to schools throughout the
3 Borough; and
4
5 **WHEREAS**, Senate Bill 160, which appropriated funding to the Borough for these projects,
6 was passed by the State Legislature and signed by the Governor on May 14, 2012;
7 and
8
9 **WHEREAS**, the Alaska Department of Commerce, Community and Economic Development
10 will provide four grant awards in the total amount of \$1,107,500 to the Borough
11 on behalf of the school district for the projects; and
12
13 **WHEREAS**, KPBSD will use these funds for classroom equipment, supplies and student
14 nutrition services; and
15
16 **WHEREAS**, acceptance of these grants will benefit many of the schools and students
17 throughout the Borough;
18
19 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
20 **PENINSULA BOROUGH:**
21

1 **SECTION 1.** That the mayor is authorized to accept grants from the Alaska Department of
2 Commerce, Community and Economic Development in the total amount of
3 \$1,107,500 for school district equipment, supplies and nutritional services, and is
4 authorized to execute grant agreements and any other documents deemed
5 necessary to accept and expend the grants and to fulfill the intents and purposes of
6 this ordinance.

7
8 **SECTION 2.** That grant funds are appropriated to the following accounts:

9	\$52,500	271.94910.13004.49999	13-DC-004 Classroom iTouch Project
10	\$1,000,000	271.94910.13446.49999	13-DC-446 Equipment
11	\$40,000	271.94910.13195.49999	13-DM-195 Student Nutrition Services
12	\$15,000	271.71082.13012.49999	13-RR-012 Nikiski HS printer/cutter
13			software

14 **SECTION 3.** That because KPBSD will pay all required expenditures and will be responsible
15 for all administrative action related to these grants, with the exception of filing the
16 grant reports, the administrative fee established by KPB Resolution 2006-036 will
17 be waived.

18 **SECTION 4.** That due to the length and nature of these projects, the appropriations established
19 through this ordinance shall not lapse at the end of any particular fiscal year.

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

Grant Management

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*

FROM: Brenda Ahlberg, Community & Fiscal Projects Manager *B Ahlberg*

DATE: June 7, 2012

SUBJECT: Ordinance 2012-19-08, accepting and appropriating grants in the total amount of \$1,107,500 from the State of Alaska on behalf of the Kenai Peninsula Borough School District for Equipment, Supplies and Student Nutrition Services

Legislative grant funding in the Fiscal Year 2012/2013 State of Alaska Capital Budget was requested for the purpose of completing school projects throughout the borough. Senate Bill 160, which appropriated funding in the amount of \$1,107,500 for the projects was passed by the State Legislature and signed by Governor Parnell on May 14, 2012.

The Alaska Department of Commerce, Community and Economic Development will provide the following grant awards as listed below. Each award has a five-year project performance period ending June 30, 2017. The school district administration shall provide grant oversight and project completion. Because the borough will have minimal involvement, waiving the 3.04 percent administrative fee as established by R2006-036 is requested.

13-DC-004 Classroom iTouch Project	\$52,500
13-DC-446 Equipment	\$1,000,000
13-DM-195 Student Nutrition Services	\$40,000
13-RR-012 Nikiski HS printer/cutter software	\$15,000

Attachments: Alaska Act HCS CSSB 160(FIN),
excerpt "Kenai Areawide (HD33-35) Only" and
School District letter 06-05-2012

FINANCE DEPARTMENT	
Acct#s FUNDS VERIFIED	
	271.94910.13004.49999
	271.94910.13446.49999
Acct. No.	<u>271.94910.13195.49999</u>
Amount	<u>271.71082.13012.49999</u>
	N/A
By: <u>pc</u>	Date: <u>6/6/12</u>

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)						
Commerce	Alaska Christian College - Emergency Generator Purchase	45,000	0	0	0	45,000
Commerce	Alaska Energy Authority - Stetson Creek Diversion	5,825,500	0	0	0	5,825,500
Commerce	Alutiq Pride Shellfish Hatchery - Shellfish Hatchery Facilities Upgrades	0	460,000	0	0	460,000
Commerce	Anchor Point Senior Citizens, Inc. - Anchor Point Senior Center Improvements	244,000	0	0	0	244,000
Commerce	Boys & Girls Club of the Kenai Peninsula - Kaslof After School Program	75,000	0	0	0	75,000
Commerce	Boys & Girls Clubs of the Kenai Peninsula - Kenai Technology Center Equipment	14,000	0	0	0	14,000
Commerce	Boys & Girls Clubs of the Kenai Peninsula - Nikiski Technology Center Equipment	14,000	0	0	0	14,000
Commerce	Boys & Girls Clubs of the Kenai Peninsula - Soldotna Portable Planning, Permitting and Acquisition	163,000	0	0	0	163,000
Commerce	Cook Inlet Aquaculture - Tutka Bay Hatchery	699,000	0	0	0	699,000
Commerce	Cook Inlet Regional Citizens Advisory Council - Ice Forecasting Network	70,000	0	0	0	70,000
Trans	Cooper Landing - Walkable Community Project	550,000	0	0	0	550,000
Commerce	Cooper Landing Senior Citizens Corporation, Inc. - Senior Housing Energy Projects	100,000	0	0	0	100,000
Labor	Deferred Maintenance, Renewal, Repair and Equipment - AVTEC	1,000,000	0	0	0	1,000,000
NatRes	Exxon Valdez Oil Spill - Parcel Purchase on Kenai River Mile 11	0	0	1,100,000	0	1,100,000
Commerce	Friends of the Jesse Lee Home	5,000,000	0	0	0	5,000,000
Trans	Greer Road Surfacing	150,000	0	0	0	150,000
Commerce	Halibut Cove Community Organization - Alaska Mussel Farming Demonstration Project	300,000	0	0	0	300,000
Trans	Highway Safety Corridor - Sterling Highway - Sterling to Soldotna Widening	1,730,000	0	0	0	1,730,000
Commerce	Homer - Fishing Lagoon Improvements	100,000	0	0	0	100,000
Commerce	Homer - South Peninsula Natural Gas Pipeline	8,150,000	0	0	0	8,150,000
Commerce	Homer Society of Natural History - Pratt Museum Building Design and Construction	100,000	0	0	0	100,000
Commerce	Hope Community Resources, Inc. - Kenai/Soldotna Community Center	125,000	0	0	0	125,000
Commerce	Hospice of The Central Peninsula - Durable Medical Equipment for Community Loan Closet	10,000	0	0	0	10,000
Commerce	Kachemak - Kachemak Roads Repairs	60,000	0	0	0	60,000
Univ	Kachemak Bay Campus - Pioneer Avenue Building Addition	50,000	0	0	0	50,000
Commerce	Kachemak Bay Equestrian Association - Cottonwood Horse Park	10,000	0	0	0	10,000
Commerce	Kachemak Shellfish Mariculture Association - Oyster Remote Setting Facility	60,000	0	0	0	60,000
Commerce	Kasilof Regional Historical Association - Community of Kaslof - Cabin Restoration	38,000	0	0	0	38,000
Trans	Kenai - Kalifornsky Beach Road and Bridge Access Road Pedestrian Paths	3,000,000	0	0	0	3,000,000
Commerce	Kenai - Road and Infrastructure Improvements	4,000,000	0	0	0	4,000,000
Commerce	Kenai - State Personal Use Fishery Improvement	150,000	0	0	0	150,000
EnvCon	Kenai - Water Transmission Mains Phase 4	1,935,164	0	0	0	1,935,164
Correct	Kenai - Wildwood Correctional Center Deferred Maintenance	50,000	0	0	0	50,000

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD	Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)							
M&VA		Kenai Armory Deferred Maintenance	10,000	0	0	10,000	20,000
Commerce		Kenai Peninsula Borough - Bear Creek Fire Service Area Community Multi-Use Facility	3,976,000	0	0	0	3,976,000
Commerce		Kenai Peninsula Borough - Central Emergency Service Area Rescue Boat	100,750	0	0	0	100,750
Commerce		Kenai Peninsula Borough - Central Peninsula General Hospital Radiation Oncology Center	1,000,000	0	0	0	1,000,000
Commerce		Kenai Peninsula Borough - Classroom ITouch Project for Lower Peninsula Schools	52,500	0	0	0	52,500
Commerce		Kenai Peninsula Borough - Fox River Basargin Road Improvements	50,000	0	0	0	50,000
Commerce		Kenai Peninsula Borough - Gilman Kenai River Center Septic Tank Removal/Connection to Sewer System	15,000	0	0	0	15,000
Commerce		Kenai Peninsula Borough - Hazard Tree Removal	1,000,000	0	0	0	1,000,000
Commerce		Kenai Peninsula Borough - Homer High School Athletic Facilities	1,100,000	0	0	0	1,100,000
Commerce		Kenai Peninsula Borough - Kachemak Emergency Service Area Diamond Ridge Community Center / Training Facility	100,000	0	0	0	100,000
Commerce		Kenai Peninsula Borough - Kenai & Soldotna High School Track and Field Improvements	3,100,000	0	0	0	3,100,000
Commerce		Kenai Peninsula Borough - Nikiski Fire Service Area Aerial Fire Apparatus Replacement	975,000	0	0	0	975,000
Commerce		Kenai Peninsula Borough - North Peninsula Recreation Service Area Trails Upgrade and Expansion	150,000	0	0	0	150,000
Commerce		Kenai Peninsula Borough - Road Projects	8,000,000	0	0	0	8,000,000
Commerce		Kenai Peninsula Borough - School District Equipment	1,000,000	0	0	0	1,000,000
Commerce		Kenai Peninsula Borough - Security Camera System	1,625,000	0	0	0	1,625,000
Commerce		Kenai Peninsula Borough School District - Student Nutrition Services	40,000	0	0	0	40,000
Commerce		Kenai Peninsula Community Care Center - Gymnasium Repair and Renovations	52,000	0	0	0	52,000
Commerce		Kenai Peninsula Fair Association - Facilities Upgrades	188,000	0	0	0	188,000
Commerce		Kenai Peninsula Opportunities, Inc. - Kenai Peninsula Construction Academy Covered Storage	200,000	0	0	0	200,000
H&SS		Kenai Peninsula Youth Facility Deferred Maintenance	165,400	0	0	0	165,400
FishGm		Kenai River King Salmon Sonar Assessment Program	1,813,000	0	0	0	1,813,000
Commerce		Kenaitze Indian Tribe - Dena'ina Health and Wellness Center	15,000,000	0	0	0	15,000,000
Commerce		Lee Shore Center - Emergency Shelter Children's Outdoor Play Area Rehabilitation	96,444	0	0	0	96,444
NatRes		Lower Kaslof River Drift Boat Takeout - Phase 2 of 2	1,600,000	0	0	0	1,600,000
Labor		Marine Simulator Software	39,000	0	0	0	39,000
Commerce		Moose Pass Volunteer Fire Company - Fire Station Acquisition and Renovation	120,000	0	0	0	120,000
Commerce		Nikolaevsk, Inc. - Multi-Use Facility	50,000	0	0	0	50,000
Commerce		Ninlichik Emergency Services - Fire and EMS Station Project	2,275,000	0	0	0	2,275,000
Commerce		Ninlichik Senior Citizens, Inc. - Ninlichik Senior Center Improvements	24,800	0	0	0	24,800
Commerce		North Peninsula Community Council - Nikiski Beautification	100,000	0	0	0	100,000
NatRes		Parks and Outdoor Recreation Deferred Maintenance - Kenai Area	560,000	0	0	0	560,000

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)						
Commerce	Seldovia - Jakolof Bay and Rocky Road Dusting	7,500	0	0	0	7,500
Trans	Seldovia - Small Boat Harbor	1,000,000	0	0	0	1,000,000
Commerce	Seldovia - Value Added Manufacturing Plant	330,000	0	0	0	330,000
EnvCon	Seward - North Seward Water Storage Tank and Pumping Facility	2,583,240	0	0	0	2,583,240
Trans	Seward - Seward Harbor	1,180,000	0	0	0	1,180,000
Trans	Seward Highway - Recreational Improvements	0	0	0	650,000	650,000
FishGm	Seward Vessel Wash-Down and Wastewater Recycling Facility	0	0	641,300	0	641,300
Trans	Soldotna - Birch Street Signal at Sterling Highway	0	0	0	1,500,000	1,500,000
Commerce	Soldotna - Centennial Park Trail Development	400,000	0	0	0	400,000
Commerce	Soldotna - Paving Improvements	1,500,000	0	0	0	1,500,000
Commerce	Soldotna - Police Building Roof Replacement	325,000	0	0	0	325,000
EnvCon	Soldotna - Sterling Street Water and Sewer Replacement	377,465	0	0	0	377,465
Commerce	Soldotna Area Senior Citizens, Inc. - Generator and Roof Improvements	82,000	0	0	0	82,000
Commerce	Soldotna Little League - Field Upgrades	25,000	0	0	0	25,000
PubSaf	Soldotna Post Facilities Deferred Maintenance	225,000	0	0	0	225,000
Commerce	Sterling Area Senior Citizens, Inc. Garage for Storage and Work Shop	300,000	0	0	0	300,000
Commerce	Sterling Community Club, Inc. - Multi-Use Building	400,000	0	0	0	400,000
Trans	Sterling Highway - Milepost 157 to 169 Rehabilitation - Anchor Point to Baycrest Hill	0	0	0	2,500,000	2,500,000
Trans	Sterling Highway - Milepost 37 to 45 Resurfacing	0	0	0	7,350,000	7,350,000
Labor	Third Avenue Dormitory Replacement	16,075,000	0	0	0	16,075,000
FishGm	Upper Cook Inlet East Side Set Net Chinook Salmon Harvest Patterns	0	789,000	0	0	789,000
Kenai Areawide (HD 33-35) total:		103,205,763	1,249,000	1,741,300	12,010,000	118,206,063
Report total:		103,205,763	1,249,000	1,741,300	12,010,000	118,206,063

1 Roads paving - \$7,000,000) is reappropriated to the Department of Commerce, Community,
 2 and Economic Development for payment as a grant under AS 37.05.316 to the Challenger
 3 Learning Center of Alaska for facility planning.

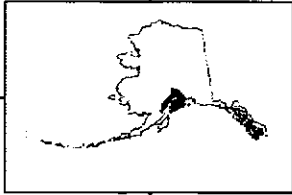
4 (g) The unexpended and unobligated balance, not to exceed \$15,000, of the
 5 appropriation made in sec. 10, ch. 29, SLA 2008, page 79, lines 5 - 7 (Department of
 6 Transportation and Public Facilities, Tustumena Lake, Crooked Creek and Johnson Lake
 7 Roads paving - \$7,000,000) is reappropriated to the Department of Commerce, Community,
 8 and Economic Development for payment as a grant under AS 37.05.315 to the Kenai
 9 Peninsula Borough for Nikiski High School purchase of a printer and cutter with software.

10 (h) The unexpended and unobligated balance, not to exceed \$25,000, of the
 11 appropriation made in sec. 10, ch. 29, SLA 2008, page 79, lines 5 - 7 (Department of
 12 Transportation and Public Facilities, Tustumena Lake, Crooked Creek and Johnson Lake
 13 Roads paving - \$7,000,000) is reappropriated to the Department of Commerce, Community,
 14 and Economic Development for payment as a grant under AS 37.05.316 to the Kasilof Coho
 15 Cemetery Association for maintenance and repairs.

16 (i) The unexpended and unobligated balance, not to exceed \$100,000, of the
 17 appropriation made in sec. 10, ch. 29, SLA 2008, page 79, lines 5 - 7 (Department of
 18 Transportation and Public Facilities, Tustumena Lake, Crooked Creek and Johnson Lake
 19 Roads paving - \$7,000,000) is reappropriated to the Department of Commerce, Community,
 20 and Economic Development for payment as a grant under AS 37.05.316 to the Kenai
 21 Peninsula Fair Association for maintenance and upgrades.

22 (j) The unexpended and unobligated balance, after the appropriations made in (c) - (i)
 23 of this section, not to exceed \$1,000,000, of the appropriation made in sec. 10, ch. 29, SLA
 24 2008, page 79, lines 5 - 7 (Department of Transportation and Public Facilities, Tustumena
 25 Lake, Crooked Creek and Johnson Lake Roads paving - \$7,000,000) is reappropriated to the
 26 Department of Commerce, Community, and Economic Development for payment as a grant
 27 under AS 37.05.315 to the Kenai Peninsula Borough for Central Peninsula General Hospital
 28 radiation oncology center.

29 * **Sec. 38.** HOUSE DISTRICT 36. The unexpended and unobligated balance, estimated to
 30 be \$10,000, of the appropriation made in sec. 10, ch. 43, SLA 2010, page 103, line 32,
 31 through page 104, line 3 (Ouzinkie, alternative wind energy generation, phase I data



KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Assistant Superintendent

Dave Jones

148 North Binkley Street Soldotna, Alaska 99669-7553

Phone (907) 714-8888 Fax (907) 262-5867

Email: davejones@kpbsd.k12.ak.us

June 5, 2012

Brenda Ahlberg
Community and Fiscal Projects Manager
Kenai Peninsula Borough
144 N. Binkley
Soldotna, AK 99669

Re: Legislative Grants for School Projects and Equipment

Dear Brenda,

The Kenai Peninsula Borough School District would like to request the Borough accept the following funds appropriated by the State Legislature on behalf of the School District:

13-DC-004	Classroom iTouch project	\$	52,500
13-DC-446	School District Equipment		1,000,000
13-DM-195	Student Nutrition Services		40,000
13-RR-012	Nikiski High printer/cutter software		15,000

The responsibility for payment of all expenditures and taking all administrative action, with the exception of filing grant reports to the Department of Commerce, Community and Economic Development, will fall upon the KPBSD.

These funds will be used for equipment, supplies and Student Nutrition Services as stated and the District will waive the administrative fee.

Thank you for assisting the School District in providing the best possible educational opportunities to the students of the Kenai Peninsula Borough.

Sincerely,

Dave Jones

Introduced by: Mayor
Date: 06/19/12
Hearing: 08/07/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-19-09**

**AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT
OF \$3,100,000 FROM THE STATE OF ALASKA FOR SOLDOTNA HIGH SCHOOL
AND KENAI HIGH SCHOOL TRACK AND FIELD IMPROVEMENTS**

1 **WHEREAS**, the Borough requested funding to replace or improve the track and fields at
2 Soldotna and Kenai High Schools in the Borough's 2012 legislative priorities; and

3 **WHEREAS**, Senate Bill 160, which appropriated funding to the Borough for the projects, 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 a grant award in the amount of \$3,100,000 to the
7 Borough for the track and field improvement projects;

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

10 **SECTION 1.** That the mayor is authorized to accept a grant from the Alaska Department of
11 Commerce, Community and Economic Development in the amount of \$3,100,000
12 for the Soldotna High and Kenai High School track and field improvement
13 projects and is authorized to execute a grant agreement and any other documents
14 deemed necessary to accept and expend the grant and to fulfill the intents and
15 purposes of this ordinance.

16 **SECTION 2.** That funds in the amount of \$3,100,000 are appropriated to
17 400.78050.13556.49999 - project account number.

1 **SECTION 3.** That due to the length and nature of this project, the appropriations established
2 through this ordinance shall not lapse at the end of any particular fiscal year.

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

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

Capital Projects

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*
Brenda Ahlberg, Community & Fiscal Projects Manager *BA*

FROM: Kevin Lyon, Capital Projects Director *KL*

DATE: June 7, 2012

SUBJECT: Ordinance 2012-19- *DA*, accepting and appropriating a grant in the amount of \$3,100,000 from the State of Alaska for the Soldotna High School and Kenai High School track and field improvements

The borough submitted a request for legislative grant funding in the Fiscal Year 2012/2013 State of Alaska Capital Budget. Senate Bill 160 was passed by the State Legislature and signed by Governor Parnell on May 14, 2012, appropriating \$3,100,000 for the Soldotna and Kenai High School track and field improvement projects.

As excerpted in the "2012 State Funding Priorities" binder page 2:

The tracks at Kenai and Soldotna High Schools are in such poor condition that they are unable to host competitive track and field meets. Walking or running on either the Soldotna or Kenai tracks is considered unsafe by many users. These facilities are used by students of all ages during school-sponsored events and by the community for walking, running, and many other activities. Quality athletic facilities are vital for a community to encourage healthier lifestyles, promote exercise, hold athletic competitions, and as a location for many community events. Well maintained and functional athletic facilities make for a healthy community.

The Alaska Department of Commerce, Community and Economic Development will provide the grant award with a five-year project performance period ending June 30, 2017. Kevin Lyon, Capital Projects Director, shall provide grant oversight and project completion.

Attachment: Alaska Act HCS CSSB 160(FIN)
excerpt "Kenai Areawide (HD33-35) Only"

FINANCE DEPARTMENT	
ACCT# FUNDS VERIFIED	
Acct. No.	<u>400.78050.13556.49999</u>
Amount	<u>N/A</u>
By: <u>pc</u>	Date: <u>6/7/12</u>

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)						
Commerce	Alaska Christian College - Emergency Generator Purchase	45,000	0	0	0	45,000
Commerce	Alaska Energy Authority - Stetson Creek Diversion	5,825,500	0	0	0	5,825,500
Commerce	Alutliq Pride Shellfish Hatchery - Shellfish Hatchery Facilities Upgrades	0	460,000	0	0	460,000
Commerce	Anchor Point Senior Citizens, Inc. - Anchor Point Senior Center Improvements	244,000	0	0	0	244,000
Commerce	Boys & Girls Club of the Kenai Peninsula - Kasilof After School Program	75,000	0	0	0	75,000
Commerce	Boys & Girls Clubs of the Kenai Peninsula - Kenai Technology Center Equipment	14,000	0	0	0	14,000
Commerce	Boys & Girls Clubs of the Kenai Peninsula - Nikiski Technology Center Equipment	14,000	0	0	0	14,000
Commerce	Boys & Girls Clubs of the Kenai Peninsula - Soldotna Portable Planning, Permitting and Acquisition	163,000	0	0	0	163,000
Commerce	Cook Inlet Aquaculture - Tutka Bay Hatchery	699,000	0	0	0	699,000
Commerce	Cook Inlet Regional Citizens Advisory Council - Ice Forecasting Network	70,000	0	0	0	70,000
Trans	Cooper Landing - Walkable Community Project	550,000	0	0	0	550,000
Commerce	Cooper Landing Senior Citizens Corporation, Inc. - Senior Housing Energy Projects	100,000	0	0	0	100,000
Labor	Deferred Maintenance, Renewal, Repair and Equipment - AVTEC	1,000,000	0	0	0	1,000,000
NatRes	Exxon Valdez Oil Spill - Parcel Purchase on Kenai River Mile 11	0	0	1,100,000	0	1,100,000
Commerce	Friends of the Jesse Lee Home	5,000,000	0	0	0	5,000,000
Trans	Greer Road Surfacing	150,000	0	0	0	150,000
Commerce	Hailbut Cove Community Organization - Alaska Mussel Farming Demonstration Project	300,000	0	0	0	300,000
Trans	Highway Safety Corridor - Sterling Highway - Sterling to Soldotna Widening	1,730,000	0	0	0	1,730,000
Commerce	Homer - Fishing Lagoon Improvements	100,000	0	0	0	100,000
Commerce	Homer - South Peninsula Natural Gas Pipeline	8,150,000	0	0	0	8,150,000
Commerce	Homer Society of Natural History - Prait Museum Building Design and Construction	100,000	0	0	0	100,000
Commerce	Hope Community Resources, Inc. - Kenai/Soldotna Community Center	125,000	0	0	0	125,000
Commerce	Hospice of The Central Peninsula - Durable Medical Equipment for Community Loan Closet	10,000	0	0	0	10,000
Commerce	Kachemak - Kachemak Roads Repairs	60,000	0	0	0	60,000
Univ	Kachemak Bay Campus - Pioneer Avenue Building Addition	50,000	0	0	0	50,000
Commerce	Kachemak Bay Equestrian Association - Cottonwood Horse Park	10,000	0	0	0	10,000
Commerce	Kachemak Shellfish Mariculture Association - Oyster Remote Setting Facility	60,000	0	0	0	60,000
Commerce	Kasilof Regional Historical Association - Community of Kasilof - Cabin Restoration	38,000	0	0	0	38,000
Trans	Kenai - Kalifornsky Beach Road and Bridge Access Road Pedestrian Paths	3,000,000	0	0	0	3,000,000
Commerce	Kenai - Road and Infrastructure Improvements	4,000,000	0	0	0	4,000,000
Commerce	Kenai - State Personal Use Fishery Improvement	150,000	0	0	0	150,000
EnvCon	Kenai - Water Transmission Mains Phase 4	1,935,164	0	0	0	1,935,164
Correct	Kenai - Wildwood Correctional Center Deferred Maintenance	50,000	0	0	0	50,000

