

**KENAI PENINSULA BOROUGH**

**ASSEMBLY  
PACKET**



**OCT 23**

2 0 1 2

**7:00 PM**

**ASSEMBLY CHAMBERS**

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

# October 2012

## Monthly Planner

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday																																																																																																																
	<b>1</b> 7:00 PM Seward-Bear Creek Flood SA	<b>2</b> 7:00 PM Anchor Point APC  <b>BOROUGH ELECTION</b>	<b>3</b> 6:00 PM Cooper Landing APC  7:00 PM Moose Pass APC	<b>4</b> 7:00 PM Hope/Sunrise APC	<b>5</b>	<b>6</b>																																																																																																																
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# October 2012 - December 2012

## Assembly Yearly Planner

Oct 2012						
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### 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**

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- 22 **Borough Holiday: Thanksgiving**
- 23 **Borough Holiday: Thanksgiving**

### DECEMBER

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

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***Assembly Meeting Schedule***

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***TUESDAY, OCTOBER 23, 2012***

- 3:00 PM            Joint Work Session with KPB School District Administration  
and Board of Education**
- 4:30 PM            Finance Committee**
- 5:00 PM            Policies and Procedures Committee**
- 5:30 PM            Reception Hosted by Regional Citizens' Advisory  
Council**
- 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

October 23, 2012	4:30 PM	Assembly Chambers George A. Navarre Kenai Peninsula Borough Administration Building, Soldotna
Bill Smith, Chair	Ray Tauriainen, Vice Chair	All Assembly Members

**AGENDA**

**N. PUBLIC HEARINGS ON ORDINANCES**

- 1. Ordinance 2012-19-25: Appropriating \$36,832 from the Kachemak Emergency Service Area Operating Fund Balance for Additional Personnel Cost and Authorizing Changing the Shared Mechanic Position Between Kachemak Emergency Service Area and Anchor Point Fire and Emergency Medical Service Area to a Full-Time Mechanic Position for Kachemak Emergency Service Area (Haggerty).....38
- 2. Ordinance 2012-19-30: Accepting and Appropriating \$12,848 from the U.S. Fish and Wildlife Service to Supplement the River Debris Removal Project (Mayor).....42
- 3. Ordinance 2012-19-31: Appropriating \$35,000 in Interest Income from the Spruce Bark Beetle Program to Address the Need for an Emergency Power Generator at the Anchor Point Water Treatment and Distribution Plant (Mayor, Smith, Haggerty).....47

**P. NEW BUSINESS**

- 1. Resolutions
  - \*b. Resolution 2012-083: Approving Additional Road Projects as FY13 Capital Improvement Projects (Mayor) .....54
- 2. Ordinances
  - \*a. Ordinance 2012-19-34: Appropriating \$293,069.52 to the Special Assessment Fund for the Woods Drive Road Improvement Special Assessment District (Mayor) (Hearing on 11/20/12).....59

- \*b. Ordinance 2012-19-35: Appropriating \$50,000 from the General Fund to be Granted to the City of Seldovia for Completion of Seldovia’s Comprehensive Plan (Mayor) (Hearing on 11/20/12) .....64
- \*c. Ordinance 2012-38: Amending KPB 5.10.0940(A)(13) to Increase the Amount the Borough can Invest in Special Assessments of the Borough or One of its Political Subdivisions (Mayor) (Hearing on 11/20/12).....69

\*Consent Agenda Items

***Policies and Procedures Committee***

October 23, 2012	5:00 PM	Assembly Chambers George A. Navarre Kenai Peninsula Borough Administration Building, Soldotna
Mako Haggerty, Chair	Charlie Pierce, Vice Chair	Linda Murphy

**AGENDA**

**L. MAYOR’S REPORT**.....13

- 1. Assembly Requests/Responses – None.
- 2. Agreements and Contracts
  - a. Authorization to Award Contract for RFP 13-004 Assessment Notice Production and Mass Mailing to DATAMATX of Atlanta, Georgia.....15
  - b. Authorization to Award Contract for West Point Avenue Fuel Reduction Project to Paul’s Services .....16
  - c. Authorization to Award Contract for Professional Design Services, Mountain View and Nikiski-North Star Elementary Schools Site Improvements to SGM, Inc.....18
  - d. Authorization to Award Contract for RFP 13-003 Salary Classification and Compensation Study to Fox Lawson & Associates .....19
  - e. Authorization to Award Contract for Kenai Peninsula Borough Service Area Energy Efficiency Audit – Central Area to Central Alaska Engineering.....20
  - f. Authorization to Award Contract for Kenai Peninsula Borough Service Area Energy Efficiency Audit – Seward Area to Wisdom and Associates.....22
  - g. Authorization to Award Contract for Kenai Peninsula Borough Service Area Energy Efficiency Audit – Homer Area to Wisdom and Associates.....24



h.	Authorization to Award Contract for Purchase of Electrical Hardware for the Future Installation of Security Cameras through a Cooperative Purchasing Group .....	26
3.	Other	
a.	Alaska Small Business Development Center – South West Region First Quarter Report FY2013 – July 1, 2012 through September 30, 2012.....	27
b.	Litigation Status Report .....	33
c.	Recap of 2012 Surplus Property Auction .....	36
<b>P.</b>	<b>NEW BUSINESS</b>	
1.	Resolutions	
*a.	<u>Resolution 2012-082</u> : Supporting Kasilof Radio Station KWJG and Homer Radio Station KMJG (Johnson).....	51

\*Consent Agenda Items

***Assembly Agenda***

October 23, 2012 - 7:00 PM

Regular Meeting

Assembly Chambers, Soldotna, Alaska

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

*Mako Haggerty  
Assembly Member  
Seat 9 - South Peninsula  
Term Expires 2015*

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

*Sue McClure  
Assembly Member  
Seat 6 - East Peninsula  
Term Expires 2015*

*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*

*Kelly Wolf  
Assembly Member  
Seat 1 - Kalifornsky  
Term Expires 2015*

**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. ASSEMBLY REORGANIZATION**

- 1. Election of President and Vice President

**H. APPROVAL OF MINUTES**

- \*1. October 9, 2012 Regular Assembly Meeting Minutes ..... 1

**I. COMMENDING RESOLUTIONS AND PROCLAMATIONS**

- \*1. A Resolution Commending Autumn Ludwig for her Act of Bravery and Outstanding Service and Commitment to the Bear Creek Fire Service Area (McClure, Mayor) ..... 10
- 2. Mayor’s Proclamation Declaring October 2012 as “Domestic Violence Awareness Month” ..... 12

**J. PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)**

- 1. Central Peninsula General Hospital Quarterly Report (10 minutes)
- 2. Gunnar Knapp, “Economics of the Seafood Industry in the Kenai Peninsula Borough” (10 minutes)

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

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First Quarter Report FY2013 – July 1, 2012 through September 30,  
2012.....27
  - b. Litigation Status Report .....33
  - c. Recap of 2012 Surplus Property Auction .....36

**M. ITEMS NOT COMPLETED FROM PRIOR AGENDA – None.**

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

- 1. Ordinance 2012-19-25: Appropriating \$36,832 from the Kachemak  
Emergency Service Area Operating Fund Balance for Additional  
Personnel Cost and Authorizing Changing the Shared Mechanic Position  
Between Kachemak Emergency Service Area and Anchor Point Fire and  
Emergency Medical Service Area to a Full-Time Mechanic Position for  
Kachemak Emergency Service Area (Haggerty) (Referred to Finance  
Committee) .....38
- 2. Ordinance 2012-19-30: Accepting and Appropriating \$12,848 from the  
U.S. Fish and Wildlife Service to Supplement the River Debris Removal  
Project (Mayor) (Referred to Finance Committee).....42
- 3. Ordinance 2012-19-31: Appropriating \$35,000 in Interest Income from the  
Spruce Bark Beetle Program to Address the Need for an Emergency  
Power Generator at the Anchor Point Water Treatment and Distribution  
Plant (Mayor, Smith, Haggerty) (Referred to Finance Committee) .....47

**O. UNFINISHED BUSINESS - None.**

**P. NEW BUSINESS**

- 1. Resolutions
  - \*a. Resolution 2012-082: Supporting Kasilof Radio Station KWJG  
and Homer Radio Station KMJG (Johnson) (Referred to Policies  
and Procedures Committee).....51
  - \*b. Resolution 2012-083: Approving Additional Road Projects as  
FY13 Capital Improvement Projects (Mayor) (Referred to Finance  
Committee) .....54

2. Ordinances

- \*a. Ordinance 2012-19-34: Appropriating \$293,069.52 to the Special Assessment Fund for the Woods Drive Road Improvement Special Assessment District (Mayor) (Hearing on 11/20/12) (Referred to Finance Committee).....59
- \*b. Ordinance 2012-19-35: Appropriating \$50,000 from the General Fund to be Granted to the City of Seldovia for Completion of Seldovia’s Comprehensive Plan (Mayor) (Hearing on 11/20/12) (Referred to Finance Committee) .....64
- \*c. Ordinance 2012-38: Amending KPB 5.10.0940(A)(13) to Increase the Amount the Borough can Invest in Special Assessments of the Borough or One of its Political Subdivisions (Mayor) (Hearing on 11/20/12) (Referred to Finance Committee).....69

**Q. PUBLIC COMMENTS AND PUBLIC PRESENTATIONS** (3 minutes per speaker)

**R. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

- 1. November 20, 2012 Regular Assembly Meeting 7:00 PM Soldotna

**S. ASSEMBLY COMMENTS**

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

**U. INFORMATIONAL MATERIALS AND REPORTS**

**V. NOTICE OF NEXT MEETING AND ADJOURNMENT**

The next meeting of the Kenai Peninsula Borough Assembly will be held on November 20, 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](http://www.borough.kenai.ak.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*

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# Kenai Peninsula Borough

## *Assembly Meeting Minutes*

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October 9, 2012

Regular Meeting - Soldotna, Alaska

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### **CALL TO ORDER**

A Regular Meeting of the Kenai Peninsula Borough Assembly was held on October 9, 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 Pastor Alan Humphries from the Soldotna Church of God.

There were present:

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

Charlie Pierce  
Hal Smalley  
Bill Smith  
Ray Tauriainen

comprising a quorum of the assembly.

### **Also in attendance were:**

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

### **COMMITTEE REPORTS**

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

*(07:02:17)*

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

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

Assembly Member Murphy said the Legislative Committee met and discussed its agenda items.

## APPROVAL OF THE AGENDA AND CONSENT AGENDA

(07:09:14)

MOTION TO APPROVE AGENDA: Pierce moved for the approval of the agenda and consent agenda.

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

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

- September 18, 2012 Regular Assembly Meeting Minutes
- September 28, 2012 Special Assembly Meeting Minutes
- Resolution Commending Allie Ostrander for Winning the ASAA/First National Bank State Cross Country Class 4A Girls Individual Championship (Smalley)
- Resolution 2012-077: Authorizing Road Service Area Capital Improvement Project: Eddy Lane Drainage Improvement #C5EDD Contract Award and Allocation (Mayor) (Referred to Finance Committee)
- Resolution 2012-078: Certifying the Results of the October 2, 2012 Regular Municipal Election (Knopp at the Request of the Borough Clerk) (Referred to Legislative Committee)
- Resolution 2012-079: Expressing Support for the Creation and Establishment of the Kachemak Bay Water Trail (Smith) (Referred to Policies and Procedures Committee)
- Confirming Appointments to KPB Road Service Area Board (Mayor) (Referred to Policies and Procedures Committee)

<u>Appointment</u>	<u>Board Seat</u>	<u>Term Expires</u>
Cam Shafer	South Region	September 30, 2015
Ed Holsten	East Region	September 30, 2015
Jake Denbrock	Central Region	September 30, 2015

- Confirming an Appointment to KPB Cooper Landing Advisory Planning Commission (Mayor) (Referred to Policies and Procedures Committee)

<u>Appointment</u>	<u>Seat</u>	<u>Term Expires</u>
David Story	E	September 30, 2015

- Petition to Vacate Carrie Court, a 60-Foot Public Right-of-Way with a Cul-De-Sac and Associated Utility Easements Including the 10-Foot by 30-Foot Utility Easement within Tract A and Lots 2 and 3 Dedicated by Carlson-Schnell Subdivision (Plat KN 84-223); all Within Section 4, Township 5 North, Range 9 West, Seward Meridian, Alaska and Within the Kenai Peninsula Borough; KPB File 2012-116; Location: North of Robinson Loop Road in Sterling (Referred to Lands Committee)

*[Clerk's Note: The Planning Commission approved the referenced vacation by unanimous consent at its regularly scheduled meeting of September 24, 2012.]*

- Petition to Vacate the South 67-Feet of the 100-Foot Public Roadway Easement Along the Northern Boundary of Lot 1 (retaining the 33-Foot Section Line Easement) as Recorded Within Book 1 Page 211 Kenai Recording District; Also Shown on Northridge Acres Subdivision (Plat KN 82-112); Within Section 20, Township 5 North, Range 10 West, Seward Meridian, Alaska and Within the Kenai Peninsula Borough; KPB File 2012-092; Location: Sports Lake Road, Soldotna Area (Referred to Lands Committee)

*[Clerk's Note: The Planning Commission approved the referenced vacation by unanimous consent at its regularly scheduled meeting of September 24, 2012.]*

President Knopp called for public comment with none being offered.

AGENDA APPROVED AS AMENDED: Unanimous.

### **VACANCY, DESIGNATION OR SEATING MEMBERS**

(07:12:39)

Borough Clerk Johni Blankenship swore in newly elected Assembly Member Kelly Wolf and re-elected Assembly Members Mako Haggerty, Sue McClure and Hal Smalley.

Vice President Pierce presented Assembly President Knopp with a commemorative plaque noting his years of service.

