

Introduced by:	Mayor
Date:	11/20/12
Action:	Adopted
Vote:	8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-081**

**A RESOLUTION TO FORM THE WOODS DRIVE ROAD IMPROVEMENT
ASSESSMENT DISTRICT AND PROCEED WITH THE IMPROVEMENT**

WHEREAS, KPB Chapter 14.31 authorizes the formation of road improvement districts within the Kenai Peninsula Road Service Area (RSA); and

WHEREAS, an application for a petition to form a special assessment district was received from the property owners within the proposed district; and

WHEREAS, on July 10, 2012, the RSA board reviewed the application and authorized funding to obtain an engineer's estimate for the Woods Drive Road Improvement Assessment District (RIAD) for the purpose of improving and paving the roadways of Woods Drive and Memory Circle; and

WHEREAS, pursuant to KPB 14.31.060(B), on September 11, 2012, the RSA board adopted RSA Resolution 2012-14 approving the circulation of the Woods Drive Road Improvement Assessment District petition consistent with the recommendations in the staff report of July 10, 2012; and

WHEREAS, KPB 14.31.070(C)(1) requires signatures of the owners of more than 70 percent of the parcels within the proposed district sign the petition and 72.22 percent have signed the petition; and

WHEREAS, KPB 14.31.070(C)(2) requires signatures of the owners that would bear more than 70 percent of the total assessments in the proposed district and 72.22 percent have signed the petition; and

WHEREAS, the borough clerk certified the petition and acknowledged receipt of a filing fee check for \$4,600.00; and

WHEREAS, KPB 14.31.090 requires the mayor to present to the assembly an estimated assessment roll and resolution authorizing the mayor to proceed with construction of the improvement;

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

SECTION 1. That the Kenai Peninsula Borough shall form the Woods Drive Road Improvement Assessment District, and the mayor is authorized to proceed with the construction of the improvement in accordance with the provisions of KPB Chapter 14.31 and RSA Resolution 2012-14, and negotiate and execute such documents as are determined to be in the best interests of the borough to accomplish this project.

SECTION 2. That pursuant to the requirements of KPB 14.31.090, this resolution is supported by the mayor's report, which is attached hereto and incorporated herein by reference.

SECTION 3. That the improvement is to improve and pave a portion of Woods Drive and Memory Circle.

SECTION 4. That the boundaries of the RIAD for improving and paving the roadways set forth in the map attached to the mayor's report as Attachment 4, and the properties legally described in Attachment 3 to the mayor's report are hereby approved as comprising the RIAD.

SECTION 5. That the estimated cost of the improvement is \$293,069.52, and the proposed method of allocating the cost of the improvement among the benefited parcels is based on equal allocation as further described in the mayor's report.

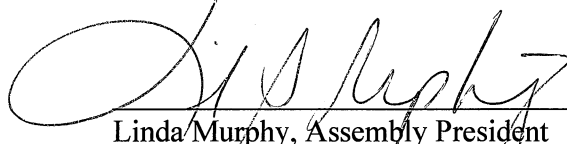
SECTION 6. An estimated assessment roll is Attachment 3 to the mayor's report, and is incorporated herein by reference.

SECTION 7. That the borough clerk shall cause a copy of the resolution and estimated assessment roll to be recorded in the District Recorder's Office for the State of Alaska at Kenai.

SECTION 8. That properties within the district are properly included and subject to assessment for the improvement.

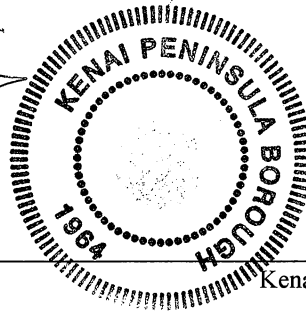
SECTION 9. That this resolution shall take effect immediately upon its adoption.

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


Linda Murphy, Assembly President

ATTEST:


John Blankenship, MMC, Borough Clerk



Yes: Johnson, McClure, Pierce, Smalley, Smith, Tauriainen, Wolf, Murphy
No: None
Absent: Haggerty



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520

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

PHONE: (907) 262-4441 • **FAX:** (907) 262-1892

www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

TO: Linda Murphy, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Mike Navarre, Mayor
Tom Anderson, Director of Assessing

FROM: Marie Payfer, Special Assessment Coordinator

DATE: November 7, 2012

SUBJECT: Resolution 2012-081, To Form the Woods Drive Road Improvement Assessment District (RIAD) and proceed with the improvement

MAYOR'S REPORT

Property owners in the proposed Woods Drive Road Improvement Assessment District (RIAD) have worked with the borough administration to form the proposed RIAD. At its meeting of September 11, 2012, the Road Service Area Board adopted RSA Resolution 2012-14, approving the petition for formation of this RIAD prior to its circulation among benefited property owners and approving up to \$146,534.76 as the RSA match for this project (see Attachment 1).

