MAYOR'S REPORT TO THE ASSEMBLY

TO: Milli Martin, Assembly President
Kenai Peninsula Borough Assembly Members

FROM: David R. Carey, Kenai Peninsula Borough Mayor

DATE: December 22, 2008

Assembly Requests/Responses

a. None

Agreements and Contracts

a. Memo to support sole source contract with National Fire Protection Association
b. Request for waiver of formal bidding procedures for Cisco IP Telephone Equipment
c. Sole Source Request-CES Emergency Lighting
d. Request to waive formal bidding procedure-tanker equipment for CES
e. Anchor Point EMS authorization to purchase demo or late model tanker
f. Sole Source approval request-UAA Engineering Department
g. Authorization to award contract for Central Peninsula Landfill Recycle Hauling
h. Authorization to award contract for 2,000 gpm triple combination pumper for Nikiski Fire Service Area
i. Authorization to award contract for limited liability reports
j. Authorization award of contract for solid waste & recycling container hauling, area 2
k. Authorization award of contract for solid waste & recycling container hauling, area 1
l. Contract extension for Corea Bend Enterprises/ snow removal and sanding
m. Contract extension for Chugach Snowplowing and Sanding Enterprises/ snow removal and sanding
n. Extension for Central Peninsula Community Wildfire Protection Plan
o. Approval of contract CAT D9 with North Star Paving

p. Approval of contract for training course with Clerkworks Alaska

q. Approval of contract with Paul’s Services for Oilwell #3 ROW project

r. Approval of contract with Frigid North Services for snow plowing and sanding

s. Approval of contract with Whitford Surveying for land surveying Sand Hill Subdivision

t. Approval of contract with Fire Control Systems to replace digital voice command circuit at Nikiski Pool

u. Approval of contract with Northern Superior Construction for Nikiski Beach Access ROW project

v. Approval of contract with AMC Engineers for professional design services

w. Approval of contract with Mullikin Surveys for land surveying and platting services

x. Approval of contract with Floor-Ever, Inc. for restroom floor replacement at Kenai Middle School

y. Approval of contract with D&L Construction Company Inc. for CPL recycle hauling

Other

a. Revenue Expenditure Report- November 2008

b. Litigation Status Report

c. Mayor’s Narrative Reports

d. Federal Stimulus Package List

DRC/cr
Memorandum in Support of a Sole Source Contract

TO: David R Carey, Borough Mayor
THRU: Craig Chapman, Finance Director
THRU: Mark Fowler, Purchasing and Contracting Office
THRU: Max Best, Planning Director
FROM: Roberta Wilfong, Spruce Bark Beetle Program Manager
DATE: November 20, 2008
SUBJECT: Memorandum to Support a Sole Source Contract with National Fire Protection Association (NFPA)

I am writing to request that the Kenai Peninsula Borough (KPB) enter into a sole source short form contract to hire the National Fire Protection Association (NFPA) to conduct a two-day training session on the Kenai Peninsula. The Scope of Work for this project is to conduct “Home Ignition Zone” training at the Emergency Response Center in Soldotna for the Not To Exceed Sum of $6,000.00 (Six Thousand Dollars and No Cents). This training will present fire behavior concepts and applied fire research relative to home ignitions in natural areas. This training will help to promote safer and more fire resistant communities through individual action and community involvement in wildfire preparedness.

The need for “Home Ignition Zone” training was identified by all current Kenai Peninsula Borough CWPP Core Teams in their list of community priority projects. NFPA is uniquely qualified to bring “Home Ignition Zone” training to our area as this group developed the “Home Ignition Zone” training curriculum. This training includes fire behavior research by Jack Cohen of the USDA-Forest Service that is directly applicable to the wild land fire issues here on the Kenai Peninsula. The intent of bringing this training to Soldotna is to invite up to 50 people to attend including: CES personnel, volunteer fire department personnel, Division of Forestry personnel, CWPP Core Team members, and FireWise community members.

This project is to begin upon execution of a Short Form Contract between KPB and NFPA and is to be completed by April 30, 2009.

Funding source for the $6,000.00 dedicated to this project is KPB account #262.21320.00BT7.43011 ($2,650.00); 262.21320. 07..S.TI.42210 ($350.00); 262.21320.09BT8.43011 ($2,650.00); and 262.21320.09BT8.42210 ($350.00)

Please contact me if you have any questions.

☑ Approved □ Not Approved

[Signature]
David R. Carey, Mayor

[Signature]
Date

FINANCE DEPARTMENT
FUNDS VERIFIED

ACT # 841,313.82 07/08/2008

NOV 26 2008

Kenai Peninsula Borough Spruce Bark Beetle Mitigation Program, 253 Wilson Lane, Soldotna, Alaska 99669, 907 260-6202
MEMORANDUM

TO: David R. Carey, Mayor
FROM: Mark Fowler, Purchasing & Contracting Office
DATE: December 1, 2008

Subject: Request for Waiver of Formal Bidding Procedures for Cisco IP Telephone Equipment

Please consider this memorandum a request to waive the formal bidding procedures and award a contract for the above mentioned purchase under KPB Code 5.28.300.