### **COMMENDING RESOLUTIONS AND PROCLAMATIONS**

(07:15:18)

Assembly Member Smalley presented Allie Ostrander with a Resolution commending her for winning the ASAA/First National Bank State Cross Country Class 4A Girls Individual Championship.

### **PRESENTATIONS WITH PRIOR NOTICE**

(07:24:24)

**Tim Colbath** and **Jeanette Hanneman**, gave an update on the PETS Working Group created by KPB Resolution 2011-089.

### **PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**

(07:38:14)

President Knopp called for public comment.



The following people spoke in opposition to Ordinance 2011-012:

**Fred Braun**, Nikiski  
**Jack Porter**, Nikiski  
**George Pierce**, Kasilof

**Dillon Charles Taudrey**, addressed the Assembly regarding winter road maintenance.

The following people spoke in support of an Emergency Pet Shelter:

**Faith Hayes**, Kasilof  
**Jill Garnet**, Kasilof  
**Peg Schneider**, Soldotna

**Chris Hinds**, Sterling, addressed the Assembly in support of an Emergency Pet Shelter and reported on animal abuse occurring within the Kenai Peninsula Borough.

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

## **MAYOR'S REPORT**

*(08:20:24)*

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
  - a. Authorization to Award Contract for ITB13-002 40 CY MSW Roll-Off Container and Parts, and 32 CY Recycle Roll-Off Container to Ramsey and Sons Trucking of Anchorage, Alaska
  - b. Requesting Approval to Engage in Direct Negotiations with Sweeney's Clothing, of Soldotna to Provide Uniforms for the Maintenance Department Employees
  - c. Request for Waiver of Formal Bidding Procedures for the Kenai River Center Sanitary Sewer Connection with McLennan Enterprises
  - d. Authorization to Award Contract for ITB13-009 Kenai, Nikiski, and Sterling Transfer Facilities to Alaska Waste-Kenai Peninsula LLC
  - e. Agreement for Bond Counsel Services with Wohlforth, Brecht, Cartledge, Brooking for Bear Creek Fire Service Area General Obligation Bonds, 2012
3. Other
  - a. City of Seward Declaration of Disaster Request

- b. Local Disaster Emergency Declaration
- c. Press Release from State of Alaska Providing Emergency Assistance to Mat-Su and Kenai Peninsula Borough to Address Critical Needs
- d. Senior Citizen Hardship Exemption Applications/2012 Assessment Year
- e. Revenue-Expenditure Report - August 2012
- f. Budget Revisions - July and August 2012

**ITEMS NOT COMPLETED FROM PRIOR AGENDA - None.**

**PUBLIC HEARING ON ORDINANCES**

(08:27:50)

**Ordinance 2012-35: Authorizing a Negotiated Sale at Fair Market Value of a 160 Foot by 200 Foot Parcel Located Adjacent to Nikishka Beach Road in Nikiski to the Lessee, East Shore Home Properties (Mayor) (Referred to Lands Committee)**

MOTION: McClure moved to enact Ordinance 2012-35.

President Knopp called for public comment with none being offered.

MOTION: McClure moved to amend Ordinance 2012-35 as follows:

The sixth whereas to read, “the KPB Planning Commission at its regularly scheduled meeting of [AUGUST 27] September 10, 2012, recommended enactment by unanimous consent;

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

(08:30:20)

**Ordinance 2012-36: Authorizing the Assessor to Accept the Late-Filed Senior Citizen Exemption Application of Delores J. McCaslin for 2012, Filed after March 31 (Knopp, Mayor) (Referred to Finance Committee)**

MOTION: Smith moved to enact Ordinance 2012-36.

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

(08:31:57)

**Ordinance 2012-37: Amending the Borough Code to Reincorporate the River Center Department into the Planning Department and Make Other Associated Amendments (Mayor) (Referred to Policies and Procedures Committee)**

MOTION: Haggerty moved to enact Ordinance 2012-36.

President Knopp called for public comment with none being offered.

Assembly Member Johnson spoke in support of Ordinance 2012-37.

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

**UNFINISHED BUSINESS - None.**

**NEW BUSINESS**

(08:35:29)

**Resolution 2012-080: Approving the Job Description for the River Center Manger (Mayor) (Referred to Policies and Procedures Committee)**

MOTION: Haggerty moved to adopt Resolution 2012-080.

President Knopp called for public comment with none being offered.

MOTION: Haggerty moved to amend Resolution 2012-080 as follows:

Section 1 to read, "That the assembly authorizes and approves the job description which renames the River Center Director to

the River Center Manager and changes the listed duties in accordance with code changes. A copy of the job description is attached and incorporated herein by reference.”

MOTION TO AMEND PASSED: Unanimous.

MOTION: Haggerty moved to amend the service type in the job description document as follows:

“Service Type: Administrative - Level [5] 4”

MOTION TO AMEND PASSED: Unanimous.

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

**PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

(08:49:51)

President Knopp called for public comment.

**Fred Braun**, Nikiski, addressed the Assembly regarding the Anadromous Fish Habitat Protection Task Force.

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

**ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

(08:51:06)

The next meeting of the Kenai Peninsula Borough Assembly was scheduled for October 23, 2012, at 7:00 p.m. in the Borough Assembly Chambers, Soldotna, Alaska.

**ASSEMBLY COMMENTS**

(08:51:17)

Assembly Member Smalley thanked President Knopp for his service, commitment, leadership and direction. He congratulated reelected Assembly Members Mako Haggerty and Sue McClure and welcomed and congratulated newly elected Assembly Member Kelly Wolf. He noted some of the topics he heard while campaigning were interesting, which included some people being unaware of the Anadromous Fish Habitat Protection Task Force, questions about the flooding situations and solid waste.

Vice President Pierce wished President Knopp his best and congratulated him for six years of service, and said if there were no term limits President Knopp would have more than likely continued to serve on the Assembly. He congratulated reelected Assembly Members Mako Haggerty

Hal Smalley and Sue McClure, and thanked the administration for their oversight during the flood event. He congratulated the administration for the parking lot upgrades.

Assembly Member Haggerty thanked President Knopp for his leadership and noted his appreciation for having had the opportunity to travel and learn on behalf of the borough. He said although he did not always agree with President Knopp it was the diverse perspective which tempered an individuals convictions. He announced the community meeting for Diamond Ridge, Fox River and Fritz Creek would be held on Saturday, October 20, 2012 at 10:00 a.m. in the McNeil Canyon Elementary School and the community meeting for Anchor Point would be on Saturday, October 20, 2012, at 3:00 p.m. in the Anchor Point Senior Center.

Assembly Member Johnson encouraged his constituents to attend the community meetings for his district and stated the Clam Gulch, Cohoe and Kasilof community meeting would be held on Monday, October 15, 2012, at 7:00 p.m. in the Tustumena Elementary School and the community meeting for Ninilchik would be on Thursday, October 18, 2012 at 1:00 p.m. in the Ninilchik Senior Center. He informed the residents of Kasilof that one of their own, Hillary Moore was now known as Dr. Hillary Sear and working at the South Kenai Peninsula Hospital. He commended Assembly Member Hal Smalley for taking time to help Herb Stettler rebuild after a fire. He congratulated newly elected Assembly Member Kelly Wolf and reelected Assembly Members Hal Smalley, Mako Haggerty and Sue McClure. He thanked Assembly President Gary Knopp for serving on the Assembly and as President, he noted his appreciation for his honesty, conviction, fairness and the dedicated attendance of his wife Helen Knopp.

Assembly Member McClure welcomed newly elected Assembly Member Kelly Wolf and congratulated reelected Assembly Members Hal Smalley and Mako Haggerty. She stated she was looking forward to representing a portion of Sterling and noted her regrets that she would be unable to attend the Sterling community meeting. She thanked Tim Colbath and Jeanette Hanneman for the presentation and stated she would be offering some clarification at the next meeting regarding the next phase of the PETS working group. She encouraged her constituents to attend the community meetings for her district and said the meetings were scheduled for Saturday, October 13, 2012, starting with Lowell Point at 9:30 a.m. in the Penny Hardy Community Center, Moose Pass at 1:00 p.m. in the Moose Pass Community Center, Cooper Landing at 3:00 p.m. in the Cooper Landing Elementary School and Hope at 7:00 p.m. in the Hope Social Hall. She thanked Assembly President Knopp for his service and said he would be missed.

Assembly Member Tauriainen noted his appreciation for the leadership of Assembly President Knopp and the different perspective he brought to the issues and said he would be missed. He said congratulated newly elected Assembly Member Kelly Wolf and reelected Assembly Members Mako Haggerty, Sue McClure and Hal Smalley. He said there were several issues regarding the Anadromous Stream Ordinance, and voiced concern about the notification issue. He reminded his constituents to attend the Nikiski community on Monday, October 29, 2012, at 7:00 p.m. in the Nikiski Senior Center. He congratulated the Nikiski Bulldogs for going to the State Football Championship game again this year.

Assembly Member Smith congratulated newly elected Assembly Member Kelly Wolf and reelected Assembly Members Mako Haggerty, Sue McClure and Hal Smalley. He thanked everyone who had attended the meeting and stated that it always helped when constituents spoke with their elected representatives. He noted that Assembly Member Haggerty had spoke with the Mayor regarding extending the Spruce Bark Beetle work being done at Diamond Creek and said there had been hundreds of people applying for the free firewood. He stated his appreciation for the principal leadership of Assembly President Knopp and noted that he had presided with grace and warmth.

Assembly Member Murphy thanked President Knopp for all of the time and effort he put into his job as Assembly President, she recognized the time involved and the difficulty when also owning a business. She congratulated newly elected Assembly Member Kelly Wolf and reelected Assembly Members Mako Haggerty, Sue McClure and Hal Smalley. She said she felt that term limits were a disservice to the Kenai Peninsula Borough, and if it there were no term limits she would not be on the Assembly today her predecessor Pete Sprague would probably still be serving on the Assembly and Gary Knopp would be staying. She said she was disappointed in the voter turn out for the borough election noting that in District 1 there was a 6.1 percent voter turn out. She stated a lot of people had fought and died for the right to vote and that right should be taken advantage of. She thanked everyone who came to the meeting and spoke, she said the Anadromous Fish Habitat Task Force was going to be making recommendations to the Assembly and looked forward to hearing what they had to say.

President Knopp stated that the people of the borough had made a great selection when they elected Mayor Navarre, and wanted the people to know that the borough was being managed very well. He noted that Mr. Braun was representing a large group of people and the public dialog and discussion taking place was what would finally get things resolved, he believed the system would work. He stated that although he did not always agree with all of the Assembly Members they were all his friends, he felt the Assembly was very functional and would move forward very well. He stated the borough had a lot of great staff people; however, the top of his list was the staff in the Clerk’s Office, not only did they do a good job they did it consistently.

**ADJOURNMENT**

With no further business to come before the assembly, President Knopp adjourned the meeting at 9:15 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of October 9, 2012.

\_\_\_\_\_  
Johni Blankenship, MMC, Borough Clerk

Approved by Assembly:\_\_\_\_\_

Introduced by: McClure, Mayor  
Date: 10/23/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
COMMENDING RESOLUTION**

**A RESOLUTION COMMENDING AUTUMN LUDWIG FOR HER ACT OF  
BRAVERY AND OUTSTANDING SERVICE AND COMMITMENT TO THE  
BEAR CREEK FIRE SERVICE AREA**

- 1 **WHEREAS**, Autumn Ludwig has been a dedicated volunteer with the Bear Creek Fire Service  
2 Area since January 2010; and
- 3 **WHEREAS**, during her career she has demonstrated honesty and loyalty to everyone she  
4 served with; and
- 5 **WHEREAS**, on July 4, 2012 during the Mount Marathon Race in Seward Alaska, Ms. Ludwig  
6 responded to shouts of a person falling by placing herself in the path of the falling  
7 racer, Penny Assman; and
- 8 **WHEREAS**, Ms. Ludwig's willingness to sacrifice her safety for the life of a complete stranger  
9 was an Act of Bravery; and
- 10 **WHEREAS**, had Ms. Ludwig not performed this self-less act the racer would have received  
11 more severe injuries or possibly death; and
- 12 **WHEREAS**, Ms. Ludwig continued to provide medical aid to the racer and assisted with the  
13 extrication down the mountain; and
- 14 **WHEREAS**, Ms. Ludwig was named the 2012 Firefighter of the Year by the State of Alaska,  
15 Department of Public Safety, the first woman to receive this prestigious award;

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

3 **SECTION 1.** The Kenai Peninsula Borough Assembly commends Autumn Ludwig for her  
4 dedicated service to the Bear Creek Fire Service Area and the citizens of the East  
5 Peninsula.

6 **SECTION 2.** That a copy of this resolution shall be provided to Autumn Ludwig.

7 **SECTION 3.** This resolution takes effect upon adoption.

8 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS**  
9 **23RD DAY OF OCTOBER, 2012.**

\_\_\_\_\_  
Assembly President

ATTEST:

\_\_\_\_\_  
Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



**Kenai Peninsula Borough**  
**Alaska**  
**Proclamation**

WHEREAS, domestic violence, once a secret kept among families, is now recognized as a serious crime in the State of Alaska; and

WHEREAS, domestic violence has severe consequences for survivors, their children and families, and has long lasting impacts on their quality of life; and

WHEREAS, stopping this cycle of violence requires not only the resolve and courage of survivors, but also support and involvement from all of us; and

WHEREAS, domestic violence in the home is a problem that affects every socioeconomic level in our society occurring in wealthy and disadvantaged neighborhoods, and includes the employed and unemployed; and

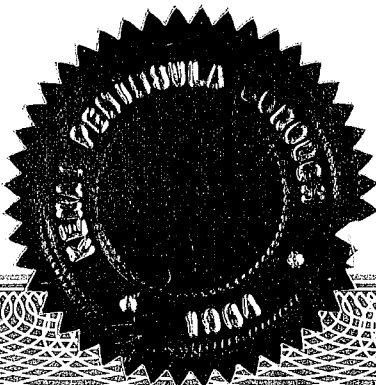
WHEREAS, domestic violence is generally learned and passed down from one generation to another; and

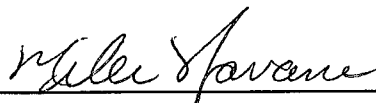
WHEREAS, during the month of October, local, state and national domestic violence agencies will sponsor events to help us focus public attention on the problem of domestic violence.