A completed petition for the formation of the Woods Drive Road Improvement Assessment District (RIAD) was received on September 28, 2012. The borough clerk subsequently certified the petition with 26 of 36 property owners (72.22%) supporting the proposed district (see Attachment 2), sent all required notices to the property owners and published the required information concerning the proposed district as required by borough code. This matter is now presented to the assembly for approval to proceed with the project. Any objections received will be provided to the assembly on the hearing date. KPB 14.31.090 requires that the mayor's report accompany the resolution to proceed and that it contain the following information, all of which is detailed in the referenced attachments to this memo.

- 1) A legal description of the benefited parcels and a map of the proposed district. See Attachment 3, the estimated assessment roll, and Attachment 4, a map of the proposed Woods Drive RIAD.

- 2) A description of the current condition of the rights-of-way proposed for improvement and a statement of the need for the proposed local improvement: See Attachment 5, a staff report directed to the RSA board dated July 10, 2012.
- 3) The proposed allocation of the cost of the improvement among parcels in the district is by equal allocation to each of the benefited parcels in the proposed district. See Attachments 3 and 6, RIAD Profile Information sheet.
- 4) The estimated amount to be assessed against each parcel is \$4,070.41. See Attachments 3 and 6.
- 5) A profile of the parcels in the proposed district, including the nature of ownership and status of tax payments. See Attachments 5 and 6. There are currently no parcels within the proposed district delinquent in payment of real property taxes. This satisfies KPB 14.31.080, which requires that no more than 10 percent of the parcels in the proposed district be delinquent in the immediately preceding tax year.
- 6) Whether there are other special assessment liens against any of the parcels in the proposed district. There are no other borough special assessment liens on parcels in this district.
- 7) A description of any benefited parcels that exceed the assessment-to-value ratio set forth in KPB 14.31.080(A). No lien will exceed the 25 percent of the value of a parcel as required by Borough Code. The 28 improved parcels range in value from \$56,700 to \$909,600; additionally, the eight unimproved parcels range in value from \$52,200 to \$2,629,000. The assessed values indicate the assessment per parcel will be substantially less than the 25 percent maximum, and all have sufficient value to support the estimated assessment lien of \$4,070.41. See Attachments 3 and 5.
- 8) The method of financing the improvement, e.g., bonding, borough investment, or a combination. This project will be financed as a borough investment. See Attachment 7, memo from the Finance Director and Kenai Peninsula Borough Ordinance 2012-19-34 appropriating funds for the RIAD.
- 9) All estimated costs of the improvement set forth in KPB 14.31.110. See Attachments 3 and 6, and also Attachment 8, the engineer's estimate of cost for this project.

Staff will be available at the November 20, 2012, assembly meeting to answer any additional questions.

**KENAI PENINSULA BOROUGH ROAD SERVICE AREA
RESOLUTION 2012-14**

**A RESOLUTION APPROVING WOODS DRIVE RIAD
MATCH PER KPB 14.31.055 AND PROCEEDING WITH
THE NECESSARY STEPS TO FORM THE ROAD
IMPROVEMENT ASSESSMENT DISTRICT**

WHEREAS, the road service area (RSA) board authorized funding to obtain an engineer's estimate for the Woods Drive Road Improvement Assessment District (RIAD) at its July 10, 2012, meeting; and

WHEREAS, the engineer's estimate is \$237,125.00 for the Woods Drive RIAD; and

WHEREAS, a 10 percent design and administration cost and a 10 percent contingency along with a borough administrative fee need to be added to the engineers estimate bringing the total estimated project cost to \$293,069.52; and

WHEREAS, the RSA board received and reviewed the Woods Drive RIAD petition; and

WHEREAS, KPB 14.31.055(A) and (B) authorizes the RSA board to defray up to 50 percent (%) of the cost of an internal subdivision RIAD project through a borough match program for pavement projects for existing roads which have been certified for borough maintenance; and

WHEREAS, the petitioners for Woods Drive RIAD made a timely application to participate in the match program; and

WHEREAS, it is in the best interest of the road service area and borough residents to approve a match per KPB 14.31.055 and proceed with the necessary steps to form the RIAD;

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

SECTION 1. The board recommends the assembly form and proceed with Woods Drive RIAD as set forth in the attached petition contingent upon the further requirements of KPB 14.31 being met.

SECTION 2. The board approves expenditure of up to 50 percent (estimated to be \$146,534.76) from the RIAD Match Fund for the Woods Drive RIAD. This RIAD includes the upgrade and paving of 2,700 linear feet of Woods Drive and 1,250 linear feet of Memory Circle, internal subdivision roads, for a total linear footage of 3,950 RSA maintained internal roads.