Nikiski Fire Service Area has requested that the MIS Department identify the equipment required to include Station 1 in the Boroughs IP telephone system. Suppliers were identified and contacted with a list of equipment which was estimated to cost approximately $14,000.00. Those suppliers included HiSpeed Gear, Graybar and Calence.

Quotes were due on November 18, 2008 with one quote received from Calence. The quote included all necessary equipment and totaled $18,504.55.

Funds for this purchase are available in account number 206.51110.48311.

Approved:

David R. Carey, Mayor

Date: December 08

FINANCE DEPARTMENT
FUNDS VERIFIED

ACT # 206.51110.48311 - $18,504.55 P035374

RECEIVED
DEC 01 2008

KPB FINANCE ADMINISTRATION
TO: Dave Carey, Borough Mayor

THRU: Mark Fowler, Purchasing Officer

FROM: Chris Mokracek, Fire Chief

SUBJECT: Emergency Lighting – Sole Source Request

DATE: November 24, 2008

This is a request to allow for a sole source purchase from the following vendor:

- Alaska Safety, Inc. - $5,765.00

This is for the purchase of an emergency lighting package to be used on a new 4x4 pickup to be received this week.

The only other vendor is no longer providing sales and installation service. Alaska Safety has always been the low bidder and has done an excellent job for the service area.

Alaska Safety, Inc. is the only local (Anchorage) distributor in the State of Alaska to offer these lights with installation. We will be receiving these lights at the lowest price available. These units were budgeted for in the FY09 capital budget. Funds are available in the following account: 443.51611.09465.48310

APPROVED: X Yes _ No  Signature  David R. Carey  Date 12/05/08

Finance Department
Funds Verified
$5,765.00
ACT #443.51611.09465.48310

BY:  DATE: 12/11/08

Fire Administration • 231 South Binkley St. • Soldotna, Alaska 99669
(907) 262-4792 • Fax (907) 262-5770 • www.cesfire.org
TO: Dave Carey, Borough Mayor

THRU: Mark Fowler, Purchasing & Contracting Officer

FROM: Chris Mokracek, Fire Chief

DATE: November 24, 2008

SUBJECT: Tanker Equipment Quotes – Request to Waive Formal Bidding Procedure

CES would like to waive formal bidding procedures and purchase from MES, the lowest quote provided. CES has budgeted a total of $51,520 for Tanker 3 & 5 inventory in our FY09 budget (443.51611.09467.49999).

CES requested quotes for fire fighting equipment from four (4) fire equipment vendors providing services throughout the State of Alaska. A complete inventory of equipment needed was sent to each vendor. A per-item comparison was made and the lowest cost, with shipping, was chosen.

- Municipal Emergency Services, Inc. (MES) $49,163.50
  7645 K St., Unit A, Anchorage, AK 99518
  (907) 522-9110

- Arctic Fire & Safety Non-Responsive
  702 30th Ave., Fairbanks, AK 99701
  (907) 452-7806

- L.N. Curtis & Sons $63,238.85
  629 So. Industrial Way, Seattle, WA 98108
  (800) 426-6633

- W.S. Darley Co. Non-Responsive
  2000 Anson Dr., Melrose Park, Illinois 60160
  (800) 323-0244

RECEIVED

NOV 26, 2008

Attached is the itemized equipment list with quotes.
MEMO

TO: Dave Carey, Mayor

THRU: Mark Fowler, Purchasing and Contracting Officer

DATE: December 11, 2008

SUBJECT: Purchase of a Demo or Late Model Used Tanker

The Anchor Point Fire Service Area is seeking authorization to purchase a Demo or late model Used Tanker. The maximum amount to be expended including an inspection trip and delivery to Anchor Point for this tanker will be $170,000.

Respectfully yours,

Robert Craig
Robert Craig, Administrator
fireems@alaska.net

Dave Carey
Dave Carey, Mayor
TO: Dave Carey, Borough Mayor

THRU: Mark Fowler, Purchasing & Contracting Officer

THRU: Max Best, Planning Director

FROM: Gary Williams, Coastal District Coordinator

DATE: December 16, 2008

SUBJECT: Sole Source Approval Request – University of Alaska Anchorage

Coastal Zone Management at the Kenai River Center is requesting sole source approval for the University of Alaska Anchorage Engineering Department to conduct two projects.

The first will be an analysis of erosion data and other phenomena related to hydrologic and coastal processes. This study is being funded through Coastal Zone Management grant monies. There are no other qualified organizations in the area to perform this type of study. Additionally, the advantage of working with UAA’s engineering department allows the study to be completed in a more economical manner utilizing students and other university resources.