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

***Domestic Violence Awareness Month***

for the Kenai Peninsula Borough, and I encourage all citizens to dedicate themselves to learning about reducing domestic violence; and further encourage everyone to support the domestic violence programs in the community, including the LeeShore Center and Haven House.



  
\_\_\_\_\_  
Mike Navarre  
Kenai Peninsula Borough Mayor



## **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 *P.O. from M.N.*

**DATE:** October 23, 2012

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#### Assembly Requests/ Response

None

#### Agreements and Contracts

- a. Authorization to Award Contract for RFP 13-004 Assessment Notice Production and Mass Mailing to DATAMATX of Atlanta, Georgia.
- b. Authorization to Award Contract for West Point Avenue Fuel Reduction Project to Paul's Services.
- c. Authorization to Award Contract for Professional Design Services, Mountain View and Nikiski-North Star Elementary Schools Site Improvements to SGM, Inc.
- d. Authorization to Award Contract for RFP 13-003 Salary Classification and Compensation Study to Fox Lawson & Associates.
- e. Authorization to Award Contract for Kenai Peninsula Borough Service Area Energy Efficiency Audit – Central Area to Central Alaska Engineering.
- f. Authorization to Award Contract for Kenai Peninsula Borough Service Area Energy Efficiency Audit – Seward Area to Wisdom and Associates.
- g. Authorization to Award Contract for Kenai Peninsula Borough Service Area Energy Efficiency Audit – Homer Area to Wisdom and Associates.

- h. Authorization to Award Contract for Purchase of Electrical Hardware for the Future Installation of Security Cameras through a Cooperative Purchasing Group.

Other

- a. Alaska Small Business Development Center – South West Region  
First Quarter Report FY2013 – July 1, 2012 through September 30, 2012
- b. Litigation Status Report
- c. Recap of 2012 Surplus Property Auction



# 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 *[Signature]*

**FROM:** Tom Anderson, Director of Assessing *[Signature]*

**DATE:** October 1, 2012

**SUBJECT:** Authorization to Award Contract for RFP13-004 Assessment Notice Production and Mass Mailing

The Purchasing and Contracting Office formally solicited and received proposals for the Assessment Notice Production and Mass Mailing. Proposal packets were released on August 9, 2012 and the Request for Proposal was advertised in the Peninsula Clarion August 9, 2012.

The project consists of the production and mailing of assessment notices.

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

<u>FIRM</u>	<u>TOTAL SCORE</u>
DATAMATX	247
The Master's Touch	228
Automatic Funds Transfer Service	223
The Data Center	222
QuestMark	195

The highest ranking proposal, which includes a cost factor, was submitted by DATAMATX with a lump sum cost proposal of \$22,433.80. The proposal review committee recommends award of a contract to **DATAMATX of Atlanta Georgia**. Your approval for this award is hereby requested.

Funding for this project is in account number 100.11510.00000.43011.

*[Signature]*  
\_\_\_\_\_  
Mike Navarre, Mayor

*10/2/12*  
\_\_\_\_\_  
Date

**RECEIVED**

OCT 01 2012

**KPB**  
**FINANCE ADMINISTRATION**

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. <u>100.11510.00000.43011</u>	
Amount <u>\$22,433.80</u>	
By: <u><i>[Signature]</i></u>	Date: <u>10/1/12</u>



# KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

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](http://www.borough.kenai.ak.us)

**MIKE NAVARRE  
BOROUGH MAYOR**

TO: Mike Navarre, Mayor

THRU: Mark Fowler, Purchasing & Contracting Director 

THRU: Max Best, Planning Director 

FROM: Michael Fastabend, SBB Program Coordinator

DATE: October 1, 2012

SUBJECT: Authorization to Award Contract for West Point Avenue Fuel Reduction Project

The Purchasing and Contracting Office formally solicited and received bids for the West Point Avenue Fuel Reduction Project. Bid packets were released and the Invitation to Bid was advertised in the Peninsula Clarion on September 6, 2012

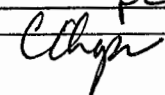
The project consists of deconstructing windrowed log fences, limbing and decking of salvageable logs, and the creation of burnable slash piles of remaining woody material.

On the due date of September 20, 2012, six bids were received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$2.64 per linear foot or \$17,886.64 Total Extended Bid was submitted by Paul's Services.

Your approval for this bid award is hereby requested. Funding for this project is in account number 262.21320.09BT1.43011. A copy of the bid tabulation is attached.

  
Mike Navarre, Mayor

10/4/12  
Date

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>262.21320.09BT1.43011</u>
Amount	<u>\$17,886.64</u>
By:	<u></u> Date: <u>10/3/12</u>

**RECEIVED**  
OCT 03 2012  
KPB  
FINANCE ADMINISTRATION

**KENAI PENINSULA BOROUGH  
PURCHASING & CONTRACTING**

**BID TAB FOR: ITB13-010 West Point Avenue Fuel Reduction Project**

CONTRACTOR	UNIT PRICE (Linear Foot)	BASE BID
Paul's Service	\$ 2.65 \$	\$ 17,956.40
Property Improvements	\$ 6.198 \$	\$ 41,997.65
Pearce Construction	\$ 4.48 \$	\$ 30,356.48
Alaska Pioneer Contractors	\$ 7.96 \$	\$ 53,936.96
Kenai Peninsula Land & Timber	\$ 5.00 \$	\$ 33,880.00
Doug Koch Pro. Tree Service	\$ 4.83 \$	\$ 32,728.08

**DUE DATE: September 20, 2012 @ 2:00 PM**

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



**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 *[Signature]*  
**FROM:** Pat Malone, Acting Director, Borough Maintenance Department *[Signature]*  
**DATE:** October 2, 2012

**SUBJECT: Authorization to Award Contract for Professional Design Services, Mountain View and Nikiski-North Star Elementary Schools Site Improvements**

The Purchasing and Contracting Office formally solicited and received proposals for the project Professional Design Services, Mountain View and Nikiski-North Star Elementary Schools Site Improvements. Proposal packets were released on September 12, 2012 and the Request for Proposal was advertised in the Peninsula Clarion on September 12, 2012.

The project consists of providing field survey work, geotechnical investigation, and bid-ready civil design drawings, materials estimate and cost estimate for parking lots and other site improvements at both schools.

On the due date of September 17, five (5) proposals were received and ranked by a review committee as follows:

<u>FIRM</u>	<u>TOTAL SCORE</u>
SGM, Inc.	258
Nelson Engineering	214
Wince-Corthell-Bryson	175
Tauriainen Engineering	165
Larson Engineering	154

The highest ranking proposal, which includes a cost factor, was submitted by SGM Inc., with a lump sum cost proposal of \$ 12,620.00. The proposal review committee recommends award of a contract to **SGM, Inc.** Your approval for this award is hereby requested.

Funding for this project is in account number 400.78050.10802.

*Mike Navarre*  
\_\_\_\_\_  
Mike Navarre, Mayor

*10/4/12*  
\_\_\_\_\_  
Date

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. 400.78050.10802.43011	
Amount \$12,620.00	
By: <i>pc</i>	Date: <i>10/2/12</i>

**RECEIVED**

OCT 02 2012

KPB

*BM  
02/22/12*



# KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520  
Phone (907) 262-4441 • Fax (907) 262-1892  
www.borough.kenai.ak.us

**MIKE NAVARRE  
BOROUGH MAYOR**

## MEMORANDUM

**TO:** Mike Navarre, Mayor

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

**FROM:** Christine Anderson, Acting HR Director, HR

**DATE:** October 4, 2012

**SUBJECT:** Authorization to Award Contract for RFP13-003 Salary Classification and Compensation Study

The Purchasing and Contracting Office formally solicited and received proposals for a salary classification and compensation study. Proposal packets were released and the Request for Proposal was advertised in the Peninsula Clarion on August 10, 2012.

The project consists of the examination of the Borough's classifications and compensation systems and recommendations for compensation policies, procedures and practices.

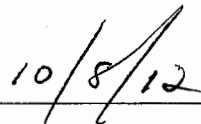
On the due date of August 23, 2012 four (4) proposals were received and ranked by a review committee as follows:

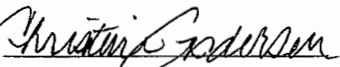
<u>FIRM</u>	<u>TOTAL SCORE</u>
Fox Lawson & Associates	308
Public Sector Personnel Consultants	295
Jacobson, Betts & Company	292
Condrey & Associates	248

The highest ranking proposal, which includes a cost factor, was submitted by Fox Lawson and Associates with a lump sum cost proposal of \$51,500.00. The proposal review committee recommends award of a contract to Fox Lawson and Associates. Your approval for this award is hereby requested.

Funding for this project is in account number 100.11230.00000.43011.

  
 \_\_\_\_\_  
 Mike Navarre, Mayor

  
 \_\_\_\_\_  
 Date

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	100.11230.00000.43011
Amount	\$51,500 - \$81,500 + expenses
By: 	Date: 10/8/12





**KENAI PENINSULA BOROUGH**

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

**MIKE NAVARRE  
BOROUGH MAYOR**

**MEMORANDUM**

**RECEIVED**

**OCT 05 2012**

**TO:** Mike Navarre, Mayor

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

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

**DATE:** October 5, 2012

**SUBJECT:** Authorization to Award Contract for Kenai Peninsula Borough Service Area Energy Efficiency Audit – Central Area

KPB  
FINANCE DEPT ACCOUNTING

The Purchasing and Contracting Office formally solicited and received proposals for the Kenai Peninsula Borough Service Area Energy Efficiency Audit – Central Area. Proposal packets were released on September 6, 2012 and the Request for Proposal was advertised in the Anchorage Daily News, the Peninsula Clarion, the Homer News, and the Seward Phoenix Log on September 6, 2012.

The scope of work consists of furnishing all labor, materials, equipment, tools, supervision and other facilities necessary to perform a Level 2 Investment Grade Audit (IGA) per the American Society of Heating, Refrigeration, Air-conditioning Engineers (ASHRAE) and the association of Energy Engineers (AEE) and provide a draft and final report.

On the due date of September 20, 2012, six (6) proposals were received and ranked by a review committee as follows:

<u>FIRM</u>	<u>TOTAL SCORE</u>
Central Alaska Engineering	278
Wisdom & Associates	275
Ameresco, Inc.	171
NORTECH	167
WH Pacific	149
Alaska Thermal Imaging	140

The highest ranking proposal, which includes a cost factor, was submitted by Central Alaska Engineering with a lump sum cost proposal of \$20,085.00. The proposal review committee recommends award of a contract to **Central Alaska Engineering**. Your approval for this award is hereby requested.

Funding for this project is in account numbers 211.51610.00000.43011, 225.61110.00000.43011, and 206.51110.00000.43011.

Mike Navarre  
Mike Navarre, Mayor

10/8/12  
Date

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. <u>211.51610.00000.43011</u>	
Amount <u>\$4,960.45</u>	
By: <u>pc</u>	Date: <u>10/5/12</u>

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. <u>225.61110.00000.43011</u>	
Amount <u>\$9,101.71</u>	
By: <u>pc</u>	Date: <u>10/5/12</u>

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. <u>206.51110.00000.43011</u>	
Amount <u>\$6,022.85</u>	
By: <u>pc</u>	Date: <u>10/5/12</u>



**KENAI PENINSULA BOROUGH**

144 North Binkley Street • Soldotna, Alaska 99669-7520  
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www.borough.kenai.ak.us

**MIKE NAVARRE  
BOROUGH MAYOR**

**MEMORANDUM**

**RECEIVED**

OCT 05 2012

**TO:** Mike Navarre, Mayor

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

KPB  
FINANCE DEPT ACCOUNTING

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

**DATE:** October 5, 2012

**SUBJECT:** Authorization to Award Contract for Kenai Peninsula Borough Service Area Energy Efficiency Audit – Seward Area

The Purchasing and Contracting Office formally solicited and received proposals for the Kenai Peninsula Borough Service Area Energy Efficiency Audit. Proposal packets were released on September 6, 2012 and the Request for Proposal was advertised in the Anchorage Daily News, the Peninsula Clarion, the Homer News, and the Seward Phoenix Log on September 6, 2012.

The scope of work consists of furnishing all labor, materials, equipment, tools, supervision and other facilities necessary to perform a Level 2 Investment Grade Audit (IGA) per the American Society of Heating, Refrigeration, Air-conditioning Engineers (ASHRAE) and the association of Energy Engineers (AEE) and provide a draft and final report.

On the due date of September 20, 2012, six (6) proposals were received and ranked by a review committee as follows:

<u>FIRM</u>	<u>TOTAL SCORE</u>
Wisdom & Associates	275
Central Alaska Engineering	214
Ameresco, Inc.	206
The Energy Saver	181
NORTECH	158
Alaska Thermal Imaging	154

The highest ranking proposal, which includes a cost factor, was submitted by Wisdom & Associates with a lump sum cost proposal of \$2,300.00. The proposal review committee recommends award of a contract to **Wisdom & Associates**. Your approval for this award is hereby requested.

Funding for this project is in account numbers 207.51210.00000.43011, and 100.94910.00000.60000.