SECTION 3. The board makes the following findings required by KPB 14.31.055:

1. Standard: Whether it is economically feasible to improve the road to RSA certification standards.
Finding: The entire project cost is estimated to be \$293,069.52. The project would provide pavement and reduce maintenance costs. The roads are in good condition without out of the ordinary costs for construction anticipated. Considering these factors, along with the funds available for RIAD matches, the project is economically feasible.
2. Standard: To what extent do the assessed values of the benefited properties support the scope of work for the project.
Finding: No lien will exceed 25 percent of the value of a parcel as required by KPB 14.31.080(A)(1). The attached spreadsheet shows that if the borough makes a 50 percent match assessments for each parcel will be \$4,070.41. Considering the parcels range in value from \$52,200 to \$2,629,000, the assessment will be less than the 25 percent maximum. . The assessed values support the project.
3. Standard: The number of applications for projects received that year.
Finding: This is the only application for projects received this year.
4. Standard: The funds available in the Road Improvement Assessment District Match Fund.
Finding: There is \$406,312.83 available in the fund, more than sufficient to cover the match costs.
5. Standard: Whether an application for district formation has been previously filed and whether conditions have changed to make the project more feasible than in past application years.
Finding: Woods Drive RIAD has not been previously considered or rejected for a match.
6. Standard: The number of residents served.
Finding: The proposed RIAD serves an estimated 18 local residents.
7. Standard: The number of parcels served.
Finding: There are 36 parcels within this project.
8. Standard: The feasibility of the project's compliance with KPB 14.31.080 criteria regarding restrictions on formation.
Finding: The project meets all the following feasibility criteria:
A. Does the assessment to assessed value ratio exceed 21 percent for gravel improvements, or 25 percent for pavement? No. The assessment will not exceed 25 percent of assessed value for any parcel.

B. Are there parcels bearing more than 10 percent of the estimated costs of the improvement delinquent in real property taxes in the immediately preceding tax year? No. Presently there are no parcels within the RIAD which are delinquent in payment of borough real property taxes.. KPB 14.31.080(B) states that this provision must be met at the time the clerk certifies the petition pursuant to KPB 14.31.070(C).

C. Do unimproved parcels represent more than 40 percent of the assessed value within the district? No. There are eight (8) unimproved parcels in the proposed district, representing 22.22%.

9. Standard: Whether there is alternate access to properties serviced by the road and the condition of that alternate access.

Finding: Woods Drive and Memory Circle provide the only access to the properties.

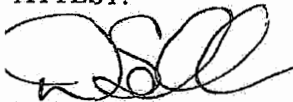
SECTION 4. That this resolution takes effect immediately and a copy of this resolution be forwarded to the mayor and assembly.

RESOLVED BY THE KENAI PENINSULA BOROUGH ROAD SERVICE AREA BOARD ON THIS 11TH DAY OF SEPTEMBER, 2012.



Stan A. McLane, Road Service Area
Board Chair

ATTEST:



Doug Schoessler, Roads Service Area Director



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2160 • FAX: (907) 714-2388

Toll-free within the Borough: 1-800-478-4441 Ext. 2160

Email: jblankenship@borough.kenai.ak.us

**JOHNI BLANKENSHIP, MMC
BOROUGH CLERK**

*****REVISED*****

KENAI PENINSULA BOROUGH CERTIFICATION OF PETITION

Woods Drive Road Improvement Assessment District

A petition for formation of the Woods Drive Road Improvement Assessment District was received in the Office of the Borough Clerk on September 28, 2012. I hereby certify the petition as sufficient. Signatures of property owners of 25.2 parcels (70% of 36 parcels) were required. Signatures of property owners of 26 (72.22%) parcels were validated.

A Check in the amount of \$4,600.00 was received with the petition.

Dated this 4th day of October, 2012.

Johni Blankenship, MMC
Borough Clerk



Copies Provided to:

Larry Klawunder, 38130 Woods Drive, Kenai, AK 99611 (Project Sponsor)
Frank Woodard, 38345 Memory Circle, Kenai, AK 99611 (Project Sponsor)
Marie Payfer, KPB Special Assessment Coordinator
KPB Assembly President Knopp and Members of the Assembly
KPB Mayor Mike Navarre

ATTACHMENT #2

WOODS DRIVE ROAD IMPROVEMENT ASSESSMENT DISTRICT

Estimated Cost:	
Construction:	237,125.00
Design & Administration:	23,712.50
Contingency:	23,712.50
Total Estimated Construction Cost:	284,550.00
Filing Fee Adjustment:	0.00
KPB Admin Fee:	8,519.52
Total Estimated Cost:	293,069.52
Less Road Service Area Match:	146,534.76
Final Estimated Cost to Parcel Owners:	146,534.76
Number of benefitted parcels:	36
Cost per parcel:	\$4,070.41

HEADING DEFINITIONS:

Total Assessed Value: 2012 Assessments
Cost per parcel - Lien per parcel

Required pre-pay:	\$0.00
-Lien on each benefitted parcel cannot exceed 25% of 2012 Assessed Value	
Total Number of Parcels:	36
Parcels in Favor of Project:	26
Percent of Parcels in Favor of Project:	72.22%
Percent of Parcels Delinquent:	0.00%

PARCEL ID	LEGAL	TOTAL ASSESSED VALUE	MAXIMUM ASSESSMENT	REQUIRED PRE PAY	OWNER	ADDRESS	CITY/STATE/ZIP	2011 Tax Delinq Y=Yes	Y = Yes Vote
05501105	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0840182 RIVERWOOD SUB PHASE 1 LOT 1 BLK 3	219,600	4,070.41	0.00	FCWLER ROBERT R	38300 MEMORY CIR	KENAI, AK 99611		Y
05501107	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0840182 RIVERWOOD SUB PHASE 1 LOT 2 BLK 3	229,300	4,070.41	0.00	LANNET GREGORY A JOHN N LANNET ERIC D LANNET	1155 POINT SUCCESS AVE PO BOX 58118 PO BOX 56927	HENDERSON, NV 89015 FAIRBANKS AK 99711-0118 NORTH POLE AK 99705-1917		Y
05501108	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0840182 RIVERWOOD SUB PHASE 1 LOT 3 BLK 3	168,800	4,070.41	0.00	HEBERT LAWRENCE F 2009 TRUST LARRY HEBERT	681 PORTAL ST	COTATI, CA 94931		Y
05501119	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0840182 RIVERWOOD SUB PHASE 1 LOT 13 BLK 3	68,800	4,070.41	0.00	JORDAN ERNEST E & MARJORIE	PO BOX 90	KENAI, AK 99611		
05501120	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0840182 RIVERWOOD SUB PHASE 1 LOT 14 BLK 3	62,000	4,070.41	0.00	OWEN DUKOWITZ, RYAN DUKOWITZ, DENISE DUKOWITZ & DUKOWITZ KEVIN	47191 WILDBERRY CT	KENAI, AK 99611		Y
05501121	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0840182 RIVERWOOD SUB PHASE 1 LOT 15 BLK 3	176,500	4,070.41	0.00	DIETERS WILLIAM C & JANET	16134 MAMMOTH CT	EAGLE RIVER, AK 99577		
05501122	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0840182 RIVERWOOD SUB PHASE 1 LOT 16 BLK 3	256,500	4,070.41	0.00	LARSON RICHARD D & BARBARA A	38485 MEMORY CIR	KENAI, AK 99611		
05501123	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0840182 RIVERWOOD SUB PHASE 1 LOT 17 BLK 3	62,500	4,070.41	0.00	KAY QUYEN C & PAULA K	16350 HEADLANDS CIR	ANCHORAGE, AK 99516		
05501124	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0840182 RIVERWOOD SUB PHASE 1 LOT 18 BLK 3	292,200	4,070.41	0.00	VIRGIL B ROCKSTAD & BYRON J ROCKSTAD	4200 MT HIGHWAY 37	LIBBY, MT 59923		Y
05501125	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0840182 RIVERWOOD SUB PHASE 1 LOT 1 BLK 2	232,700	4,070.41	0.00	VANDERZANDEN HAROLD C FAMILY TRUST	45785 DRIFT DR	KENAI, AK 99611		Y
05501126	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0840182 RIVERWOOD SUB PHASE 1 LOT 2 BLK 2	243,900	4,070.41	0.00	WOODARD FRANK LESLIE	38345 MEMORY CIR	KENAI, AK 99611		Y
05501127	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0840182 RIVERWOOD SUB PHASE 1 LOT 3 BLK 2	220,500	4,070.41	0.00	YAMAMOTO DENNIS J & ANN N	2368 APOEPOE ST	PEARL CITY, HI 96782		Y