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD	Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)							
M&VA		Kenai Armory Deferred Maintenance	10,000	0	0	10,000	20,000
Commerce		Kenai Peninsula Borough - Bear Creek Fire Service Area Community Multi-Use Facility	3,976,000	0	0	0	3,976,000
Commerce		Kenai Peninsula Borough - Central Emergency Service Area Rescue Boat	100,750	0	0	0	100,750
Commerce		Kenai Peninsula Borough - Central Peninsula General Hospital Radiation Oncology Center	1,000,000	0	0	0	1,000,000
Commerce		Kenai Peninsula Borough - Classroom iTouch Project for Lower Peninsula Schools	52,500	0	0	0	52,500
Commerce		Kenai Peninsula Borough - Fox River Basargin Road Improvements	50,000	0	0	0	50,000
Commerce		Kenai Peninsula Borough - Gilman Kenai River Center Septic Tank Removal/Connection to Sewer System	15,000	0	0	0	15,000
Commerce		Kenai Peninsula Borough - Hazard Tree Removal	1,000,000	0	0	0	1,000,000
Commerce		Kenai Peninsula Borough - Homer High School Athletic Facilities	1,100,000	0	0	0	1,100,000
Commerce		Kenai Peninsula Borough - Kachemak Emergency Service Area Diamond Ridge Community Center / Training Facility	100,000	0	0	0	100,000
Commerce		Kenai Peninsula Borough - Kenai & Soldotna High School Track and Field Improvements	3,100,000	0	0	0	3,100,000
Commerce		Kenai Peninsula Borough - Nikiski Fire Service Area Aerial Fire Apparatus Replacement	975,000	0	0	0	975,000
Commerce		Kenai Peninsula Borough - North Peninsula Recreation Service Area Trails Upgrade and Expansion	150,000	0	0	0	150,000
Commerce		Kenai Peninsula Borough - Road Projects	8,000,000	0	0	0	8,000,000
Commerce		Kenai Peninsula Borough - School District Equipment	1,000,000	0	0	0	1,000,000
Commerce		Kenai Peninsula Borough - Security Camera System	1,625,000	0	0	0	1,625,000
Commerce		Kenai Peninsula Borough School District - Student Nutrition Services	40,000	0	0	0	40,000
Commerce		Kenai Peninsula Community Care Center - Gymnasium Repair and Renovations	52,000	0	0	0	52,000
Commerce		Kenai Peninsula Fair Association - Facilities Upgrades	188,000	0	0	0	188,000
Commerce		Kenai Peninsula Opportunities, Inc. - Kenai Peninsula Construction Academy Covered Storage	200,000	0	0	0	200,000
H&SS		Kenai Peninsula Youth Facility Deferred Maintenance	165,400	0	0	0	165,400
FishGm		Kenai River King Salmon Sonar Assessment Program	1,813,000	0	0	0	1,813,000
Commerce		Kenaitze Indian Tribe - Denatina Health and Wellness Center	15,000,000	0	0	0	15,000,000
Commerce		Lee Shore Center - Emergency Shelter Children's Outdoor Play Area Rehabilitation	96,444	0	0	0	96,444
NatRes		Lower Kaslof River Drift Boat Takeout - Phase 2 of 2	1,600,000	0	0	0	1,600,000
Labor		Maine Simulator Software	39,000	0	0	0	39,000
Commerce		Moose Pass Volunteer Fire Company - Fire Station Acquisition and Renovation	120,000	0	0	0	120,000
Commerce		Nikolaevsk, Inc. - Multi-Use Facility	50,000	0	0	0	50,000
Commerce		Ninilchik Emergency Services - Fire and EMS Station Project	2,275,000	0	0	0	2,275,000
Commerce		Ninilchik Senior Citizens, Inc. - Ninilchik Senior Center Improvements	24,800	0	0	0	24,800
Commerce		North Peninsula Community Council - Nikiski Beautification	100,000	0	0	0	100,000
NatRes		Parks and Outdoor Recreation Deferred Maintenance - Kenai Area	560,000	0	0	0	560,000

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)						
Commerce	Seldovia - Jakolof Bay and Rocky Road Dusting	7,500	0	0	0	7,500
Trans	Seldovia - Small Boat Harbor	1,000,000	0	0	0	1,000,000
Commerce	Seldovia - Value Added Manufacturing Plant	330,000	0	0	0	330,000
EnvCon	Seward - North Seward Water Storage Tank and Pumping Facility	2,583,240	0	0	0	2,583,240
Trans	Seward - Seward Harbor	1,180,000	0	0	0	1,180,000
Trans	Seward Highway - Recreational Improvements	0	0	0	650,000	650,000
FishGm	Seward Vessel Wash-Down and Wastewater Recycling Facility	0	0	641,300	0	641,300
Trans	Soldotna - Birch Street Signal at Sterling Highway	0	0	0	1,500,000	1,500,000
Commerce	Soldotna - Centennial Park Trail Development	400,000	0	0	0	400,000
Commerce	Soldotna - Paving Improvements	1,500,000	0	0	0	1,500,000
Commerce	Soldotna - Police Building Roof Replacement	325,000	0	0	0	325,000
EnvCon	Soldotna - Sterling Street Water and Sewer Replacement	377,465	0	0	0	377,465
Commerce	Soldotna Area Senior Citizens, Inc. - Generator and Roof Improvements	82,000	0	0	0	82,000
Commerce	Soldotna Little League - Field Upgrades	25,000	0	0	0	25,000
PubSaf	Soldotna Post Facilities Deferred Maintenance	225,000	0	0	0	225,000
Commerce	Sterling Area Senior Citizens, Inc. Garage for Storage and Work Shop	300,000	0	0	0	300,000
Commerce	Sterling Community Club, Inc. - Multi-Use Building	400,000	0	0	0	400,000
Trans	Sterling Highway - Milepost 157 to 169 Rehabilitation - Anchor Point to Baycrest Hill	0	0	0	2,500,000	2,500,000
Trans	Sterling Highway - Milepost 37 to 45 Resurfacing	0	0	0	7,350,000	7,350,000
Labor	Third Avenue Dormitory Replacement	16,075,000	0	0	0	16,075,000
FishGm	Upper Cook Inlet East Side Set Net Chinook Salmon Harvest Patterns	0	789,000	0	0	789,000
Kenai Areawide (HD 33-35) total:		103,205,763	1,249,000	1,741,300	12,010,000	118,206,063
Report total:		103,205,763	1,249,000	1,741,300	12,010,000	118,206,063

Introduced by: Mayor
Date: 06/19/12
Hearing: 08/07/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-19-10**

**AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT
OF \$1,625,000 FROM THE STATE OF ALASKA FOR SECURITY CAMERA SYSTEMS
IN BOROUGH-OWNED FACILITIES**

1 **WHEREAS**, the Borough requested funding to install security camera systems in borough-
2 owned facilities in the 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 a grant award in the amount of \$1,625,000 to the
7 Borough for the project;

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

10 **SECTION 1.** That the mayor is authorized to accept a grant from the Alaska Department of
11 Commerce, Community and Economic Development in the amount of \$1,625,000
12 for the security camera systems project and is authorized to execute a grant
13 agreement and any other documents deemed necessary to accept and expend the
14 grant and to fulfill the intents and purposes of this ordinance.

15 **SECTION 2.** That funds in the amount of \$1,625,000 are appropriated to
16 400.78050.13489.49999 - project account number.

1 **SECTION 3.** That due to the length and nature of this project, the appropriations established
2 through this ordinance shall not lapse at the end of any particular fiscal year.

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

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

Gary Knopp, Assembly President

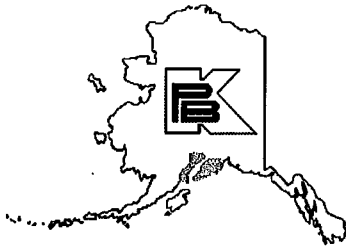
ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

Maintenance Department

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*
Brenda Ahlberg, Community & Fiscal Projects Manager *BA*

FROM: Dave Tressler, Director of Maintenance *JT for Dave Tressler*

DATE: June 7, 2012

SUBJECT: Ordinance 2012-19- 10, accepting and appropriating a grant in the amount of \$1,625,000 from the State of Alaska for the security camera systems project

The borough submitted a request for legislative grant funding in the Fiscal Year 2012/2013 State of Alaska Capital Budget. Senate Bill 160 was passed by the State Legislature and signed by Governor Parnell on May 14, 2012, appropriating \$1,625,000 for the security camera systems project.

As excerpted in the "2012 State Funding Priorities" binder page 4:

Camera monitoring is proposed at key access ways and points for all borough-owned buildings (schools and government facilities) to address the continual need for building security and monitoring, as well as assuring against aggression and/or vandalism. The security camera system will provide a mechanism to deter vandalism and destruction of community property and will provide successful legal prosecution of those who participate in the vandalism and destruction of property at any borough-owned facility. This system would not only be implemented in schools but would also be provided in other key areas within the borough where previous vandalism or destruction of property has occurred. This will be used as a mitigation tool and overall, the financial burden will be lessened to the taxpayers in cleaning up and replacement of property.

The Alaska Department of Commerce, Community and Economic Development will provide the grant award with a five-year, project performance period ending June 30, 2017. The Maintenance Director shall provide grant oversight and project completion.

Attachment: Alaska Act HCS CSSB 160(FIN)
excerpt "Kenai Areawide (HD33-35) Only"

FINANCE DEPARTMENT	
ACCT # FUNDS VERIFIED	
Acct. No.	<u>400.78050.13489.49999</u>
Amount	<u>N/A</u>
By: <u>pc</u>	Date: <u>6/6/12</u>

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD	Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)							
Commerce		Alaska Christian College - Emergency Generator Purchase	45,000	0	0	0	45,000
Commerce		Alaska Energy Authority - Stetson Creek Diversion	5,825,500	0	0	0	5,825,500
Commerce		Alutiiq Pride Shellfish Hatchery - Shellfish Hatchery Facilities Upgrades	0	460,000	0	0	460,000
Commerce		Anchor Point Senior Citizens, Inc. - Anchor Point Senior Center Improvements	244,000	0	0	0	244,000
Commerce		Boys & Girls Club of the Kenai Peninsula - Kasilof After School Program	75,000	0	0	0	75,000
Commerce		Boys & Girls Clubs of the Kenai Peninsula - Kenai Technology Center Equipment	14,000	0	0	0	14,000
Commerce		Boys & Girls Clubs of the Kenai Peninsula - Nikiski Technology Center Equipment	14,000	0	0	0	14,000
Commerce		Boys & Girls Clubs of the Kenai Peninsula - Soldotna Portable Planning, Permitting and Acquisition	163,000	0	0	0	163,000
Commerce		Cook Inlet Aquaculture - Tutka Bay Hatchery	699,000	0	0	0	699,000
Commerce		Cook Inlet Regional Citizens Advisory Council - Ice Forecasting Network	70,000	0	0	0	70,000
Trans		Cooper Landing - Walkable Community Project	550,000	0	0	0	550,000
Commerce		Cooper Landing Senior Citizens Corporation, Inc. - Senior Housing Energy Projects	100,000	0	0	0	100,000
Labor		Deferred Maintenance, Renewal, Repair and Equipment - AVTEC	1,000,000	0	0	0	1,000,000
NatRes		Exxon Valdez Oil Spill - Parcel Purchase on Kenai River Mile 11	0	0	1,100,000	0	1,100,000
Commerce		Friends of the Jesse Lee Home	5,000,000	0	0	0	5,000,000
Trans		Greer Road Surfacing	150,000	0	0	0	150,000
Commerce		Hallbut Cove Community Organization - Alaska Mussel Farming Demonstration Project	300,000	0	0	0	300,000
Trans		Highway Safety Corridor - Sterling Highway - Sterling to Soldotna Widening	1,730,000	0	0	0	1,730,000
Commerce		Homer - Fishing Lagoon Improvements	100,000	0	0	0	100,000
Commerce		Homer - South Peninsula Natural Gas Pipeline	8,150,000	0	0	0	8,150,000
Commerce		Homer Society of Natural History - Pratt Museum Building Design and Construction	100,000	0	0	0	100,000
Commerce		Hope Community Resources, Inc. - Kenai/Soldotna Community Center	125,000	0	0	0	125,000
Commerce		Hospice of The Central Peninsula - Durable Medical Equipment for Community Loan Closet	10,000	0	0	0	10,000
Commerce		Kachemak - Kachemak Roads Repairs	60,000	0	0	0	60,000
Univ		Kachemak Bay Campus - Pioneer Avenue Building Addition	50,000	0	0	0	50,000
Commerce		Kachemak Bay Equestrian Association - Cottonwood Horse Park	10,000	0	0	0	10,000
Commerce		Kachemak Shellfish Mariculture Association - Oyster Remote Setting Facility	60,000	0	0	0	60,000
Commerce		Kasilof Regional Historical Association - Community of Kasilof - Cabin Restoration	38,000	0	0	0	38,000
Trans		Kenai - Kalifornsky Beach Road and Bridge Access Road Pedestrian Paths	3,000,000	0	0	0	3,000,000
Commerce		Kenai - Road and Infrastructure Improvements	4,000,000	0	0	0	4,000,000
Commerce		Kenai - State Personal Use Fishery Improvement	150,000	0	0	0	150,000
EnvCon		Kenai - Water Transmission Mains Phase 4	1,935,164	0	0	0	1,935,164
Correct		Kenai - Wildwood Correctional Center Deferred Maintenance	50,000	0	0	0	50,000

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)						
M&VA	Kenai Armory Deferred Maintenance	10,000	0	0	10,000	20,000
Commerce	Kenai Peninsula Borough - Bear Creek Fire Service Area Community Multi-Use Facility	3,976,000	0	0	0	3,976,000
Commerce	Kenai Peninsula Borough - Central Emergency Service Area Rescue Boat	100,750	0	0	0	100,750
Commerce	Kenai Peninsula Borough - Central Peninsula General Hospital Radiation Oncology Center	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Classroom ITouch Project for Lower Peninsula Schools	52,500	0	0	0	52,500
Commerce	Kenai Peninsula Borough - Fox River Basargin Road Improvements	50,000	0	0	0	50,000
Commerce	Kenai Peninsula Borough - Gilman Kenai River Center Septic Tank Removal/Connection to Sewer System	15,000	0	0	0	15,000
Commerce	Kenai Peninsula Borough - Hazard Tree Removal	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Homer High School Athletic Facilities	1,100,000	0	0	0	1,100,000
Commerce	Kenai Peninsula Borough - Kachemak Emergency Service Area Diamond Ridge Community Center / Training Facility	100,000	0	0	0	100,000
Commerce	Kenai Peninsula Borough - Kenai & Soldotna High School Track and Field Improvements	3,100,000	0	0	0	3,100,000
Commerce	Kenai Peninsula Borough - Nikiski Fire Service Area Aerial Fire Apparatus Replacement	975,000	0	0	0	975,000
Commerce	Kenai Peninsula Borough - North Peninsula Recreation Service Area Trails Upgrade and Expansion	150,000	0	0	0	150,000
Commerce	Kenai Peninsula Borough - Road Projects	8,000,000	0	0	0	8,000,000
Commerce	Kenai Peninsula Borough - School District Equipment	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Security Camera System	1,625,000	0	0	0	1,625,000
Commerce	Kenai Peninsula Borough School District - Student Nutrition Services	40,000	0	0	0	40,000
Commerce	Kenai Peninsula Community Care Center - Gymnasium Repair and Renovations	52,000	0	0	0	52,000
Commerce	Kenai Peninsula Fair Association - Facilities Upgrades	188,000	0	0	0	188,000
Commerce	Kenai Peninsula Opportunities, Inc. - Kenai Peninsula Construction Academy Covered Storage	200,000	0	0	0	200,000
H&SS	Kenai Peninsula Youth Facility Deferred Maintenance	165,400	0	0	0	165,400
FishGm	Kenai River King Salmon Sonar Assessment Program	1,813,000	0	0	0	1,813,000
Commerce	Kenaize Indian Tribe - Denaina Health and Wellness Center	15,000,000	0	0	0	15,000,000
Commerce	Lee Shore Center - Emergency Shelter Children's Outdoor Play Area Rehabilitation	96,444	0	0	0	96,444
NatRes	Lower Kaslof River Drift Boat Takeout - Phase 2 of 2	1,600,000	0	0	0	1,600,000
Labor	Marine Simulator Software	39,000	0	0	0	39,000
Commerce	Moose Pass Volunteer Fire Company - Fire Station Acquisition and Renovation	120,000	0	0	0	120,000
Commerce	Nikolaevsk, Inc. - Multi-Use Facility	50,000	0	0	0	50,000
Commerce	Ninilichik Emergency Services - Fire and EMS Station Project	2,275,000	0	0	0	2,275,000
Commerce	Ninilichik Senior Citizens, Inc. - Ninilichik Senior Center Improvements	24,800	0	0	0	24,800
Commerce	North Peninsula Community Council - Nikiski Beautification	100,000	0	0	0	100,000
NatRes	Parks and Outdoor Recreation Deferred Maintenance - Kenai Area	560,000	0	0	0	560,000

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)						
Commerce	Seldovia - Jakolf Bay and Rocky Road Dusting	7,500	0	0	0	7,500
Trans	Seldovia - Small Boat Harbor	1,000,000	0	0	0	1,000,000
Commerce	Seldovia - Value Added Manufacturing Plant	330,000	0	0	0	330,000
EnvCon	Seward - North Seward Water Storage Tank and Pumping Facility	2,583,240	0	0	0	2,583,240
Trans	Seward - Seward Harbor	1,180,000	0	0	0	1,180,000
Trans	Seward Highway - Recreational Improvements	0	0	0	650,000	650,000
FishGm	Seward Vessel Wash-Down and Wastewater Recycling Facility	0	0	641,300	0	641,300
Trans	Soldotna - Birch Street Signal at Sterling Highway	0	0	0	1,500,000	1,500,000
Commerce	Soldotna - Centennial Park Trail Development	400,000	0	0	0	400,000
Commerce	Soldotna - Paving Improvements	1,500,000	0	0	0	1,500,000
Commerce	Soldotna - Police Building Roof Replacement	325,000	0	0	0	325,000
EnvCon	Soldotna - Sterling Street Water and Sewer Replacement	377,465	0	0	0	377,465
Commerce	Soldotna Area Senior Citizens, Inc. - Generator and Roof Improvements	82,000	0	0	0	82,000
Commerce	Soldotna Little League - Field Upgrades	25,000	0	0	0	25,000
PubSaf	Soldotna Post Facilities Deferred Maintenance	225,000	0	0	0	225,000
Commerce	Sterling Area Senior Citizens, Inc. Garage for Storage and Work Shop	300,000	0	0	0	300,000
Commerce	Sterling Community Club, Inc. - Multi-Use Building	400,000	0	0	0	400,000
Trans	Sterling Highway - Milepost 157 to 169 Rehabilitation - Anchor Point to Baycrest Hill	0	0	0	2,500,000	2,500,000
Trans	Sterling Highway - Milepost 37 to 45 Resurfacing	0	0	0	7,350,000	7,350,000
Labor	Third Avenue Dormitory Replacement	16,075,000	0	0	0	16,075,000
FishGm	Upper Cook Inlet East Side Set Net Chinook Salmon Harvest Patterns	0	789,000	0	0	789,000
Kenai Areawide (HD 33-35) total:		103,205,763	1,249,000	1,741,300	12,010,000	118,206,063
Report total:		103,205,763	1,249,000	1,741,300	12,010,000	118,206,063

Introduced by: Mayor
Date: 06/19/12
Hearing: 08/07/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-19-11**

**AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT
OF \$15,000 FROM THE STATE OF ALASKA ON BEHALF OF THE RIVER CENTER
FOR THE SEPTIC TANK REMOVAL AND SEWER SYSTEM CONNECTION
PROJECT**

1 **WHEREAS**, legislative funding was requested to upgrade the waste removal system at the
2 Donald E. Gilman River Center facility; 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 a grant award in the total amount of \$15,000 to the
7 Borough for the project;

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

10 **SECTION 1.** That the mayor is authorized to accept a grant from the Alaska Department of
11 Commerce, Community and Economic Development in the amount of \$15,000
12 for the septic tank removal and sewer system connection project and is authorized
13 to execute a grant agreement and any other documents deemed necessary to
14 accept and expend the grant and to fulfill the intents and purposes of this
15 ordinance.

1 **SECTION 2.** That funds in the amount of \$15,000 are appropriated to 271.21135.13055.49999
2 - project account number.

3 **SECTION 3.** That due to the length and nature of this project, the appropriations established
4 through this ordinance shall not lapse at the end of any particular fiscal year.

5 **SECTION 4.** 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

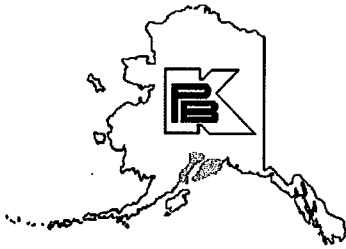
ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

River Center Department

MEMORANDUM

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

MIKE NAVARRE
BOROUGH MAYOR

THRU: Mike Navarre Mayor *MN*
Craig Chapman, Director of Finance *C Chapman*
John Mohorcich, River Center Director *John*
Brenda Ahlberg, Community & Fiscal Projects Manager *my*

FROM: Kevin Lyon, Capital Projects Director *KL*

DATE: June 7, 2012

SUBJECT: Ordinance 2012-19- 11, accepting and appropriating a grant in the amount of \$15,000 from the State of Alaska on behalf of the River Center for the septic tank removal and sewer system connection project

Legislative grant funding in the Fiscal Year 2012/2013 State of Alaska Capital Budget was requested for the purpose of completing the septic tank removal and sewer system connection project at the Donald E. Gilman River Center facility. Senate Bill 160, which appropriated funding in the amount of \$15,000 for the project was passed by the State Legislature and signed by Governor Parnell on May 14, 2012.

When the facility was originally constructed an onsite septic tank and field was installed with the intent to connect to the city's public sewer system when available. The facility now has the opportunity to connect to the City of Soldotna public sewer system since this line has been recently extended out Funny River Road.

The Alaska Department of Commerce, Community and Economic Development will provide a grant award with a five-year project performance period ending June 30, 2017. Kevin Lyon, Capital Projects Director, shall provide grant oversight and project completion.

Attachment: Alaska Act HCS CSSB 160(FIN) *excerpt*
"Kenai Areawide (HD33-35) Only"

FINANCE DEPARTMENT	
Acct # FUNDS VERIFIED	
Acct. No.	<u>271.21135.13055.49999</u>
Amount	<u>N/A</u>
By: <u>pc</u>	Date: <u>6/6/12</u>

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD	Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)							
	Commerce	Alaska Christian College - Emergency Generator Purchase	45,000	0	0	0	45,000
	Commerce	Alaska Energy Authority - Stetson Creek Diversion	5,825,500	0	0	0	5,825,500
	Commerce	Alutiiq Pride Shellfish Hatchery - Shellfish Hatchery Facilities Upgrades	0	460,000	0	0	460,000
	Commerce	Anchor Point Senior Citizens, Inc. - Anchor Point Senior Center Improvements	244,000	0	0	0	244,000
	Commerce	Boys & Girls Club of the Kenai Peninsula - Kasilof After School Program	75,000	0	0	0	75,000
	Commerce	Boys & Girls Clubs of the Kenai Peninsula - Kenai Technology Center Equipment	14,000	0	0	0	14,000
	Commerce	Boys & Girls Clubs of the Kenai Peninsula - Nikiski Technology Center Equipment	14,000	0	0	0	14,000
	Commerce	Boys & Girls Clubs of the Kenai Peninsula - Soldotna Portable Planning, Permitting and Acquisition	163,000	0	0	0	163,000
	Commerce	Cook Inlet Aquaculture - Tutka Bay Hatchery	699,000	0	0	0	699,000
	Commerce	Cook Inlet Regional Citizens Advisory Council - Ice Forecasting Network	70,000	0	0	0	70,000
	Trans	Cooper Landing - Walkable Community Project	550,000	0	0	0	550,000
	Commerce	Cooper Landing Senior Citizens Corporation, Inc. - Senior Housing Energy Projects	100,000	0	0	0	100,000
	Labor	Deferred Maintenance, Renewal, Repair and Equipment - AVTEC	1,000,000	0	0	0	1,000,000
	NatRes	Exon Valdez Oil Spill - Parcel Purchase on Kenai River Mile 11	0	0	1,100,000	0	1,100,000
	Commerce	Friends of the Jesse Lee Home	5,000,000	0	0	0	5,000,000
	Trans	Greer Road Surfacing	150,000	0	0	0	150,000
	Commerce	Halibut Cove Community Organization - Alaska Mussel Farming Demonstration Project	300,000	0	0	0	300,000
	Trans	Highway Safety Corridor - Sterling Highway - Sterling to Soldotna Widening	1,730,000	0	0	0	1,730,000
	Commerce	Homer - Fishing Lagoon Improvements	100,000	0	0	0	100,000
	Commerce	Homer - South Peninsula Natural Gas Pipeline	8,150,000	0	0	0	8,150,000
	Commerce	Homer Society of Natural History - Pratt Museum Building Design and Construction	100,000	0	0	0	100,000
	Commerce	Hope Community Resources, Inc. - Kenai/Soldotna Community Center	125,000	0	0	0	125,000
	Commerce	Hospice of The Central Peninsula - Durable Medical Equipment for Community Loan Closet	10,000	0	0	0	10,000
	Commerce	Kachemak - Kachemak Roads Repairs	60,000	0	0	0	60,000
	Univ	Kachemak Bay Campus - Pioneer Avenue Building Addition	50,000	0	0	0	50,000
	Commerce	Kachemak Bay Equestrian Association - Cottonwood Horse Park	10,000	0	0	0	10,000
	Commerce	Kachemak Shellfish Maniculture Association - Oyster Remote Setting Facility	60,000	0	0	0	60,000
	Commerce	Kasilof Regional Historical Association - Community of Kasilof - Cabin Restoration	38,000	0	0	0	38,000
	Trans	Kenai - Kalifomsky Beach Road and Bridge Access Road Pedestrian Paths	3,000,000	0	0	0	3,000,000
	Commerce	Kenai - Road and Infrastructure Improvements	4,000,000	0	0	0	4,000,000
	Commerce	Kenai - State Personal Use Fishery Improvement	150,000	0	0	0	150,000
	EnvCon	Kenai - Water Transmission Mains Phase 4	1,935,164	0	0	0	1,935,164
	Correct	Kenai - Wildwood Correctional Center Deferred Maintenance	50,000	0	0	0	50,000