Mike Navarre  
Mike Navarre, Mayor

10/8/12  
Date

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>207.51210.00000.43011</u>
Amount	<u>\$1,596.00</u>
By: <u>pc</u>	Date: <u>10/5/12</u>

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>100.94910.00000.60000</u>
Amount	<u>\$704.00</u>
By: <u>pc</u>	Date: <u>10/5/12</u>



**KENAI PENINSULA BOROUGH**

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

**MIKE NAVARRE  
BOROUGH MAYOR**

**MEMORANDUM**

**TO:** Mike Navarre, Mayor

**RECEIVED**

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

*BA rcccc*  
*mf*  
OCT 05 2012  
KP  
FINANCE DEPT ACCOUNTING

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

**DATE:** October 5, 2012

**SUBJECT:** Authorization to Award Contract for Kenai Peninsula Borough Service Area Energy Efficiency Audit – Homer Area

The Purchasing and Contracting Office formally solicited and received proposals for the Kenai Peninsula Borough Service Area Energy Efficiency Audit – Homer Area. Proposal packets were released on September 6, 2012 and the Request for Proposal was advertised in the Anchorage Daily News, the Peninsula Clarion, the Homer News, and the Seward Phoenix Log on September 6, 2012.

The scope of work consists of furnishing all labor, materials, equipment, tools, supervision and other facilities necessary to perform a Level 2 Investment Grade Audit (IGA) per the American Society of Heating, Refrigeration, Air-conditioning Engineers (ASHRAE) and the association of Energy Engineers (AEE) and provide a draft and final report.

On the due date of September 20, 2012, seven (7) proposals were received and ranked by a review committee as follows:

<u>FIRM</u>	<u>TOTAL SCORE</u>
Wisdom & Associates	275
Ameresco, Inc.	272
The Energy Saver	268
Alaska Thermal Imaging	239
Central Alaska Engineering	223
NORTECH	158
WH Pacific	152

The highest ranking proposal, which includes a cost factor, was submitted by Wisdom & Associates with a lump sum cost proposal of \$8,350.00. The proposal review committee recommends award of a contract to **Wisdom & Associates**. Your approval for this award is hereby requested.

Funding for this project is in account numbers 227.61210.00000.43011, 209.51410.00000.43011, 212.51810.00000.43011, and 100.94910.00000.60000.

Mike Navarre  
Mike Navarre, Mayor

10/8/12  
Date

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. <u>227.61210.00000.43011</u>	
Amount <u>\$926.00</u>	
By: <u>pc</u>	Date: <u>10/5/12</u>

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. <u>209.51410.00000.43011</u>	
Amount <u>\$2,412.00</u>	
By: <u>pc</u>	Date: <u>10/5/12</u>

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. <u>212.51810.00000.43011</u>	
Amount <u>\$1,478.00</u>	
By: <u>pc</u>	Date: <u>10/5/12</u>

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. <u>100.94910.00000.60000</u>	
Amount <u>\$3,534.00</u>	
By: <u>pc</u>	Date: <u>10/5/12</u>





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

**MIKE NAVARRE**  
**BOROUGH MAYOR**

**MEMORANDUM**

**TO:** Mike Navarre, Mayor

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

**FROM:** Pat Malone, Interim Director of Maintenance 

**DATE:** 10/10/2012

**SUBJECT:** Authorization to Award Contract Through a Cooperative Purchasing Group for the Purchase of Electrical Hardware to Build the Infrastructure for the Future Installation of Security Cameras

We are requesting authorization for the use of a cooperative purchasing agreement for the purchase of electrical hardware to build the infrastructure for future installation of security cameras.

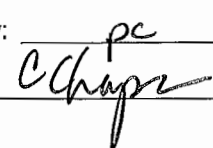
This procurement consists of the purchase of electrical hardware including: fasteners, cable, wall plates, and other components, through the US Communities purchasing agreement for a not to exceed amount of \$33,575.67.

Your approval for award is hereby requested. Funding for this project is in account number 400.78050.13489.42310.

  
 for Mike Navarre, Mayor

10/11/12  
 Date

**RECEIVED**  
 OCT 11 2012  
 KP  
 FINANCE ADMINISTRATION

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. 400.78050.13489.42310 Amount \$33,575.67	
By: <u>pc</u> 	Date: <u>10/11/12</u>



South West Region  
43335 Kalifornsky Beach Road, Suite 12  
Soldotna, AK 99669  
TEL 907.260.5629  
FAX 907.260.1695  
www.aksbdc.org

October 1, 2012

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

Dear Mayor Navarre:

I'm pleased to offer the following Alaska Small Business Development Center (AK SBDC), South West Region report for your review:

**Key Performance Indicators**

- Clients counseled: 70
- New clients counseled: 36
- New businesses: 5
- Jobs created: 7
- Training events: 6
- Training attendees: 18
- Capital infusion: \$306,000
- Business plan development: 23

**Trends**

The numbers above provide the results for our Key Performance Indicators for the Kenai Peninsula Borough's 1st Quarter (July 1, 2012 through September 30, 2012). Yearly performance to date is reported in the attached report. These results indicate a positive trend compared to prior years which we attribute to our commitment, long lasting partnerships, and continued support from our community stakeholders.

**Results for all**

The Kenai Peninsula Borough Regional office continues to be staffed full-time with a Regional Director and an Administrative Assistant. Our team continues to develop strong working relationships with clients, Chambers of Commerce, lenders and government agencies.

Thank you on behalf of the AK SBDC for your continued support which is so greatly appreciated. Your support provides the opportunity for us to continue to provide business and professional services to the members of our community.

Sincerely,

Bryan Zak  
South West Region Director

Enclosure: Narrative and corresponding documentation

STATEWIDE CENTERS: Anchorage, Fairbanks, Juneau, Kenai Peninsula, Mat-Su Valley

FAMILY PROGRAMS: PTAC - Procurement Technical Assistance Centers of Alaska, APEX - Alaska Performance Excellence, TREND - Technology Research and Development Center of Alaska, ROPE - Rural Outreach Program for Entrepreneurs, and our Buy Alaska Program





**Alaska Small Business Development Center- South West Region  
43335 Kalifornsky Beach Rd., Suite 12  
Soldotna, AK 99669  
907-260-5629**

**First Quarter Report  
FY2013  
July 1, 2012 through September 30, 2012**

**Presented to:**

**Kenai Peninsula Borough  
Mayor Mike Navarre  
144 North Binkley Street  
Soldotna, AK 99669**

**October 1, 2012**

**The Alaska Small Business Development Center South West Region (AKSBDC-SW)** offers services to businesses just getting started and existing on the Kenai Peninsula.

Our goal is to provide education, information and services designed to help, develop, sustain and grow small businesses within our service area.

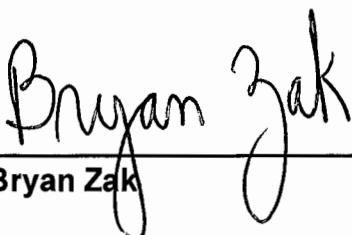
The hallmark to our services is the free, one-on-one, confidential counseling individualized to meet each client's needs. A counseling session may cover a myriad of topics related to business, including business plan development and review, business projections, cash flow analysis, marketing, bookkeeping, loan packaging, licensing and permitting, to name a few.

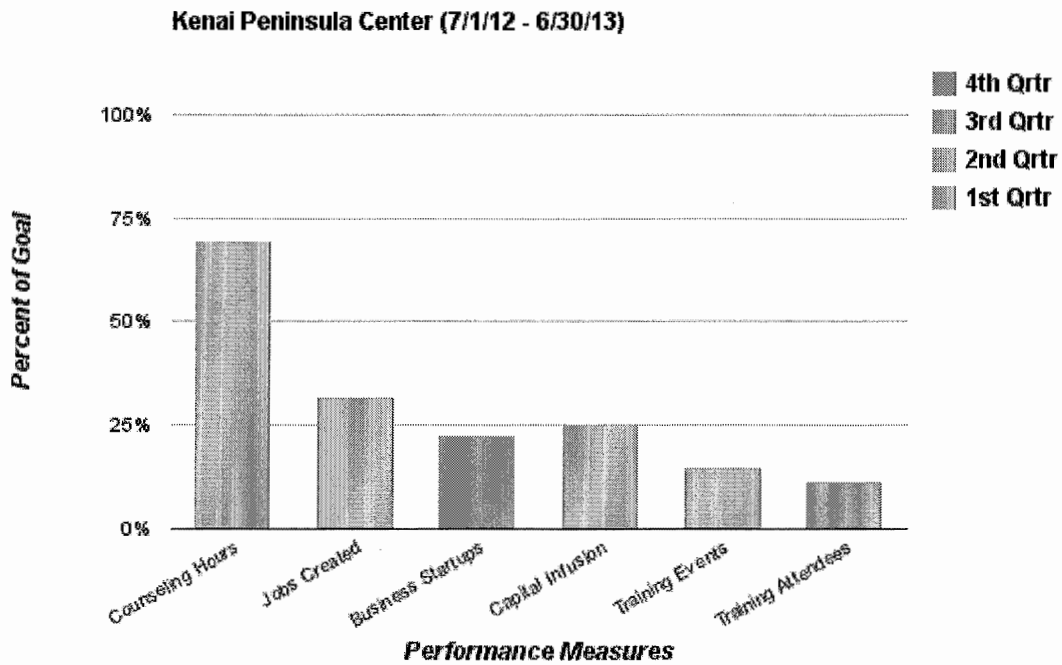
The AKSBDC-SW also provides entrepreneurs access to a business library, Internet computer usage for research and business training through no - and low-cost seminars and workshops.

The Offices in Soldotna, Homer, and Seward offer further assistance through AKSBDC-SW's partner program PTAC, which provides assistance with state, federal and local government procurement opportunities. Other available resources include a set of business tools at [www.AKSBDC-SW.org](http://www.AKSBDC-SW.org), ongoing live webinars, access to market research, and a statewide network of knowledgeable staff.

On the Kenai Peninsula the AKSBDC-SW has established collaborative relationships with the Kenai Peninsula Borough, all of the Chambers of Commerce, the cities of Homer and Seward, the Kenai Peninsula Tourism Marketing Council and the Kenai Peninsula Economic Development District. These relationships provide a small amount of funding or in-kind services, and promote our workshops and counseling in their newsletters.

**I certify that to the best of my knowledge, the information contained herein is accurate and reflects the activities executed by the AKSBDC-SW during the First Quarter FY13.**

  
\_\_\_\_\_  
**Bryan Zak** **October 1, 2012**



**Performance Indicators and Progress To-Date**

The AKSBDC-SW performance measures for FY2013 (FY 07/01/2012 through 6/30/12) depicted in the figure above are explained below with progress to date.

**Number of Clients Counseled Current Quarter: 70**  
**YTD: 70 unique clients**

During the First Quarter, 70 clients received counseling assistance. This represents 173.50 hours spent with clients in the quarter. Of start-up and existing business clients, 22 are male, 28 are women-owned and 13 have two or more owners.

Our free, confidential counseling is offered to all individuals seeking assistance. Due to the volume of requests for ounseling the AKSBDC-SW has segmented its clients into the following life cycle: Think, Launch, Grow, Reinvent and Exit. By understanding the stage of a client’s business, both the client and the counselor work more efficiently and produce results more effectively.

In order to be considered a reportable counseling session the client's initial counseling session must be no less than 1 hour with the business advisor. Follow-up counseling sessions can be any length of time. Although the Business Advisor offers information and advice to clients on an ongoing regular basis via telephone, email or in person, only the reportable sessions are listed.

Clients represented a wide range of businesses including service-related businesses (19), retail (10), construction (4), manufacturing (2) and other business ventures (35). Most appear to be starting or continuing with year-round ventures, with several seasonal businesses exploring options for year-round operations.

**The regional results reported below represent the AKSBDC-SW's Key Performance Indicators (KPI's) which are each tied to our strategic plan. The trend for all KPI's indicate a steady upward trend and we attribute this to our organization's Baldrige journey to achieve performance excellence.**

#### **Jobs Created**

**YTD: 7**

The South West Region of the AK SBDC continues to see an increasing trend for number of jobs created as compared to prior year's results. During the First Quarter, 7 new jobs were added.

#### **Business Starts**

**YTD: 5**

Additionally, results for business starts shows a positive trend as business owners take advantage of low interest rates and new business opportunities. An enterprise is considered "in-business" when all required licensing/permitting is acquired and has either payroll, acquired debt or equity capital, incurred business expenses, and/or has a sale. During the First Quarter, we had 5 new businesses created.

#### **Capital Infusion**

**YTD: \$306,000**

Capital Infusion is also showing an increasing trend compared to previous years. We attribute this to the continued marketing, improvement and development of our services, lower interest rates, owners' willingness to finance businesses, and private investment.

**TOTAL TO DATE:**

**SBA Loans: \$0**

**Non-SBA: \$250,000**

Non-Debt Financing: \$56,000

**Training Events & Attendees**

**YTD Events: 6**

**YTD Attendees: 18**

Training events, in the form of workshops and classes, are available through the AKSBDC-SW office. These trainings may be provided by the Business Advisor or other professionals. During the First quarter, we offered 6 training events with a total of 18 attendees. The training topics covered pre-business training, business planning, accounting, and QuickBooks.

Recently the AKSBDC-SW has improved how it offers workshops. Many of our workshops are now available via an online software, ReadyTalk. An individual needs only a a computer, Internet connection, and phone line to join the workshop. These workshops are also archived so our customers can view at times that are convenient for them. We're pleased to say that with this new offering there were 3 clients from the KPB who took advantage of this new technology.

We anticipate many new improvements over the next fiscal year for workshops. It will be our pleasure to keep you posted on new developments and technology that will better assist business start-ups and growth.