The second contract involves UAA’s assistance with the creation of an educational publication for coastal homeowners. This project, as budgeted by the Assembly for this Fiscal Year, involves the creation of a companion publication to *On the River*, the educational publication for riverfront property owners that was completed in 2007. UAA is providing a majority of the text copy for the book, as well as final editing and concept sketches/illustrations to be included. Again, UAA has the expertise in the faculty and staff to provide the service, and is also matching the funds provided in the form of time from faculty and staff. Again, students will be utilized to assist in performing the work.

The Kenai Coastal Erosion Analysis is funded through CZM grant funds in the amount of $22,000.00. Funds are available in account 251.21135.21982.43011.

The text and concept sketches are funded through the KRC budget as approved in the amount of $18,500.00. Funds are available in account 251.21135.00000.43011.

Approved: David R. Carey

Date: 19 Dec 08
MEMORANDUM

TO: David R. Carey, Mayor
THRU: Craig Chapman, Finance Director
       Mark Fowler, Purchasing & Contracting Office
FROM: Jack Maryott, Solid Waste Director
DATE: November 19, 2008
SUBJECT: Authorization to Award Contract for Central Peninsula Landfill Recycle Hauling

The Purchasing and Contracting Office formally solicited and received bids for the Central Peninsula Landfill Recycle Hauling Contract. Bid packets were released on October 24, 2008 and the Invitation to Bid was advertised in the Peninsula Clarion on October 24, 2008.

The project consists of hauling recyclable materials to Anchorage from the Central Peninsula Landfill.

On the due date of November 13, 2008 one bid was received and reviewed to ensure that all the specifications were met. The low bid of $52,080.00 was submitted by D & L Construction, P O Box 810, Cooper Landing, AK 99572.

Your approval for this bid award is hereby requested. Funding for this project is in account number 290.32122.00000.42310.
TO: David R. Carey, Mayor
FROM: Mark Fowler, Purchasing & Contracting Officer
DATE: December 5, 2008
SUBJECT: Authorization to Award Contract for 2,000 Gallon Per Minute Triple Combination Pumper for Nikiski Fire Service Area

The Purchasing and Contracting Office formally solicited and received bids for the purchase of a 2,000 Gallon Per Minute Triple Combination Pumper for Nikiski Fire Service Area. Bid packets were released on October 13, 2008 and the Invitation to Bid was advertised in the Peninsula Clarion on October 13, 2008.

On the due date of November 26, 2008 one (1) bid was received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of $544,565.00 was submitted by Pierce Manufacturing of Appleton Wisconsin.

Your approval for this bid award is hereby requested. Funding for this project is in account number 441.51111.09483.48514.

David R. Carey
Mayor

FINANCE DEPARTMENT
FUNDS VERIFIED

ACT #441.51111.09483.48514 - $544,565.00

BY: [Signature]
DATE: 12/9/08

KPB FINANCE ADMINISTRATION

RECEIVED
DEC 09 2008
MEMORANDUM

TO:       David R. Carey, Mayor

THRU:     Mark Fowler, Purchasing & Contracting Officer
          Craig Chapman, Finance Director
          Rhonda Krohn, Property Tax and Collections Supervisor

FROM:     Joanne Rodgers, Delinquent Accounts

DATE:     December 15, 2008

SUBJECT:  Authorization to Award Contract for Limited Liability Reports

The Purchasing and Contracting Office formally solicited and received bids for the Limited Liability Reports. Bid packets were released on November 20, 2008 and the Invitation to Bid was advertised in the Peninsula Clarion, Homer News, and Seward Phoenix Log on November 20, 2008.

The project consists of the preparation of title reports for all recording districts.

On the due date of December 11, 2008 three (3) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. The bids were as follows:

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<th>Contractor</th>
<th>Recording District</th>
<th>Bid Amount</th>
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<tr>
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</tr>
<tr>
<td>First American Title</td>
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<td>$ 84.00</td>
</tr>
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</table>

Your approval for this bid award is hereby requested. Funding for this project is in account number 100.11440.43932.

David R. Carey, Mayor

17 Dec 08

Date

FINANCE DEPARTMENT
FUNDS VERIFIED

ACT # 100.11440.43932

BY:      DATE:    12/15/08
MEMORANDUM

TO: David R. Carey, Mayor

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

FROM: Jack Maryott, Solid Waste Director

DATE: December 15, 2008

SUBJECT: Authorizing Award of Contract for Solid Waste and Recycling Container Hauling Area 2, Operations and Maintenance

The Purchasing and Contracting Office formally solicited and opened bids for this project on December 9, 2008. The Invitation to bid was advertised in the Peninsula Clarion November 18, 2008 and Homer News November 20, 2008. Two bids were received and are recorded on the attached bid tabulation.