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)						
M&VA	Kenai Armory Deferred Maintenance	10,000	0	0	10,000	20,000
Commerce	Kenai Peninsula Borough - Bear Creek Fire Service Area Community Multi-Use Facility	3,976,000	0	0	0	3,976,000
Commerce	Kenai Peninsula Borough - Central Emergency Service Area Rescue Boat	100,750	0	0	0	100,750
Commerce	Kenai Peninsula Borough - Central Peninsula General Hospital Radiation Oncology Center	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Classroom ITouch Project for Lower Peninsula Schools	52,500	0	0	0	52,500
Commerce	Kenai Peninsula Borough - Fox River Basargin Road Improvements	50,000	0	0	0	50,000
Commerce	Kenai Peninsula Borough - Gilman Kenai River Center Septic Tank Removal/Connection to Sewer System	15,000	0	0	0	15,000
Commerce	Kenai Peninsula Borough - Hazard Tree Removal	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Homer High School Athletic Facilities	1,100,000	0	0	0	1,100,000
Commerce	Kenai Peninsula Borough - Kachemak Emergency Service Area Diamond Ridge Community Center / Training Facility	100,000	0	0	0	100,000
Commerce	Kenai Peninsula Borough - Kenai & Soldotna High School Track and Field Improvements	3,100,000	0	0	0	3,100,000
Commerce	Kenai Peninsula Borough - Nikiski Fire Service Area Aerial Fire Apparatus Replacement	975,000	0	0	0	975,000
Commerce	Kenai Peninsula Borough - North Peninsula Recreation Service Area Trails Upgrade and Expansion	150,000	0	0	0	150,000
Commerce	Kenai Peninsula Borough - Road Projects	8,000,000	0	0	0	8,000,000
Commerce	Kenai Peninsula Borough - School District Equipment	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Security Camera System	1,625,000	0	0	0	1,625,000
Commerce	Kenai Peninsula Borough School District - Student Nutrition Services	40,000	0	0	0	40,000
Commerce	Kenai Peninsula Community Care Center - Gymnasium Repair and Renovations	52,000	0	0	0	52,000
Commerce	Kenai Peninsula Fair Association - Facilities Upgrades	188,000	0	0	0	188,000
Commerce	Kenai Peninsula Opportunities, Inc. - Kenai Peninsula Construction Academy Covered Storage	200,000	0	0	0	200,000
H&SS	Kenai Peninsula Youth Facility Deferred Maintenance	165,400	0	0	0	165,400
FishGm	Kenai River King Salmon Sonar Assessment Program	1,813,000	0	0	0	1,813,000
Commerce	Kenaitze Indian Tribe - Denaina Health and Wellness Center	15,000,000	0	0	0	15,000,000
Commerce	Lee Shore Center - Emergency Shelter Children's Outdoor Play Area Rehabilitation	96,444	0	0	0	96,444
NatRes	Lower Kaslof River Drift Boat Takeout - Phase 2 of 2	1,600,000	0	0	0	1,600,000
Labor	Marine Simulator Software	39,000	0	0	0	39,000
Commerce	Moose Pass Volunteer Fire Company - Fire Station Acquisition and Renovation	120,000	0	0	0	120,000
Commerce	Nikolaevsk, Inc. - Multi-Use Facility	50,000	0	0	0	50,000
Commerce	Ninilchik Emergency Services - Fire and EMS Station Project	2,275,000	0	0	0	2,275,000
Commerce	Ninilchik Senior Citizens, Inc. - Ninilchik Senior Center Improvements	24,800	0	0	0	24,800
Commerce	North Peninsula Community Council - Nikiski Beautification	100,000	0	0	0	100,000
NatRes	Parks and Outdoor Recreation Deferred Maintenance - Kenai Area	560,000	0	0	0	560,000

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD	Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)							
Commerce		Seldovia - Jakolof Bay and Rocky Road Dusting	7,500	0	0	0	7,500
Trans		Seldovia - Small Boat Harbor	1,000,000	0	0	0	1,000,000
Commerce		Seldovia - Value Added Manufacturing Plant	330,000	0	0	0	330,000
EnvCon		Seward - North Seward Water Storage Tank and Pumping Facility	2,583,240	0	0	0	2,583,240
Trans		Seward - Seward Harbor	1,180,000	0	0	0	1,180,000
Trans		Seward Highway - Recreational Improvements	0	0	0	650,000	650,000
FishGm		Seward Vessel Wash-Down and Wastewater Recycling Facility	0	0	641,300	0	641,300
Trans		Soldotna - Birch Street Signal at Sterling Highway	0	0	0	1,500,000	1,500,000
Commerce		Soldotna - Centennial Park Trail Development	400,000	0	0	0	400,000
Commerce		Soldotna - Paving Improvements	1,500,000	0	0	0	1,500,000
Commerce		Soldotna - Police Building Roof Replacement	325,000	0	0	0	325,000
EnvCon		Soldotna - Sterling Street Water and Sewer Replacement	377,465	0	0	0	377,465
Commerce		Soldotna Area Senior Citizens, Inc. - Generator and Roof Improvements	82,000	0	0	0	82,000
Commerce		Soldotna Little League - Field Upgrades	25,000	0	0	0	25,000
PubSaf		Soldotna Post Facilities Deferred Maintenance	225,000	0	0	0	225,000
Commerce		Sterling Area Senior Citizens, Inc. Garage for Storage and Work Shop	300,000	0	0	0	300,000
Commerce		Sterling Community Club, Inc. - Multi-Use Building	400,000	0	0	0	400,000
Trans		Sterling Highway - Milepost 157 to 169 Rehabilitation - Anchor Point to Baycrest Hill	0	0	0	2,500,000	2,500,000
Trans		Sterling Highway - Milepost 37 to 45 Resurfacing	0	0	0	7,350,000	7,350,000
Labor		Third Avenue Dormitory Replacement	16,075,000	0	0	0	16,075,000
FishGm		Upper Cook Inlet East Side Set Net Chinook Salmon Harvest Patterns	0	789,000	0	0	789,000
Kenai Areawide (HD 33-35) total:			103,205,763	1,249,000	1,741,300	12,010,000	118,206,063
Report total:			103,205,763	1,249,000	1,741,300	12,010,000	118,206,063

Introduced by: Mayor
Date: 06/19/12
Hearing: 08/07/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-19-12**

**AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT
OF \$2,000,000 FROM THE STATE OF ALASKA ON BEHALF OF THE CENTRAL
KENAI PENINSULA HOSPITAL SERVICE AREA FOR THE RADIATION
ONCOLOGY FACILITY CONSTRUCTION PROJECT**

1 **WHEREAS**, legislative funding was requested to complete the Central Kenai Peninsula
2 Hospital Service Area (CKPHSA) Radiation Oncology Facility; and

3 **WHEREAS**, Senate Bill 160, which appropriated funding to the Borough for the facility, 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 two grant awards in the total amount of \$2,000,000 to
7 the Borough on behalf of the service area for the project; and

8 **WHEREAS**, the \$2,000,000 grant award will allow for a reduction in funding from the CPH
9 Plant Replacement and Expansion Fund for this project that was previously
10 appropriated through O2011-19-72; and

11 **WHEREAS**, at its regular meeting on June 4, 2012, the CKPHSA board passed a motion
12 recommending grant acceptance;

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

1 **SECTION 1.** That the mayor is authorized to accept, on behalf of the Central Kenai Peninsula
2 Hospital Service Area, grants from the Department of Commerce, Community
3 and Economic Development in the total amount of \$2,000,000 for the Radiation
4 Oncology Facility construction project and is authorized to execute grant
5 agreements and any other documents deemed necessary to accept and expend the
6 grants and to fulfill the intents and purposes of this ordinance.

7 **SECTION 2.** That the \$4,700,000 in funds previously appropriated for this project through
8 Ordinance 2011-19-72 are reduced by \$2,000,000.

9 **SECTION 3.** That funds in the amount of \$2,000,000 are appropriated to
10 490.81110.12ONC.49999 - project account number.

11 **SECTION 4.** 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 5.** 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

Grant Management

MEMORANDUM

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

MIKE NAVARRE
BOROUGH MAYOR

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

FROM: Kevin Lyon, Capital Projects Director *KL*

DATE: June 7, 2012

SUBJECT: Ordinance 2012-19- 12 an ordinance accepting and appropriating a grant in the amount of \$2,000,000 from the State of Alaska on behalf of the Central Peninsula Hospital Service Area for the Radiation Oncology Facility Construction Project

Legislative grant funding in the Fiscal Year 2012/2013 State of Alaska Capital Budget was requested for the purpose of completing the Central Peninsula Hospital Radiation Oncology Facility Construction Project. Senate Bill 160 which appropriated funding in the amount of \$2,000,000 for the project was passed by the State Legislature and signed by Governor Parnell on May 14, 2012.

Through O2011-19-72 the assembly approved and appropriated funds in the amount of \$4,700,000 from the CPH Plant Replacement and Expansion Fund for the project, enabling the project construction to commence during the 2012 construction season. The legislative award will reduce the CPH Plant Replacement and Expansion Fund funding for this project in the amount of \$2,000,000.

The service area board passed a motion recommending acceptance of the grant at its regular board meeting held June 4, 2012. The AK Dept. of Commerce, Community and Economic Development will provide two grant awards, a legislative award in the amount of \$1,000,000 and a re-appropriated funds award in the amount of \$1,000,000. Each award has a five-year, project performance period ending June 30, 2017. Kevin Lyon, Capital Projects Director, shall provide grant oversight and project completion.

Attachment: Alaska Act HCS CSSB 160(FIN) *excerpt*
"Kenai Areawide (HD33-35) Only"

FINANCE DEPARTMENT	
ACCT # FUNDS VERIFIED	
Acct. No.	<u>490.81110.120NC.49999</u>
Amount	<u>N/A</u>
By: <u>pc</u>	Date: <u>6/6/12</u>

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD	Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)							
Commerce		Alaska Christian College - Emergency Generator Purchase	45,000	0	0	0	45,000
Commerce		Alaska Energy Authority - Stetson Creek Diversion	5,825,500	0	0	0	5,825,500
Commerce		Alutiiq Pride Shellfish Hatchery - Shellfish Hatchery Facilities Upgrades	0	460,000	0	0	460,000
Commerce		Anchor Point Senior Citizens, Inc. - Anchor Point Senior Center Improvements	244,000	0	0	0	244,000
Commerce		Boys & Girls Club of the Kenai Peninsula - Kasilof After School Program	75,000	0	0	0	75,000
Commerce		Boys & Girls Clubs of the Kenai Peninsula - Kenai Technology Center Equipment	14,000	0	0	0	14,000
Commerce		Boys & Girls Clubs of the Kenai Peninsula - Nikiski Technology Center Equipment	14,000	0	0	0	14,000
Commerce		Boys & Girls Clubs of the Kenai Peninsula - Soldotna Portable Planning, Permitting and Acquisition	163,000	0	0	0	163,000
Commerce		Cook Inlet Aquaculture - Tutka Bay Hatchery	699,000	0	0	0	699,000
Commerce		Cook Inlet Regional Citizens Advisory Council - Ice Forecasting Network	70,000	0	0	0	70,000
Trans		Cooper Landing - Walkable Community Project	550,000	0	0	0	550,000
Commerce		Cooper Landing Senior Citizens Corporation, Inc. - Senior Housing Energy Projects	100,000	0	0	0	100,000
Labor		Deferred Maintenance, Renewal, Repair and Equipment - AVTEC	1,000,000	0	0	0	1,000,000
NatRes		Exxon Valdez Oil Spill - Parcel Purchase on Kenai River Mile 11	0	0	1,100,000	0	1,100,000
Commerce		Friends of the Jesse Lee Home	5,000,000	0	0	0	5,000,000
Trans		Greer Road Surfacing	150,000	0	0	0	150,000
Commerce		Hailbut Cove Community Organization - Alaska Mussel Farming Demonstration Project	300,000	0	0	0	300,000
Trans		Highway Safety Corridor - Sterling Highway - Sterling to Soldotna Widening	1,730,000	0	0	0	1,730,000
Commerce		Homer - Fishing Lagoon Improvements	100,000	0	0	0	100,000
Commerce		Homer - South Peninsula Natural Gas Pipeline	8,150,000	0	0	0	8,150,000
Commerce		Homer Society of Natural History - Pratt Museum Building Design and Construction	100,000	0	0	0	100,000
Commerce		Hope Community Resources, Inc. - Kenai/Soldotna Community Center	125,000	0	0	0	125,000
Commerce		Hospice of The Central Peninsula - Durable Medical Equipment for Community Loan Closet	10,000	0	0	0	10,000
Commerce		Kachemak - Kachemak Roads Repairs	60,000	0	0	0	60,000
Univ		Kachemak Bay Campus - Pioneer Avenue Building Addition	50,000	0	0	0	50,000
Commerce		Kachemak Bay Equestrian Association - Cottonwood Horse Park	10,000	0	0	0	10,000
Commerce		Kachemak Shellfish Mariculture Association - Oyster Remote Setting Facility	60,000	0	0	0	60,000
Commerce		Kasilof Regional Historical Association - Community of Kasilof - Cabin Restoration	38,000	0	0	0	38,000
Trans		Kenai - Kalifornsky Beach Road and Bridge Access Road Pedestrian Paths	3,000,000	0	0	0	3,000,000
Commerce		Kenai - Road and Infrastructure Improvements	4,000,000	0	0	0	4,000,000
Commerce		Kenai - State Personal Use Fishery Improvement	150,000	0	0	0	150,000
EnvCon		Kenai - Water Transmission Mains Phase 4	1,935,164	0	0	0	1,935,164
Correct		Kenai - Wildwood Correctional Center Deferred Maintenance	50,000	0	0	0	50,000

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)						
M&VA	Kenai Armory Deferred Maintenance	10,000	0	0	10,000	20,000
Commerce	Kenai Peninsula Borough - Bear Creek Fire Service Area Community Multi-Use Facility	3,976,000	0	0	0	3,976,000
Commerce	Kenai Peninsula Borough - Central Emergency Service Area Rescue Boat	100,750	0	0	0	100,750
Commerce	Kenai Peninsula Borough - Central Peninsula General Hospital Radiation Oncology Center	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Classroom iTouch Project for Lower Peninsula Schools	52,500	0	0	0	52,500
Commerce	Kenai Peninsula Borough - Fox River Basargin Road Improvements	50,000	0	0	0	50,000
Commerce	Kenai Peninsula Borough - Gilman Kenai River Center Septic Tank Removal/Connection to Sewer System	15,000	0	0	0	15,000
Commerce	Kenai Peninsula Borough - Hazard Tree Removal	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Homer High School Athletic Facilities	1,100,000	0	0	0	1,100,000
Commerce	Kenai Peninsula Borough - Kachemak Emergency Service Area Diamond Ridge Community Center / Training Facility	100,000	0	0	0	100,000
Commerce	Kenai Peninsula Borough - Kenai & Soldotna High School Track and Field Improvements	3,100,000	0	0	0	3,100,000
Commerce	Kenai Peninsula Borough - Nikiski Fire Service Area Aerial Fire Apparatus Replacement	975,000	0	0	0	975,000
Commerce	Kenai Peninsula Borough - North Peninsula Recreation Service Area Trails Upgrade and Expansion	150,000	0	0	0	150,000
Commerce	Kenai Peninsula Borough - Road Projects	8,000,000	0	0	0	8,000,000
Commerce	Kenai Peninsula Borough - School District Equipment	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Security Camera System	1,625,000	0	0	0	1,625,000
Commerce	Kenai Peninsula Borough School District - Student Nutrition Services	40,000	0	0	0	40,000
Commerce	Kenai Peninsula Community Care Center - Gymnasium Repair and Renovations	52,000	0	0	0	52,000
Commerce	Kenai Peninsula Fair Association - Facilities Upgrades	188,000	0	0	0	188,000
Commerce	Kenai Peninsula Opportunities, Inc. - Kenai Peninsula Construction Academy Covered Storage	200,000	0	0	0	200,000
H&SS	Kenai Peninsula Youth Facility Deferred Maintenance	165,400	0	0	0	165,400
FishGm	Kenai River King Salmon Sonar Assessment Program	1,813,000	0	0	0	1,813,000
Commerce	Kenaitze Indian Tribe - Denatina Health and Wellness Center	15,000,000	0	0	0	15,000,000
Commerce	Lee Shore Center - Emergency Shelter Children's Outdoor Play Area Rehabilitation	96,444	0	0	0	96,444
NatRes	Lower Kaslof River Drift Boat Takeout - Phase 2 of 2	1,600,000	0	0	0	1,600,000
Labor	Marine Simulator Software	39,000	0	0	0	39,000
Commerce	Moose Pass Volunteer Fire Company - Fire Station Acquisition and Renovation	120,000	0	0	0	120,000
Commerce	Nikolaevsk, Inc. - Multi-Use Facility	50,000	0	0	0	50,000
Commerce	Ninilchik Emergency Services - Fire and EMS Station Project	2,275,000	0	0	0	2,275,000
Commerce	Ninilchik Senior Citizens, Inc. - Ninilchik Senior Center Improvements	24,800	0	0	0	24,800
Commerce	North Peninsula Community Council - Nikiski Beautification	100,000	0	0	0	100,000
NatRes	Parks and Outdoor Recreation Deferred Maintenance - Kenai Area	560,000	0	0	0	560,000

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)						
Commerce	Seldovia - Jakolof Bay and Rocky Road Dusting	7,500	0	0	0	7,500
Trans	Seldovia - Small Boat Harbor	1,000,000	0	0	0	1,000,000
Commerce	Seldovia - Value Added Manufacturing Plant	330,000	0	0	0	330,000
EnvCon	Seward - North Seward Water Storage Tank and Pumping Facility	2,583,240	0	0	0	2,583,240
Trans	Seward - Seward Harbor	1,180,000	0	0	0	1,180,000
Trans	Seward Highway - Recreational Improvements	0	0	0	650,000	650,000
FishGm	Seward Vessel Wash-Down and Wastewater Recycling Facility	0	0	641,300	0	641,300
Trans	Soldotna - Birch Street Signal at Sterling Highway	0	0	0	1,500,000	1,500,000
Commerce	Soldotna - Centennial Park Trail Development	400,000	0	0	0	400,000
Commerce	Soldotna - Paving Improvements	1,500,000	0	0	0	1,500,000
Commerce	Soldotna - Police Building Roof Replacement	325,000	0	0	0	325,000
EnvCon	Soldotna - Sterling Street Water and Sewer Replacement	377,465	0	0	0	377,465
Commerce	Soldotna Area Senior Citizens, Inc. - Generator and Roof Improvements	82,000	0	0	0	82,000
Commerce	Soldotna Little League - Field Upgrades	25,000	0	0	0	25,000
PubSaf	Soldotna Post Facilities Deferred Maintenance	225,000	0	0	0	225,000
Commerce	Sterling Area Senior Citizens, Inc. Garage for Storage and Work Shop	300,000	0	0	0	300,000
Commerce	Sterling Community Club, Inc. - Multi-Use Building	400,000	0	0	0	400,000
Trans	Sterling Highway - Milepost 157 to 169 Rehabilitation - Anchor Point to Baycrest Hill	0	0	0	2,500,000	2,500,000
Trans	Sterling Highway - Milepost 37 to 45 Resurfacing	0	0	0	7,350,000	7,350,000
Labor	Third Avenue Dormitory Replacement	16,075,000	0	0	0	16,075,000
FishGm	Upper Cook Inlet East Side Set Net Chinook Salmon Harvest Patterns	0	789,000	0	0	789,000
Kenai Areawide (HD 33-35) total:		103,205,763	1,249,000	1,741,300	12,010,000	118,206,063
Report total:		103,205,763	1,249,000	1,741,300	12,010,000	118,206,063

1 Roads paving - \$7,000,000) is reappropriated to the Department of Commerce, Community,
2 and Economic Development for payment as a grant under AS 37.05.316 to the Challenger
3 Learning Center of Alaska for facility planning.

4 (g) The unexpended and unobligated balance, not to exceed \$15,000, of the
5 appropriation made in sec. 10, ch. 29, SLA 2008, page 79, lines 5 - 7 (Department of
6 Transportation and Public Facilities, Tustumena Lake, Crooked Creek and Johnson Lake
7 Roads paving - \$7,000,000) is reappropriated to the Department of Commerce, Community,
8 and Economic Development for payment as a grant under AS 37.05.315 to the Kenai
9 Peninsula Borough for Nikiski High School purchase of a printer and cutter with software.

10 (h) The unexpended and unobligated balance, not to exceed \$25,000, of the
11 appropriation made in sec. 10, ch. 29, SLA 2008, page 79, lines 5 - 7 (Department of
12 Transportation and Public Facilities, Tustumena Lake, Crooked Creek and Johnson Lake
13 Roads paving - \$7,000,000) is reappropriated to the Department of Commerce, Community,
14 and Economic Development for payment as a grant under AS 37.05.316 to the Kasilof Coho
15 Cemetery Association for maintenance and repairs.

16 (i) The unexpended and unobligated balance, not to exceed \$100,000, of the
17 appropriation made in sec. 10, ch. 29, SLA 2008, page 79, lines 5 - 7 (Department of
18 Transportation and Public Facilities, Tustumena Lake, Crooked Creek and Johnson Lake
19 Roads paving - \$7,000,000) is reappropriated to the Department of Commerce, Community,
20 and Economic Development for payment as a grant under AS 37.05.316 to the Kenai
21 Peninsula Fair Association for maintenance and upgrades.

22 (j) The unexpended and unobligated balance, after the appropriations made in (c) - (i)
23 of this section, not to exceed \$1,000,000, of the appropriation made in sec. 10, ch. 29, SLA
24 2008, page 79, lines 5 - 7 (Department of Transportation and Public Facilities, Tustumena
25 Lake, Crooked Creek and Johnson Lake Roads paving - \$7,000,000) is reappropriated to the
26 Department of Commerce, Community, and Economic Development for payment as a grant
27 under AS 37.05.315 to the Kenai Peninsula Borough for Central Peninsula General Hospital
28 radiation oncology center.

29 * **Sec. 38.** HOUSE DISTRICT 36. The unexpended and unobligated balance, estimated to
30 be \$10,000, of the appropriation made in sec. 10, ch. 43, SLA 2010, page 103, line 32,
31 through page 104, line 3 (Ouzinkie, alternative wind energy generation, phase I data

Introduced by: Mayor
Date: 06/19/12
Hearing: 08/07/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-19-13**

**AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT
OF \$1,000,000 FROM THE STATE OF ALASKA FOR HAZARD TREE REMOVAL**

1 **WHEREAS**, the borough requested funding to remove hazardous trees in the borough's 2012
2 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 a grant award in the amount of \$1,000,000 to the
7 Borough for the project;

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

10 **SECTION 1.** That the mayor is authorized to accept a grant from the Department of Commerce,
11 Community and Economic Development in the amount of \$1,000,000 for the
12 hazardous tree removal project and is authorized to execute a grant agreement and
13 any other documents deemed necessary to accept and expend the grant and to
14 fulfill the intents and purposes of this ordinance.

15 **SECTION 2.** That funds in the amount of \$1,000,000 are appropriated to
16 262.21320.13445.49999 - project account number.

1 **SECTION 3.** That due to the length and nature of this project, the appropriations established
2 through this ordinance shall not lapse at the end of any particular fiscal year.

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

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

Planning Department

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*
Brenda Ahlberg, Community & Fiscal Projects Manager *BA*

FROM: Max Best, Director of Planning *MB*

DATE: June 7, 2012

SUBJECT: Ordinance 2012-19- 13, accepting and appropriating a grant in the amount of \$1,000,000 from the State of Alaska for the hazardous tree removal project

The borough submitted a request for legislative grant funding in the Fiscal Year 2012/2013 State of Alaska Capital Budget. Senate Bill 160 was passed by the State Legislature and signed by Governor Parnell on May 14, 2012, appropriating \$1,000,000 for the hazardous tree removal project.

As excerpted in the "2012 State Funding Priorities" binder page 3:

Funds will be used to implement a project aimed at the removal of hazard trees outside and adjacent to utility easements and rights-of way corridors. [...] The borough has collaborated with HEA to combine its utility infrastructure mapping with LIDAR vegetation mapping to determine where potential hazards exist adjacent to utility easements and right-of way corridors. These funds would allow: (1) the Borough to continue working with electric utility companies, as needed to identify the area where power lines and rights-of-way are susceptible to hazard trees; (2) to contact and enter into written authorization for removal of such hazard trees with the property owners; and (3) to administer contracts for mitigation efforts in a manner

The Alaska Department of Commerce, Community and Economic Development will provide the grant award with a five-year, project performance period ending June 30, 2017. Max Best, Director of Planning, shall provide grant oversight and project completion.