# **KENAI PENINSULA BOROUGH**

## **Legal Department**

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the Borough: 1-800-478-4441, Ext. 2120

**PHONE:** (907) 714-2120 • **FAX:** (907) 714-2379

[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

**MIKE NAVARRE**  
**BOROUGH MAYOR**

## **MEMORANDUM**

**TO:** Assembly President  
President, Board of Education  
Members, Kenai Peninsula Borough Assembly  
Members, Kenai Peninsula Borough School District Board of Education

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

**FROM:** Colette Thompson, Borough Attorney *Colette J. Thompson*

**COPY:** Risk Management Committee  
Julie Cisco, Risk Manager

**DATE:** October 11, 2012

**SUBJECT:** Litigation Status Report

Following is a summary of the major lawsuits in which the borough and school district are involved. This list does not include the real property tax foreclosures and numerous standard tax collection cases pursued by the borough.

1. **Alliance of Concerned Taxpayers, Inc. v. KPB.** Case No. 3KN-06-1129 CI / S-13596 and S-13883. The Alliance of Concerned Taxpayers, Inc. ("ACT") sued the borough for alleged violations of two initiatives: 1) limiting the sales tax to 2 percent and requiring 60 percent voter approval to increase it; and 2) requiring 60 percent voter approval before spending more than \$1 million on a capital improvement project. Final Judgment was entered July 30, 2009, in favor of the borough on both issues. ACT appealed that decision to the Alaska Supreme Court. The superior court awarded attorney fees to the borough on the sales tax issue but declined to award attorney fees to the borough on the capital improvement issue because it held ACT qualified as a public interest litigant on that issue. The borough appealed the public interest litigant finding. On April 6, 2012, the Alaska supreme court issued a decision ruling in favor of the borough on all issues. It concluded the 3 percent sales tax was legally enacted, that requiring voter approval to construct a capital improvement is an impermissible infringement on the assembly's exclusive control over the budget, and ruled that ACT was not

a public interest litigant. The Alaska supreme court awarded the borough \$750 in attorneys' fees and the superior court awarded the borough additional attorney's fees of \$5,089.50 on August 13, 2012.

2. **MR Valuation Consulting, Inc. v. Kenai Peninsula Borough.** Case no. 3KN-12-865CI. MR Valuation Consulting (MRV) sued the borough alleging the borough breached its contract by failing to pay the amount MRV claims it is due. MRV was hired to appraise the Tesoro refinery for the assessor in 2011 and the borough disputes its claims. The parties entered a standstill agreement pending private mediation which is expected to occur in early December 2012.
3. **Richard Mystrom/Riverhome LLC v. KPB Board of Equalization.** Case No. 3AN-12-09353CI. This is an appeal from a BOE decision claiming that the BOE decision was not supported by the evidence presented. The agency record has been filed but the briefing schedule has not yet been established.
4. **Price v. Kenai Peninsula Borough and Johni Blankenship, Clerk.** Case No. 3KN-11-404 CI / S-14713. James Price sued the borough for its rejection of referendum petition no. 2010-01. This petition requested a borough-wide vote to repeal ordinance 2008-28, which allowed the cities in the borough to opt out of the seasonal sales tax exemption. The petition was rejected because it constituted local and special legislation and directly conflicted with AS 29.45.700 delegating to the assembly the authority to allow the city to tax sources that the borough does not. Both parties filed motions for summary judgment, oppositions, and replies thereto. Oral argument was held before the superior court on November 8, 2011. The court ruled in the borough's favor that the referendum constituted local and special legislation and did not reach the issue of whether it directly conflicted with a state statute. Final judgment was issued on March 21, 2012. Price has appealed that judgment to the supreme court and his opening brief was received October 10, 2012.
5. **Reekie v. KPB, KPBSD, et al.** Case no. 3AN-11-12440 CI. Justin Reekie, Raymond Reekie and Shawn Leigh Reekie filed suit against the borough, the school district, the American Legion, Department of Alaska, Inc. and numerous other entities and individuals for damages allegedly sustained by Justin during baseball batting practice held at Homer High School on or about March 24, 2010. Plaintiffs' motion to amend their complaint to add more parties was granted and discovery is in process.
6. **State v. Offshore Systems-Kenai.** Case No. 3KN-08-453 CI/ S-13994. The State sued OSK to enjoin it from blocking public access to the beach across property now owned by

OSK. The borough filed a motion to intervene in this case, which the court granted. The superior court issued a final judgment in the borough's and state's favor and the borough was awarded costs and attorney fees as it was designated a prevailing party. OSK appealed the decision to the Alaska Supreme Court and was granted a stay of award of costs and attorney's fees pending resolution by the Supreme Court. The Alaska Supreme Court issued a decision July 27, 2012, in favor of the borough holding that the 1980 patent conveying the property to the borough established a valid public access easement to the beach in Nikiski. The court also reversed the order awarding attorney fees to the borough and remanded the issue of attorney fees allowable to the borough to the superior court.






**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](http://www.borough.kenai.ak.us)

**MIKE NAVARRE**  
**BOROUGH MAYOR**

**MEMORANDUM**

**TO:** Mike Navarre, Mayor  
**FROM:** Mark Fowler, Purchasing & Contracting Director   
**DATE:** October 9, 2012  
**SUBJECT:** Recap of 2012 Surplus Property Auction

The auction held on Saturday, September 22, 2012, realized total gross receipts of \$150,780.00, which included sales for the City of Soldotna (\$6,990.00), Homer Electric Association (\$67,760.00) and Kenai Peninsula College (\$2,825.00).

North Pacific Auctioneers Ltd. conducted the auction for a 9.7% fee of the gross receipts (\$14,625.66 from the total sales). A total of 202 buyers were registered, compared to 243 in 2011, 165 in 2010, 148 in 2009, 144 in 2008, 133 in 2007 and 204 in 2006. Registrants were from various communities within the Borough as well as Anchorage, Mat-Su Valley and Eagle River.

A total of \$3,196.85 was spent on radio and newspaper advertising, \$1,700.86 for equipment rentals, signage and material used during the auction, and \$2,375.25 for the recycling of electronic equipment (copiers and old computers). The auction effort was supported by six (6) Borough and School District employees.

Attached is a printout of the disbursement of auction proceeds and a detail of the auction costs.

## DISBURSEMENT OF 2012 AUCTION PROCEEDS

TOTAL GROSS RECEIPTS		\$			150,780.00			
AUCTIONEER'S FEE (Borough)			9.70%		\$14,625.66			
NET TO BOROUGH FROM AUCTIONEER					\$ 136,154.34			
ADVERTISING COSTS (radios/newspapers)					(\$3,196.85)			
MISCELLANEOUS OPERATIONAL COSTS (rentals/supplies)					(\$1,700.86)			
ELECTRONIC RECYCLE COSTS					(\$2,375.25)			
<u>NET TO BE DISTRIBUTED</u>					\$ 128,881.38			
	Auction Gross Receipts	Less Advertising Costs	Less Miscellaneous Operational Costs	Less Auctioneer's Fee (9.7%)	Less Electronic Recycle Costs	Net Total Due to Account	Revenue Account #	
Equipment Replacement Fund	\$36,100.00	(\$765.33)	(\$407.19)	(\$3,501.38)		\$31,426.11	705.39301	
City of Soldotna	\$6,990.00	(\$148.33)	(\$78.92)	(\$678.63)		\$6,084.12	Check to Soldotna	
Nikiski Fire Service Area	\$12,100.00	(\$256.39)	(\$136.41)	(\$1,172.98)		\$10,534.23	206.39301	
North Pen Rec.	\$160.00	(\$3.52)	(\$1.87)	(\$16.09)		\$138.52	225.39301	
Central Peninsula Hospital	\$1,005.00	(\$21.42)	(\$11.40)	(\$97.99)		\$874.19	600.39301	
Homer Electric Association	\$67,760.00	(\$1,436.66)	(\$764.37)	(\$6,572.77)		\$58,986.20	Check to HEA	
South Peninsula Hospital	\$1,540.00	(\$32.61)	(\$17.35)	(\$149.18)		\$1,340.86	211.39301	
Kenai Peninsula College	\$2,825.00	(\$59.78)	(\$31.81)	(\$273.50)		\$2,459.91	Check to KPC	
KPB School District	\$10,610.00	(\$225.06)	(\$119.74)	(\$1,029.65)		\$8,047.93	241.22210	
KPB General Fund	\$11,690.00	(\$247.76)	(\$131.82)	(\$1,133.49)		\$8,989.31	100.39301	
Purchasing & Contracting		(\$3,196.85)	(\$1,700.86)			\$ (2,375.25)		
<b>TOTAL</b>	<b>\$150,780.00</b>			<b>(\$14,625.66)</b>		<b>\$128,881.38</b>		

Introduced by: Haggerty  
Date: 08/21/12  
Hearing: 09/18/12  
Action: Postponed Until 10/23/12  
Date: 10/23/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-19-25**

**AN ORDINANCE APPROPRIATING \$36,832 FROM THE KACHEMAK  
EMERGENCY SERVICE AREA OPERATING FUND BALANCE FOR ADDITIONAL  
PERSONNEL COST AND AUTHORIZING CHANGING THE SHARED MECHANIC  
POSITION BETWEEN KACHEMAK EMERGENCY SERVICE AREA AND ANCHOR  
POINT FIRE AND EMERGENCY MEDICAL SERVICE AREA TO A FULL-TIME  
MECHANIC POSITION FOR KACHEMAK EMERGENCY SERVICE AREA**

1 **WHEREAS**, the mechanic position for Kachemak Emergency Service Area (KESA) and  
2 Anchor Point Fire and Emergency Medical Service Area (APFEMSA) is a full-  
3 time position split between the two service areas; and

4 **WHEREAS**, the current part-time mechanic is a National Fire Protection Association (NFPA)  
5 trained emergency vehicle technician and has fire apparatus experience; and

6 **WHEREAS**, the mechanic has resigned his position at APFEMSA and is working part-time at  
7 KESA; and

8 **WHEREAS**, the work load at KESA has steadily increased with the acquisition of surplus  
9 vehicles in lieu of new apparatus; and

10 **WHEREAS**, the increase in personnel cost to KESA for the period October 1, 2012 through the  
11 end of the current fiscal year for a full-time mechanic is estimated to be \$36,832;  
12 and

13 **WHEREAS**, the cost of contracting these services to a non-NFPA trained mechanic greatly  
14 increases the cost to the service area; and

15 **WHEREAS**, the service area and the borough benefit from having a trained, experienced fire  
16 apparatus mechanic to perform preventative maintenance, repairs and emergency  
17 repairs to mission critical rolling stock and fire station infrastructure; and

18 **WHEREAS**, at its June 21, 2012, meeting the KESA board passed a motion to fund a full-time  
19 mechanic and hire the current part-time mechanic for this position; and

20 **WHEREAS**, the cost of increasing the mechanic position from one-half time to full-time will  
21 likely require an increase in the mill rate in subsequent years;

22 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**  
23 **PENINSULA BOROUGH:**

24 **SECTION 1.** That the change of the current mechanic position serving both KESA and  
25 APFEMSA to a full-time mechanic position for KESA is hereby approved.

26 **SECTION 2.** That \$36,832 is appropriated from the KESA operating fund, fund balance to the  
27 following account to accommodate a full-time mechanic position at KESA:

28	212.51810.40110	Regular Wages	\$ 21,625
29	212.51810.40210	FICA	1,739
30	212.51810.40221	PERS	5,001
31	212.51810.40321	Health Insurance	7,173
32	212.51810.40322	Life Insurance	53
33	212.51810.40410	Leave	1,188
34	212.51810.40511	Other Benefits	<u>53</u>
35			\$ 36,832

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

37 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \***  
38 **DAY OF \* 2012.**

\_\_\_\_\_  
Assembly President

ATTEST:

\_\_\_\_\_  
Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:

# KENAI PENINSULA BOROUGH

## Kenai Peninsula Borough Assembly

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

Gary Knopp, Assembly President  
Charlie Pierce, Vice President

---

### MEMORANDUM

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

**FROM:** Mako Haggerty, Assembly Member (*M. H.*)

**DATE:** August 21, 2012

**RE:** Ordinance 2012-19-25: Appropriating \$36,832 from the Kachemak Emergency Service Area Operating Fund Balance for Additional Personnel Cost and Authorizing Changing the Shared Mechanic Position Between Kachemak Emergency Service Area and Anchor Point Fire and Emergency Medical Service Area to a Full-Time Mechanic Position for Kachemak Emergency Service Area

---

This memo supports Ordinance 2012-19-25 proposing to change the mechanic position for Kachemak Emergency Service Area (KESA) and Anchor Point Fire and Emergency Service Area (APFEMSA) to a full time position serving only KESA. After careful monitoring of the current workload and inventory the KESA Board voted at its June 21, 2012 meeting to support a full-time KESA mechanic position to fully meet service area needs. The mechanic is no longer working for APFEMSA.

The KESA Board believes it is in the best interest of KESA taxpayers to have a National Fire Protection Association (NFPA) trained emergency vehicle technician as a full-time staff position. The service area has been in need of a skilled mechanic for some time and was fortunate to find an available NFPA trained mechanic. KESA has older equipment and some equipment that was received in an unfavorable condition in need of repair and upgrades requiring a skilled and trained mechanic's attention. The cost of contracting the work out to an outside service provider would greatly exceed the cost of hiring the current mechanic to a full time position.

The increase in personnel cost to KESA for a full time mechanic for the period of October 1, 2012 through the end of the current fiscal year is estimated to be \$36,832. This ordinance would appropriate this amount from KESA's operating fund balance for additional personnel costs. It is anticipated that maintaining a full time mechanic's position will require an increase in the mill rate for KESA in subsequent years.

Your consideration is appreciated.