PARCEL ID	LEGAL	TOTAL ASSESSED VALUE	MAXIMUM ASSESSMENT	REQUIRED PRE PAY	OWNER	ADDRESS	CITY/STATE/ZIP	2011 Tax Delinq Y=Yes	Y = Yes Vote
05501128	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0840182 RIVERWOOD SUB PHASE 1 LOT 4 BLK 2	175,500	4,070.41	0.00	RANDALL OEFELIN SR BILLYE OEFELIN	2520 TRADEWIND DR 2520 TRADEWIND DR 2655 MARITIME LOOP	ANCHORAGE AK 99516-3403 ANCHORAGE AK 99516-3403 ANCHORAGE, AK 99515		
05501129	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0840182 RIVERWOOD SUB PHASE 1 LOT 5 BLK 2	64,400	4,070.41	0.00	RANDALL OEFELIN SR BILLYE OEFELIN	2520 TRADEWIND DR 2520 TRADEWIND DR 2655 MARITIME LOOP	ANCHORAGE AK 99516-3403 ANCHORAGE AK 99516-3403 ANCHORAGE, AK 99515		
05501131	T 5N R 10W SEC 7 SEWARD MERIDIAN KN GOVT LOT 15	909,600	4,070.41	0.00	ALASKA STATE D N R	550 W 7TH AVE STE 650	ANCHORAGE, AK 99501		
05501140	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0850123 RIVERWOOD SUB PHASE 2 LOT 6 BLK 2	300,500	4,070.41	0.00	FENSKE WILLIAM G & AMY H	PO BOX 2305	KENAI AK 99611-2305		Y
05501141	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0850123 RIVERWOOD SUB PHASE 2 LOT 7 BLK 2	412,300	4,070.41	0.00	KAPPEN CARL L & DIANA K	38175 WOODS DR	KENAI, AK 99611		Y
05501142	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0850123 RIVERWOOD SUB PHASE 2 LOT 8 BLK 2	57,000	4,070.41	0.00	WOODS DRIVE LLC	PO BOX 895	LIBERTY LAKE, WA 99019		Y
05501143	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0850123 RIVERWOOD SUB PHASE 2 LOT 9 BLK 2	60,600	4,070.41	0.00	MOYE PATRICIA A	310 BIRCH ST	KENAI, AK 99611		Y
05501144	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0850123 RIVERWOOD SUB PHASE 2 LOT 10 BLK 2	373,700	4,070.41	0.00	KNOX DEAN W	38131 WOODS DR	KENAI, AK 99611		Y
05501145	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0850123 RIVERWOOD SUB PHASE 2 LOT 11 BLK 2	54,500	4,070.41	0.00	CROFT ROBERT & KIM	45 CASTOLDI WAY	WALLA WALLA, WA 99362		Y
05501146	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0850123 RIVERWOOD SUB PHASE 2 LOT 12 BLK 2	258,800	4,070.41	0.00	LYONS JAMIE	38111 WOODS DR	KENAI, AK 99611		Y
05501147	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0850123 RIVERWOOD SUB PHASE 2 LOT 13 BLK 2	347,900	4,070.41	0.00	JOHNSON ROGER & RHONDA	PO BOX 2321	SOLDOTNA, AK 99669		Y
05501148	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0850123 RIVERWOOD SUB PHASE 2 LOT 14 BLK 2	151,800	4,070.41	0.00	YOUNGQUIST PHILIP HILDING Jr & ROBIN M	12542 IRON CT SW	OLYMPIA, WA 98512		Y
05501149	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0850123 RIVERWOOD SUB PHASE 2 LOT 15 BLK 2	56,700	4,070.41	0.00	OSTRANDER PAUL C & TERESA F	48645 RUNNERS AVE	SOLDOTNA, AK 99669		Y
05501150	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0850123 RIVERWOOD SUB PHASE 2 LOT 16 BLK 2	265,100	4,070.41	0.00	UCHIMA LAWRENCE TAMOTSU	2430 LAKOLOA PL	HONOLULU, HI 96819		
05501151	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0850123 RIVERWOOD SUB PHASE 2 LOT 17 BLK 2	54,500	4,070.41	0.00	FLESHER ROBERT G & LINDA T	4 N WEST OAK DR	HOUSTON, TX 77056-2120		Y
05501152	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0850123 RIVERWOOD SUB PHASE 2 LOT 6 BLK 1	52,200	4,070.41	0.00	TIMLIN GARY M & DEE J	PO BOX 3477	KENAI, AK 99611		Y
05501153	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0850123 RIVERWOOD SUB PHASE 2 LOT 5 BLK 1	61,900	4,070.41	0.00	HURN SALLY A & MIKKELSEN NELS E	243 PORTER CREEK RD	ELMA, WA 98541		
05501154	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0850123 RIVERWOOD SUB PHASE 2 LOT 4 BLK 1	65,300	4,070.41	0.00	KLAWUNDER LARRY L & GWEN A & WHITMAN BELINDA S	38130 WOODS DR	KENAI, AK 99611		Y