Attachment: Alaska Act HCS CSSB 160(FIN)
excerpt "Kenai Areawide (HD33-35) Only"

FINANCE DEPARTMENT	
ACCT # FUNDS VERIFIED	
Acct. No.	<u>262.21320.13445.49999</u>
Amount	<u>N/A</u>
By: <u>pc</u>	Date: <u>6/6/12</u>

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD	Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)							
Commerce		Alaska Christian College - Emergency Generator Purchase	45,000	0	0	0	45,000
Commerce		Alaska Energy Authority - Stetson Creek Diversion	5,825,500	0	0	0	5,825,500
Commerce		Alutiiq Pride Shellfish Hatchery - Shellfish Hatchery Facilities Upgrades	0	460,000	0	0	460,000
Commerce		Anchor Point Senior Citizens, Inc. - Anchor Point Senior Center Improvements	244,000	0	0	0	244,000
Commerce		Boys & Girls Club of the Kenai Peninsula - Kasilof After School Program	75,000	0	0	0	75,000
Commerce		Boys & Girls Clubs of the Kenai Peninsula - Kenai Technology Center Equipment	14,000	0	0	0	14,000
Commerce		Boys & Girls Clubs of the Kenai Peninsula - Nikiski Technology Center Equipment	14,000	0	0	0	14,000
Commerce		Boys & Girls Clubs of the Kenai Peninsula - Soldotna Portable Planning, Permitting and Acquisition	163,000	0	0	0	163,000
Commerce		Cook Inlet Aquaculture - Tutka Bay Hatchery	699,000	0	0	0	699,000
Commerce		Cook Inlet Regional Citizens Advisory Council - Ice Forecasting Network	70,000	0	0	0	70,000
Trans		Cooper Landing - Walkable Community Project	550,000	0	0	0	550,000
Commerce		Cooper Landing Senior Citizens Corporation, Inc. - Senior Housing Energy Projects	100,000	0	0	0	100,000
Labor		Deferred Maintenance, Renewal, Repair and Equipment - AVTEC	1,000,000	0	0	0	1,000,000
NatRes		Exxon Valdez Oil Spill - Parcel Purchase on Kenai River Mile 11	0	0	1,100,000	0	1,100,000
Commerce		Friends of the Jesse Lee Home	5,000,000	0	0	0	5,000,000
Trans		Greer Road Surfacing	150,000	0	0	0	150,000
Commerce		Hailbut Cove Community Organization - Alaska Mussel Farming Demonstration Project	300,000	0	0	0	300,000
Trans		Highway Safety Corridor - Sterling Highway - Sterling to Soldotna Widening	1,730,000	0	0	0	1,730,000
Commerce		Homer - Fishing Lagoon Improvements	100,000	0	0	0	100,000
Commerce		Homer - South Peninsula Natural Gas Pipeline	8,150,000	0	0	0	8,150,000
Commerce		Homer Society of Natural History - Pratt Museum Building Design and Construction	100,000	0	0	0	100,000
Commerce		Hope Community Resources, Inc. - Kenai/Soldotna Community Center	125,000	0	0	0	125,000
Commerce		Hospice of The Central Peninsula - Durable Medical Equipment for Community Loan Closet	10,000	0	0	0	10,000
Commerce		Kachemak - Kachemak Roads Repairs	60,000	0	0	0	60,000
Univ		Kachemak Bay Campus - Pioneer Avenue Building Addition	50,000	0	0	0	50,000
Commerce		Kachemak Bay Equestrian Association - Cottonwood Horse Park	10,000	0	0	0	10,000
Commerce		Kachemak Shellfish Mariculture Association - Oyster Remote Setting Facility	60,000	0	0	0	60,000
Commerce		Kasilof Regional Historical Association - Community of Kasilof - Cabin Restoration	38,000	0	0	0	38,000
Trans		Kenai - Kalifornsky Beach Road and Bridge Access Road Pedestrian Paths	3,000,000	0	0	0	3,000,000
Commerce		Kenai - Road and Infrastructure Improvements	4,000,000	0	0	0	4,000,000
Commerce		Kenai - State Personal Use Fishery Improvement	150,000	0	0	0	150,000
EnvCon		Kenai - Water Transmission Mains Phase 4	1,935,164	0	0	0	1,935,164
Correct		Kenai - Wildwood Correctional Center Deferred Maintenance	50,000	0	0	0	50,000

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)						
M&VA	Kenai Armory Deferred Maintenance	10,000	0	0	10,000	20,000
Commerce	Kenai Peninsula Borough - Bear Creek Fire Service Area Community Multi-Use Facility	3,976,000	0	0	0	3,976,000
Commerce	Kenai Peninsula Borough - Central Emergency Service Area Rescue Boat	100,750	0	0	0	100,750
Commerce	Kenai Peninsula Borough - Central Peninsula General Hospital Radiation Oncology Center	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Classroom ITouch Project for Lower Peninsula Schools	52,500	0	0	0	52,500
Commerce	Kenai Peninsula Borough - Fox River Basargin Road Improvements	50,000	0	0	0	50,000
Commerce	Kenai Peninsula Borough - Gilman Kenai River Center Septic Tank Removal/Connection to Sewer System	15,000	0	0	0	15,000
Commerce	Kenai Peninsula Borough - Hazard Tree Removal	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Homer High School Athletic Facilities	1,100,000	0	0	0	1,100,000
Commerce	Kenai Peninsula Borough - Kachemak Emergency Service Area Diamond Ridge Community Center / Training Facility	100,000	0	0	0	100,000
Commerce	Kenai Peninsula Borough - Kenai & Soldotna High School Track and Field Improvements	3,100,000	0	0	0	3,100,000
Commerce	Kenai Peninsula Borough - Nikiski Fire Service Area Aerial Fire Apparatus Replacement	975,000	0	0	0	975,000
Commerce	Kenai Peninsula Borough - North Peninsula Recreation Service Area Trails Upgrade and Expansion	150,000	0	0	0	150,000
Commerce	Kenai Peninsula Borough - Road Projects	8,000,000	0	0	0	8,000,000
Commerce	Kenai Peninsula Borough - School District Equipment	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Security Camera System	1,625,000	0	0	0	1,625,000
Commerce	Kenai Peninsula Borough School District - Student Nutrition Services	40,000	0	0	0	40,000
Commerce	Kenai Peninsula Community Care Center - Gymnasium Repair and Renovations	52,000	0	0	0	52,000
Commerce	Kenai Peninsula Fair Association - Facilities Upgrades	188,000	0	0	0	188,000
Commerce	Kenai Peninsula Opportunities, Inc. - Kenai Peninsula Construction Academy Covered Storage	200,000	0	0	0	200,000
H&SS	Kenai Peninsula Youth Facility Deferred Maintenance	165,400	0	0	0	165,400
FishGm	Kenai River King Salmon Sonar Assessment Program	1,813,000	0	0	0	1,813,000
Commerce	Kenaitze Indian Tribe - Dena'ina Health and Wellness Center	15,000,000	0	0	0	15,000,000
Commerce	Lee Shore Center - Emergency Shelter Children's Outdoor Play Area Rehabilitation	96,444	0	0	0	96,444
NatRes	Lower Kaslof River Drift Boat Takeout - Phase 2 of 2	1,600,000	0	0	0	1,600,000
Labor	Marine Simulator Software	39,000	0	0	0	39,000
Commerce	Moose Pass Volunteer Fire Company - Fire Station Acquisition and Renovation	120,000	0	0	0	120,000
Commerce	Nikolaevsk, Inc. - Multi-Use Facility	50,000	0	0	0	50,000
Commerce	Ninilchik Emergency Services - Fire and EMS Station Project	2,275,000	0	0	0	2,275,000
Commerce	Ninilchik Senior Citizens, Inc. - Ninilchik Senior Center Improvements	24,800	0	0	0	24,800
Commerce	North Peninsula Community Council - Nikiski Beautification	100,000	0	0	0	100,000
NatRes	Parks and Outdoor Recreation Deferred Maintenance - Kenai Area	560,000	0	0	0	560,000

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)						
Commerce	Seldovia - Jakolof Bay and Rocky Road Dusting	7,500	0	0	0	7,500
Trans	Seldovia - Small Boat Harbor	1,000,000	0	0	0	1,000,000
Commerce	Seldovia - Value Added Manufacturing Plant	330,000	0	0	0	330,000
EnvCon	Seward - North Seward Water Storage Tank and Pumping Facility	2,583,240	0	0	0	2,583,240
Trans	Seward - Seward Harbor	1,180,000	0	0	0	1,180,000
Trans	Seward Highway - Recreational Improvements	0	0	0	650,000	650,000
FishGm	Seward Vessel Wash-Down and Wastewater Recycling Facility	0	0	641,300	0	641,300
Trans	Soldotna - Birch Street Signal at Sterling Highway	0	0	0	1,500,000	1,500,000
Commerce	Soldotna - Centennial Park Trail Development	400,000	0	0	0	400,000
Commerce	Soldotna - Paving Improvements	1,500,000	0	0	0	1,500,000
Commerce	Soldotna - Police Building Roof Replacement	325,000	0	0	0	325,000
EnvCon	Soldotna - Sterling Street Water and Sewer Replacement	377,465	0	0	0	377,465
Commerce	Soldotna Area Senior Citizens, Inc. - Generator and Roof Improvements	82,000	0	0	0	82,000
Commerce	Soldotna Little League - Field Upgrades	25,000	0	0	0	25,000
PubSaf	Soldotna Post Facilities Deferred Maintenance	225,000	0	0	0	225,000
Commerce	Sterling Area Senior Citizens, Inc. Garage for Storage and Work Shop	300,000	0	0	0	300,000
Commerce	Sterling Community Club, Inc. - Multi-Use Building	400,000	0	0	0	400,000
Trans	Sterling Highway - Milepost 157 to 169 Rehabilitation - Anchor Point to Baycrest Hill	0	0	0	2,500,000	2,500,000
Trans	Sterling Highway - Milepost 37 to 45 Resurfacing	0	0	0	7,350,000	7,350,000
Labor	Third Avenue Dormitory Replacement	16,075,000	0	0	0	16,075,000
FishGm	Upper Cook Inlet East Side Set Net Chinook Salmon Harvest Patterns	0	789,000	0	0	789,000
Kenai Areawide (HD 33-35) total:		103,205,763	1,249,000	1,741,300	12,010,000	118,206,063
Report total:		103,205,763	1,249,000	1,741,300	12,010,000	118,206,063

Introduced by: Mayor
Date: 06/19/12
Hearing: 08/07/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-19-14**

**AN ORDINANCE ACCEPTING AND APPROPRIATING \$8,050,000 FROM THE
STATE OF ALASKA ON BEHALF OF THE ROAD SERVICE AREA FOR CAPITAL
IMPROVEMENT PROJECTS**

1 **WHEREAS**, the Road Service Area (RSA) requested funding for road improvement projects in
2 the Borough’s 2012 legislative priorities; and

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

6 **WHEREAS**, the Alaska Department of Commerce, Community and Economic Development
7 (“DCCED”) will provide two grant awards in the total amount of \$8,050,000 to
8 the Borough on behalf of the road service area for road improvement projects; and

9 **WHEREAS**, at its regular meeting on June 12, 2012, the RSA board considered RSA
10 Resolution 2012-06 and recommended _____;

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

13 **SECTION 1.** That the mayor is authorized to accept, on behalf of the Road Service Area, grants
14 from the Alaska Department of Commerce, Community and Economic
15 Development in the total amount of \$8,050,000 for road improvements, and is
16 authorized to execute grant agreements and any other documents deemed
17 necessary to accept and expend the grants and to fulfill the intents and purposes of
18 this ordinance.

1 **SECTION 2.** That grant funds are appropriated to the following accounts:

2 \$8,000,000 - 434.33950.13614.49999 for KPB Road Projects

3 \$50,000 - 434.33950.13224.49999 for Fox River Basargin Rd.

4 **SECTION 3.** That due to the length and nature of this project, the appropriations established
5 through this ordinance shall not lapse at the end of any particular fiscal year.

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

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

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

Roads Service Area

MEMORANDUM

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

MIKE NAVARRE
BOROUGH MAYOR

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

FROM: Doug Schoessler, Roads Director *D.Sell*

DATE: June 7, 2012

SUBJECT: Ordinance 2012-19-14, accepting and appropriating \$8,050,000 from the State of Alaska on behalf of the Road Service Area for Capital Improvement Projects

The Road Service Area (RSA) submitted a request for legislative grant funding in the Fiscal Year 2012/2013 State of Alaska Capital Budget. Senate Bill 160 was passed by the State Legislature and signed by Governor Parnell on May 14, 2012. Two appropriations were awarded for road service area projects: (1) \$8,000,000 for roads in need of improvements, and (2) \$50,000 for Basargin Road improvements located in the Fox River area, as listed in the "2012 State Funding Priorities" binder.

The RSA board will consider a motion recommending acceptance of the grants at its regular board meeting on June 12, 2012. The Alaska Department of Commerce, Community and Economic Development will provide the grant awards with a five-year project performance period ending June 30, 2017. Doug Schoessler, RSA Director, shall provide grant oversight and project completion.

Attachments: Alaska Act HCS CSSB 160(FIN)
excerpt "Kenai Areawide (HD33-35) Only,"

FINANCE DEPARTMENT	
ACCT # FUNDS VERIFIED	
Acct. No.	<u>434.33950.13614.49999</u> <u>434.33590.13224.49999</u>
Amount	<u>N/A</u>
By: <u>ac</u>	Date: <u>6/7/12</u>

Kenai Areawide (HD 33-35) Only

Impact House District Detail

HD	Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 33-35)							
Commerce		Alaska Christian College - Emergency Generator Purchase	45,000	0	0	0	45,000
Commerce		Alaska Energy Authority - Stetson Creek Diversion	5,825,500	0	0	0	5,825,500
Commerce		Alutiiq Pride Shellfish Hatchery - Shellfish Hatchery Facilities Upgrades	0	460,000	0	0	460,000
Commerce		Anchor Point Senior Citizens, Inc. - Anchor Point Senior Center Improvements	244,000	0	0	0	244,000
Commerce		Boys & Girls Club of the Kenai Peninsula - Kasilof After School Program	75,000	0	0	0	75,000
Commerce		Boys & Girls Clubs of the Kenai Peninsula - Kenai Technology Center Equipment	14,000	0	0	0	14,000
Commerce		Boys & Girls Clubs of the Kenai Peninsula - Nikiski Technology Center Equipment	14,000	0	0	0	14,000
Commerce		Boys & Girls Clubs of the Kenai Peninsula - Soldotna Portable Planning, Permitting and Acquisition	163,000	0	0	0	163,000
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Trans		Cooper Landing - Walkable Community Project	550,000	0	0	0	550,000
Commerce		Cooper Landing Senior Citizens Corporation, Inc. - Senior Housing Energy Projects	100,000	0	0	0	100,000
Labor		Deferred Maintenance, Renewal, Repair and Equipment - AVTEC	1,000,000	0	0	0	1,000,000
NatRes		Exxon Valdez Oil Spill - Parcel Purchase on Kenai River Mile 11	0	0	1,100,000	0	1,100,000
Commerce		Friends of the Jesse Lee Home	5,000,000	0	0	0	5,000,000
Trans		Greer Road Surfacing	150,000	0	0	0	150,000
Commerce		Hallbut Cove Community Organization - Alaska Mussel Farming Demonstration Project	300,000	0	0	0	300,000
Trans		Highway Safety Corridor - Sterling Highway - Sterling to Soldotna Widening	1,730,000	0	0	0	1,730,000
Commerce		Homer - Fishing Lagoon Improvements	100,000	0	0	0	100,000
Commerce		Homer - South Peninsula Natural Gas Pipeline	8,150,000	0	0	0	8,150,000
Commerce		Homer Society of Natural History - Pratt Museum Building Design and Construction	100,000	0	0	0	100,000
Commerce		Hope Community Resources, Inc. - Kenai/Soldotna Community Center	125,000	0	0	0	125,000
Commerce		Hospice of The Central Peninsula - Durable Medical Equipment for Community Loan Closet	10,000	0	0	0	10,000
Commerce		Kachemak - Kachemak Roads Repairs	60,000	0	0	0	60,000
Univ		Kachemak Bay Campus - Pioneer Avenue Building Addition	50,000	0	0	0	50,000
Commerce		Kachemak Bay Equestrian Association - Cottonwood Horse Park	10,000	0	0	0	10,000
Commerce		Kachemak Shellfish Maniculture Association - Oyster Remote Setting Facility	60,000	0	0	0	60,000
Commerce		Kasilof Regional Historical Association - Community of Kasilof - Cabin Restoration	38,000	0	0	0	38,000
Trans		Kenai - Kalifornsky Beach Road and Bridge Access Road Pedestrian Paths	3,000,000	0	0	0	3,000,000
Commerce		Kenai - Road and Infrastructure Improvements	4,000,000	0	0	0	4,000,000
Commerce		Kenai - State Personal Use Fishery Improvement	150,000	0	0	0	150,000
EnvCon		Kenai - Water Transmission Mains Phase 4	1,935,164	0	0	0	1,935,164
Correct		Kenai - Wildwood Correctional Center Deferred Maintenance	50,000	0	0	0	50,000

Kenai Areawide (HD 33-35) Only

Impact House District Detail

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Commerce	Kenai Peninsula Borough - Central Peninsula General Hospital Radiation Oncology Center	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Classroom iTouch Project for Lower Peninsula Schools	52,500	0	0	0	52,500
Commerce	Kenai Peninsula Borough - Fox River Basargin Road Improvements	50,000	0	0	0	50,000
Commerce	Kenai Peninsula Borough - Gilman Kenai River Center Septic Tank Removal/Connection to Sewer System	15,000	0	0	0	15,000
Commerce	Kenai Peninsula Borough - Hazard Tree Removal	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Homer High School Athletic Facilities	1,100,000	0	0	0	1,100,000
Commerce	Kenai Peninsula Borough - Kachemak Emergency Service Area Diamond Ridge Community Center / Training Facility	100,000	0	0	0	100,000
Commerce	Kenai Peninsula Borough - Kenai & Soldotna High School Track and Field Improvements	3,100,000	0	0	0	3,100,000
Commerce	Kenai Peninsula Borough - Nikiski Fire Service Area Aerial Fire Apparatus Replacement	975,000	0	0	0	975,000
Commerce	Kenai Peninsula Borough - North Peninsula Recreation Service Area Trails Upgrade and Expansion	150,000	0	0	0	150,000
Commerce	Kenai Peninsula Borough - Road Projects	8,000,000	0	0	0	8,000,000
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Commerce	Kenai Peninsula Borough - Security Camera System	1,625,000	0	0	0	1,625,000
Commerce	Kenai Peninsula Borough School District - Student Nutrition Services	40,000	0	0	0	40,000
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Commerce	Kenai Peninsula Fair Association - Facilities Upgrades	188,000	0	0	0	188,000
Commerce	Kenai Peninsula Opportunities, Inc. - Kenai Peninsula Construction Academy Covered Storage	200,000	0	0	0	200,000
H&SS	Kenai Peninsula Youth Facility Deferred Maintenance	165,400	0	0	0	165,400
FishGm	Kenai River King Salmon Sonar Assessment Program	1,813,000	0	0	0	1,813,000
Commerce	Kenaitze Indian Tribe - Dena'ina Health and Wellness Center	15,000,000	0	0	0	15,000,000
Commerce	Lee Shore Center - Emergency Shelter Children's Outdoor Play Area Rehabilitation	96,444	0	0	0	96,444
NatRes	Lower Kaslof River Drift Boat Takeout - Phase 2 of 2	1,600,000	0	0	0	1,600,000
Labor	Maine Simulator Software	39,000	0	0	0	39,000
Commerce	Moose Pass Volunteer Fire Company - Fire Station Acquisition and Renovation	120,000	0	0	0	120,000
Commerce	Nikolaevsk, Inc. - Multi-Use Facility	50,000	0	0	0	50,000
Commerce	Ninilichik Emergency Services - Fire and EMS Station Project	2,275,000	0	0	0	2,275,000
Commerce	Ninilichik Senior Citizens, Inc. - Ninilichik Senior Center Improvements	24,800	0	0	0	24,800
Commerce	North Peninsula Community Council - Nikiski Beautification	100,000	0	0	0	100,000
NatRes	Parks and Outdoor Recreation Deferred Maintenance - Kenai Area	560,000	0	0	0	560,000

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Trans	Seldovia - Small Boat Harbor	1,000,000	0	0	0	1,000,000
Commerce	Seldovia - Value Added Manufacturing Plant	330,000	0	0	0	330,000
EnvCon	Seward - North Seward Water Storage Tank and Pumping Facility	2,583,240	0	0	0	2,583,240
Trans	Seward - Seward Harbor	1,180,000	0	0	0	1,180,000
Trans	Seward Highway - Recreational Improvements	0	0	0	650,000	650,000
FishGm	Seward Vessel Wash-Down and Wastewater Recycling Facility	0	0	641,300	0	641,300
Trans	Soldotna - Birch Street Signal at Sterling Highway	0	0	0	1,500,000	1,500,000
Commerce	Soldotna - Centennial Park Trail Development	400,000	0	0	0	400,000
Commerce	Soldotna - Paving Improvements	1,500,000	0	0	0	1,500,000
Commerce	Soldotna - Police Building Roof Replacement	325,000	0	0	0	325,000
EnvCon	Soldotna - Sterling Street Water and Sewer Replacement	377,465	0	0	0	377,465
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Commerce	Soldotna Little League - Field Upgrades	25,000	0	0	0	25,000
PubSaf	Soldotna Post Facilities Deferred Maintenance	225,000	0	0	0	225,000
Commerce	Sterling Area Senior Citizens, Inc. Garage for Storage and Work Shop	300,000	0	0	0	300,000
Commerce	Sterling Community Club, Inc. - Multi-Use Building	400,000	0	0	0	400,000
Trans	Sterling Highway - Milepost 157 to 169 Rehabilitation - Anchor Point to Baycrest Hill	0	0	0	2,500,000	2,500,000
Trans	Sterling Highway - Milepost 37 to 45 Resurfacing	16,075,000	0	0	7,350,000	23,425,000
Labor	Third Avenue Dormitory Replacement	0	0	0	0	0
FishGm	Upper Cook Inlet East Side Set Net Chinook Salmon Harvest Patterns	0	789,000	0	0	789,000
Kenai Areawide (HD 33-35) total:		103,205,763	1,249,000	1,741,300	12,010,000	118,206,063
Report total:		103,205,763	1,249,000	1,741,300	12,010,000	118,206,063

Introduced by: Mayor
Date: 06/19/12
Shortened Hearing: 07/03/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-19-15**

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF REAL PROPERTY
ADJACENT TO THE PROPERTY USED BY AURORA BOREALIS CHARTER
SCHOOL IN KENAI ON BEHALF OF THE KENAI PENINSULA BOROUGH SCHOOL
DISTRICT AND APPROPRIATING FUNDS FOR THE ACQUISITION**

1 **WHEREAS**, the relationship between the borough school district and borough is established
2 pursuant to AS 14.14.060; and

3 **WHEREAS**, the Kenai Peninsula Borough School District (KPBSD) desires to acquire real
4 property that adjoins the Aurora Borealis Charter School (ABCS) property in Kenai;
5 and

6 **WHEREAS**, the subject property would be used for much needed space for a playground and a
7 storage building that would be utilized for both the Kenai Alternative School and the
8 ABCS; and

9 **WHEREAS**, subject property lies within the Kenai city limits and is zoned as Central Commercial
10 which is appropriate for school purposes; and

11 **WHEREAS**, subject lots were appraised on April 13, 2012, by the KPB assessing department
12 which concluded an estimated value of \$20,900 for each lot; and

13 **WHEREAS**, the property owners have agreed to proceed with this sale, subject to assembly
14 approval; and

1 **WHEREAS**, purchase of the subject property and funding was approved at the KPBSD Board of
2 Education meeting of May 7, 2012; and

3 **WHEREAS**, the KPB Planning Commission at its regularly scheduled meeting of June 11, 2012,
4 recommended _____;

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

7 **SECTION 1.** That the purchase of the following described real property on behalf of the KPBSD is
8 in the best interests of the borough:

9 Lots 2, 3, 4, and 5 Block 8, as shown on U.S. Survey 3025 A and B, East Addition,
10 Townsite of Kenai. (Assessor Parcel No. 04711804, 04711805, 04711806, and
11 04711807)

12 **SECTION 2.** That the terms and conditions substantially in the form of the Purchase Agreement
13 accompanying this ordinance are hereby approved. The purchase price shall be
14 \$20,900 for each lot. The total cost of the four lots would be \$83,600 plus closing
15 costs not to exceed \$4,000.

16 **SECTION 3.** That this acquisition is for the expansion of the property used by the Aurora Borealis
17 Charter School.

18 **SECTION 4.** That the proposed classification of this land is government.

19 **SECTION 5.** That the mayor is authorized to execute any and all documents necessary to purchase
20 the real property described in Section 1 in accordance with the terms and conditions
21 contained in this resolution and the accompanying Purchase Agreement, consistent
22 with applicable provisions of KPB Chapter 17.10.

1 **SECTION 6.** That funding for this acquisition, up to \$87,600, will be received from the Kenai
2 Peninsula Borough School District and shall be appropriated to account
3 400.73010.13AUR.48610 for expenditures associated with this acquisition

4 **SECTION 7.** That this ordinance shall take effect immediately upon its enactment.