The project consists of operating, maintaining and hauling solid waste and recyclables at McNeil Canyon and Anchor Point transfer site and Save-U-More recycles to the Homer Baling Facility, other work in accordance with the contract requirements. This contract shall commence on March 1, 2009 through February 28, 2010 and may extend for up to four additional years through two separate two year extensions.

We ask that the Mayor award the contract to the lowest bidder, Moore & Moore Services, Inc. dba Quick Sanitation for the amount of $124,478.00.

Funding for this project is in account number 290.32570.00000.43011.

Approved:

David R. Carey, Mayor

FINANCE DEPARTMENT
Funds Verified
7/42,880.79 FY09

ACT #290.32570.00000.43011 ($124,478.00)
FY2010 Budget Subject to Approval by Assembly
BY: [Signature] DATE: 12/14/08

FINANCE ADMINISTRATION
MEMORANDUM

TO: David R. Carey, Mayor

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

FROM: Jack Maryott, Solid Waste Director

DATE: December 15, 2008

SUBJECT: Authorizing Award of Contract for Solid Waste and Recycling Container Hauling Area 1, Operations and Maintenance

The Purchasing and Contracting Office formally solicited and opened bids for this project on December 9, 2008. The Invitation to bid was advertised in the Peninsula Clarion November 18, 2008 and Homer News November 20, 2008. Two bids were received and are recorded on the attached bid tabulation.

The project consists of operating and maintaining solid waste collection sites, hauling waste and recyclables to the Central Peninsula landfill in Soldotna and other work in accordance with the contract requirements. This contract shall commence on March 1, 2009 through February 28, 2010 and may extend for up to four additional years through two separate two year extensions.

We ask that the Mayor award the contract to the lowest bidder, Alaska Pacific Environmental Services Anchorage, LLC (dba Alaska Waste), for the amount of $255,123.99.

Funding for this project is in account number 290.32570.00000.43011.

Approved:

David R. Carey, Mayor

Date

FINANCE DEPARTMENT
Funds Verified

By: CEA
Date: 12/16/08
MEMORANDUM
KENAI PENINSULA BOROUGH
144 N. Binkley Street
Soldotna, Alaska 99669

TO: David R. Carey, Borough Mayor

THRU: Scott Bloom, Assistant Borough Attorney, Legal Department
Mark Fowler, Purchasing & Contracting Officer
Craig Chapman, Finance Director
Joe House, Risk Management

FROM: Name and title: Dave Tressler, General Foreman
Department: Maintenance
Signature: ____________________________

DATE: November 24, 2008

SUBJECT: Snow Removal & Sanding of Various Borough Facilities – Contract Extension
Corea Bend Enterprises

The above referenced document is submitted for review and signature as follows:

(1) Maintenance to Risk Management
Date
1/24/08
Initials

(2) Risk Management to Finance
Date
11/25/08
Initials

(3) Finance to Purchasing
Date

(4) Purchasing to Legal
Date
12/1
Initials

(5) Legal to Mayor’s Office
Date
12/1
Initials

(6) Mayor to Clerk
Date
1/1
Initials

Please verify funds in the amount of $5,000.00

RECEIVED
NOV 25 2008

FINANCE DEPARTMENT FUNDS
VERIFIED $5,000

Acct. # 241.41010.00000.43764
By: CBW Date: 11/26/08

[Signature]

1 Name of the person responsible for the contract.
KENAI PENINSULA BOROUGH
MAINTENANCE DEPARTMENT

Extension of Contract

The undersigned parties hereby contract and agree to a one (1) year extension of the CONTRACT FOR SNOW REMOVAL AND SANDING OF VARIOUS BOROUGH FACILITIES entered into December 29, 2006. This extension to include all conditions and specifications of the original Kenai Peninsula Borough Maintenance Snow Removal & Sanding Agreement, and shall extend throughout the 2008/2009 school term. Contract price will be increased by 5.5 percent for this one-year extension, as per Anchorage C.P.I.

Company Name: COREA BEND ENTERPRISES

Owner Signature: [Signature]

Address: P. O. Box 289
Clam Gulch AK 99618

Phone: 907-567-3951  Fax: _______

Date: 9/5/08

Extended contract as set forth above, and notice hereby given of the extension of the contract is subject to Contractor's proof of insurance, current State of Alaska Business License and compliance with Borough Tax Ordinance, whereas copies must be submitted with this signed extension.

DATED this ______ day of December, 2008.

Approved as to form and legal sufficiency.