PARCEL ID	LEGAL	TOTAL ASSESSED VALUE	MAXIMUM ASSESSMENT	REQUIRED PRE PAY	OWNER	ADDRESS	CITYSTATEZIP	2011 Tax Delinq Y=Yes	Y = Yes Vote
05501155	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0850123 RIVERWOOD SUB PHASE 2 LOT 3 BLK 1	307,700	4,070.41	0.00	KLAWUNDER LARRY L & GWEN A	38130 WOODS DR	KENAI, AK 99611		Y
05501156	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0850123 RIVERWOOD SUB PHASE 2 LOT 2 BLK 1	435,400	4,070.41	0.00	SANDAH L TIMOTHY DALE & LYNNE MARIE	38140 WOODS DR	KENAI, AK 99611		Y
05501157	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 0850123 RIVERWOOD SUB PHASE 2 LOT 1 BLK 1	361,800	4,070.41	0.00	BURCHAM MICHAEL & KATIE L	38150 WOODS DR	KENAI, AK 99611		Y
05501183	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 2002041 ROY WOODS HOMESTEAD SUB JEFFERSON ADDN LOT 1	266,400	4,070.41	0.00	JEFFERSON JEFFREY D	PO BOX 889	KENAI, AK 99611		Y
05501184	T 5N R 10W SEC 7 SEWARD MERIDIAN KN 2002041 ROY WOODS HOMESTEAD SUB JEFFERSON ADDN LOT 2	785,300	4,070.41	0.00	JEFFERSON JEFFREY D	PO BOX 889	KENAI, AK 99611		Y
05525023	T 5N R 10W SEC 18 & 19 SEWARD MERIDIAN KN GL 4 5 6 7 10 11 12 & 13 & E1/2 NW1/4 & E1/2 SW1/4 IN SEC 18 & GL 4 5 6 8 9 & 10 IN SEC 19	2,629,000	4,070.41	0.00	ALASKA STATE D N R	550 W 7TH AVE STE 650	ANCHORAGE, AK 99501		
36		10,741,200	146,594.76	0.00				0	26

**MEMORANDUM
KENAI PENINSULA BOROUGH**

144 N. Binkley Street
Soldotna, Alaska 99669

Tel. (907) 262-4441
Fax (907) 262-1892

TO: Sam McLane, Road Service Area Board Chairman .
Members, Kenai Peninsula Borough Road Service Area Board

FROM: Doug Schoessler, Roads Director *DS*
Marie Payfer, Appraiser/Auditor *mp*

DATE: July 10, 2012

SUBJECT: Woods Dr. RIAD Engineer's Estimate Staff Report

Pursuant to KPB 14.31.050, the following staff report is provided to the road service area ("RSA") board for its consideration in evaluating the application for petition and determining whether the engineer's estimates for the following road improvement assessment district ("RIAD") project should be funded through the Engineer's Estimate Fund established under KPB 5.20.160. Application must be received by June 1 of each year for construction the following year. (KPB 14.31.050). Petitions must be reviewed by August 1 of each year. Following is an analysis of the criteria the board must consider when it determines whether to appropriate money from the fund:

SECTION 1. APPLICATION:

SPONSORS: Frank Woodard and Larry Klawunder

SUBJECT ROADS: That portion of Riverwood Subdivision, which includes Woods Drive, from Loriwood Drive north, also includes Memory Circle. These roads are in the RSA West Region, Unit 1 and an application has been made for improving these roadways. These roads and approximate distances are that portion of Woods Drive, 2,700 feet and Memory Circle 1,250 feet. Total road length for the proposed project is 3,950 linear feet.

SCOPE: The application requests that the subject roads be improved and paved.

SECTION 2. KPB 14.31.080 RESTRICTIONS ON FORMATION:

Pursuant to KPB 14.31.050(A), staff must evaluate the feasibility of the project based on the proposed boundaries (see attached map) and the criteria set forth in KPB 14.31.080.

A. Does the assessment to assessed value ratio exceed 21 percent for gravel improvements, or 25 percent for pavement?

ATTACHMENT #5
Page 1 of 3

A preliminary estimate has been received from McLane Consulting, Inc, for a total of \$295,298.64, which includes construction cost of \$242,968.25, engineering cost of \$22,469.93, KPB interdepartmental cost of \$8,069.32, a 5% contingency cost of \$13,271.91, and, an estimated KPB Administration fee of \$8,519.23. Estimating a 50% match fund of \$147,649.32, the total estimated cost to the parcel owners will be \$147,649.32. There are 36 parcels in the proposed district; based on a probable equal allocation per parcel assessment, the estimated cost per parcel will be approximately \$4,101.37. Based on this estimate, the assessment to assessed value ratio does not exceed the allowable 25 percent per parcel lien for pavement improvement. Assessing believes this project is feasible because of the preliminary estimate and substantial support for the project, the benefited parcels are of homogeneous size and use, and the proposed district involves internal subdivision roads facilitating the determination of benefited parcels and the method of assessment (probably equal allocation).

B. Are the parcels bearing more than 10 percent of the estimated costs of the improvement delinquent in real property taxes?

No. As of this date, one (1) parcel is delinquent for the prior year taxes. This delinquency represents 2.78 percent of the estimated costs of the improvement.

C. Do unimproved parcels represent more than 40 percent of the assessed value within the district?

No. Unimproved parcels represent 22.22 percent of the assessed value in the proposed district.