5 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY**
6 **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*
Craig C. Chapman, Director of Finance *C Chapman*
Max Best, Director of Planning *MB*
Marcus A. Mueller, Land Management Officer *ma*

FROM: Dan Conetta, Land Management Agent *D.C.*

DATE: June 7, 2012

SUBJECT: Ordinance 2012-19-15, Authorizing the Acquisition of Lots 2, 3, 4, and 5 Block 8, as shown on U.S. Survey 3025 A and B, East Addition, Townsite of Kenai on behalf of the Kenai Peninsula Borough School District and Appropriating Funds for the Acquisition

The relationship between the borough school district and borough is established pursuant to AS 14.14.060. Purchase of subject property was approved at the Kenai Peninsula Borough School District's ("KPBSD") Board of Education meeting of May 7, 2012 (see attached meeting summary). The KPBSD wishes to expand the Aurora Borealis Charter School ("ABCS") with the purchase of adjacent land. Over the years the ABCS's playground space has been reduced due to the addition of two portables. Acquisition of adjacent lots would make available much needed space for a playground and a storage building that would be utilized by both the Kenai Alternative School and the ABCS.

The owners of the subject lots have agreed to proceed with this sale. The borough would purchase these lots on behalf of the KPBSD. The assessing department determined that the current value of each lot is \$20,900. The purchase price is not to exceed \$83,600 plus closing costs with funding coming from the KPBSD / ABCS.

The property lies within the Kenai city limits and is zoned as Central Commercial which is appropriate for school purposes. Each lot contains 0.12 acres for a total of 0.48 acres.

KPBSD wishes to begin converting the land to a school yard during the current construction season, prior to the new school year. As only one assembly meeting is scheduled for July, shortened hearing is respectfully requested. This would allow the land to be put to use during the next school year.

Your consideration of this ordinance is appreciated.

FINANCE DEPARTMENT ACCT# FUNDS VERIFIED	
Acct. No.	<u>400.73010.13AUR.48610</u>
Amount	<u>N/A</u>
By: <u>pc</u>	Date: <u>6/7/12</u>

PURCHASE AGREEMENT

This Agreement is made on this ____ day of _____, 2012, by and between VIRGINIA A. POORE, a single person, whose address is 4300 Eagle Rock Drive, Kenai Alaska 99611, (hereinafter referred to as "SELLER") and the KENAI PENINSULA BOROUGH, an Alaska municipal corporation, whose address is 144 North Binkley Street, Soldotna, Alaska 99669 (hereinafter referred to as "KPB").

WHEREAS, SELLER is the owner of that real property located in the Kenai Recording District, Third Judicial District, State of Alaska, and more particularly described as follows:

Lots 2, 3, and 4, Block 8, as shown on U.S. Survey 3025 A and B, East Addition, Townsite of Kenai (Hereinafter "the Property").

(Assessor Parcel No. 04711805, 04711806, and 04711807)

WHEREAS, KPB has offered to buy subject to Assembly authorization and appropriation of funds, and SELLER is willing to sell the Property as evidenced by this Purchase Agreement;

NOW THEREFORE, in consideration of the promises herein contained, SELLER hereby agrees to sell to KPB, and KPB hereby agrees to buy from SELLER, the Property on the terms and conditions as set forth below:

1. PURCHASE PRICE

The purchase price of the Property is Sixty Two Thousand Seven Hundred dollars and NO cents (\$62,700.00). The purchase price shall be paid by KPB at time of closing. The purchase of the Property and appropriation for the purchase are subject to borough assembly approval.

2. TITLE

Title shall be delivered at time of closing by Statutory Warranty Deed, which shall be issued to KPB. SELLER warrants and covenants that at the time of closing there shall be no liens or judgments recorded against SELLER in the same recording district in which the Property subject to this purchase agreement is situated. Title shall be clear of liens and encumbrances except title is subject to reservations, easements, rights-of-way, covenants, conditions and restrictions of record.

3. ESCROW AND CLOSING COSTS

In addition to the purchase price, KPB agrees to pay for closing costs in connection with this Agreement, including without limitation all escrow fees, title insurance charges, and recording fees up to \$2,000. Property taxes will be prorated. All costs will be paid in full at the time of closing.

4. CLOSING

Unless otherwise agreed in writing, closing will occur within 90 days of execution of the Purchase Agreement. At closing, KPB will pay the balance of the purchase price. Both parties will execute all documents required to complete the Purchase Agreement and, if applicable, establish an escrow account.

5. POSSESSION

Possession shall be delivered to KPB at time of recording.

6. KENAI PENINSULA BOROUGH ASSEMBLY APPROVAL

Purchase of the property by the Kenai Peninsula Borough is subject to authorization by the Kenai Peninsula Borough Assembly and appropriation of funds. If the Kenai Peninsula Borough Assembly fails to authorize the purchase of the subject land and appropriate funds, this agreement shall be terminated without penalty.

7. SITE INSPECTION APPROVAL

Purchase of the property is subject to approval of a site inspection by KPB Risk Management.

8. HAZARDOUS MATERIAL

SELLER covenants to the best of SELLER'S knowledge, that as the date of this agreement, except as specifically identified herein, the Property is free of all contamination from petroleum products or any hazardous substance or hazardous waste, as defined by applicable state or federal law, and there are no underground storage tanks or associated piping on the Property. SELLER agrees that no hazardous substances or wastes shall be located on or stored on the Property, or any adjacent property by seller, owner or contractors, nor shall any such substance be owned, stored, used, or disposed of on the Property or any adjacent property by SELLER, its agents, employees, contractors, or invitee's, prior to KPB'S ownership, possession, or control of the Property.

9. ENTIRE AGREEMENT

This Agreement and the documents referred to herein contain the entire agreement of the parties with respect to the subject matter hereof. Any changes, additions or deletions hereto must be made in writing and signed by both KPB and SELLER or their respective successors in interest. Provisions of this Agreement, unless inapplicable on their face, shall be covenants constituting terms and conditions of the sale, and shall continue in full force and effect until the purchase price is paid in full or this agreement is earlier terminated.

10. BREACH REMEDY

Prior to closing of the sale, in the event that KPB or SELLER fails to make any payment required, or fails to submit or execute any and all documents and papers necessary for closing and transfer of title within the time period specified in this agreement, the SELLER or KPB may terminate this Agreement.

11. MISCELLANEOUS

- A. Time. Time is of the essence in performance of this Agreement.
- B. Cancellation. This Agreement, while in good standing may be canceled in whole or in part, at any time, upon mutual written agreement by SELLER and the KPB mayor. This Purchase Agreement is subject to cancellation in whole or in part if improperly issued through error in procedure or with respect to material facts.
- C. Notice. Any notice or demand, which under the terms of this Agreement or under any statute must be given or made by the parties thereto, shall be in writing, and be given or made by registered or certified mail, addressed to the other party at the address shown on the contract. However, either party may designate in writing such other address to which such notice of demand shall thereafter be so given, made or mailed. A notice given hereunder shall be deemed received when deposited in a U.S. general or branch post office by the addressor.
- D. Interpretation. This Agreement shall be deemed to have been jointly drafted by both parties. It shall be construed according to the fair intent of the language as a whole, not for or against any party. The interpretation and enforcement of this Agreement shall be governed by the laws of the State of Alaska. The titles of sections in this Agreement are not to be construed as limitations of definitions but are for identification purposes only.

E. Personal Property. All personal property, if any, shall be removed by the SELLER prior to closing.

This Agreement has been executed by the parties on the day and year first above written.

KENAI PENINSULA BOROUGH:

SELLER:

Mike Navarre, Mayor

Virginia A. Poore

Dated: _____

Dated: _____

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Johni Blankenship,
Borough Clerk

Holly B Montague,
Deputy Borough Attorney

NOTARY ACKNOWLEDGMENT

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Mike Navarre, Mayor of the Kenai Peninsula Borough, an Alaska municipal corporation, for and on behalf of the corporation.

Notary Public in and for Alaska
My commission expires: _____

NOTARY ACKNOWLEDGMENT

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Virginia A. Poore.

Notary Public in and for Alaska
My commission expires: _____

PURCHASE AGREEMENT

This Agreement is made on this ___ day of _____, 2012, by and between GENE L. HERRICK, a single person, whose address is 1206 Portside Dr., Kenai, AK 99611, (hereinafter referred to as "SELLER") and the KENAI PENINSULA BOROUGH, an Alaska municipal corporation, whose address is 144 North Binkley Street, Soldotna, Alaska 99669 (hereinafter referred to as "KPB").

WHEREAS, SELLER is the owner of that real property located in the Kenai Recording District, Third Judicial District, State of Alaska, and more particularly described as follows:

Lot 5, Block 8, as shown on U.S. Survey 3025 A and B, East Addition, Townsite of Kenai (Hereinafter "the Property").

(Assessor Parcel No. 04711804)

WHEREAS, KPB has offered to buy subject to Assembly authorization and appropriation of funds, and SELLER is willing to sell the Property as evidenced by this Purchase Agreement;

NOW THEREFORE, in consideration of the promises herein contained, SELLER hereby agrees to sell to KPB, and KPB hereby agrees to buy from SELLER, the Property on the terms and conditions as set forth below:

1. PURCHASE PRICE

The purchase price of the Property is Twenty Thousand Nine Hundred dollars and NO cents (\$20,900.00). The purchase price shall be paid by KPB at time of closing. The purchase of the Property and appropriation for the purchase are subject to borough assembly approval.

2. TITLE

Title shall be delivered at time of closing by Statutory Warranty Deed, which shall be issued to KPB. SELLER warrants and covenants that at the time of closing there shall be no liens or judgments recorded against SELLER in the same recording district in which the Property subject to this purchase agreement is situated. Title shall be clear of liens and encumbrances except title is subject to reservations, easements, rights-of-way, covenants, conditions and restrictions of record.

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In addition to the purchase price, KPB agrees to pay for closing costs in connection with this Agreement, including without limitation all escrow fees, title insurance charges, and recording fees up to \$2,000. Property taxes will be prorated. All costs will be paid in full at the time of closing.

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5. POSSESSION

Possession shall be delivered to KPB at time of recording.

6. KENAI PENINSULA BOROUGH ASSEMBLY APPROVAL

Purchase of the property by the Kenai Peninsula Borough is subject to authorization by the Kenai Peninsula Borough Assembly and appropriation of funds. If the Kenai Peninsula Borough Assembly fails to authorize the purchase of the subject land and appropriate funds, this agreement shall be terminated without penalty.

7. SITE INSPECTION APPROVAL

Purchase of the property is subject to approval of a site inspection by KPB Risk Management.

8. HAZARDOUS MATERIAL

SELLER covenants to the best of SELLER'S knowledge, that as the date of this agreement, except as specifically identified herein, the Property is free of all contamination from petroleum products or any hazardous substance or hazardous waste, as defined by applicable state or federal law, and there are no underground storage tanks or associated piping on the Property. SELLER agrees that no hazardous substances or wastes shall be located on or stored on the Property, or any adjacent property by seller, owner or contractors, nor shall any such substance be owned, stored, used, or disposed of on the Property or any adjacent property by SELLER, its agents, employees, contractors, or invitee's, prior to KPB'S ownership, possession, or control of the Property.

9. ENTIRE AGREEMENT

This Agreement and the documents referred to herein contain the entire agreement of the parties with respect to the subject matter hereof. Any changes, additions or deletions hereto must be made in writing and signed by both KPB and SELLER or their respective successors in interest. Provisions of this Agreement, unless inapplicable on their face, shall be covenants constituting terms and conditions of the sale, and shall continue in full force and effect until the purchase price is paid in full or this agreement is earlier terminated.

10. BREACH REMEDY

Prior to closing of the sale, in the event that KPB or SELLER fails to make any payment required, or fails to submit or execute any and all documents and papers necessary for closing and transfer of title within the time period specified in this agreement, the SELLER or KPB may terminate this Agreement.

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- A. Time. Time is of the essence in performance of this Agreement.
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- C. Notice. Any notice or demand, which under the terms of this Agreement or under any statute must be given or made by the parties thereto, shall be in writing, and be given or made by registered or certified mail, addressed to the other party at the address shown on the contract. However, either party may designate in writing such other address to which such notice of demand shall thereafter be so given, made or mailed. A notice given hereunder shall be deemed received when deposited in a U.S. general or branch post office by the addressor.
- D. Interpretation. This Agreement shall be deemed to have been jointly drafted by both parties. It shall be construed according to the fair intent of the language as a whole, not for or against any party. The interpretation and enforcement of this Agreement shall be governed by the laws of the State of Alaska. The titles of sections in this Agreement are not to be construed as limitations of definitions but are for identification purposes only.

E. Personal Property. All personal property, if any, shall be removed by the SELLER prior to closing.

This Agreement has been executed by the parties on the day and year first above written.

KENAI PENINSULA BOROUGH:

SELLER:

Mike Navarre, Mayor

Gene L. Herrick

Dated: _____

Dated: _____

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Johni Blankenship,
Borough Clerk

Holly B. Montague,
Deputy Borough Attorney

NOTARY ACKNOWLEDGMENT

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Mike Navarre, Mayor of the Kenai Peninsula Borough, an Alaska municipal corporation, for and on behalf of the corporation.

Notary Public in and for Alaska
My commission expires: _____

NOTARY ACKNOWLEDGMENT

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Gene L. Herrick.

Notary Public in and for Alaska
My commission expires: _____

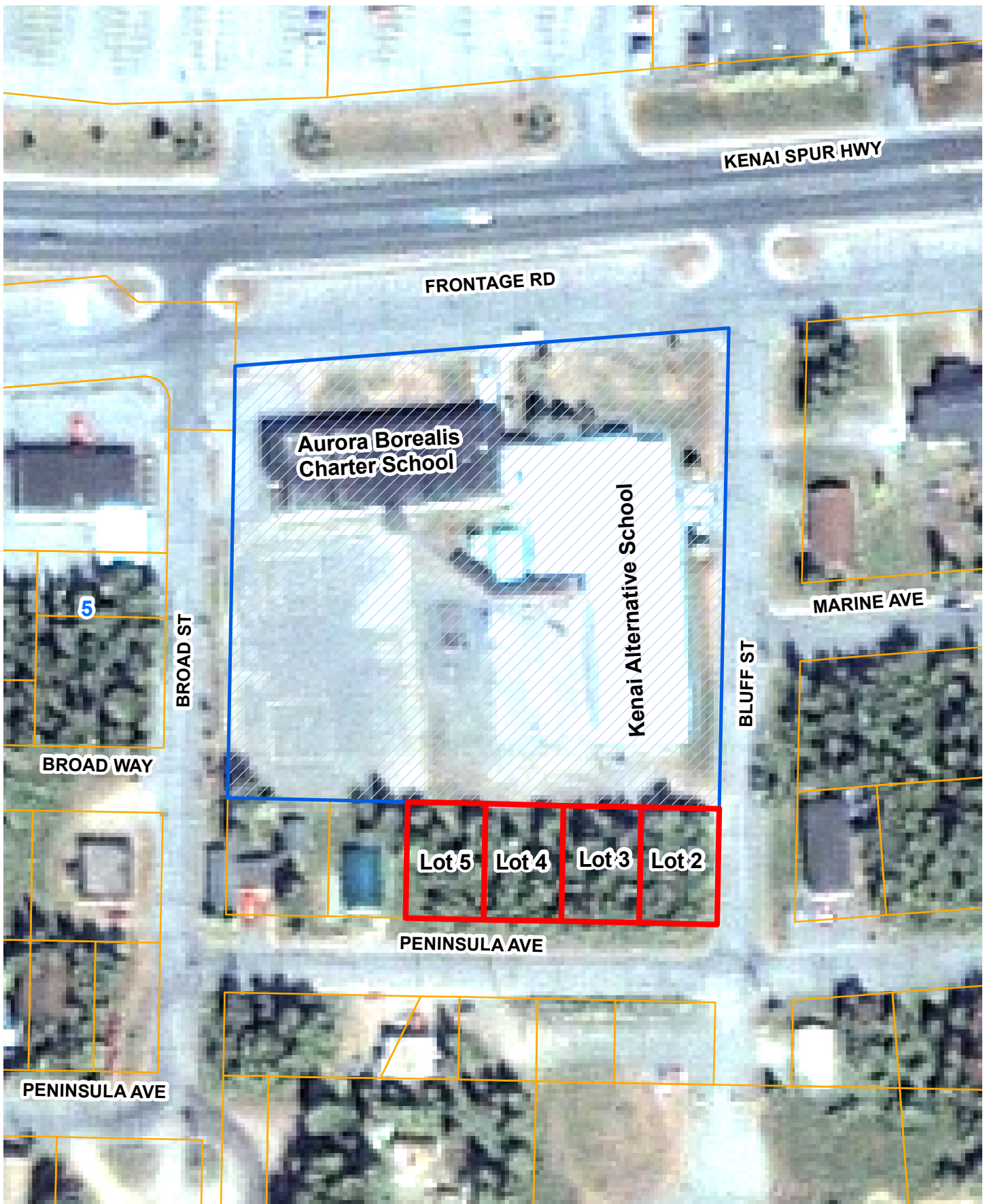


Exhibit -- Area Map



KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Office of Superintendent

Dr. Steve Atwater, Superintendent of Schools
148 North Binkley Street Soldotna, Alaska 99669-7553
Phone (907) 714-8888 Fax (907) 262-9132

May 31, 2012

Mr. Mike Navarre, Borough Mayor
Kenai Peninsula Borough
144 N. Binkley St.
Soldotna, AK 99669

Dear Mr. Navarre:

Due to the addition of two portable classrooms and a need for a storage building, the Academic Policy Committee (APC) of Aurora Borealis Charter School (ABCS) is concerned about the reduction of playground space for their school.

They requested and received approval from the KPBSD Charter School Oversight Committee to pursue the acquisition of property adjacent to the school through the Kenai Peninsula Borough (KPB). With the assistance of Borough Land Management, four lots have been identified and the current owners are interested in selling the land for the current assessed value of \$21,200 per lot.

The Academic Policy Committee has identified and committed funds within their budget for the purchase of the property through the Kenai Peninsula Borough.

The KPBSD Board of Education unanimously approved the purchase of the property by KPB at their May 7, 2012 Board Meeting. With that approval, all KPBSD processes are complete and the district administration is now requesting that the Borough Land Management Department assist with the purchase of the property.

Thank you for your assistance in this matter.

Sincerely,

Steve Atwater, Ph.D.
Superintendent

cc: Marcus Mueller
Dave Jones
Dave Tressler
Dave Spence

Agenda 5-7-12

Kenai Peninsula Borough School District Board of Education Meeting Agenda

May 7, 2012- 7:00 p.m.

Borough Administration Building

Regular Meeting

148 N. Binkley, Soldotna, Alaska

SCHOOL BOARD MEMBERS:

Mr. Joe Arness, President
 Mrs. Liz Downing, Vice President
 Mrs. Penny Vadla, Clerk
 Ms. Lynn Hohl, Treasurer
 Mr. Marty Anderson
 Mrs. Sammy Crawford
 Mrs. Sunni Hilts
 Mr. Bill Holt
 Mr. Tim Navarre
 Miss Annaleah Ernst, Student Representative

Worksessions

2:45 p.m. Health Care Internal Service Fund

3:00 p.m. Policy Manual Revisions

3:30 p.m. KPSAA Borough-sponsored Events

4:00 p.m. Board Discussion

A-G-E-N-D-A

1. **Executive Session - Negotiations, FY13 Budget and Superintendent's Contract** *(beginning at 4:30 p.m.)*

2. **Opening Activities**
 - a. Call to Order
 - b. Pledge of Allegiance/National Anthem/ Alaska Flag Song
 - c. District Mission Statement
 - d. Roll Call
 - e. Approval of Agenda
 - f. Approval of Minutes/April 2, 2012
3. **Awards and Presentations - Advocacy**
4. **School Reports - Accountability**
 - a. Aurora Borealis Charter School - Mr. Larry Nauta
5. **Public Presentations** *(3 minutes) (Items not on agenda, 3 minutes per speaker, 30 minutes aggregate)*
6. **Hearing of Delegations** *(5 minutes)*
7. **Communications and Petitions**
8. **Representative selected by the following: Advisory Committee, Site Councils and/or P.T.A., K.P.A.A., K.P.E.A., K.P.E.S.A., Borough Assembly** *(5 minutes)*
9. **Superintendent's Report - Accountability**
10. **Reports - Accountability**
 - a. Finance Report- Mr. Dave Jones
 - b. Quarterly Budget Transfer Report- Mr. Dave Jones
 - c. Board Reports *(Reports where members are officially representing the Board)*
 - d. Board Worksession Report *(Attendance noted)*
11. **Action Items** *(Board member comments should be concise and may be limited to speaking twice on a topic)*
 - a. Consent Agenda
 - (1) Approval of Tentative Nontenured Teacher Contracts 2012-13 - Structure
 - (2) Approval of Contract and Tenure for Nontenured Teachers 2012-13 - Structure
 - (3) Approval of Resignations - Structure
 - (4) Approval of Leave of Absence Request-Certified - Structure

- (5) Approval of Long-term Substitute Contract – Structure
- (6) Approval of New Teacher Contracts 2011-12 – Structure
- (7) Approval of New Teacher Contracts 2012-13 – Structure
- (8) Approval of Budget Transfer – Structure

Instructional Services Support

- b. **Approval of Aurora Borealis Charter School Land Purchase – Structure**
 - c. Approval of Pupil Transportation Contract Award – Structure
 - d. Approval of Health Care Internal Service Fund – Structure
12. **First Reading of Policy Revisions**
 13. **Public Presentations/Comments** (Individuals are limited to three minutes each on the topic(s) listed below or on any topic.)
 14. **Board Comments** (Individual Board member comments are limited to three minutes.)
 15. **Executive Session** (If needed)
 16. **Adjourn**

Copies of agenda items are available just prior to the meeting in the back of the room or visit our website at <http://www.kpbsd.k12.ak.us> . Log on to the District website to listen to School Board meetings live or to find archived meetings. Email BoardComment@kpbsd.k12.ak.us to make a comment about any item on the agenda (comments will be reviewed for appropriateness and length) .

Persons with disabilities who need accommodations to participate should contact Sally Tachick at 907-714-8836, or e-mail stachick@kpbsd.k12.ak.us no later than three business days before the meeting date.

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

148 North Binkley Street Soldotna, Alaska 99669-7553
Phone (907) 714-8888 Fax (907) 262-9132
www.kpbsd.k12.ak.us

SCHOOL BOARD COMMUNICATION

Title: Approval of ABCS Land Purchase

Date: April 6, 2012

Item Number: 11b.

Administrator: Dave Jones, Assistant Superintendent



Attachments: Request for Approval of ABCS Land Purchase

Action Needed For Discussion Information Other: _____

BACKGROUND INFORMATION

The usable ABCS playground space has been reduced over the years due to the addition of two portables. There are six lots that adjoin the playground (04711802-04711807). Four of the lots do not have structures (04711804-04711807) and the owners have indicated an interest in the sale of the four at the current assessed value of \$21,200 per lot, for a total of \$84,800. The owners of the two lots that have structures were sent letters inquiring as to their interest in trading for borough property of equal value. They have not responded.

Acquisition of the four lots would make available much needed space for both playground and an area to put a storage building that would be utilized by both the Kenai Alternative School and Aurora Borealis Charter School (ABCS).

ABCS has funds available in account number 100-65-4600-0000-5101 to purchase the four lots. The Academic Policy Committee of ABCS requested approval from the Charter School Oversight Committee to pursue purchase or trade for the property through the Kenai Peninsula Borough. Permission was granted.

ADMINISTRATIVE RECOMMENDATION

It is the recommendation of administration that the purchase of the lots by the Kenai Peninsula Borough be approved.

Kenai Peninsula Borough School District

Board of Education Meeting News In Brief

May 7, 2012 – 7:00 p.m.
Dr. Steve Atwater, Superintendent

Seward High School
2100 Swetmann, Seward, Alaska

WORKSESSION REPORT: The Board held several worksessions prior to the formal business meeting which included the proposed Health Care Internal Service Fund, Policy Manual revisions and KPSAA Borough-sponsored Events.

SCHOOL REPORT: Mr. Larry Nauta, Aurora Borealis Charter School administrator, introduced Miss Katie Delker and Miss Hannah Delker who sang, *Anything You Can Do I Can Do Better*, and Miss Olivia Brewer sang *O Mio Caro*.

SUPERINTENDENT'S REPORT: Dr. Atwater announced that the bids for roofing projects came in lower than expected and as a result, more schools were added. May 8 is National Teacher Appreciation Day and he thanked districtwide teachers for their hard work. He urged those present to post a message on Facebook or tweet a thank you. He commended Kenai Middle School students for competing in the national Math Counts and the national Future Problem Solving teams. He announced that Spring Creek High School will relocate to the Anchorage School District and thanked the school staff and the correctional center superintendent, Mr. Craig Turnbull, for their work. He thanked Mrs. Sally Tachick for her years of service and welcomed Mrs. Debbie Tressler, her replacement.

FINANCIAL REPORT: Mr. Jones presented the financial report of the District for the period ending April 30, 2012.

QUARTERLY BUDGET REPORT: Mr. Jones reported on budget transfers Numbers 529 through 1043 for various schools and departments within the District.