FINANCE DEPARTMENT ACCOUNT VERIFIED	
Acct. No.	<u>212.27910 FB</u>
Amount	<u>\$ 36,832.<sup>00</sup></u>
By:	<u>pc</u> Date: <u>8/13/12</u>
	<i>bk pierce</i>

Introduced by: Mayor  
Date: 09/18/12  
Hearing: 10/23/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-19-30**

**AN ORDINANCE ACCEPTING AND APPROPRIATING \$12,848 FROM  
THE U.S. FISH AND WILDLIFE SERVICE TO SUPPLEMENT THE  
RIVER DEBRIS REMOVAL PROJECT**

1 **WHEREAS**, the U.S. Department of the Interior, Fish and Wildlife Service, “Fish and Wildlife  
2 Management Assistance Program” provides financial and technical assistance to  
3 protect or to restore riparian and in-stream habitats; and

4 **WHEREAS**, the U.S. Fish and Wildlife Service intends to grant the borough funds in the  
5 amount of \$12,848 through a cooperative agreement for the purpose of supporting  
6 the borough’s “River Debris Removal Program” (Project); and

7 **WHEREAS**, the Project was approved by the Kenai Peninsula Borough Assembly as a Coastal  
8 Impact Assistance Program (CIAP) project through adoption of KPB Resolution  
9 2009-018; and

10 **WHEREAS**, the Assembly finds it is in the best interest of the Kenai Peninsula Borough to  
11 accept these funds from the U.S. Fish and Wildlife Service to supplement the  
12 CIAP funds for this Project;

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

15 **SECTION 1.** That the Kenai Peninsula Borough Assembly hereby accepts the grant in the  
16 amount of \$12,848 from the U.S. Fish and Wildlife Service to fund and  
17 implement projects through the River Debris Removal Program.

1 **SECTION 2.** That grant funds totaling \$12,848 are hereby appropriated to account number  
2 271.21135.12365.49999 for the purpose of completing this Project approved in  
3 KPB Resolution 2009-018.

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

6 **SECTION 4.** That the mayor is authorized to sign any documents necessary to effectuate the  
7 purposes of this ordinance.

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

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

\_\_\_\_\_  
Assembly President

ATTEST:

\_\_\_\_\_  
Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:





# KENAI PENINSULA BOROUGH

## Donald E. Gilman River Center

### MEMORANDUM

MIKE NAVARRE  
BOROUGH MAYOR

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

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

FROM: John Czarnezki, Resource Planner *JC*

DATE: September 4, 2012

SUBJECT: Ordinance 2012-19-30, accepting and appropriating grant funds from the U.S. Fish and Wildlife Service in the amount of \$12,848 for the River Debris Removal Project

The Kenai Peninsula Borough Assembly, by Resolution 2009-018, approved 19 projects for funding through the Coastal Impact Assistance Program (CIAP). River debris removal was among those projects approved and forwarded to the State of Alaska for inclusion in the Alaska CIAP Plan.

The goals of the River Debris Removal Program (Project) are to remove debris from our rivers, floodplains, wetlands, riparian areas and coasts. Both through natural flooding and from poor past practices, we have numerous types of debris in sensitive habitats. It is the intent of this Project to identify the locations of debris, analyze issues regarding removal of the debris (e.g., permitting, access, equipment necessary, etc.), prioritize debris for removal, and contract for the removal of the debris.

The Project has generated continued support from the U.S. Fish and Wildlife Service (FWS). FWS would like to contribute to the Project because it closely mimics their goals to protect or to restore riparian and in-stream habitats.

John Czarnezki, River Center Resource Planner, will be the project manager. The performance period ends September 30, 2014.

Attachments: award notification excerpt

FINANCE DEPARTMENT ACCOUNT VERIFIED	
Acct. No.	<u>271.21135.12365.49999</u>
Amount	<u>N/A</u>
By:	<u>pc</u> Date: <u>9/6/12</u>



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Washington, D.C. 20240



In Reply Refer To:  
KFWFO

John Czarnezki  
Kenai Peninsula Borough  
Donald E. Gillman River Center  
514 Funny River Road  
Soldotna, Alaska 99669

Subject: Notice of Cooperative Agreement Award **F12AC00365**

Dear Mr. Czarnezki,

The U.S. Fish and Wildlife Service (USFWS) has approved your organization's application for Federal financial assistance titled "Debris Removal Program" submitted to CFDA Program 15.608, Fish and Wildlife Management Assistance. The USFWS document number for this award is **F12AC00365**. Funds under this cooperative agreement award are to be used to: remove detrimental debris from Kenai Peninsula rivers, floodplains, wetlands, riparian areas and coasts, as authorized by the Fish & Wildlife Coordination Act, 16 USC 661 to 666C; and Fish and Wildlife Act of 1956, as amended, 16 U.S.C. 742a-742j.

Under this award, the Recipient will:

1. Implement the objectives of this agreement as outlined within the attached Project Proposal;
2. Assume primary responsibility for securing any permits needed to carry out this project;
3. Provide administration services as necessary to facilitate execution of the cooperative agreement; and
4. In addition to annual and final reports, provide brief project updates to the FWS Program Officer via email or over the phone, as requested.

Under this award, the USFWS will:

1. Provide fisheries and habitat requirement expertise and assistance to the Kenai Peninsula Borough for the duration of the project;
2. Contribute funds to Recipient to carry out the objectives of the project. Project costs are identified in the Project Proposal and Budget section;
3. Contingent on the availability of funds, provide incremental reimbursements/advances to Recipient; and
4. Provide a single point of contact to the project. That person is Jeffry Anderson, Kenai Fish and

Wildlife Field Office, 43655 Kalifornsky Beach Road, Soldotna, Alaska 99669, phone 907/260-0132; FAX 907/262-7145; email: jeffry\_anderson@fws.gov. The Service will notify Recipient in writing via formal modification to the agreement of any changes to the Service's Program Officer. The Service Administrative Officer (Warranted Contracting Officer) is the only person authorized to sign modifications on behalf of the Service.

The performance and budget period of this award begins on the signature date of this notice of award letter and ends on September 30, 2014.

In accordance with 43 CFR 12.925(e)(c) & 2 CFR 215.25 (e)(1), the Kenai Peninsula Borough may incur pre-award costs 90 calendar days prior to award. All pre-award costs are incurred at the recipient's risk (i.e., the Federal awarding agency is under no obligation to reimburse such costs if for any reason the recipient does not receive an award or if the award is less than anticipated and inadequate to cover such costs).

**PROJECT PERFORMANCE MEASUREMENT:**

Project performance will be measured and evaluated by monitoring the Recipient's ability to meeting the following scheduled activities and tasks, which must be accomplished to achieve project objectives:

**Timeline of Outcomes:**

<b>TASK/Milestone</b>	<b>Anticipated Completion Date</b>
Identify specific projects that would best meet needs of Kenai Peninsula Fish Habitat Partnership and identify timeline for implementation	June 30, 2012
Prepare contracts for debris removal	July, 2012
Contract with lowest, best qualified bidder	August 30, 2012
Oversee debris removal and document project success	Summer, 2013
Provide a Final Federal Financial Report (SF-425), a Request for Advance or Reimbursement (Non-Construction, SF-270), and a final project report. ***Note: <i>Both final SF-425 and Final Report must be approved by the Service Project Officer prior to receiving payment.</i>	December 29, 2014

The Recipient's project officer must immediately communicate (via telephone, fax or email) any significant changes to (a) project objectives, (b) the above schedule, (c) approved budget, or (d) project personnel, and then document these changes (along with an explanation of why they occurred and suggestions on how to deal with them) in a Significant Development Report. Please note that changes in the scope or the objective of the project, even if there is no associated budget revisions requires prior approval. Change in a key person specified in this agreement requires prior approvals as well. Please refer to Prior Approval requirement under 2 CFR 215 which specify prior approval request procedures and identify post award prior approval requirements.

This award is funded as follows:

	<b><u>USFWS</u></b>	<b><u>Recipient</u></b>
<b>Total obligation:</b>	<b>\$12,848</b>	<b>\$0</b>

Introduced by: Mayor, Smith, Haggerty  
Date: 09/18/12  
Hearing: 10/23/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-19-31**

**AN ORDINANCE APPROPRIATING \$35,000 IN INTEREST INCOME FROM THE  
SPRUCE BARK BEETLE PROGRAM TO ADDRESS THE NEED FOR AN  
EMERGENCY POWER GENERATOR AT THE ANCHOR POINT WATER  
TREATMENT AND DISTRIBUTION PLANT**

1 **WHEREAS**, Congress appropriated more than \$18 million dollars since 1998 to the Kenai  
2 Peninsula Borough for wildland mitigations, hazardous tree removal, and other  
3 projects designed to minimize the devastation caused by the spruce bark beetle;  
4 and

5 **WHEREAS**, the congressional appropriations did not restrict the use of interest on earnings  
6 from the above described grants; and

7 **WHEREAS**, approximately \$322,000 in interest income remains from the above-described  
8 grant funds; and  
9

10 **WHEREAS**, the Anchor Point Safe Water Corporation has requested funds to purchase and  
11 install an emergency generator; and

12 **WHEREAS**, with the addition of an emergency generator the Anchor Point Safe Water  
13 Corporation Water Treatment and Distribution Plant can provide emergency  
14 water distribution to critical facilities including the Anchor Point Elementary  
15 School and Anchor Point Fire and Emergency Medical Service Area facilities;  
16 and

1 **WHEREAS**, it is consistent with the purposes of these grants to appropriate interest income to  
2 emergency response facilities for the unincorporated community of Anchor Point;

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

5 **SECTION 1.** That \$35,000 in interest income earned by the spruce bark beetle program is  
6 appropriated from the Environmental Protection fund balance to account no.  
7 262.21320.APGEN.48311 to address the need for an emergency power generator  
8 at the Anchor Point Safe Water Corporation Water Treatment and Distribution  
9 Plant.

10 **SECTION 2.** That the mayor is authorized to execute an agreement and all other documents  
11 deemed necessary to allow the Anchor Point Safe Water Corporation to acquire  
12 and install an emergency power generator.

13 **SECTION 3.** That Anchor Point Safe Water Corporation will provide matching funds in the  
14 amount of \$13,000 to complete the project.

15 **SECTION 4.** That this ordinance shall become effective immediately upon its enactment.

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

\_\_\_\_\_  
Assembly President

ATTEST:

\_\_\_\_\_  
Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



# KENAI PENINSULA BOROUGH

## Grant Management

### MEMORANDUM

MIKE NAVARRE  
BOROUGH MAYOR

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

**THRU:** Mike Navarre, Mayor *MN*  
Craig Chapman, Director of Finance *C Chapman*  
Scott Walden, OEM Director *SW*

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

**DATE:** September 6, 2012

**SUBJECT:** Ordinance 2012-19-31 appropriating \$35,000 in interest income from the Spruce Bark Beetle Program to address the need for an emergency power generator at the Anchor Point Water Treatment and Distribution Plant

The Anchor Point Safe Water Corporation has formally requested funds to purchase and install an emergency generator at the Anchor Point Water Treatment and Distribution Plant. Representatives from the distribution plant have worked with vendors who have recommended the size and type of generator and resources needed to provide alternative power service in the event of a power outage. The recommendation is to install a dual fuel 60-65KW generator. The generator would provide uninterrupted power to the water pumps, which provide service to the community's residents. For the purpose of emergency management the alternative power source would provide water to the elementary school and to the Anchor Point Fire and Emergency Medical Service Area facilities.

Purchase and installation costs to complete the project are estimated at \$48,000. With the assembly's approval of this ordinance, the borough would enter into an agreement with the Anchor Point Safe Water Corporation to provide a non-departmental grant in the amount of \$35,000 to assist with project completion. The Anchor Point Safe Water Corporation will provide the remaining funds and will manage the project pursuant to the borough grant agreement.

Brenda Ahlberg, Community & Fiscal Projects Manager will provide grant management for project performance period ending 06/30/13.

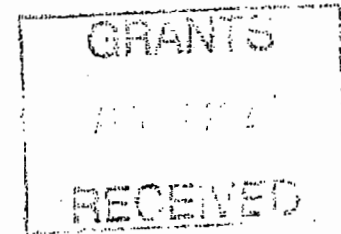
Attachment: Anchor Point Safe Water Corporation request letter received 08/20/12

FINANCE DEPARTMENT ACCOUNT VERIFIED	
Acct. No.	<u>262.27910 FB</u>
Amount	<u>\$35,000</u>
By:	<u>pc</u> Date: <u>9/6/12</u>

49

Anchor Point Safe Water Corp.  
PO BOX 382  
Anchor Point, AK 99603  
(907) 235-2411

August 14, 2012



Mayor's Office  
Borough Administration Building  
144 N. Binkley Street  
Soldotna, AK 99669

Dear Mayor Mike Navarre,

In our community of Anchor Point, efforts are being made for compliance with the Community Energy Response Teams (CERT) program. Currently we are not able to provide water in the event of a power loss. There have been multiple inquiries regarding our ability to provide water in the event of an emergency. These have been from agencies such as the Anchor Point Volunteer Fire Department and the Kenai Peninsula Borough School District.

The duty of a water purveyor is to provide safe and dependable water to our customers. The ability to do this in the event of a long term power outage or worse a natural disaster has great value not only our community but other communities around us. This could be easily remedied by the purchase of a generator for the Anchor Point Safe Water Corporation (APSWC) Water Treatment/Distribution Plant. In light of this fact we are seeking grant funding for the generator. Some of specifications that are needed in a generator for the facility are as follows:

Dual - Fuel w/ automatic switch-over (Natural gas/Propane)  
60-65 KW  
Three Phase electric  
120-208 Volt  
Cold Weather Start up  
Self Contained

The estimated cost for the generator, engineering, shipped on site, installed and with a factory start up is \$48,000. It would be of great benefit to the Anchor Point Community to have the APSWC Water Treatment/Distribution Plant available as an asset to the CERT program as outlined by Homeland Security. Your assistance in this matter would be greatly appreciated.