SECTION 3. KPB 14.31.050(D) RSA BOARD CRITERIA:

The RSA board is required to consider the following factors in determining which projects should have engineer's estimate front-funded through KPB 14.31.050(A).

A. Whether the roads are currently on the maintenance system.

The roads within the proposed district are certified for KPB RSA maintenance.

B. To what extent assessed values of properties support the proposed scope of work for each project.

The values of the benefited parcels range from \$52,200 to \$2,629,000. There are eight unimproved parcels within the proposed district however their respective values seem sufficient to support the allowable assessment lien. Twenty-one of the improved parcels have assessed values between \$151,800 and \$435,400; five parcels have assessed values less than \$151,800; and two parcels have assessed values greater than \$435,400.

C. The number of petitions for projects received that year.

This is the only petition (application) for projects received this year.

D. The funds available in the RIAD Engineer's Estimate Fund established under KPB 5.20.160.

ATTACHMENT #5

Page 2 of 3

It is estimated that the RIAD application fee will cover the engineers estimate. There current balance in the RSA's Engineer's Estimate Fund is \$2,000.

E. Whether an application for district formation has been previously filed and whether conditions have changed that make the project more feasible than in past application years.
The project has not been subject to a previous application for district formation.

ADDITIONAL COMMENTS:

This RIAD is unique in the fact that a preliminary engineer's report was completed for a recent road improvement project (gravel) which brought the road surface to code for road maintenance. As such, the preliminary engineer's estimate for the paving portion for these roads was been submitted prior to RSA approval of the application. Once an as-built survey and design has been completed, the remaining portion of this project will consist primarily of prepping the existing grade and placing D-1 and asphalt.

RECOMMENDATION:

Woods Drive RIAD appears to be viable based on the engineer's estimate and substantial support for the project. Code requirements have been satisfied in regards to tax delinquency and unimproved parcel ratio. The assessed value of the unimproved parcels seems sufficient to support the maximum assessment lien the equivalent of which is 25 percent of a parcel's value. The roads are currently on the maintenance system and serve a number of borough residents. Therefore, it is recommended that the RSA board approve the application and match fund.

ATTACHMENT #5
Page 3 of 3

WOODS DRIVE ROAD IMPROVEMENT ASSESSMENT DISTRICT

Estimated Cost:

Construction:	237,125.00
Design & Administration:	23,712.50
Contingency:	23,712.50
Total Estimated Construction Cost:	284,550.00
Filing Fee Adjustment:	0.00
KPB Admin Fee:	8,519.52
Total Estimated Cost:	293,069.52
Less Road Service Area Match:	146,534.76
Final Estimated Cost to Parcel Owners:	146,534.76

Number of benefitted parcels:	36
Cost per parcel:	4,070.41

HEADING DEFINITIONS:

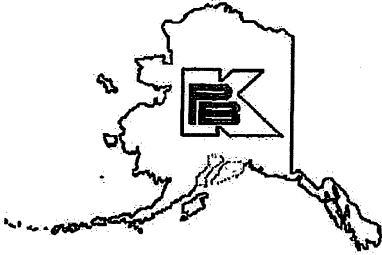
Total Assessed Value: 2012 Assessments
Cost per parcel - Lien per parcel

Required pre-pay: \$0.00
-Lien on each benefitted parcel cannot exceed 25% of 2012 Assessed Value
Total Number of Parcels: 36