TENTATIVE NONTENURED TEACHER CONTRACTS 2012-13: The Board unanimously approved tentative nontenured teacher contracts for the 2012-13 school year for Jennifer Riddall, teacher/regular, Aurora Borealis Charter School; Jon Kulhanek, teacher/regular, Fireweed Academy; Mark Putney, teacher/regular, Homer High School; Darcy Mueller, teacher/regular, Homer Middle School; Hannah Toporek, teacher/federal, K-12/Assessment; Ryan Miller, teacher/regular (temporary), Kachemak Selo School; Kendra Rupp, speech therapist, Kaleidoscope Charter; Darcy Marcou, teacher/regular, K-Beach Elementary School; Joseph Pazar, teacher/regular, K-Beach Elementary School; Laura Fournier, guidance counselor, Kenai Central High School; John Marquez, teacher/regular, Kenai Central High School; Meredith McCullough, teacher/regular, Kenai Central High School; John Morton, teacher/regular, Kenai Central High School; Lacey Wisniewski, teacher/regular, Kenai Middle School; Corise Story, teacher/regular, McNeil Canyon Elementary School; Kathrine Abraham, teacher/regular (temporary), Moose Pass School; Kevin Hilton, teacher/regular, Mountain View Elementary School; Shannon Hoffbeck, teacher/regular, Mountain View Elementary School; Shawna Vlasak, teacher/regular (temporary), Mountain View Elementary School; Valerie Verdries, teacher/regular, Mountain View Elementary School; Elizabeth Wallin, teacher/regular, Mountain View Elementary School; Jacob Doth, teacher/regular, Nikiski Middle/High School; Jake Eveland, teacher/regular (.50 FTE), Nikiski Middle/High School; Christine Snow, guidance counselor, Nikiski Middle/High School; Anna Widman, teacher/regular, Nikiski Middle/High School; Michelle Green, teacher/regular, Nikiski North Star Elementary School; Katy Settlemyer, teacher/regular (.50 FTE), Nikiski North Star Elementary School; Thor Jones, teacher/regular, Nikiski North Star Elementary School; Emily Mayberry, teacher/regular, Nikiski North Star Elementary School; Brianna Redfern,

teacher/regular, Nikiski North Star Elementary School; Jennifer Olson, teacher/regular, Paul Banks Elementary School; Michelle Fournier, teacher/regular (perm .50 FTE/temp .50 FTE), Razdolna School; Liviu Rizea, teacher/regular, Razdolna School; Stephanie Belger, teacher/regular, Redoubt Elementary School; Bethany Epplin, teacher/regular, Redoubt Elementary School; Carol Hutto, teacher/regular (temporary), River City Academy; Deanne Pearson, teacher/regular, River City Academy; Denyse Hurst, teacher/regular, Secondary Ed/Student Activities; Helen Lindemuth, librarian (.50 FTE), Seward Elementary School; Jenna Fabian, teacher/regular, Seward Elementary School; Leigh Ray, teacher/regular, Seward Elementary School; Wesley Andrews, guidance counselor, Skyview High School; Karen Hamlow, librarian (.50 FTE), Skyview High School; Deborah Jacobson, teacher/regular, Skyview High School; Kyle McFall, teacher/regular, Skyview High School; Gary Wertz, guidance counselor, Skyview High School; Elizabeth Edwards, teacher/regular, Soldotna Elementary; Holly Davis, teacher/regular, Soldotna Elementary School; Bristol Whitmore, teacher/regular, Soldotna High School; James Harris, teacher/regular, Soldotna High School; Brian Dandliker, teacher/vocational education, Soldotna Middle School; Jeffrey Vincent, teacher/regular, Soldotna Middle School; Stephanie Dennis Blair, teacher/regular, Soldotna Middle School; Thomas Cavanaugh, teacher/regular, Sterling Elementary School; Tiffany Gray, teacher/regular, Sterling Elementary School; Justin Derks, teacher/regular (temporary), Susan B. English School; Christina Granger, teacher/regular (temporary), Tustumena Elementary School; Amanda Painter, teacher/regular, Tustumena Elementary School; Isaiah White, teacher/regular, Voznesenka School; and Emily Putney, teacher/regular, West Homer Elementary School.

CONTRACT AND TENURE FOR NONTENURED TEACHERS 2012-13: The Board unanimously approved contract and tenure for nontenured teachers for the 2012-13 school year for Mary Simonsen, teacher/regular, Chapman School; Heidi Stokes, teacher/regular, Chapman School; Christopher Brown, teacher/regular, Homer Flex School; Connie Akers, librarian (.50 FTE), Homer High School; Amy Christianson, teacher/regular, Homer High School; Anna Fisher, teacher/regular (temporary), Homer High School; Jennifer Booz, teacher/regular, Homer Middle School; Patricia Truesdell, teacher/regular, Hope School; Kimberly Fields, teacher/regular, Kaleidoscope Charter; Marianne Kasch, teacher/regular, Kaleidoscope Charter; Patricia Haywood, teacher/regular, K-Beach Elementary School; Douglas Armstrong, teacher/regular, Kenai Central High School; Krista Christensen, teacher/regular, Kenai Central High School; Lenore Swanson, teacher/regular, McNeil Canyon Elementary School; Renee Christensen, teacher/regular, Mountain View Elementary; Nicole Cunningham, teacher/regular, Mountain View Elementary School; Summer Dallman, teacher/regular, Mountain View Elementary School; Tammy Farrell, librarian, Mountain View Elementary School; Cynthia McKibben, teacher/regular, Mountain View Elementary School; Jesse Bjorkman, teacher/regular, Nikiski Middle/High School; Holly Boyle, teacher/regular, Nikiski Middle/High School; Laura Niemczyk, teacher/regular, Nikiski Middle/High School; Rose Armstrong, teacher/regular, Nikiski North Star Elementary School; Karen Pala, teacher/regular (temporary), Nikiski North Star Elementary School; Kimberly Trammell, teacher/regular, Nikiski North Star Elementary School; Eric Simonsen, teacher/regular, Ninilchik School; Seanna Gunn, teacher/regular, Paul Banks Elementary School; Kjersten Syth, teacher/regular, Paul Banks Elementary School; Amy Ware, teacher/regular (temporary), Paul Banks Elementary School; Jennifer Keil, teacher/regular, Razdolna School; Carolyn Farmer, teacher/regular, Redoubt Elementary School; Amanda Adams, teacher/regular, Secondary Ed/Student Activities; Steve Cothran, teacher/regular, Secondary Ed/Student Activities; Emanuela Meriggi, teacher/regular, Secondary Ed/Student Activities; Bethany Waggoner, teacher/regular, Seward High School; Jesse Settlemeyer, teacher/regular, Skyview High School; Erin Neisinger, guidance counselor, Soldotna High School; Eric Dahl, teacher/regular, Soldotna Middle School; and Cynthia Ussing, teacher/regular, Sterling Elementary School.

RESIGNATIONS: The Board unanimously approved resignations effective at the end of the 2011-12 school year from Amy Balsinger, special education resource teacher, Kenai Middle School; Kathryn Baum-Fjelstad, language arts/social studies/physical education, Ninilchik School; Jeffrey Clay, kindergarten - 6th grade teacher, Moose Pass School; Connie Courmier, K-12 intervention specialist, Elementary Education/Curriculum; Laurie Cowgill, librarian/science teacher, Kaleidoscope Charter; Lana Esposito, special education resource teacher, Seward Elementary School; Candice Goldstein, 1st grade teacher, Redoubt Elementary School; Jonathan Horbacz, math/science teacher, Kenai Middle School; Rochelle Horbacz, science teacher, Kenai Middle School; Callie Hruby, special education resource teacher, Nikiski Middle/High School; Aaron Lohmeyer, music teacher, Soldotna Elementary/Soldotna Montessori; Timothy McFarland, music teacher, Mt. View Elementary School; Garrett McMullen, special education resource teacher/Title I teacher, Tebughna School; Mary Meconi, intermediate grade teacher, Tebughna School; Melissa Morckel, math teacher, Kenai Central High School; Jessica Pena, interventionist teacher, Nikiski North Star Elementary; Dena Pettijohn, 5th grade teacher, Soldotna Elementary School; Mark Robinson, choir teacher, Homer High School; Melody Spangler-Hatch, speech language pathologist, Seward Elementary School; Benjamin Stephens, (currently on leave of absence), West Homer Elementary; Linda Kay Thompson, special education intensive needs teacher, Homer High School; and Teresa Zinck, 3rd grade teacher, Nikiski North Star Elementary School.

LEAVE OF ABSENCE REQUEST-CERTIFIED: The Board unanimously approved leave of absence requests from Mick Audette, music teacher, Sterling Elementary School/Tustumena Elementary School (effective for the 2012-13 school year) and Joanne Frey, special education intensive needs teacher, Seward Elementary School (effective for the remainder of the 2011-12 school year).

LONG-TERM SUBSTITUTE CONTRACT: The Board unanimously approved long-term substitute contracts for Holly Alston, Chapman School; Wanda Rochelle Brenner, Mt. View Elementary School; Carol Conant, Seward Elementary School; Polly Crawford, Soldotna Middle; Mark Larson, Soldotna High School; and Jill Wagner, Redoubt Elementary School.

NEW TEACHER CONTRACTS 2011-12: The Board unanimously approved a new teacher contract for Tammy Taylor, (temporary) Kindergarten - 2nd Grade teacher, Nikolaevsk School for the 2011-12 school year.

NEW TEACHER CONTRACTS 2012-13: The Board unanimously approved new teacher contracts for Nick Gilbertson, 2nd/3rd multi-grade teacher, Sterling Elementary; Katy Jurney Scrivo, 4th through 8th grade teacher, Moose Pass School; Amy Maguire, 1st - 4th grade teacher, Kaleidoscope School of Arts and Science; and AnnMarie Rudstrom, Kindergarten/1st multi-grade teacher, Sterling Elementary for the 2012-13 school year.

BUDGET TRANSFER: The Board unanimously approved budget transfer Number 1077, for \$690,907 to pay for upgrades and modifications of existing buildings to accommodate changes in CTE programs offered at Seward High, Nanwalek, Kenai Central High and Skyview High; Number 1101 for \$104,500 to pay for replacement of CRT monitors with LCD displays; Number 1162 for \$150,822 to pay for fuel at locations that have exceeded their original heating budgets; and Number 1165 for \$90,000 to pay for the purchase of land adjoining the Aurora Borealis Charter School campus.

AURORA BOREALIS CHARTER SCHOOL LAND PURCHASE: The Board unanimously approved the purchase of four lots adjoining the Aurora Borealis Charter School by the Kenai Peninsula Borough.

Introduced by: Mayor
Date: 06/19/12
Hearing: 08/07/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-19-16**

AN ORDINANCE APPROVING THE ACQUISITION OF REAL PROPERTY ALONG SALMON CREEK FOR FLOOD MITIGATION AND APPROPRIATING \$27,700 FROM SEWARD BEAR CREEK FLOOD SERVICE AREA FOR THE ACQUISITION OF FOUR PARCELS AND APPROVING A CONTRIBUTION FROM THE CONSERVATION FUND FOR THE ACQUISITION OF FIVE ADDITIONAL PARCELS ALONG SALMON CREEK

1 **WHEREAS**, the Seward-Bear Creek Flood Service Area (SBCFSA) has identified nine parcels
2 totaling 150.44 acres of land under common ownership which are important to flood
3 mitigation; and

4 **WHEREAS**, at its October 3, 2011, meeting the SBCFSA board unanimously recommended the
5 purchase of property owned by James Stewart for flood mitigation purposes; and

6 **WHEREAS**, discussions with the Army Corp of Engineers unveiled that compensatory wetland
7 mitigation funds, known as in-lieu fees, may be available for this project through The
8 Conservation Fund; and

9 **WHEREAS**, The Conservation Fund, a non-profit corporation organized for scientific, charitable
10 and educational purposes, is willing to purchase and contribute to the Borough the
11 remaining 5 parcels, subject to the requirement that the 5 parcels are protected by
12 deed restriction for wetland habitat protection purposes; and

13 **WHEREAS**, at its June ____, 2012, meeting the SBCFSA board considered this ordinance and
14 recommended _____; and

1 **WHEREAS**, the Kenai Peninsula Borough Planning Commission at its regular scheduled meeting
2 of July 16, 2012, recommended _____;

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

5 **SECTION 1.** That the purchase and acceptance of the following described real property on
6 behalf of the Seward-Bear Creek Flood Service Area (SBCFSA) is in the best
7 interest of the Borough:

8 Lots 1 through 12, Block 1; Lots 2 through 5, Block 3; and Lots 12 through 19, Block
9 4 of The STEWART SUBDIVISION, according to the official plat thereof, filed
10 under Plat Number S-11, records of the Seward Recording District, Third Judicial
11 District, State of Alaska,

12 EXCEPTING THEREFROM that portion of Lot 5, Block 3 and those portions of
13 Lots 18 and 19, Block 4 acquired by the State of Alaska for Nash Road by
14 Declaration of Taking recorded January 25, 1971 in Book 50 at Page 186;

15 AND

16 That portion of the West One-half (W $\frac{1}{2}$) of the West One-half (W $\frac{1}{2}$) of Section 26,
17 Township 1 North, Range 1 West, Seward Meridian, records of the Seward
18 Recording District, Third Judicial District, State of Alaska, more particularly
19 described as follows:

20 All of that land lying in that certain 940 foot strip of land constituting the remainder
21 of the West One-half (W $\frac{1}{2}$) of the West One-half (W $\frac{1}{2}$) of said Section, lying west of
22 the Stewart Subdivision, Plat S-11, and lying North and West of the Alaska Railroad
23 Right- of-way, and which is East of the center line of Clear Creek or its projection
24 thereof into Salmon Creek;

1 EXCEPTING THEREFROM that portion conveyed to MARY ANN BALMAT, by
2 Warranty Deed recorded October 24, 1951 in Book 15 at Page 295;

3 FURTHER EXCEPTING THEREFROM the BOGARD SUBDIVISION, according
4 to Plat S-89, Seward Recording District, Third Judicial District, State of Alaska; and

5 FURTHER EXCEPTING THEREFROM Lot 29A and Tract L-1, FOLZ
6 SUBDIVISION, CONANT REPLAT, according to Plat 2003-5, Seward Recording
7 District, Third Judicial District, State of Alaska.

8 **SECTION 2.** That this acquisition is for the purpose of wetland preservation and flood mitigation.

9 **SECTION 3.** That the proposed classification of this land is government.

10 **SECTION 4.** That the terms and conditions substantially in the form of the Purchase Agreement
11 accompanying this ordinance are hereby approved.

12 **SECTION 5.** That \$27,700 is appropriated from SBCFSA fund balance 259.00000.00000.27910
13 into account 259.21212.00000.48610 for the purpose of this acquisition.

14 **SECTION 6.** The land acquired by Kenai Peninsula Borough on behalf of the SBCFSA is as
15 follows:

Parcel ID	Acres	Purchase Price	Funding Source
14412037	4.10	\$2,300	SBCFSA
14412038	3.00	\$1,900	SBCFSA
14412019	2.50	\$12,700	SBCFSA
14403014	53.00	\$10,200	SBCFSA
Est. Closing Cost	N/A	\$600	SBCFSA
TOTAL	62.6	\$27,700	

1 **SECTION 7.** The land being accepted from The Conservation Fund (TCF) is as follows:

Parcel ID	Acres	Donated Value	Funding Source
14411002	8.19	\$25,400	TCF
14411001	35.78	\$43,000	TCF
14412018	33.93	\$89,600	TCF
14412035	4.97	\$37,800	TCF
14412036	4.97	\$18,300	TCF
Est. Closing Cost	N/A	\$1,600	TCF
TOTAL	87.84	\$215,700	

2 **SECTION 8.** That the mayor is authorized to execute the purchase agreement substantially in the
3 form of the one accompanying this ordinance, and any and all documents necessary
4 to effectuate this ordinance and accept the land donated by The Conservation Fund.

5 **SECTION 9.** This ordinance shall take effect immediately upon enactment.

6 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY**
7 **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*
Craig Chapman, Director of Finance *C Chapman*
Max Best, Director of Planning *MB*
Marcus Mueller, Land Management Officer *MM*

FROM: *KS* Keith Snarey, Land Management Agent

DATE: June 7, 2012

SUBJECT: Ordinance 2012-19-16, Approving the acquisition of real property along Salmon Creek for flood mitigation and appropriating \$27,700 from Seward Bear Creek Flood Service Area for the acquisition of four parcels and approving contributions from The Conservation Fund for the acquisition of five additional parcels

The Seward Bear Creek Flood Service Area (SBCFSA) has identified nine parcels of land in common ownership to acquire for the purposes of flood mitigation. Land Management has negotiated a Purchase Agreement for these parcels at their assessed values.

The SBCFSA board at its October 3, 2011 meeting unanimously passed a motion recommending spending up to \$30,000 to purchase property along Salmon Creek. Subsequent discussions with the Army Corp of Engineers unveiled additional monies, known as in-lieu fee monies, that are available through The Conservation Fund. The Conservation Fund, which is a non-profit organization, will contribute \$215,700 to purchase an additional five parcels. These parcels will have restrictions that ensure the protection of wetland habitat. The four parcels purchased with SBCFSA funds will have an unrestricted title.

The attached ordinance appropriates \$27,700 from the SBCFSA for this acquisition and approves the purchase of four parcels with SBCFSA funds and five parcels to be purchased with The Conservation Fund's in-lieu fee monies. Your consideration of this ordinance is appreciated.

FINANCE DEPARTMENT FUNDS VERIFIED \$	
Acct. No.	<u>259.00000.00000-27910</u>
Amount	<u>\$ 27,700</u>
By:	<u><i>C Chapman</i></u> Date: <u>6/7/2012</u>

PURCHASE AGREEMENT

This Purchase Agreement ("Agreement") is effective on this _____ day of _____, 2012, by and between JAMES A. STEWART, whose address is PO BOX 124, San Ramon, CA 94583; MARGUERITE STEWART, Trustee of the 1985 Stewart Family Trust, whose address is 11821 Gothic Ave., Granada Hills, CA 91344; DIANNE A. PITTS, whose address is 21044 Four Wheel Drive, Chugiak, AK 99567-5670; and SUZANNE C. CRADY, who acquired title as SUZANNE C. CHAVEZ, whose address is PO BOX 1938, Orofino, ID 83544-1938, hereinafter collectively referred to as "SELLER", and the KENAI PENINSULA BOROUGH, an Alaska municipal corporation, whose address is 144 North Binkley Street, Soldotna, Alaska 99669, hereinafter referred to as "KPB".

WHEREAS, SELLER is the owner of certain real properties located in the Seward Recording District, Third Judicial District, State of Alaska, collectively referred to as the "Property", and more particularly described as follows:

Lots 1 through 12, Block 1; Lots 2 through 5, Block 3; and Lots 12 through 19, Block 4 of the STEWART SUBDIVISION, according to the official plat thereof, filed under Plat Number S-11, records of the Seward Recording District, Third Judicial District, State of Alaska,

EXCEPTING THEREFROM that portion of Lot 5, Block 3 and those portions of Lots 18 and 19, Block 4 acquired by the State of Alaska for Nash Road by Declaration of Taking recorded January 25, 1971 in Book 50 at Page 186;

AND

That portion of the West One-half ($W\frac{1}{2}$) of the West One-half ($W\frac{1}{2}$) of Section 26, Township 1 North, Range 1 West, Seward Meridian, records of the Seward Recording District, Third Judicial District, State of Alaska, more particularly described as follows:

All of that land lying in that certain 940 foot strip of land constituting the remainder of the West One-half ($W\frac{1}{2}$) of the West One-half ($W\frac{1}{2}$) of said Section, lying west of the Stewart Subdivision, Plat S-11, and lying North and West of the Alaska Railroad Right-of-way, and which is East of the center line of Clear Creek or its projection thereof into Salmon Creek;

EXCEPTING THEREFROM that portion conveyed to MARY ANN BALMAT, by Warranty Deed recorded October 24, 1951 in Book 15 at Page 295;

FURTHER EXCEPTING THEREFROM the BOGARD SUBDIVISION, according to Plat S-89, Seward Recording District, Third Judicial District, State of Alaska; and.

FURTHER EXCEPTING THEREFROM Lot 29A and Tract L-1, FOLZ SUBDIVISION, CONANT REPLAT, according to Plat 2003-5, Seward Recording District, Third Judicial District, State of Alaska;

as shown in Exhibit A as attached hereto and incorporated by reference herein.

WHEREAS, subject to Assembly authorization and appropriation of funds, KPB has offered to buy and SELLER is willing to sell the Property as evidenced by this Agreement;

NOW THEREFORE, in consideration of the promises herein contained, SELLER hereby agrees to sell to KPB and KPB hereby agrees to buy from SELLER the Property on the terms and conditions as set forth below:

1. PURCHASE PRICE

The purchase price of the Property is Two Hundred Forty One Thousand Two Hundred Dollars and NO cents (\$241,200.00). The purchase price shall be paid by KPB at time of closing. The purchase of the Property and appropriation for the purchase are subject to borough assembly approval.

2. TITLE

Title shall be delivered at time of closing by Warranty Deed, which shall be issued to KPB substantially in the form of exhibits B&C attached hereto and incorporated by reference herein. SELLER warrants and covenants that at the time of closing there shall be no liens or judgments recorded against SELLER in the same recording district in which the Property subject to this Agreement is situated. Title shall be clear of liens and encumbrances except title is subject to reservations, easements, rights-of-way, covenants, conditions and restrictions of record.

3. ESCROW AND CLOSING COSTS

In addition to the purchase price, KPB agrees to pay for one-half closing costs in connection with this Agreement, including without limitation all escrow fees, title insurance charges, recording fees and bank charges up to \$2,500. Property taxes will be prorated. All costs will be paid in full at the time of closing.

4. CLOSING

Unless otherwise agreed in writing, closing will occur within 90 days of execution of the Purchase Agreement. At closing, KPB will pay the balance of the purchase price. Both parties will execute all documents required to complete the Purchase Agreement and, if applicable, establish an escrow account.

5. POSSESSION

Possession shall be delivered to KPB at time of recording.

6. KENAI PENINSULA BOROUGH ASSEMBLY APPROVAL

Purchase of the Property by the Kenai Peninsula Borough is subject to authorization by the Kenai Peninsula Borough Assembly and appropriation of funds. If the Kenai Peninsula Borough Assembly fails to authorize the purchase of the subject land and appropriate funds, this Agreement shall be terminated without penalty.

7. HAZARDOUS MATERIAL

SELLER covenants, to the best of SELLER'S knowledge, that as of the date of this Agreement, except as specifically identified herein, the Property is free of all contamination from petroleum products or any hazardous substance or hazardous waste, as defined by applicable state or federal law, and there are no underground storage tanks or associated piping on the Property. SELLER agrees that no hazardous substances or wastes shall be located on or stored on the Property or any adjacent property by SELLER, owner or contractors, nor shall any such substance be owned, stored, used, or disposed of on the Property or any adjacent property by SELLER, its agents, employees, contractors, or invitee's prior to KPB'S ownership, possession, or control of the Property.

8. INSPECTION

SELLER hereby authorizes KPB its contractor or Agent to enter the Property for the purpose of conducting physical inspection of the Property which may include digging holes provided that the Property is returned to its original condition.

9. ENTIRE AGREEMENT

This Agreement and the documents referred to herein contain the entire agreement of the parties with respect to the subject matter hereof. Any changes, additions or deletions hereto must be made in writing and signed by both KPB and SELLER or their respective successors in interest. Provisions of this

Agreement, unless inapplicable on their face, shall be covenants constituting term and conditions of the sale and shall continue in full force and effect until the purchase price is paid in full or this Agreement is earlier terminated.

10. BREACH REMEDY

Prior to Closing of the sale, in the event that KPB or SELLER fails to make any payment required or fails to submit or execute any and all documents and papers necessary for closing and transfer of title within the time period specified in this Agreement, either SELLER or KPB may terminate this Agreement.

11. MISCELLANEOUS

- A. Time. Time is of the essence in performance of this Agreement.
- B. Cancellation. This Agreement, while in good standing, may be canceled in whole or in part, at any time, upon mutual written agreement by SELLER and the KPB mayor. This Agreement is subject to cancellation in whole or in part if improperly issued through error in procedure or with respect to material facts.
- C. Notice. Any notice or demand, which under the terms of this Agreement or under any statute must be given or made by the parties hereto, shall be in writing and be given or made by registered or certified mail, addressed to the their party at the address shown in this Agreement. However, either party may designate in writing such other address to which such notice of demand shall thereafter be so given, made or mailed. A notice given hereunder shall be deemed received when deposited in a U.S. general or branch post office by the addresser.
- D. Interpretation. This Agreement shall be deemed to have been jointly drafted by both parties. It shall be construed according to the fair intent of the language as a whole, not for or against any party. The interpretation and enforcement of this Agreement shall be governed by the laws of the State of Alaska. The titles of sections in this Agreement are not be to construed as limitations of definitions but are for identification purposes only.

This Agreement has been executed by the parties effective on the day and year first above written.

///

///

SELLER:

James A. Stewart
James A. Stewart

Dated: 5-10-12

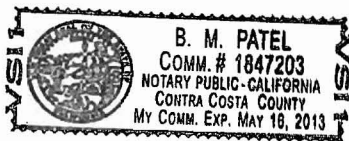
NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
CONTRA COSTA COUNTY)

On 5/10/2012 2012, before me, B. M. PATEL, a notary public, personally appeared James A. Stewart, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal Above

Signature B. M. Patel
Signature of Notary Public

SELLER:

Marguerite Stewart
Marguerite Stewart as Trustee of the 1985
Stewart Family Trust

Dated: May 3 2012

NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
LOS ANGELES COUNTY)

PURCHASE AGREEMENT

On 05/03/ 2012, before me, Michal Holland, a notary public, personally appeared Marguerite Stewart, ~~Trustee of the 1985 Stewart Family Trust~~, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal Above

Signature Michal Holland
Signature of Notary Public

SELLER:

Suzanne C. Crady

Suzanne C. Crady who acquired title as Suzanne C. Chavez

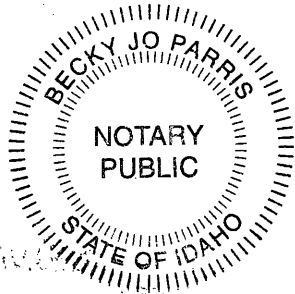
Dated: *May 2, 2012*

NOTARY ACKNOWLEDGMENT

STATE OF IDAHO)
) ss.
COUNTY OF CLEARWATER)

On this 2 day of May in the year 2012, before me, the undersigned Notary Public for Idaho, personally appeared Suzanne C. Crady, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF I have set my hand and affixed my official seal the day and year above first written.