Sincerely,

Kathy Kacher  
President

cc: Bill Smith

Julie Denison

Brenda Arlberg

Introduced by: Johnson  
Date: 10/23/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
RESOLUTION 2012-082**

**A RESOLUTION SUPPORTING KASILOF RADIO STATION KWJG AND HOMER  
RADIO STATION KMJG**

- 1 **WHEREAS,** radio station KWJG began broadcasting in September, 1998; and
- 2 **WHEREAS,** radio station KWJG is a noncommercial broadcast station that survives on private  
3 donations and has not ever received public money of any kind and therefore does  
4 not compete with public stations for public money; and
- 5 **WHEREAS,** radio station KWJG carries many local programs popular with Kenai Peninsula  
6 Borough residents, such as *Just Dogs* hosted by Faith Hays, *Parade of Old time*  
7 *Bands* hosted by Doug Johnson, *Local Expressions* hosted by Holley Wiley, *The*  
8 *Galley Wench's Cooking Show*, and a broad selection of music; and
- 9 **WHEREAS,** the Federal Communications Commission (FCC) has found alleged infractions of  
10 a very minor nature at station KWJG; and
- 11 **WHEREAS,** the FCC filed paperwork on July 26, 2012, notifying station KWJG of the  
12 violations; and
- 13 **WHEREAS,** radio station KWJG and sister station KMJG in Homer went off the air on August  
14 12, 2012, pending determination of the fines by the FCC in Washington, D.C.;;  
15 and
- 16 **WHEREAS,** the FCC has not yet levied any fine nor indicated when it would do so; and



1 **WHEREAS,** while the assembly recognizes that reasonable regulations governing the operation  
2 of radio stations are appropriate, any fines levied in this case should be minor  
3 consistent with the minor level of the alleged infractions; and

4 **WHEREAS,** freedom of speech is one of the basic, inalienable rights held in common by all  
5 citizens of the United States and effectively closing small radio stations by  
6 imposing sizeable fines for the alleged minor infractions here would stifle the  
7 exercise of this right by the public;

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

10 **SECTION 1.** That the KPB Assembly respectfully requests the Federal Communications  
11 Commission to act speedily and with great leniency toward radio stations KWJG  
12 and KMJG.

13 **SECTION 2.** That a copy of this resolution be sent to the appropriate offices of the Federal  
14 Communications Commission in Washington, D.C. and Alaska.

15 **SECTION 3.** That this resolution takes effect immediately upon its adoption.

16 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS**  
17 **23RD DAY OF OCTOBER, 2012.**

\_\_\_\_\_  
Assembly President

ATTEST:

\_\_\_\_\_  
Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:

# KENAI PENINSULA BOROUGH

## Kenai Peninsula Borough Assembly

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

Gary Knopp, Assembly President  
Charlie Pierce, Vice President

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### MEMORANDUM

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

**FROM:** Brent Johnson, Assembly Member *B. for B.J.*

**DATE:** October 23, 2012

**RE:** Resolution 2012-082: Supporting Kasilof Radio Station KWJG and Homer Radio Station KMJG

---

Kasilof public radio station KWJG and Homer public radio station KMJG enjoy the support of numerous, local listeners. Several area residents host weekly shows for particular interests, such as cooking, dogs, or music. Sometimes religious music is played, but the station is clearly public radio without a philosophical agenda. No editorials are offered to sway listeners regarding politics, religion, or civil movements. An annual fund raiser is held and local people support these stations with gifts. No public funds of any kind are solicited and none have ever been received. In this sense, stations KWJG and KMJG are expressions of free speech at its best.

The Federal Communications Commission (FCC) oversees all licensed radio stations and has found violations allegedly related to KWJG documents that are a matter of public record and/or are posted for public display, but were not also photo copied and put in a file cabinet. Additional allegations by the FCC of recordkeeping deficiencies have been challenged by KWJG. The FCC has announced that fines will be levied. Such fines could be quite large and the Board of Directors has elected to go off the air to save money until the fines are revealed. It is the intent of this resolution to show the FCC that KWJG and KMJG are appreciated and recognized by the Kenai Peninsula Borough in the hopes that any fines will be decidedly small and administered quickly.

Your support of this resolution will be appreciated.

Introduced by:

Mayor

Date:

10/23/12

Action:

Vote:

**KENAI PENINSULA BOROUGH  
RESOLUTION 2012-083**

**A RESOLUTION APPROVING ADDITIONAL ROAD PROJECTS AS FY13 CAPITAL  
IMPROVEMENT PROJECTS**

1 **WHEREAS**, the Road Service Area (RSA) Board annually establishes a list of roads to be  
2 included in the RSA Capital Improvement Project (CIP) program; and

3 **WHEREAS**, the Road Service Area developed a CIP Tier road list that includes roads that are  
4 impassible during spring or require major upgrades; and

5 **WHEREAS**, from the CIP Tier road list the Road Service Area prioritizes roads to be  
6 considered for Capital Improvement Projects; and

7 **WHEREAS**, the road service area has identified higher priority roads for inclusion as FY13  
8 Capital Improvement Projects; and

9 **WHEREAS**, at its regular meeting of September 11, 2012, the RSA Board unanimously passed  
10 RSA Resolution 2012-15, Recommending Additional Road Projects as FY13  
11 Capital Improvement Projects; and

12 **WHEREAS**, at its regular meeting of October 16, 2012, the RSA Board considered RSA  
13 Resolution 2012-16, Recommending adding #N3TUS, Tustumena Street,  
14 McKinkley Avenue, Shemya Way and Mentasta Avenue, as a FY13 Capital  
15 Improvement Project and recommended \_\_\_\_\_; and

16 **WHEREAS**, the projects are anticipated to be engineered within the next six months with  
17 construction to be completed early summer 2013; and

1 **WHEREAS**, total project cost funds are available from account 434.33950.11252.49999;

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

4  
5 **SECTION 1.** That the mayor is authorized to include the following projects as FY2013 Capital  
6 Improvement Projects:

7	<b>PROJECT #</b>	<b>PROJECT ROADS</b>	<b>REGION</b>
8	N2LAK	Lake Marie Avenue Upgrade & Paving	North
9	S8CUL	Basargin Road Culvert Improvement	South
10	S8BAS	Basargin Road-last 5,500' to Razdolna Village	South
11	C2STE	Stephens Drive	Central
12	N2BAU	Baun Drive	North
13	N3TUS	Tustumena Street, McKinkley Avenue,	
14		Shemya Way and Mentasta Avenue	North

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

16 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS**  
17 **23RD DAY OF OCTOBER, 2012.**

\_\_\_\_\_  
Assembly President

ATTEST:

\_\_\_\_\_  
Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



# **KENAI PENINSULA BOROUGH**

## **Road Service Area**

47140 E. Poppy Lane • Soldotna, Alaska 99669  
Toll-free within the Borough: 1-800-478-4427  
**PHONE:** (907) 262-4427 • **FAX:** (907) 262-6090  
[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

**MIKE NAVARRE**  
**BOROUGH MAYOR**

### **MEMORANDUM**

**TO:** Assembly President  
Members of the Kenai Peninsula Borough Assembly

**THRU:** Mike Navarre, Mayor *P.O. for M.N.*  
Craig Chapman, Director of Finance *C Chapman*

**FROM:** Doug Schoessler, Roads Director *D Scll*

**DATE:** October 9, 2012

**SUBJECT:** Resolution 2012-083, Approving Additional Road Projects as FY13 Capital Improvement Projects

---

The Road Service Area (RSA) board has identified roads that need to be included as FY13 Capital Improvement Projects (CIPs).

The RSA board at its September 11, 2012, meeting approved RSA Resolution 2012-15 adding roads to the FY13 CIPs.

At the September 11, 2012 meeting the RSA board also discussed and passed adding project #N3TUS (Tustumena Street, McKinkley Avenue, and Shemya Way) to the new 5-Year CIP Plan but neglected to formally add this project to Resolution 2012-15.

RSA Resolution 2012-16 simply corrects that omission and adds #N3TUS to the FY2013 list as the RSA board originally intended. The RSA board will consider Resolution 2012-16 at its October 16, 2012, meeting.

These roads are included on the CIP Tier road list and the 5-Year CIP Plan.

**KENAI PENINSULA BOROUGH ROAD SERVICE AREA  
RESOLUTION 2012-15**

**A RESOLUTION RECOMMENDING ADDITIONAL ROAD PROJECTS AS FY13  
CAPITAL IMPROVEMENT PROJECTS**

**WHEREAS,** the Road Service Area Board has annually established a list of roads to be included in the RSA Capital Improvement Project program; and

**WHEREAS,** from the CIP Tier road list the Road Service Area prioritizes roads to be considered for Capital Improvement Projects; and

**WHEREAS,** the road service area has identified higher priority roads that need to be included as FY13 Capital Improvement Projects; and

**WHEREAS,** projects will have preliminary design within the next six months with construction anticipated early summer 2013;

**NOW, THEREFORE BE IT RESOLVED BY THE KENAI PENINSULA BOROUGH ROAD SERVICE AREA BOARD:**

**SECTION 1.** That the Road Service Area Board recommends the following projects be included as FY2013 Capital Improvement Projects:

<b>Project #</b>	<b>Project Roads</b>	<b>Region</b>
N2LAK	Lake Marie Avenue Upgrade & Paving	North
S8CUL	Basargin Road Culvert Improvement	South
S8BAS	Basargin Road-last 5,500' to Razdolna Village	South
C2STE	Stephans Drive	Central
N2BAU	Baun Drive	North

**SECTION 2.** A copy of this resolution shall be forwarded to the mayor and the assembly.

**RESOLVED BY THE KENAI PENINSULA ROAD SERVICE AREA BOARD THIS 11th DAY OF SEPTEMBER 2012.**



---

Stan A. McLane, RSA Board Chairman

**ATTEST:**



---

Doug Schoessler, Road Service Area Director  
Kenai Peninsula Borough Road Service Area

**KENAI PENINSULA BOROUGH ROAD SERVICE AREA  
RESOLUTION 2012-16**

**A RESOLUTION RECOMMENDING TUSTUMENA STREET, MCKINLEY AVENUE,  
SHEMYA WAY AND MENTASTA AVENUE CIP #N3TUS BE INCLUDED AS A FY13  
CAPITAL IMPROVEMENT PROJECT**

**WHEREAS,** the Road Service Area Board annually establishes a list of roads to be included in the RSA Capital Improvement Project program; and

**WHEREAS,** from the CIP Tier road list the Road Service Area prioritizes roads to be considered for Capital Improvement Projects; and

**WHEREAS,** at its September 11, 2012, meeting the road service area board approved by unanimous vote to include Mentasta Avenue in the Tustumena Street, McKinkley Avenue and Shemya Way CIP #N3TUS road project listed in the CIP Tier road list; and

**WHEREAS,** the road service area has identified Tustumena Street, McKinkley Avenue, Shemya Way and Mentasta Avenue CIP #N3TUS as a high priority road project to be included as FY13 Capital Improvement Project; and

**WHEREAS,** Tustumena Street, McKinkley Avenue, Shemya Way and Mentasta Avenue CIP #N3TUS will have preliminary design within the next six months with construction anticipated early summer 2013;

**NOW, THEREFORE BE IT RESOLVED BY THE KENAI PENINSULA BOROUGH ROAD SERVICE AREA BOARD:**

**SECTION 1.** That the Road Service Area Board recommends the Kenai Peninsula Borough Mayor and Assembly approve adding Tustumena Street, McKinkley Avenue, Shemya Way and Mentasta Avenue, CIP #N3TUS, as a FY2013 Capital Improvement Project.

**SECTION 2.** A copy of this resolution shall be forwarded to the mayor and the assembly.

**RESOLVED BY THE KENAI PENINSULA ROAD SERVICE AREA BOARD THIS 16TH DAY OF OCTOBER 2012.**

\_\_\_\_\_  
RSA Board Chairman

ATTEST:

\_\_\_\_\_  
Doug Schoessler, Road Service Area Director

Introduced by: Mayor  
Date: 10/23/12  
Hearing: 11/20/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-19-34**

**AN ORDINANCE APPROPRIATING \$293,069.52 TO THE SPECIAL ASSESSMENT  
FUND FOR THE WOODS DRIVE ROAD IMPROVEMENT  
SPECIAL ASSESSMENT DISTRICT**

1 **WHEREAS**, KPB Chapter 14.31 provides authority for creating and financing road improvement  
2 assessment districts for improvements to roads in public rights-of-way; and

3 **WHEREAS**, a petition has been received requesting the formation of a special assessment district  
4 for improving and paving a portion of Woods Drive and Memory Circle located off  
5 of Ciechanski Road; and

6 **WHEREAS**, the assembly adopted Resolution 2012-\_\_\_\_ on November 20, 2012, to form the  
7 Woods Drive Road Improvement Assessment District and proceed with the  
8 improvement; and

9 **WHEREAS**, KPB 14.31.070(C)(1) requires signatures of the owners of more than 70 percent of  
10 the parcels within the proposed district sign the petition, and 72.2 percent have  
11 signed the petition; and

12 **WHEREAS**, KPB 14.31.070(C)(2) requires signatures of the owners that would bear more than 70  
13 percent of the total assessments in the proposed district, and 72.2 percent have signed  
14 the petition; and

15 **WHEREAS**, the Road Service Area Board adopted Resolution 2012-14 to fund a 50 percent match  
16 (\$146,534.76) from the RIAD Match Fund; and



1 **WHEREAS**, financing is necessary to complete the administrative requirements of the ordinance  
2 and regulations; and

3 **WHEREAS**, pursuant to KPB 5.10.040(A)(13) the borough may invest in special assessment  
4 districts; and

5 **WHEREAS**, the estimated total cost of the project of \$293,069.52 less the 50% Road Service Area  
6 match (\$146,534.76) is to be provided as an investment by the general fund which  
7 will be repaid with interest by assessments on the parcels within the district; and

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

10 **SECTION 1.** That the amount of \$146,534.76 is authorized to be advanced to the assessment fund  
11 from the General Fund and appropriated into Account No.  
12 897.92037.WDSDR.49999.