Parcels in Favor of Project: 26
Percent of Parcels in Favor of Project: 72.22%

Percent of Parcels Delinquent: 0.00%

PARCEL ID	TOTAL ASSESSED VALUE	Cost Per Parcel	REQUIRED PRE PAY	OWNER	2011 Tax Delinq Y=Yes	Y = Yes Vote
05501106	219,800	4,070.41	0.00	FOWLER ROBERT R		Y
05501107	229,300	4,070.41	0.00	LANNET GREGORY A, JOHN N LANNET, ERIC D LANNET		Y
05501108	168,800	4,070.41	0.00	HEBERT LAWRENCE F 2009 TRUST, LARRY HEBERT		Y
05501119	68,800	4,070.41	0.00	JORDAN ERNEST E & MARJORIE		
05501120	62,000	4,070.41	0.00	OWEN DUKOWITZ, RYAN DUKOWITZ, DENISE DUKOWITZ, DUKOWITZ KEVIN		Y
05501121	170,500	4,070.41	0.00	DIETERS WILLIAM C & JANET		
05501122	259,500	4,070.41	0.00	LARSON RICHARD D & BARBARA A		
05501123	62,500	4,070.41	0.00	KAY QUYEN C & PAULA K		
05501124	292,200	4,070.41	0.00	VIRGIL B ROCKSTAD, & ROCKSTAD BYRON J		Y
05501125	232,700	4,070.41	0.00	VANDERZANDEN HAROLD C FAMILY TRUST		Y
05501128	243,900	4,070.41	0.00	WOODARD FRANK LESLIE		Y
05501127	220,500	4,070.41	0.00	YAMAMOTO DENNIS J & ANN N		Y
05501128	175,500	4,070.41	0.00	RANDALL OEFELIN SR, BILLYE OEFELIN, OEFELIN RANDALL W JR		
05501129	84,400	4,070.41	0.00	RANDALL OEFELIN SR, BILLYE OEFELIN, OEFELIN RANDALL W JR		
05501131	909,600	4,070.41	0.00	ALASKA STATE D N R		
05501140	300,500	4,070.41	0.00	FENSKE WILLIAM G & AMY H		Y
05501141	412,300	4,070.41	0.00	KAPPEN CARL L & DIANA K		Y
05501142	57,000	4,070.41	0.00	WOODS DRIVE LLC		Y
05501143	60,600	4,070.41	0.00	MOYE PATRICIA A		Y
05501144	373,700	4,070.41	0.00	KNOX DEAN W		Y
05501145	54,600	4,070.41	0.00	CROFT ROBERT & KIM		Y
05501146	258,600	4,070.41	0.00	LYONS JAMIE		Y
05501147	347,800	4,070.41	0.00	JOHNSON ROGER & RHONDA		Y
05501148	151,800	4,070.41	0.00	YOUNGQUIST PHILIP HILDING JR & ROBIN M		Y
05501149	56,700	4,070.41	0.00	OSTRANDER PAUL C & TERESA F		Y
05501150	265,100	4,070.41	0.00	UCHIWA LAWRENCE TAMOTSU		
05501151	54,500	4,070.41	0.00	FLESHER ROBERT G & LINDA T		Y
05501152	62,200	4,070.41	0.00	TIMLIN GARY M & DEE J		Y
05501153	61,900	4,070.41	0.00	HURN SALLY A & MIKKELSEN NELS E		
05501154	65,300	4,070.41	0.00	KLAWUNDER LARRY L & GWEN A & WHITMAN BELINDA S		Y
05501155	307,700	4,070.41	0.00	KLAWUNDER LARRY L & GWEN A		Y
05501156	435,400	4,070.41	0.00	SANDHAHL TIMOTHY DALE & LYNNIE MARIE		Y
05501157	361,800	4,070.41	0.00	BURCHAM MICHAEL & KATIE L		Y
05501163	265,400	4,070.41	0.00	JEFFERSON JEFFREY D		Y
05501164	785,300	4,070.41	0.00	JEFFERSON JEFFREY D		Y
05525023	2,629,000	4,070.41	0.00	ALASKA STATE D N R		
36	10,741,200	146,534.76	0.00		0	26



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520

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

PHONE: (907) 262-4441 • FAX: (907) 262-1892

www.borough.kenai.ak.us

**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

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

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

ATTACHMENT #7
Page 1 of 5

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 2012-19-34**

**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.WDS DR.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.WDS DR.50897 to the assessment
18 fund and appropriated into Account No. 897.92037.WDS DR.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:

MCLANE

W7WM RIAD EE
8/15/2012

WOODS DRIVE & MEMORY CIRCLE PAVING					
Project No. W7WOM			2012 RIAD PROGRAM		
ENGINEER'S ESTIMATED CONSTRUCTION COST 8/15/2012					
Pay Item No.	Pay Item Description	Pay Unit	Quantity	Unit Bid Price	Amount Bid
BASIC BID					
301(1)	Aggregate Base Course, Grading D-1	Ton	1400	\$ 28.00	\$ 39,200.00
303(1)	Reconditioning	Station	38.5	\$ 250.00	\$ 9,625.00
401(1)	Asphalt Concrete, Type II, Class B	Ton	1300	\$ 110.00	\$ 143,000.00
639(4)	Driveway Paved Apron	Each	21	\$ 200.00	\$ 4,200.00
639(5)	Paved Public Approach	Each	2	\$ 800.00	\$ 1,600.00
640(1)	Mobilization and Demobilization	Lump Sum	All Required	(LUMP SUM)	\$ 15,000.00
643(2)	Traffic Maintenance	Lump Sum	All Required	(LUMP SUM)	\$ 7,500.00
650(1)	Miscellaneous Work	Contingent Sum	All Required	(CONTINGENT SUM)	\$ 15,000.00
670(1)	Painted Traffic Markings	Lump Sum	All Required	(LUMP SUM)	\$ 2,000.00
TOTAL ESTIMATED COST				\$	237,125.00

ESTIMATED CONSTRUCTION COST		\$ 237,125.00
DESIGN & ADMINISTRATION	10%	\$ 23,712.50
CONTINGENCY	10%	\$ 23,712.50
TOTAL		\$ 284,550.00

Prepared By:



Date:

15-Aug-12

ATTACHMENT #8