Becky Jo Parris
Notary Public for the State of Idaho
My commission expires: 06/13/14

KENAI PENINSULA BOROUGH

Mike Navarre, Mayor

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Johni Blankenship,
Borough Clerk

Holly B. Montague,
Deputy Borough Attorney

NOTARY ACKNOWLEDGEMENT

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Mike Navarre, Mayor of the Kenai Peninsula Borough, an Alaska municipal corporation, for and on behalf of the corporation.

Notary Public for the State of Alaska
My commission expires: _____

EXHIBIT A

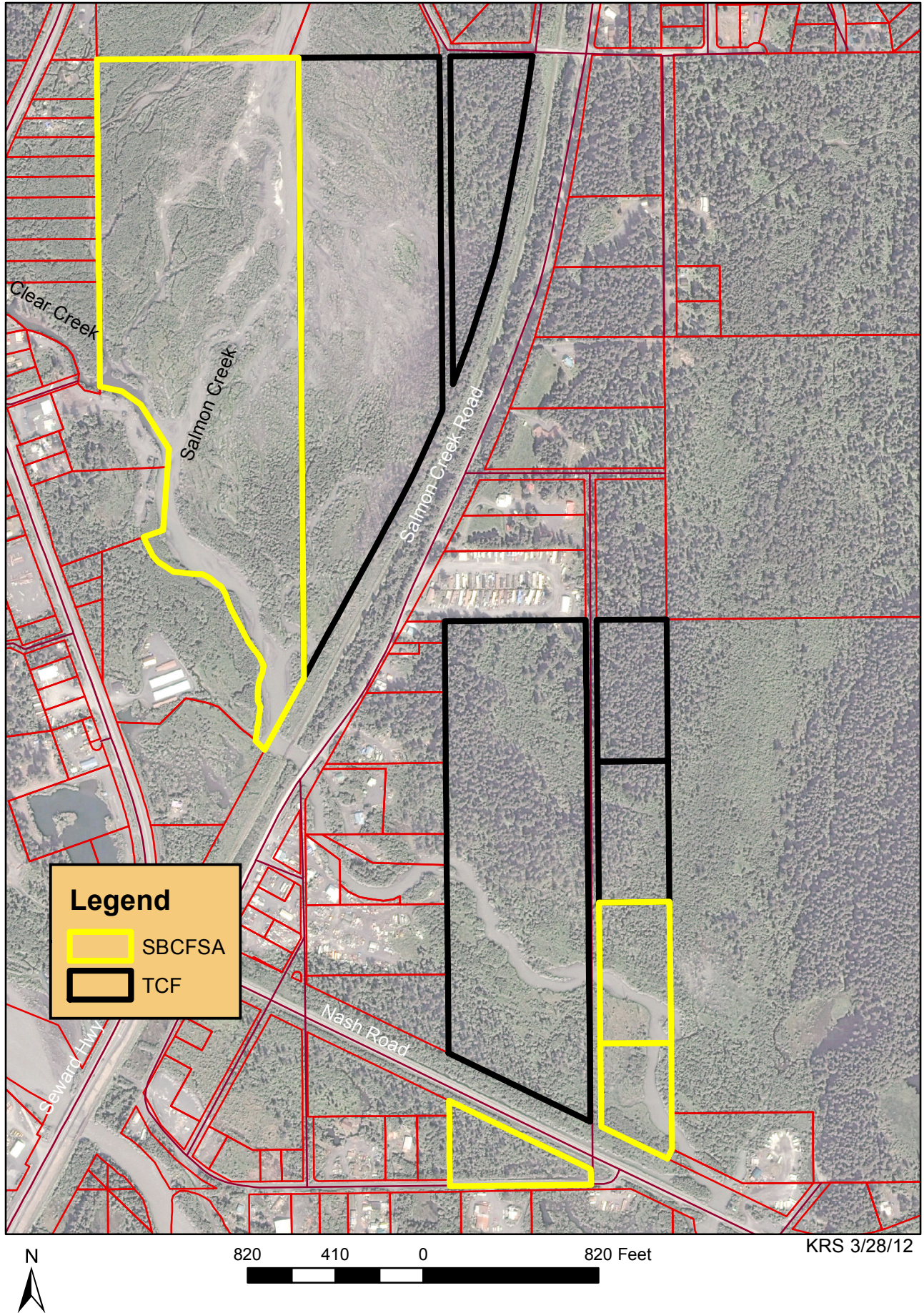


EXHIBIT B

LMD 10-46

WARRANTY DEED

The GRANTOR, JAMES A. STEWART, a single person, whose address is PO BOX 124, San Ramon, CA 94583; MARGUERITE STEWART, Trustee of the 1985 Stewart Family Trust, whose address is 11821 Gothic Ave., Grenada Hills, CA 91344; DIANNE A. PITTS, whose address is 21044 Four Wheel Dr., Chugiak, AK 99567-5670; and SUZANNE C. CHAVEZ, whose address is PO BOX 1938, Orofino, ID 83544-1938, ("GRANTOR") for ten dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, and pursuant to Assembly Ordinance 2012-___ conveys and warrants unto the GRANTEE, KENAI PENINSULA BOROUGH, ("KPB"), an Alaska municipal corporation, whose address is 144 North Binkley Street, Soldotna, Alaska 99669 the following described real Property:

That portion of the West one-half (W1/2) of the West one-half (W1/2) of Section 26, Township 1 North, Range 1 West, Seward Meridian, Records of the Seward Recording District, Third Judicial District, State of Alaska, more particularly described as follows:

All that land lying in the certain 940 foot strip of land constituting the remainder of the West One-half (W1/2) of the West One-half (1/2) of said Section, lying North of the Alaska Railroad Right of Way, lying East of Clear Creek and lying East of Salmon Creek where Clear Creek and Salmon Creek cojoin and become solely Salmon Creek;

EXCEPTING THEREFROM that portion within the boundaries of STEWART SUBDIVISION, Plat S-11;

FURTHER EXCEPTING THEREFROM that portion conveyed to MARY ANN BALMAT, by Warranty Deed Recorded October 25, 1951 in Book 15 at Page 295;

FURTHER EXCEPTING THEREFROM Lot 2, BOGARD SUBDIVISION, according to Plat S-89, Seward Recording District, Third Judicial District, State of Alaska; and

FURTHER EXCEPTING THEREFROM Lot 29A and Tract L-1, FOLZ SUBDIVISION, CONANT REPLAT, according to Plat 2003-5, Seward Recording District, Third Judicial District, State of Alaska.

Lots 4 and 5, Block 3 STEWART SUBDIVISION, according to the official plat thereof, filed under Plat Number S-11, Records of the Seward Recording District, Third Judicial District, State of Alaska,

Lying South of Nash Road Right-of-Way as described by the Declaration of Taking recorded January 25, 1971 in Book 50R at Page 186;

TOGETHER WITH all the improvements thereon, if any, and all rights of the Grantor to any and all hereditaments and appurtenances hereto, and

SUBJECT TO any taxes and assessments, exceptions, reservations, restrictions, rights of entry, conditions, covenants, easements, rights-of-way, encroachments either of record or ascertainable by physical inspection.

GRANTOR:

James A. Stewart

Dated: _____

NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of
_____, 2012, by James A. Stewart.

Notary Public for the State of California
My commission expires: _____

GRANTOR:

Marguerite Stewart as Trustee of the
Stewart Family Trust

Dated: _____

NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Marguerite Stewart, Trustee of the Stewart Family Trust.

Notary Public for the State of California
My commission expires: _____

GRANTOR:

Dianne A. Pitts

Dated: _____

NOTARY ACKNOWLEDGMENT

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Dianne A. Pitts

Notary Public in and for Alaska
My commission expires: _____

GRANTOR:

Suzanne C. Chavez

Dated: _____

NOTARY ACKNOWLEDGMENT

STATE OF IDAHO)
) ss
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Suzanne C. Chavez.

Notary Public for the State of Idaho
My commission expires: _____

ACCEPTANCE:

KENAI PENINSULA BOROUGH:

Mike Navarre, Mayor

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Johni Blankenship,
Borough Clerk

Holly B Montague,
Deputy Borough Attorney

NOTARY ACKNOWLEDGMENT

STATE OF ALASKA)
)ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012 by Mike Navarre, Mayor of the Kenai Peninsula Borough, an Alaska municipal corporation, for and on behalf of the corporation.

Notary Public in and for Alaska
My commission expires: _____

Please return to: Kenai Peninsula Borough
144 North Binkley Street
Soldotna, Alaska 99669

EXHIBIT C

LMD 10-46

WARRANTY DEED

The GRANTOR, JAMES A. STEWART, a single person, whose address is PO BOX 124, San Ramon, CA 94583; MARGUERITE STEWART, Trustee of the 1985 Stewart Family Trust, whose address is 11821 Gothic Ave., Grenada Hills, CA 91344; DIANNE A. PITTS, whose address is 21044 Four Wheel Dr., Chugiak, AK 99567-5670; and SUZANNE C. CHAVEZ, whose address is PO BOX 1938, Orofino, ID 83544-1938, ("GRANTOR") for ten dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, and pursuant to Assembly Ordinance 2012-___ conveys and warrants unto the GRANTEE, KENAI PENINSULA BOROUGH, ("KPB"), an Alaska municipal corporation, whose address is 144 North Binkley Street, Soldotna, Alaska 99669 the following described real Property:

Lots 1 through 8, Block 1 STEWART SUBDIVISION, according to the official plat thereof, filed under Plat Number S-11, Records of the Seward Recording District, Third Judicial District, State of Alaska;

Lots 9 through 12, Block 1 STEWART SUBDIVISION, according to the official plat thereof, filed under Plat Number S-11, Records of the Seward Recording District, Third Judicial District, State of Alaska;

Lots 2 and 3, Block 3 STEWART SUBDIVISION, according to the official plat thereof, filed under Plat Number S-11, Records of the Seward Recording District, Third Judicial District, State of Alaska;

AND

Lots 12 through 19, Block 4 STEWART SUBDIVISION, according to the official plat thereof, filed under Plat Number S-11, Records of the Seward Recording District, Third Judicial District, State of Alaska,

Lying North of Nash Road Right-of-Way as described by the Declaration of Taking recorded January 25, 1971 in Book 50R at Page 186;

Hereinafter the "Property".

TOGETHER WITH all the improvements thereon, if any, and all rights of the Grantor to any and all hereditaments and appurtenances hereto, and

SUBJECT TO any taxes and assessments, exceptions, reservations, restrictions, rights of entry, conditions, covenants, easements, rights-of-way, encroachments either of record or ascertainable by physical inspection.

FURTHER SUBJECT TO the following deed restrictions:

GRANTEE declares the following restriction on its title which shall run with the land:

1. The conveyance is made for the purpose of protecting the Property in perpetuity as a wetland conservation area. The Property is intended to be protected in its natural condition for preservation of the surface resources, vegetative cover, habitat for fish and wildlife, and wetland, hydrologic and other water quality values of the Property.

2. The following listed activities are prohibited on the Property except as determined by the Grantee, its successors or assigns to be necessary for perpetuation of the intended use of the Property as a wetland conservation area.

(i) constructing or placing any buildings, structures or other fixtures on the land that are not necessary for protecting the Property as set forth in paragraph 1;

(ii) allowing any developmental uses of the Property, including extraction of any surface or subsurface resources for commercial purposes unless those uses are guaranteed by state and federal law;

(iii) removing, destroying or cutting trees, plants or vegetative cover unless done as a fish or wildlife enhancement project or flood mitigation project and provided it does not detract from the protection of this Property as a wetlands conservation area;

(iv) introducing fish, wildlife or plants that are not indigenous to the Kenai Peninsula, Alaska, including, but not limited to, the grazing of domestic animals;

(v) dumping, discharge or disposal of refuse, garbage, trash, including inoperative or abandoned vehicles, or any substances regulated under state or federal hazardous waste laws;

(vi) storage or warehousing of fuel, or radioactive, noxious, hazardous, toxic, or other waste materials and refuse.

3. Notwithstanding paragraphs 1 & 2 above, Grantee shall have the right to use, or contract for the use of the Property to access flooded or flood prone areas for the purpose of flood mitigation and response activities as required. This includes,

GRANTOR:

Dianne A. Pitts

Dated: _____

DRAFT

NOTARY ACKNOWLEDGMENT

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Dianne A. Pitts

Notary Public in and for Alaska
My commission expires: _____

GRANTOR:

Suzanne C. Chavez

Dated: _____

DRAFT

NOTARY ACKNOWLEDGMENT

STATE OF IDAHO)
) ss
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Suzanne C. Chavez.

Notary Public for the State of Idaho
My commission expires: _____

ACCEPTANCE:

KENAI PENINSULA BOROUGH:

Mike Navarre, Mayor

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Johni Blankenship,
Borough Clerk

Holly B Montague,
Deputy Borough Attorney

NOTARY ACKNOWLEDGMENT

STATE OF ALASKA)
)ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012 by Mike Navarre, Mayor of the Kenai Peninsula Borough, an Alaska municipal corporation, for and on behalf of the corporation.

Notary Public in and for Alaska
My commission expires: _____

Please return to: Kenai Peninsula Borough
 144 North Binkley Street
 Soldotna, Alaska 99669

THE CONSERVATION FUND

BRAD A. MEIKLEJOHN
ALASKA REPRESENTATIVE
2727 HILAND ROAD
EAGLE RIVER, ALASKA 99577
(907) 694-9060
BRADMEIKLEJOHN@AOL.COM

May 31, 2012

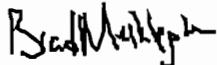
Keith Snarey
Land Management Agent
Kenai Peninsula Borough
144 North Binkley
Soldotna, Alaska 99669

RE: Commitment of Funds for Purchase of Lands in Seward

Dear Mr. Snarey,

This letter confirms the commitment of The Conservation Fund to provide \$215,700.00 to the Kenai Peninsula Borough for the purchase of lands at Salmon Creek in Seward, Alaska. These funds result from compensatory mitigation for impacts to wetlands and are to be used for the protection of high-value wetlands. The funds will be provided at closing to First American Title.

Sincerely,



Brad Meiklejohn
Alaska Representative



**Kenai Peninsula Borough
Seward/Bear Creek Flood Service Area**

302 Railway Ave, Suite 123, P.O. Box 1554
Seward, Alaska 99664
(907) 224-3340 (Fax) 224-5197
www.sewardbearcreekfloodservicearea.org

Memorandum

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

THRU: Mike Navarre, Mayor
Marcus Mueller, Land Management Officer

FROM: Bill Williamson, Chairman *BWL*

DATE: 24 May 2012

SUBJECT: Acquisition of Salmon Creek Parcels

At the October 3, 2011 regular board meeting for the Seward/Bear Creek Flood Service Area, a motion to purchase for \$30,000 property owned by James Stewart, et al. passed unanimously.

The Service Area submitted a request for the 2012 State Capital Improvement Projects for the acquisition of flood prone properties along Salmon Creek. This request included the nine parcels of land owned by James Stewart, et al. The Service Area was presented with an opportunity to partner with The Conservation Fund to acquire these properties with Section 404 Clean Water Act compensatory mitigation funds. This partnership will meet the Service Area goal of preventing future flood damage by prohibiting new development within the floodplain.

**SEWARD / BEAR CREEK FLOOD SERVICE AREA
REGULAR BOARD MEETING
SEAVIEW PLAZA BUILDING, SUITE 122
MEETING MINUTES
3 October 2011**

A. CALL TO ORDER

The meeting was called to order at 7:00PM.

B. ROLL CALL

BOARD MEMBERS

Bill Williamson, Chairman
Bob White, Vice Chairman
Randy Stauffer
Matt Hall
John Eads

STAFF

Stephanie Presley
Service Area Coordinator

BOROUGH STAFF

Dan Mahalak, Water Resources Manager, KPB River Center

C. APPROVAL OF AGENDA

Chairman Bill Williamson called for approval of the agenda.

Vice Chairman Bob White moved to approve the agenda as written.

The motion was seconded and unanimously approved.

D. APPROVAL OF MINUTES

Meeting minutes from 9/26/11 not yet available.

E. REPORTS

• **Kenai Peninsula Borough**

Sue McClure, KPB Assembly Member reported Seward's Assistant City Manager has resigned. She does not know what the status of city involvement will be during the transition with city manager, assistant city manager and with the pending election. She has already talked to city council members about making one of the vacant board seats an "at large" seat to be filled by a resident of the city or the service area. She asked for a letter to the city council requesting one of the city seats be changed to an at large seat. She stated this was a good compromise. She stated she was happy the Borough came over to respond to the flooding and has heard reactions from residents complementing the borough with all the attention they have been paying to our area.

**SEWARD / BEAR CREEK FLOOD SERVICE AREA
REGULAR BOARD MEETING
SEAVIEW PLAZA BUILDING, SUITE 122**

- **Dan Mahalak, Water Resources Manager, KPB River Center** stated he had nothing to report.

F. PUBLIC COMMENTS

Bob Valdatta stated his property out on Sawmill Creek upstream of Nash road flooded during the last rain. There was water in his house. A neighbor has removed gravel from upstream.

G. BOARD'S RESPONSE TO PUBLIC COMMENTS

Bill Williamson asked Dan Mahalak to go take a look to see what it will take to get a permit. No one should do anything until the current situation is done.

Randy Stauffer commented that the City of Seward should be kept as a permanent line item on the agenda under Reported to give a venue for the City to report. Added he agreed with Sue McClure's comment about creating an at large seat is a good compromise. He asked if the board needs to vote on creating a letter for Sue to take to the city council.

Bill Williamson stated the board has already taken action on this.

Mac Eads commented that we had just missed a flood. It was close, it was coming over the bank and running down the driveway. Thankfully the sun started to shine.

Matt Hall commented he was almost off the flood board, and was sad he got the call from Stephanie who promised cookies.

Bob White commented that Sawmill Creek was one of the pieces left out of the latest US Army Corps of Engineer's Planning Assistance to Stated Report. Mr. Valdatta is one of the dwellings at risk there. There is also a tipping point in Glacier Creek. It is important to keep maintenance in the upper reaches of Kwechak Creek to protect that area.

H. CORRESPONDENCE & PAYMENT REQUESTS

- **Borough Mayor Letter**
Stephanie Presley reported a letter from the Mayor was received the 26th.

Bill Williamson stated the letter was addressed to him. He has asked for a chance to speak to the mayor and the phone call has not been returned. As discussed last week, in an area out by Bear Creek, the water was messing with the tracks. The people where the water broke through behind their house called. There was a response from Bear Creek, and there was no immediate danger, but they did not see where the water

**SEWARD / BEAR CREEK FLOOD SERVICE AREA
REGULAR BOARD MEETING
SEAVIEW PLAZA BUILDING, SUITE 122**

was going and where it was ending up at the lower end of the valley. Mr. Williamson went out to look and the water was underneath the rails on the railroad, so he called Mr. Dieckgraeff to put a 9 in to plug the hole, to braid the stream back to keep it from going down one channel. The neighbors had called Emergency Management and they had been told OEM would need up to five days before they could get a permit to come down to respond. Mr. Williamson made the judgment call to put the cat in. He did not call the River Center because he did not have time and had to get back to work. Two hours later, Mr. Bevington drove over and told him to get out of the creek, and they did. This is the consequence of not having a permit. The next page is an email John Mohorcich sent for the service area needs to do to make the calculations to get the right permit. The next page is a bill from Metco to do the work for \$1,275. He would like the board to approve payment, otherwise he will pay it himself.

- **Metco Payment**

Randy Stauffer asked if Mr. Williamson called Metco as a representative of the flood service board.

Bill Williamson answered yes, he felt he was representing the board, because he was called by citizens to take a look because no one in the borough was doing anything. If the board is concerned about the property owners, he has a management agreement with the property owners to maintain any work needed for the property at risk.

Bob White stated if the Borough was concerned or responsive to the board, other than saying five days. The work done by the Borough in Clear Creek took a lot of screaming and yelling to get work done when houses and businesses completely surrounded by water.. Because this happened late in the season, properties didn't lose money, but it has happened in the past. The Borough stonewalling or ignorance is frustrating and about time for it to be done with. Taking the action to save the Railroad, the Highway and Bear Creek Fire Department, and we get spanked for it. He doesn't agree with it.

Matt Hall commented it takes the Borough five days for them to get a permit, but we hop in the creek and it takes them two hours to get over here.

John Eads commented that a flood doesn't give a person time to get all those permits. We have to do the work when we can.

Bob White stated that we need cooperation from the Borough, we do not need them to fight with us.

Bob White called for a motion to pay the bill.

Randy Stauffer seconded the motion. He commented if the board votes to pay this bill, it might be appropriate to respond with a letter to the River Center, explaining

**SEWARD / BEAR CREEK FLOOD SERVICE AREA
REGULAR BOARD MEETING
SEAVIEW PLAZA BUILDING, SUITE 122**

officially why these actions were taken and why it was necessary. The letters from the Mayor and the Floodplain Administrator saying we were in the creek without a permit are true, and if they are in fact doing their job, they have to write these letters, because if it comes down to the issue of does the borough enforce these rules, these letters indicate they do want to enforce the permits. They picked a time to enforce the permits that was inappropriate.

Bill Williamson responded that he was more than willing to accept a citation, admitted to taking this action, and the Borough representative was told why it was necessary at the time, but Mr. Mohorcich decided to go further with it.

Randy Stauffer stated that since we are responsible for tax payer money, we need to put on record why we needed to do the work.

Dan Mahalak reported we received an email from River Center staff and other regulatory agencies involved in the permitting asking for us to provide some basic pre and post information of the activities of the 21st to receive a permit for the work. The Kwechak Creek permit listed later on the agenda is being held up until this issue is resolved.

Bob White suggested sending a notification to all the people who are at risk due to the lack of the work being done up Kwechak Creek, saying the Borough is being obstructionist in preventing future flooding in the area, and give the phone numbers for people to call.

The motion was unanimously approved.

I. PERMITS FOR REVIEW

- **Kwechak Creek Project**

Dan Mahalak reported we filed for a permit last Friday to complete work in Kwechak Creek. This permit has been placed on AI status “additional information required”. Conditional information is required to show the pre-existing conditions the area was in before the work was completed. This permit is in “AI” because it encompasses the same area where the unauthorized work took place.

Randy Stauffer asked what information was requested on September 23rd by the River Center.

Dan Mahalak reported what information had been requested.

Randy Stauffer stated the board needs to explain what was done, and why it was done. The board should provide what information we have. If the River Center wants to hold up other permitting, then he agrees with Mr. White that it is obstructionism.

**SEWARD / BEAR CREEK FLOOD SERVICE AREA
REGULAR BOARD MEETING
SEAVIEW PLAZA BUILDING, SUITE 122**

Bob White asked if the work done two weeks prior by the Office of Emergency Management aggravated this problem. They have some culpability as well if they did the work due to flawed engineering or advice.

Bill Williamson responded that due to the way the gravel was moved, it was unbalanced and made the river move to one side. The amount of money appropriated for the emergency response was not enough. After the emergency work, he wanted to have a meeting to appropriate money to continue the work downstream and finish the project, but there was no meeting. They weren't able to finish the job due to lack of funds, and the board was not able to meet and vote on finishing the project.

Randy Stauffer stated that all this needs to be put into our report.

Bill Williamson stated he will work with Dan to get this finished. The permit application on page 5 of the packet for the proposed area is to go back and repair the problem we have right now.

Randy Stauffer asked if the board had already approved this work two years ago, but because of permitting, we haven't been able to do it.

Dan Mahalak responded the board did approve work to be done in Kwechak, the work was done with a D9 pushing up both sides, and it hasn't been done again.

Bill Williamson added that the board did approve work up above the bridge, but this permit application is for work below the bridge.

Dan Mahalak stated that this project should not take more than two days.

Randy Stauffer asked what kind of funds are needed and if the board has funds available.

Stephanie Presley stated she does not have the financial report with her, but that we do have funds available and will check after the meeting.

Dan Mahalak stated it should take about \$10,000.

Bob White moved to fund the project for \$10,000 cap.

The motion was seconded and unanimously approved.

J. OLD BUSINESS

- **Stewart Properties**

**SEWARD / BEAR CREEK FLOOD SERVICE AREA
REGULAR BOARD MEETING
SEAVIEW PLAZA BUILDING, SUITE 122**

Bill Williamson stated that last week a motion was on the table to purchase the 53 acre parcel for \$30,000.

Oliver Kunitake asked to see what the entire three parcels would cost.

Bob White responded that the information was on the sheet he gave Mr. Kunitake.

Bill Williamson asked for a motion to purchase the 53 acres, so if there is another problem in Clear Creek, the board can go in there and do the work that needs to be done.

Randy Stauffer moved to offer to purchase the 53 acres.

Matt Hall seconded the motion.

Randy Stauffer commented that the board is using local funds to purchase the property and the land is going to the Borough, and the land will be owned by all the citizens of the Borough, even though local citizens will pay for it. He asked what guarantees does the board have from the Borough to be able to utilize the land for flood mitigation projects or possibly to store materials. He asked what the board could do to ensure the land be used for the benefit of this community.