Assistant Borough Attorney

KENAI PENINSULA BOROUGH

David R. Carey, Mayor
Kenai Peninsula Borough
MEMORANDUM
KENAI PENINSULA BOROUGH
144 N. Binkley Street
Soldotna, Alaska 99669

TO:        David R. Carey, Borough Mayor

THRU:      Scott Bloom, Assistant Borough Attorney, Legal Department
           Mark Fowler, Purchasing & Contracting Officer
           Craig Chapman, Finance Director
           Joe House, Risk Management

FROM:      Name and title: Dave Tressler, General Foreman
           Department: Maintenance
           Signature: [Signature]

DATE:      November 24, 2008

SUBJECT:   Snow Removal & Sanding of Various Borough Facilities – Contract Extension
           Chugach Snowplowing & Sanding Enterprises

The above referenced document is submitted for review and signature as follows:

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<th>Date</th>
<th>Initials</th>
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<td>6</td>
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</tr>
</tbody>
</table>

Please verify funds in the amount of $5,000.00

RECEIVED
NOV 26 2008

FINANCE DEPARTMENT FUNDS
VERIFIED $5,000.00

Acct. # 241.41010.00000.43764
By: [Signature] Date: 11/26/08

Name of the person responsible for the contract.
KENAI PENINSULA BOROUGH

MAINTENANCE DEPARTMENT

Extension of Contract

The undersigned parties hereby contract and agree to a one (1) year extension of the CONTRACT FOR SNOW REMOVAL AND SANDBING OF VARIOUS BOROUGH FACILITIES entered into January 2, 2007. This extension to include all conditions and specifications of the original Kenai Peninsula Borough Maintenance Snow Removal & Sanding Agreement, and shall extend throughout the 2008/2009 school term.

Contract price will be increased by 5.5 percent for this one-year extension, as per Anchorage C.P.I.

Company Name: CHUGACH SNOWPLOWING & SANDBING ENTERPRISES

Owner Signature: [Signature]

Address: P. O. Box 43
Hope, AK 99605

Phone: 907-236-4115  Fax: 907-782-3434

Date: 9/10/08

Extended contract as set forth above, and notice hereby given of the extension of the contract is subject to Contractor’s proof of insurance, current State of Alaska Business License and compliance with Borough Tax Ordinance, whereas copies must be submitted with this signed extension.

DATED this ______ day of ______, 2008.

Approved as to form and legal sufficiency.

Assistant Borough Attorney  KENAI PENINSULA BOROUGH

David R. Carey, Mayor
Kenai Peninsula Borough
Memorandum

TO: David R Carey, Borough Mayor
THRU: Mark Fowler, Purchasing Office
THRU: Max Best, Planning Director
FROM: Roberta Wilfong, Spruce Bark Beetle Program Manager
DATE: December 16, 2008
SUBJECT: Extension for Central Peninsula Community Wildfire Protection Plan contract

The final contract to satisfy the requirements of Grant No. 05DG11100000207 is the Cooperative Agreement with Stam’s Consulting LLC signed October 17, 2008. The expiration date of the original agreement coincides with the expiration date of the grant.

An extension of the grant was requested and is being processed, (see attached email from Arlene Weber-Sword, State Grants Manager). The Attached Agreement with Joe Stam, Stam’s Consulting LLC has been signed and is ready for your signature.

Mr. Mayor,

This extension is part of a performance based grant. Ordinance 2005-19-30 approved the appropriation for 15 community wildfire protection plans for areas of the borough rated as high risk. The completion of these last three plans allows the communities of Soldotna/Hiddenway, Sterling, and Funny River to gather critical wildfire/reponse needs, and will pre-position them for future wildfire hazard mitigation funding. The available resources needed from SBB personnel will be minimal after July 1, 2009.

May
No-Cost Amendment to Professional Service Agreement
For Developing Community Wildfire Protection Plans For
Central Kenai Peninsula Communities

A Professional Service Agreement ("Agreement") was executed between the Kenai Peninsula
Borough ("KPB") and Starn's Consulting, LLC,

Purpose of this amendment is to extend the time allowed for completion of the scope of work.

CHANGE: Page 1, Section 4. Section 4. of the Agreement now reads:

4. Time of Performance. The services of the Consultant shall commence upon execution of all
contract documents and shall terminate on December 31 2009. The period of performance may
be extended for additional periods only by the mutual written agreement of the parties.

All of the other terms and conditions of the original agreement shall remain in full force and
effect.

Joe Starn, Starn's Consulting, LLC.

David R. Carey, Borough Mayor

Approved as to form and legal sufficiency:

Borough Attorney

ATTEST:__________________________
Johni Blankenship, Borough Clerk

12/19/2008
12/19/08

Date

Date

Date
CONTRACTOR WILL PROVIDE THE KENAI PENINSULA BOROUGH THE FOLLOWING SERVICE(S)

30 Hours of CAT D9 time to dredge Upper Kwechak Creek per Request for Quotes dated November 21, 2008 and completed Quote Form dated 11/24/08.

The hourly rate of additional CAT D9 time beyond 30 hours if deemed necessary by Project Manager is $275.00/hour.