13 **SECTION 2.** That the special assessment fund shall repay to the General Fund the full amount  
14 invested by the General Fund with interest through payments made on the special  
15 assessments levied.

16 **SECTION 3.** That the amount of \$146,534.76 is authorized to be transferred from the road service  
17 area RIAD match fund Account No. 238.33960.WDSDR.50897 to the assessment  
18 fund and appropriated into Account No. 897.92037.WDSDR.49999.

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

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 20TH  
DAY OF NOVEMBER, 2012.**

\_\_\_\_\_  
Assembly President

ATTEST:

\_\_\_\_\_  
Johni Blankenship, MMC, 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](http://www.borough.kenai.ak.us)

**MIKE NAVARRE  
BOROUGH MAYOR**

### **MEMORANDUM**

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

**THRU:** Mike Navarre, Mayor *M.N.*

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

**DATE:** October 11, 2012

**SUBJECT:** Ordinance 2012-19-34, appropriating funds for the Woods Drive Road Improvement Assessment District

A petition has been received requesting the formation of a special assessment district for improving and paving a portion of Woods Drive and Memory Circle. These roads are located off of Ciechanski Road. This petition process is the first step of the process. A resolution is scheduled to be heard at the November 20, 2012 assembly meeting to authorize the formation of the Woods Drive Road Improvement Assessment District (RIAD).

The second step in the process is consideration of this ordinance that will appropriate the necessary funds should the assembly approve the project with adoption of the Resolution to Proceed and Form the District. The third and final step of the process will be the ordinance of assessment following completion of the project.

KPB 14.31.070(C)(1) & (2) require signatures of the owners of more than 70 percent of the parcels and 70 percent of the total assessments within the proposed district sign the petition, and 72.2 percent of the parcel owners and 72.2 percent of the total assessment owners have signed the petition.

The total cost of the Woods Drive RIAD is estimated to be \$293,069.52. This ordinance appropriates \$293,069.52 to the assessment fund with 50 percent or \$146,534.76 provided as an interfund loan from the borough General Fund and 50 percent or \$146,534.76 match from the Road Service Area RIAD Match Fund.

On September 9, 2012, the Road Service Area board adopted resolution 2012-14 to fund the 50 percent match. The loan will be repaid through 10 annual assessments levied on property located

within the RIAD. Billings will include an interest charge equal to the published prime rate in effect at the time of the loan plus 2%. The prime rate is currently 3.25%. If it remains unchanged through project completion, residents of the RIAD will be charged an interest rate of 5.25% (3.25% + 2%). This is the same formula used to determine the rate of interest on the interfund loans used to finance the other utility special assessment district and RIAD projects. Early payments can be made without penalty.

If for any reason the RIAD is not formed, the loan will not be made and the General Fund will absorb any administrative costs that exceed the \$4,600 filing fee received with the petition.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>100. 27910</u> \$146,534.76
Amount	<u>238. 27910</u> \$146,534.76
By:	<u>pc.</u> Date: <u>10/8/12</u>

Introduced by: Mayor  
Date: 10/23/12  
Hearing: 11/20/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-19-35**

**AN ORDINANCE APPROPRIATING \$50,000 FROM THE GENERAL FUND TO BE  
GRANTED TO THE CITY OF SELDOVIA FOR COMPLETION OF SELDOVIA'S  
COMPREHENSIVE PLAN**

1 **WHEREAS**, the Kenai Peninsula Borough provides for planning on an areawide basis in  
2 accordance with Alaska Statute 29.40.010; and

3 **WHEREAS**, goal 1.1, objective 7, of the 2005 Kenai Peninsula Borough Comprehensive Plan  
4 is to regularly update the Comprehensive Plan to reflect changing conditions,  
5 trends, laws, regulations and policies; and

6 **WHEREAS**, in 2003 the City of Seldovia approved an update to the City's 1980  
7 comprehensive plan but the document was never forwarded to the Kenai  
8 Peninsula Borough Assembly for approval; and

9 **WHEREAS**, nearly ten years have passed since the City of Seldovia developed its 2003 draft  
10 plan and an update to that document would be appropriate at this time; and

11 **WHEREAS**, the Seldovia City Council passed Resolution 12-07, requesting that the Seldovia  
12 administration seek grant funding for the purpose of completing a comprehensive  
13 plan that would be submitted to the Kenai Peninsula Borough Assembly and  
14 Planning Commission for approval; and

15 **WHEREAS**, in a letter dated October 4, 2012, the Seldovia City Manager asked the Kenai  
16 Peninsula Borough to provide funds for the purpose of completing a new  
17 comprehensive plan; and

1 **WHEREAS,** the Kenai Peninsula Borough has, in the past, made grant funds available to cities  
2 within the borough for comprehensive plan development; and

3 **WHEREAS,** the Kenai Peninsula Borough Planning Commission at its regularly scheduled  
4 meeting of \_\_\_\_\_, 2012, recommended \_\_\_\_\_;

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

7 **SECTION 1.** That the sum of \$50,000 is appropriated from the General Fund fund balance to  
8 account number 100.21110.00000.43011, planning department contracts, to be  
9 paid to the City of Seldovia for the purpose of developing a new city  
10 comprehensive plan.

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

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

\_\_\_\_\_  
Assembly President

ATTEST:

\_\_\_\_\_  
Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



# KENAI PENINSULA BOROUGH

## Planning Department

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

MIKE NAVARRE  
BOROUGH MAYOR

## MEMORANDUM

**TO:** Assembly President  
KPB Assembly Members

**THRU:** Mike Navarre, Mayor *P.O. from M.N.*  
Craig Chapman, Director of Finance *C Chapman*  
Max J. Best, Director of Planning *MB*

**FROM:** Crista Cady, Planner

**DATE:** October 11, 2012

**RE:** Ordinance 2012-19-35, appropriating \$50,000 from the General Fund to be granted to the City of Seldovia for completion of Seldovia's comprehensive plan

The City of Seldovia has requested grant funding for the completion of a new comprehensive plan. Pursuant to AS 29.35.180 and AS 29.40.010, the Kenai Peninsula Borough (KPB) provides for planning on an areawide basis. Therefore, the comprehensive plan prepared by the City of Seldovia will ultimately be forwarded to the Borough Assembly for approval and become the comprehensive plan for that portion of the Borough within the boundaries of the City of Seldovia. A grant agreement will be entered with the City of Seldovia and the KPB planning department will provide staff support to the city for this project.

According to a letter received by the KPB Planning Director dated October 4, 2012 from the Seldovia City Manager, the City of Seldovia began work on a plan in 2003, but due to a variety of factors the document was never finalized. The last Seldovia comprehensive plan to be adopted by the Borough Assembly was through KPB Ordinance 80-18.

Goal 1.1, Objective 7, of the 2005 KPB Comprehensive Plan is to regularly update the Comprehensive Plan to reflect changing conditions, trends, laws, regulations and policies within the borough. The KPB has, in the past, made grant funds available to cities within the Borough for comprehensive plan development. Fulfilling this grant request will enable the City of Seldovia and the KPB to keep current with changing planning needs.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>100.27910-FB</u>
Amount	<u>\$ 50,000.<sup>00</sup></u>
By:	<u>pc</u> Date: <u>10/11/12</u>



# City of Seldovia

P.O. Drawer B, Seldovia, Alaska 99663

Phone: (907) 234-7643 Fax: (907) 234-7430

Email: [citymanager@cityofseldovia.com](mailto:citymanager@cityofseldovia.com)

---

October 4, 2012

Max Best  
Planning Director  
KPB  
144 North Binkley  
Soldotna, AK 99669

Max-

Thank you for spending time on the phone with me yesterday. On behalf of the City of Seldovia we are requesting a grant of \$50,000 to assist us in writing a Comprehensive Plan. The City of Seldovia began work on a plan in 2003. Due to a variety of factors the document was never finalized.

As I begin my 5<sup>th</sup> year as City Manager I believe our community is ready to tackle the development and implementation of a Comprehensive Plan. If additional information is needed please feel free to call. Thank you for your consideration.

Tim Dillon  
City Manager



**CITY OF SELDOVIA  
RESOLUTION 12-07**

**A RESOLUTION REQUESTING THE CITY COUNCIL OF THE CITY OF SELDOVIA  
TO SUPPORT THE EFFORT OF PURSUING FUNDING TO COMPLETE A  
COMPREHENSIVE PLAN FOR OUR COMMUNITY.**

**WHEREAS,** the City of Seldovia and the Planning Commission have worked together putting together information for a Comprehensive Plan for the community;

**WHEREAS,** the Planning Commission had a final draft in print that was approved by the City Council;

**WHEREAS,** this draft comprehensive plan was never approved by the Kenai Borough Assembly;

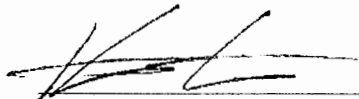
**WHEREAS,** A Borough approved Comprehensive Plan is a valuable tool for any community to be able to utilize opportunities and funding that may be available to Municipalities,

**NOW THEREFORE BE IT RESOLVED THAT:** The City Council by this resolution requests that the City of Seldovia seek funding sources to complete an efficient Comprehensive Plan that will be accepted by the Kenai Peninsula Assembly;

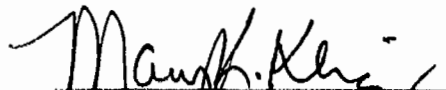
**BE IT FURTHER RESOLVED THAT:** The City Council by this resolution encourages the City Council and its City Manager to pursue the completion of a Comprehensive Plan for the City of Seldovia

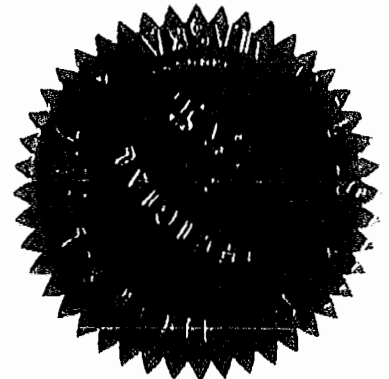
PASSED and APPROVED by a duly constituted quorum of the City Council of Seldovia, Alaska, this 24<sup>th</sup> day of August, 2011

SIGNED:

  
Keith Gain, Mayor

ATTEST:

  
Mary Klinger, City Clerk



Introduced by: Mayor  
Date: 10/23/12  
Hearing: 11/20/12  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-38**

**AN ORDINANCE AMENDING KPB 5.10.040(A)(13) TO INCREASE THE AMOUNT  
THE BOROUGH CAN INVEST IN SPECIAL ASSESSMENTS OF THE BOROUGH OR  
ONE OF ITS POLITICAL SUBDIVISIONS**

1 **WHEREAS**, Kenai Peninsula Borough (KPB) 5.10.040(A) (13) authorizes the Borough to  
2 invest in special assessments of the borough or one of its political subdivisions;  
3 and

4 **WHEREAS**, the total principle investment is not to exceed \$2,000,000 at the end of any fiscal  
5 year; and

6 **WHEREAS**, the current investment balance is \$1,912,581; and

7 **WHEREAS**, there are a number of special assessments that are currently being proposed that if  
8 approved would exceed the \$2,000,000 limit authorized by Borough code for  
9 investment in special assessment districts; and

10 **WHEREAS**, increasing the limit from \$2,000,000 to \$3,000,000 would provide additional  
11 funds needed for investment in this program;

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

14 **SECTION 1.** That KPB 5.10.040(A)(13) is hereby amended as follows:

1           **5.10.040. Authorized investments.**

2           A. Borough moneys shall be invested only in the following instruments. All securities  
3           purchased by the borough, and all other borough investments, must mature not later  
4           than the time indicated below, measured from the date of the borough's investment  
5           transaction:

6           ...

7           13. Special assessments of the borough or one of its political subdivisions  
8           authorized by Chapter 5.35 or 14.31. Total principal investment is not to  
9           exceed \$3,000,000.00 [\$2,000,000.00] at the end of any fiscal year. The rate  
10          the borough shall receive when investing in special assessments is the prime  
11          rate plus two percent on the date the ordinance confirming the assessment roll is  
12          enacted by the assembly.

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

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

\_\_\_\_\_  
Assembly President

ATTEST:

\_\_\_\_\_  
Johni Blankenship, MMC, 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, Ext. 2150  
**PHONE:** (907) 714-2150 • **FAX:** (907) 714-2376  
[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

**MIKE NAVARRE**  
**BOROUGH MAYOR**

### **MEMORANDUM**

**TO:** Assembly President  
Members, Kenai Peninsula Borough Assembly

**THRU:** Mike Navarre, Mayor *P.O. for M.N.*

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

**DATE:** October 11, 2012

**SUBJECT:** Ordinance 2012-38, Amending KP.B 5.10.040(A), Authorized investments, to increase the amount the borough can invest in special assessments

KPB 5.10.040(A)(13) authorizes the borough to invest in special assessments of the borough or one of its political subdivisions authorized by Chapter 5.35 or 14.31 and the total principal investment is not to exceed \$2,000,000 at the end of any fiscal year. The current investment balance is \$1,912,581 and is expected to exceed the \$2,000,000 at year end if the current proposed special assessment districts are approved.

This ordinance would increase the limit the borough can invest in special assessments from \$2,000,000 to \$3,000,000.

## Kenai Peninsula Borough Assembly Committees 2011 – 2012

### ASSEMBLY COMMITTEES

- **Finance Committee**  
Bill Smith, Chair  
Ray Tauriainen, Vice Chair  
[VACANT]
- **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]  
[VACANT], 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**  
[VACANT], Charlie Pierce, Linda Murphy
- **Kachemak Emergency Service Area**  
Mako Haggerty
- **KPB Roads**  
[VACANT], 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