Bill Williamson stated the reason land is being bought is for flood mitigation. He added that somewhere in the language, maybe with Borough Land Management, or the assembly, there should be a written contract that this land should be put into a land bank and could not be sold again. He stated there may need to be a resolution and that tonight the board is voting to purchase the land, but the board should investigate language that will set it aside for flood mitigation.

Bob White stated the board may be able to use the same stipulations in the Old Mill buyout as far as what can be stored there, and what it can be used for. He added one flaw in that agreement is that the board cannot store materials on the land. He stated an agreement should be possible so the board can use the land for flood mitigation. He added there is a lot of gravel coming down Salmon Creek that will need to be moved out of the way.

Randy Stauffer asked if the board obtains this land, will the board have access to it.

Bill Williamson stated there are two lots owned by the Borough and there can be access to that property. The board would not need to come in from the other side.

Bob White commented there may need a bridge because there is a stream there.

Randy Stauffer asked if the board can get across there, not a political problem, but if there is a natural problem.

**SEWARD / BEAR CREEK FLOOD SERVICE AREA
REGULAR BOARD MEETING
SEAVIEW PLAZA BUILDING, SUITE 122**

Bob White stated that a CAT could get through there.

Bill Williamson stated that there is access.

Oliver Kunitake's comments that the board could come in from his property.

Bill Williamson stated that the board could draw up a waiver or an agreement for access to get across his property.

Dan Mahalak shared LIDAR cross section data across two of the parcels. He stated part of the problem at the Clear Creek/Salmon Creek confluence is that the river is higher than the adjacent ground. He stated that to have any kind of effect, the board will need to purchase both properties.

Bob White asked if the other property was put on the wish list.

Bill Williamson stated that the board put this property and others downstream on the capital projects request for the Borough. He added that as the year goes on, the board may have funds available to purchase the other parcel. He stated one of the problems may be that the Office of Emergency Management is about out of money and it looks to them as if the board has a huge bank account. The Borough doesn't want to spend their money over here, and the service area has money and they think the board should be spending it.

Randy Stauffer commented he was surprised by Erik Mohrmann's statement they had used over 50% of Emergency Management funds on the two projects over here. It turned out to be less than \$25,000. He stated if that is all that has been appropriated for emergency response for a fiscal year, then the borough is in a heap of trouble considering wild fires. He continued it was an interesting statement, and he can understand that if Emergency Management has that little funds that he doesn't want to spend their money over here.

Bob White stated \$50,000 is typical and they live on the dependency of disaster declarations to take care of the real work.

Bill Williamson stated the motion on table is to purchase or not the 53 acres.

The motion was unanimously approved.

- **Capital Projects Request**

Stephanie Presley reported drafts of the two capital projects were in the packet. The first is the bed load removal that has been requested the last several years. The second is for purchase of 22 properties to be along Salmon Creek for flood mitigation.

**SEWARD / BEAR CREEK FLOOD SERVICE AREA
REGULAR BOARD MEETING
SEAVIEW PLAZA BUILDING, SUITE 122**

Bob White stated there is one more property in Old Mill, not on the buyout list, due west of Judy Rowe's property. If the board would like to do maintenance out there and haul material, it could be stored there. He continued the property is currently for sale, and someone cleared it and was going to build there. It would be big enough to store materials, and it could be used to put scrapers in there. He stated the board can't leave materials on any of the properties already bought out there.

Randy Stauffer commented that both projects are about \$1,000,000. He asked if the board was going to request one project around \$400,000, so there was some option other than \$1,000,000.

Stephanie Presley reported the assessed value of the 22 properties on the screen add up to \$1,200,000, and with the funds the board has been setting aside to match a large project, the project would come up to \$1,000,000 plus those funds.

Bill Williamson commented we should cut the properties in half and put in for the other half next year.

Bob White asked why the three parcels in a row on the south side of Nash Road were included, and if the board was going to try to let water go under Nash Road.

Bill Williamson stated the board was looking there to get some relief underneath the highway. He asked if there is money available for culverts.

Dan Mahalak reported he had been told that if the board could ascertain property on the south side of Nash Road the board may be able to obtain matching funds for culverts to go through Nash Road.

Bob White commented the impact could be pretty huge because Old Nash is lower than the new Nash. He stated he can see a long fight with those property owners, not to mention the liability if they flooded. He added the two properties on the south side of the road, the hook at the curve of the system, are the only parcels that the board could have an effect. He suggested an additional hundred foot span where the bridge currently exists.

Randy Stauffer stated the board was talking about details, but for the purpose of the capital projects, there are a number of properties to buy to make sure people don't develop those. He stated he was not making comments on Mr. White's comments, but for the purpose of the capital projects, the board may have one of lesser amount.

Dan Mahalak asked if he should send some maps to the board to prioritize properties.

Stephanie Presley stated these requests were due before next meeting.

**SEWARD / BEAR CREEK FLOOD SERVICE AREA
REGULAR BOARD MEETING
SEAVIEW PLAZA BUILDING, SUITE 122**

Bill Williamson commented the board may put in for \$500,000 and take the numbers of properties down. He continued the idea was to start and work down from the confluence of Salmon and Clear Creek and start working down to Resurrection River. Put in for \$500,000 to get it out of the floodplain.

Bob White added to get the properties out of potential development.

Randy Stauffer stated the board should cut this back to \$500,000 or \$600,000 and pick the properties and decide what are the priorities.

Bill Williamson asked Dan Mahalak if he could do this.

Dan Mahalak clarified that he should start at the Stewart Properties and work south until it totaled about \$500,000 of assessed values.

- **Seward PAS Report/ USACE Meeting**

Bill Williamson asked Mr. Mahalak when the USACE meeting would be.

Dan Mahalak reported he had talked to them today, and they are in receipt of verbal comments from the last meeting, combined with the PAS study team members and let them know we need to schedule a meeting. He added he will send the meeting time out via email and would request some board members attend. He stated verbatim from the Corps that if the board wants the Corps to implement any construction projects, the service area will need to conduct another study. The meeting can be scheduled around everyone's schedule and will be held in the service area office.

Bill Williamson stated the some board members will need to attend that meeting.

K. NEW BUSINESS

There was none at this time.

L. INFORMATIONAL ITEMS AND REPORTED (No action required)

- **Coordinator out of office**

Stephanie Presley reported she will attend the Kenai Watershed Symposium.

M. PUBLIC COMMENT

Bob Valdetta commented he doesn't remember when anyone got onto the city about the flood from Ben's Store, where the Y is, from there on to the beach, there's supposed to be someone doing work there every year and no one has ever put pressure on them. He asked where the culverts sitting on Blaine's property are going.

**SEWARD / BEAR CREEK FLOOD SERVICE AREA
REGULAR BOARD MEETING
SEAVIEW PLAZA BUILDING, SUITE 122**

Dan Mahalak reported they are replacing the culverts currently under Salmon Creek Road.

Bob Valdetta asked if they put those in if Mac's would be doubly flooded.

Bob White responded the ditch will get inundated with water, but no worse than it already does. He stated the problem is if that passage is not there, then it all has to go underneath the bridge, then it over banks at Ava's. By giving it more passage, what will happen in a high water event is the railroad and Salmon Creek Road will become a channel to those culvert for that water to get out. He explained what the board is trying to accomplish with that is to get passage down lower and then get focus on passage either by deepening the channel under the bridge or putting more passage underneath. He further explained the purpose for buying the properties adjacent to Salmon Creek at Nash Road so there can be more passage through the road. The road is a dam.

Bob Valdatta stated he could give written access across his property.

Bill Williamson stated the service area has a waiver that Mr. Valdatta could sign.

Oliver Kunitake commented that he would want to know what are the conditions the board would want for transaction in the future. He added if the board can get a basic easement, it would be a miracle, but if it can be done, so be it, and maybe the board has a bit more clout.

Bob Reisner asked if the board puts in larger culvert on Salmon Creek, what kind of pressure it would that put on Glen's property on the downstream bank

Dan Mahalak stated the conveyance calculation requires that you have to not raise the surface water elevation one foot or less than a one foot rise.

Bill Williamson added that there is only so much water that can come through the railroad culverts.

Dan Mahalak stated the purpose is to lower the surface water elevation of any given flood. The only way to truly reap the reward would be to put holes through Nash Road, under twenty foot, otherwise have to go through DOT, that hasn't happened yet because of those individual property owners on the downstream side. Trying to find a project that fulfills the mission of flood planning, protection and mitigation services on a tax levy fair use of watershed wide benefit, that is the number one project that the board could do for the service area. We also have a document from 1995 discussing reducing the backwater effects due to infrastructure. In that report, they mentioned the levee road being built and discussed the three railroad bridges increases and some other issues that have all been accomplished. So this is the last piece of the puzzle that hasn't happened yet and the service area is doing it on their own.

**SEWARD / BEAR CREEK FLOOD SERVICE AREA
REGULAR BOARD MEETING
SEAVIEW PLAZA BUILDING, SUITE 122**

N. BOARD COMMENT

Bob White commented on Mr. Valdetta's statement and said that the service area had repeatedly brought up the issue of failure of the Borough and the City to maintain the 1998 dredging which they signed in writing and have not funded since. The specific area is not very far below the bridge. The board has mentioned it to DOT and someone could bring it to the attention of Council, but the Borough assembly needs to be aware of the contract they signed also.

Randy Stauffer wished to thank Ms. McClure for moving forward on a solution for the lack of board members. He commented on permitting issues with the River Center, obviously we have to play by the rules and obviously have to protect property in this area, because that is what the people expect the board to do.

John Eads had no comment.

Matt Hall stated if anyone writes him in on the ballot during the election, he is going to hunt them down.

Bill Williamson asked Sue McClure about ordinance 2011-19 to do with coastal management, but he thought coastal management was dissolved by the Governor.

Sue McClure responded she would follow up on it next meeting, but she thought it was an existing modeling project, and was not a lot of money that carried over because it had not been expended.

O. ADJOURNMENT

Bob White moved that the meeting be adjourned.

The motion was seconded and unanimously approved.

MEETING ADJOURNED at 8:15 PM.

NEXT MEETING WILL BE MONDAY, OCTOBER 17, 2011 AT THE SEAVIEW PLAZA BUILDING, SUITE 122 AT 7:00 PM.

Stephanie Presley
Secretary

Minutes Approved: 10/17/11
Date of Approval

Introduced by: Mayor
Date: 06/19/12
Shortened Hearing: 07/03/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-25**

**AN ORDINANCE AMENDING KP.B 16.06.030(A) TO EXTEND THE DEADLINE FOR
SERVICE AREAS TO OBTAIN AN ENERGY AUDIT**

- 1 **WHEREAS**, Ordinance 2011-30, enacted September 6, 2011, implemented an energy
2 conservation program for all Kenai Peninsula Borough service areas; and
- 3 **WHEREAS**, since enactment of that ordinance the administration submitted the required
4 Energy Policy Guide to the assembly which was approved on February 14, 2012,
5 in Ordinance 2012-01; and
- 6 **WHEREAS**, funds for the energy audits were appropriated in the FY2013 budget and will not
7 be available until July 1, 2012; and
- 8 **WHEREAS**, the capital projects department expects to be prepared to issue a request for
9 proposals to conduct the required energy audits in July 2012; and
- 10 **WHEREAS**, the code requires that these audits be completed by September 6, 2012; and
- 11 **WHEREAS**, most energy audits include infrared photography to identify heat loss on the
12 building envelope which is best completed in the winter; and
- 13 **WHEREAS**, to conduct the audits the auditors will need to gather data for all service area sites
14 and input it into the energy model, complete site visits, find recommended
15 upgrades, complete the return and investment analysis, and issue draft and final
16 reports; and

1 **WHEREAS**, additional time is needed to complete the initial energy audits in a manner that
2 will provide the best data;

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

5 **SECTION 1.** That KPB 16.06.030(A) is hereby amended as follows:

6 **16.06.030. Energy Audits.**

7 A. Requirement to Obtain Energy Audits. Subject to assembly appropriation
8 and availability of funds, every service area shall obtain an energy audit of
9 their respective operations and owned facilities within 12 months of
10 enactment of this chapter unless otherwise approved by the assembly by
11 resolution or ordinance. Service areas formed after enactment of this
12 chapter shall obtain an energy audit within 12 months of the service area
13 establishment unless otherwise approved by the assembly by resolution or
14 ordinance. Additional energy audits shall be conducted approximately
15 once every ten years and an audit of any new facility shall be conducted
16 within 12 months of its acquisition or construction unless otherwise
17 approved by the assembly by resolution or ordinance.

18 **SECTION 2.** That the deadline of September 6, 2012 for existing service areas and October 4,
19 2012 for the Seldovia Recreational Service Area to obtain an initial energy audit
20 is extended to January 31, 2013.

21 **SECTION 3.** That this ordinance takes effect immediately upon its enactment.
22

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: Kevin Lyon, Capital Projects Director *KL*

DATE: June 7, 2012

SUBJECT: Ordinance 2012-25, amending KPB 16.06.030(A) to extend the deadline for services areas to obtain an energy audit

Following enactment of ordinance 2011-30 on September 6, 2011, which implemented an energy conservation program for the Kenai Peninsula Borough service areas, the administration has taken steps to comply with the requirements. It prepared and submitted the energy policy guide to the assembly which was approved on February 14, 2012. Additionally, the capital projects department has worked on a request for proposals to conduct the required energy audits the estimated funding for which was included in the FY2013 budget. Currently the code requires that these audits be completed by September 6, 2012.

The capital projects department expects to be ready to issue a request for proposals to conduct the required energy audits in July 2012. However, it has been determined that most energy audits include infrared photography which identifies heat loss on the building envelope, and these are best completed in the winter. Also, a significant amount of work is required to conduct the audits, including data gathering, site visits, finding the recommended upgrades, completing a return on investment analysis, and issuing the draft and final reports.

Given this information the administration respectfully requests the assembly authorize an extension of time until January 31, 2013, to complete the energy audits. It anticipates this will result in audits based on more complete data and would contain a more thorough analysis. The January 31, 2013, deadline also provides the service area boards with time to consider the information and decide how much funds to request for the energy conservation measures they choose to request. Shortened hearing is requested as the next assembly meeting is August 7, 2012, and the administration needs to know before then whether the additional time is approved. Your approval of this ordinance is respectfully requested.

KENAI PENINSULA BOROUGH

Office of the Borough Clerk

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

Johni Blankenship, MMSc
Borough Clerk

MEMORANDUM

To: Gary Knopp, Assembly President
Members of the Assembly

Thru: Johni Blankenship, Borough Clerk *JB*

From: Katie Ring, Borough Clerk Secretary *KR*

Date: June 19, 2012

Re: Restaurant Designation Permit – Magpye’s Pizzeria

Kenai Peninsula Borough Code 7.10.010 provides for a mandatory Assembly review of applications for restaurant designation permits at locations within the Borough. Accordingly, the attached application for a restaurant designation permit as filed by Margaret K. Lupton & Jeffrey T. Clonts, dba Magpye’s Pizzeria, located in the Kenai Peninsula Borough, Alaska, is being submitted to you for review and action.

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons under age of 20 for employment.

RECOMMENDATION:

That the Assembly approve the issuance of the restaurant designation permit requested by **Margaret K. Lupton & Jeffrey T. Clonts, dba Magpye’s Pizzeria.**

cc: Margaret K. Lupton & Jeffrey T. Clonts

STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD
APPLICATION FOR RESTAURANT DESIGNATION PERMIT - AS 04.16.049 & 13 AAC 104.715-794

FEE: \$50.00

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons under the age of 20 for employment. If for employment, please state in detail, how the person will be employed, duties, etc.

This application is for designation of premises where: (please mark desired items).

- 1 Under 13 AAC 104.305 Bona fide restaurant/eating place.
- 2 Persons age 16 to 20 may dine unaccompanied.
- 3 Persons under 16 may dine accompanied by a person 21 years or older.
- 4 Persons between 16 and 17 years may be employed. *(See note below).

License Number 4475

LICENSEE: Margaret Lupton + Jeffrey T. Clontz

D/B/A: Maggies Pizzeria

ADDRESS: Mile 82.7 Sterling Hwy. Sterling AK 99672

1. Hours of Operation: 12 Noon to 9pm Telephone # 262-9397

2. Have police ever been called to your premises by you or anyone else for any reason: Yes [] No
If yes, date(s) and explanation(s): for breaking

3. * Duties of employment: Kitchen work only = prep cook - Dishwasher

4. Are video games available to the public on your premises? NO

5. Do you provide entertainment: [] Yes No If yes, describe.

6. How is food served? Table Service ___ Buffet Service ___ Counter Service ___ Other* to go

7. Is the owner, manager, or assistant manager always present during business hours? Yes [] No

*** A MENU AND A DETAILED LICENSED PREMISE DIAGRAM MUST ACCOMPANY THIS APPLICATION ***

I have read and am familiar with Title 4 of the Alaska statutes and its regulations.

Margaret K. Lupton
Jeffrey T. Clontz
Applicant signature

Local Governing Body Approval

Subscribed and sworn to before me this
26th day of March 2012

Date: _____

[Signature]
Notary Public in and for Alaska

My Commission expires 9-18-12

Director, ABC Board



Date: _____

** If more space is required, to explain food service, entertainment, etc., please add on back or attach additional page(s).

STATE OF ALASKA
ALCOHOL BEVERAGE CONTROL BOARD
Licensed Premises Diagram

INSTRUCTIONS: Draw a detailed floor plan of your present or proposed licensed premises on the graph below; show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coolers, stages, etc.

DBA: MAGPYE'S Pizzeria

PREMISES LOCATION: mile 82.9 Sterling Hwy Sterling AK

Indicate scale by x after appropriate statement or show length and width of premises. _____ 1 SQ. = 4 FT.

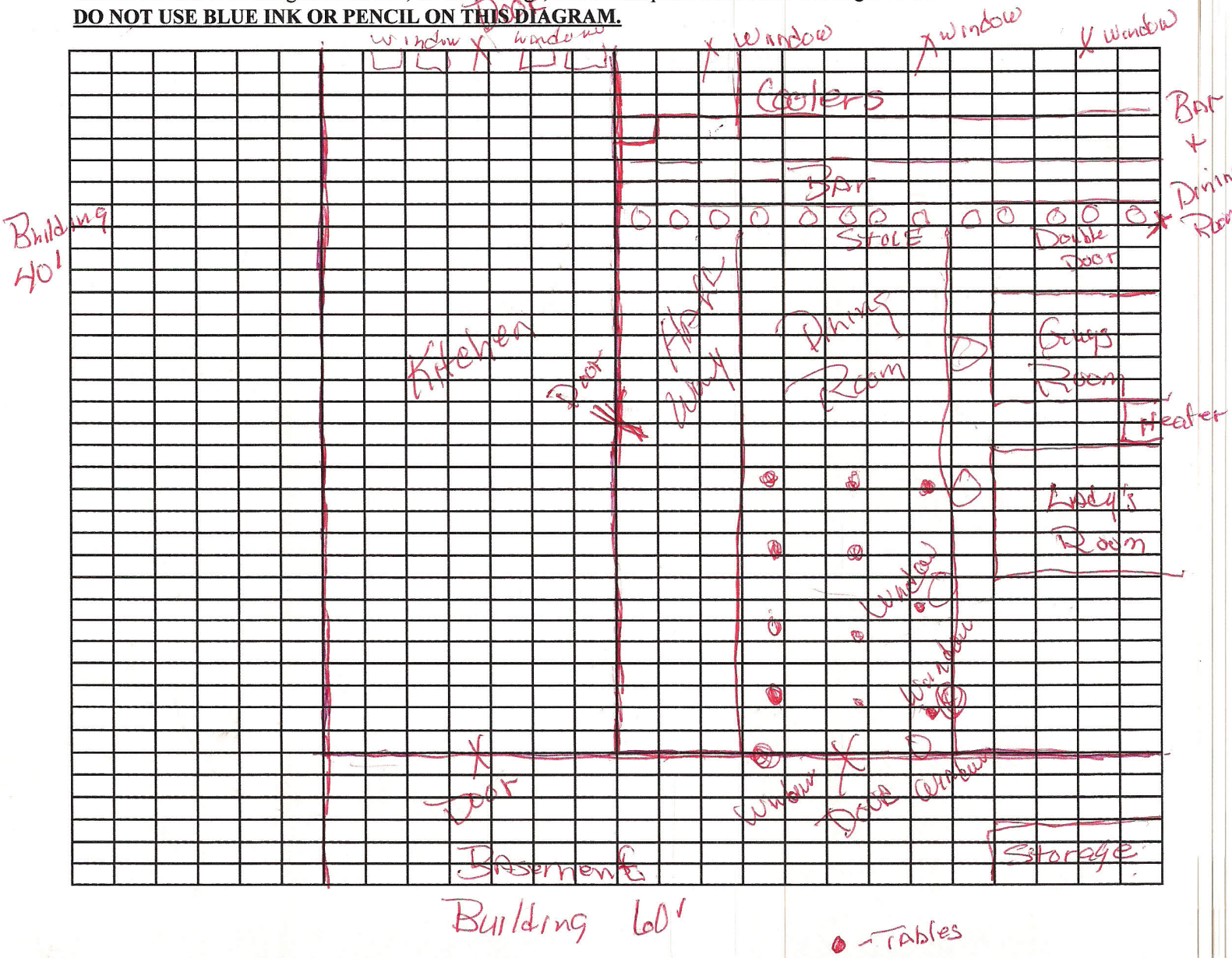
SCALE A: _____ 1 SQ. = 1 FT.

SCALE B: 1 sq = 2 feet

Length and width of premises in feet:

Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.

DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.



Welcome To Magpye's
Pizzeria



"Home Of The 20^{in.} Pizza"
Mile 82.5 Sterling HWY.

262-9397

Credit Cards Accepted
(Not Over Phone)

Serving Pizza And Much More

Beer And Wine Available

Dine-In Or Take Out
Open At Noon
7 Days A Week

Delivery After 5 PM And \$3.00 Charge

ATM Available

Salads And Desserts

Salads

Dinner Salad----- \$4.00

Salad Topped With Black Olives, Tomatoes, Croutons, And Choice Of Dressing

Greek Salad----- \$ 16.50

Huge Salad Loaded With Fresh Mushrooms, Onions, Green Peppers, Olives, Tomatoes, Cucumbers, Canadian Bacon, Turkey, And Mozzarella Cheese. Topped with Feta And Pepperciones, Served With Garlic Bread And 8oz Of Your Choice of Dressing: Ranch, French, Blue Cheese, Italian, Or Honey Mustard

Desserts

7 Layer Chocolate Cake-----\$7.50

Cheese Cake----- \$5.00

Novelty Ice Cream----- \$2.50

All Extra Sauces And Dressings

Small \$2.00 Large \$4.00

Burgers

All Our Burgers Are A Half Pound Burger of Extra Lean Choice ground Beef. Topped With Lettuce, Tomato, Pickles, And Mayo. Served Open Faced With Your Choice Of French Fries, Or Onion Rings

Hamburger-----\$8.00

Cheeseburger----- \$8.50

Bacon Cheeseburger----- \$9.00

Jalapeño Burger----- \$9.00

Swiss Mushroom Burger----- \$9.00

Hawaiian Burger----- \$9.00

Baskets

All Served With Fries And Sauce

\$12.00

Fish-----Shrimp-----Chicken Strips

Seafood Platter-----\$17.00

Fish, Shrimp, Clams, And Fries. Served With Cocktail and Tarter Sauce

Pizza

**All Pizzas Are Made With Your Choice Of Traditional Pizza
Sauce Or Greek Sauce**

**These Are Specials
No Substitutions Please**

Med 14" Large 16" X Large 20"

Meat Lovers-----\$20.00-----\$23.00-----\$30.00

Pepperoni, Canadian Bacon, Sausage, And Hamburger

Sterling Special-----\$19.00-----\$22.00-----\$29.00

Pepperoni, Sausage, Mushrooms, And Black Olives

Greek Special-----\$19.00-----\$22.00-----\$29.00

**Garlic Butter Sauce With Canadian Bacon, Onions, Mushrooms,
And Hamburger**

Vegetarian-----\$19.25-----\$21.75-----\$28.75

Onions, Black Olives Mushrooms, Green Peppers, And Tomatoes

Mexican Special-----\$19.75-----\$22.75-----\$28.75

**Taco Meat, Salsa, And Mozzarella Cheese. Topped With Lettuce,
Tomatoes, Onions, And Sour Cream**

Cooks Creation-----\$24.50-----\$27.50-----\$34.50

**Canadian Bacon, Pepperoni, Sausage, Ham Burger, Mushrooms,
Black Olives, Onions, And Green Peppers**

Create Your Own Pizza

Toppings:

Canadian Bacon, Onions, Mushrooms, Hamburger, Mozzarella Cheese, Black Olives, Tomatoes, Green Peppers, Pepperoni, Sausage, Jalapeño Peppers, Pineapple, Feta, Anchovies, And PepperChinies

Med 14" Large 16" X Large 20"

Cheese-----\$12.75-----\$14.75-----\$22.75

1 Topping-----\$14.75-----17.75-----23.75

2 Topping-----\$16.75-----\$20.75-----26.75

3 Topping-----18.75-----23.75-----\$29.75

4 Topping-----\$20.75-----\$26.75-----\$32.75

More Than 4 Toppings Will be Charged At The Cooks Creation Special Price.

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