ACCOUNT DISTRIBUTION: 259.21212.8KWCH.43011

DEPARTMENT/SERVICE AREA: Capital Projects Division

Contractor's compensation will be:

Eight Thousand Five Hundred Eighty-Four and 75/100 __________________________ Not to exceed $8,584.75

Insurance, if required: Auto $1,000,000.00 CGL $1,000,000.00 E & O $ N/A

Time schedule for performance will be TO BE COMPLETED WITHIN 20 Days FROM NOTICE TO PROCEED

The following attachments are incorporated herein by reference:
Request for Quotes dated November 21, 2008 and completed Quote Form dated 11/24/08

BY SIGNING BELOW, THE CONTRACTOR HEREBY AFFIRMS THAT HE OR SHE HAS READ AND ACCEPTS ALL TERMS AND CONDITIONS OF THIS CONTRACT INCLUDING THE PROVISIONS CONTAINED ON THE REVERSE OF THIS FORM

CONTRACTOR SIGNATURE: [Signature]

DATE: 12-3-08

CONTRACTOR ADDRESS & PHONE NUMBER:
North Star Paving and Construction, Inc.,
35743 Kenai Spur Hwy., Suite A, Soldotna, AK 262-9139, Fax 262-1428

ACCEPTANCE BY KENAI PENINSULA BOROUGH:
PURCHASE ORDER NO. P0 35431

MAYOR OR DESIGNATED OFFICIAL:
DATE: 12-3-08

REV: 7/21/06
PROPOSAL TO CONTRACT FOR SERVICES
KENAI PENINSULA BOROUGH

CONTOR will provide the Kenai Peninsula Borough the following service(s)

Customized training course with script and voice overlay for Kenai Peninsula Borough commissions, boards and service areas as described in ClerkWorks Alaska (ClerkWorks) March 26, 2007 proposal.

Contractor and the Kenai Peninsula Borough further agree:

It is understood and agreed that the Kenai Peninsula Borough shall be sole owner of the final work product generated from this contract.

ACCOUNT DISTRIBUTION: 100.94910.43011
DEPARTMENT/SERVICE AREA: non-department contract service

Contractor's compensation will be:
Seventy Five Dollars ($75.00) per hour
Not to exceed 5,000.00

Insurance, if required:
Auto $ N/A
CGL $ N/A
E & O $ N/A

Time schedule for performance will be: final product presented to the Mayor's Office no later than December 31, 2008.

The following attachments are incorporated herein by reference:
ClerkWorks Alaska March 26, 2007 proposal.

CONTRACTOR ADDRESS & PHONE NUMBER:
P.O. Box 4124
Soldotna, Alaska 99669-4124
Phone: (907) 262-1686 Fax: (907) 262-8485

CONTRACTOR SIGNATURE: X
DATE: 12/3/08

RECOMMENDED BY:
APPROVED AS TO FORM:

MARK FOWLER
PURCHASING & CONTRACTING

ACCEPTANCE BY KENAI PENINSULA BOROUGH:
PURCHASE ORDER NO. P034507

REV: 7/21/06

Purchasing Department
144 North Binkley Street
Soldotna, AK 99669
907-262-4441

THIS PROPOSAL BECOMES A CONTRACT WHEN ACCEPTED AND SIGNED BY THE MAYOR OR HIS DESIGNATED OFFICIAL

MARK FOWLER
PURCHASING & CONTRACTING
DATE: 12/3/08

MAYOR OR DESIGNATED OFFICIAL
DATE: 3/12/08
CONTRACTOR WILL PROVIDE THE KENAI PENINSULA BOROUGH THE FOLLOWING SERVICE(S):

Contractor is to provide all labor and equipment necessary to complete the Scope of Work for the Oilwell #3 Rights-of-Way project. The Scope of Work consists of clearing dead and dying spruce bark beetle trees from rights-of-way, as shown on the attached project map. This project includes parcels where abutting landowners have given permission to enter private property to remove those trees that upon falling could impact the road. This project is in the Ninilchik area and includes the following roads: Oilwell, Bev, Bluff, Reba, Tovarish, Garrison Ridge, Burlwood, Bear Paw, Easy, Mchone, Cottonwood, and Hooligan.

ACCOUNT DISTRIBUTION: 262.21320.09BT1.43011 DEPARTMENT/SERVICE AREA: Planning / SBB

☐ Check box if State Right of Way (ROW) Articles of the attached General Conditions apply (Articles 2.5.b, 5.3.b, 5.4.b and 5.5.b).
☐ Check box if Kenai Peninsula Borough Articles of the attached General Conditions apply (Articles 2.5.a, 5.3.a, 5.4.a and 5.5.a).

Contractor's compensation will be: **Not To Exceed Five Thousand Six Hundred Seventy Eight Dollars and no cents**

Insurance, if required:

- Auto $1,000,000.00
- CGL $1,000,000.00
- E & O $0.00

Time schedule for performance will be Project end date is thirty (33) business days after execution of contract.

The following attachments are incorporated herein by reference: Request For Quotes, Oilwell #3 Rights-Of-Way Project; (6 pages); Signed Quote Form (3 pages); Attachments 1, 2, and 1-A (Project Maps, Parcel Information List - 3 pages); Attachment A (State ROW contract - 2 pages); and Attachment B (General Conditions of Contract - 7 pages).

BY SIGNING BELOW, THE CONTRACTOR HEREBY AFFIRMS THAT HE OR SHE HAS READ AND ACCEPTS ALL TERMS AND CONDITIONS OF THIS CONTRACT INCLUDING THE PROVISIONS CONTAINED IN THE ATTACHED GENERAL CONDITIONS.

CONTRACTOR SIGNATURE: [Signature]
DATE: 11/26/08

CONTRACTOR ADDRESS & PHONE NUMBER:
Paul's Services
PO Box 377
Anchor Point, AK 99556
(907) 235-8405 or (907) 399-4528

ACCEPTANCE BY KENAI PENINSULA BOROUGH:

PURCHASE ORDER NO: [Order Number]

DATE: 12/08

MAYOR OR DESIGNATED OFFICIAL: [Signature]
DATE: [Date]

Revised 11/4/2003
CONTRACTOR WILL PROVIDE THE KENAI PENINSULA BOROUGH THE FOLLOWING SERVICE(S)

The McNeil Canyon fire Station side parking area, area in front of apparatus bay doors, front of station and driveway entrance will be automatically plowed at a snow accumulation of three (3) or more inches. Sanding will be performed at the request of Kachemak Emergency Services. Plowing will be charged at a rate of sixty five dollars ($65.00) per trip with the exception of accumulations between nine (9) and eighteen (18) inches where the rate will be one hundred and two dollars and fifty cents ($102.50) per trip. Depths of snowfall greater than eighteen (18) inches will be paid at a rate of one hundred and twenty five dollars ($125.00) per trip. The rate for sanding will be at fifty dollars ($50.00) per trip. The removal of snow berms are available on request and may require an additional charge. Snow plowing may be supplemented when needed and/or available by the Kachemak Emergency Services snow plow.

ACCOUNT DISTRIBUTION: 212.518.10.0000.43780

DEPARTMENT/SERVICE AREA: Kachemak emergency Service Area

Contractor’s compensation will be:
$65.00 per trip 3” up to 9” of snow; $102.50 per trip 9” up to 18”; $125.00 per trip over 18”; $50.00 per sanding trip. Not to exceed $3000.00

Insurance, if required: Auto $1,000,000.00 CGL $1,000,000.00 E & O $500,000.00

Time schedule for performance will be As needed for the 2008-2009 snow season

The following attachments are incorporated herein by reference:
Proof of Insurance

BY SIGNING BELOW, THE CONTRACTOR HEREBY AFFIRMS THAT HE OR SHE HAS READ AND ACCEPTS ALL TERMS AND CONDITIONS OF THIS CONTRACT INCLUDING THE PROVISIONS CONTAINED ON THE REVERSE OF THIS FORM

CONTRACTOR SIGNATURE X Craig C. Mulkey Frigid North Services DATE 11/30/08

RECOMMENDED BY: APPROVED AS TO FORM:

DATE:

DEPARTMENT DIRECTOR OR DESIGNEE DATE:

MARK FOWLER PURCHASING & CONTRACTING

ACCEPTANCE BY KENAI PENINSULA BOROUGH:

PURCHASE ORDER NO. PO 5333

MAYOR OR DESIGNATED OFFICIAL DATE:

David K. Cary 11/30/08

REV: 7/21/08
CONTRACTOR WILL PROVIDE THE KENAI PENINSULA BOROUGH THE FOLLOWING SERVICE(S)

All elements necessary to complete surveying and platting of "Sand Hill Subdivision Re-Plat" by subdivision plat in accordance with KPB Chapter 20 and in accordance with "Request for Quote" dated November 21, 2008 and "Plan of Survey" Attached hereto and incorporated by reference.

Contractor's compensation will be:
FIVE THOUSAND TWO HUNDRED TWENTY DOLLARS EVEN ($5,220.00) Not to exceed $5,220.00

Insurance, if required: Auto $1,000,000 CGL $1,000,000 E & O $500,000

Time schedule for performance will be Preliminary Plat Submittal Due January 19, 2009 unless otherwise agreed.

The following attachments are incorporated herein by reference:
"Request for Quotes" Dated November 21, 2008, "Plan of Survey" 11/19/08

Contractor's Printed Name: Whitford Surveying
Contractor's Federal Tax Identification Number: 92-0106226
Job/Service Provided: Land Surveying/Platting

CONTRACTOR ADDRESS & PHONE NUMBER: Whitford Surveying (907)260-9092
PO Box 4032 Phone & Fax
Soldotna, AK 99669

CONTRACTOR SIGNATURE: [Signature] DATE: 12-5-08

RECOMMENDED BY: [Signature] DATE: 12-11-08

APPROVED AS TO FORM: [Signature] DATE: 12-11-08

DEPARTMENT DIRECTOR OR DESIGNEE: [Signature] DATE: [Signature] DATE:

MARK FOWLER PURCHASING & CONTRACTING

ACCEPTANCE BY KENAI PENINSULA BOROUGH:
PURCHASE ORDER NO. PO 35464

MAYOR OR DESIGNATED OFFICIAL: [Signature] DATE: 12 Dec 08

REV: 7/21/06
CONTRACTOR WILL PROVIDE THE KENAI PENINSULA BOROUGH THE FOLLOWING SERVICE(S)

Provide all labor and materials to replace the Digital Voice Command circuit in the alarm panel at the Nikiski Pool.

ACCOUNT DISTRIBUTION: 225.61110.00000.43780
DEPARTMENT/SERVICE AREA: North Peninsula Recreation S.A.

Contractor's compensation will be:

Based on Actual Time & Expense as per written quote. Not to exceed $1446.00

Insurance, if required:
Auto $1,000,000.00
CGL $1,000,000.00
E & O $0.00

Time schedule for performance will be:
Work will be completed no later than December 31st.

The following attachments are incorporated herein by reference:
Quote dated 12-12-2008

BY SIGNING BELOW, THE CONTRACTOR HEREBY AFFIRMS THAT HE OR SHE HAS READ AND ACCEPTS ALL TERMS AND CONDITIONS OF THIS CONTRACT INCLUDING THE PROVISIONS CONTAINED ON THE REVERSE OF THIS FORM FOR FIRE CONTROL SYSTEMS.

CONTRACTOR SIGNATURE

CONTRACTOR ADDRESS & PHONE NUMBER:
Fire Control Systems, Inc.
P.O. Box 9
Kenai, AK 99611 (907) 263-7518

RECOMMENDED BY:

APPROVED AS TO FORM:

ACCEPTANCE BY KENAI PENINSULA BOROUGH:
PURCHASE ORDER NO. P035455

DATE: December 15, 2008

MARK FOWLER
PURCHASING & CONTRACTING

MAYOR OR DESIGNATED OFFICIAL

REV: 7/21/06
**Contractor's Name:** Northern Superior Construction  
**Contractor's Federal Tax Identification Number:** 92-0174767  
**Job/Service Provided:** Nikiski Beach Access ROW Project

**KENAI PENINSULA BOROUGH**

**PROPOSAL TO CONTRACT FOR SERVICES**

**THIS PROPOSAL BECOMES A CONTRACT WHEN ACCEPTED AND SIGNED BY THE MAYOR OR HIS DESIGNATED OFFICIAL.**

**PURCHASING DEPARTMENT**

144 North Binkley Street  
Soldotna, AK 99669  
907-262-4441

---

**CONTRACTOR WILL PROVIDE THE KENAI PENINSULA BOROUGH THE FOLLOWING SERVICE(S):**

Contractor is to provide all labor and equipment necessary to complete the Scope of Work for the Nikiski Beach Access Rights-of-Way project. The Scope of Work consists of clearing dead and dying spruce bark beetle trees from rights-of-way, as shown on the attached project map. This project includes parcels where abutting landowners have given permission to enter private property to remove those trees that upon falling could impact the road. This project is in the Nikiski area and includes the following road; Hedberg Drive.

**ACCOUNT DISTRIBUTION:** 262.21320.09BT1.43011  
**DEPARTMENT/SERVICE AREA:** Planning / SBB

- [ ] Check box if State Right of Way (ROW) Articles of the attached General Conditions apply (Articles 2.5.b, 5.3.b, 5.4.b and 5.5.b).
- [ ] Check box if Kenai Peninsula Borough Articles of the attached General Conditions apply (Articles 2.5.a, 5.3.a, 5.4.a and 5.5.a).

**Contractor's compensation will be:** Not To Exceed Three Thousand Eight Hundred Dollars and no cents

**Insurance, if required:**  
- Auto: $1,000,000.00  
- CGL: $1,000,000.00  
- E & O: $0.00

**Time schedule for performance will be:** Project end date is thirty five (35) business days after execution of contract.

The following attachments are incorporated herein by reference: Request For Quotes, Nikiski Beach Access Rights-Of-Way Project; (6 pages); Signed Quote Form (3 pages); Attachments 1, and 1-A (Project Map, Parcel Information List - 2 pages); and Attachment B (General Conditions of Contract - 7 pages).

---

**CONTRACTOR ADDRESS & PHONE NUMBER:**

Northern Superior Construction  
PO Box 1062  
Kasilof, AK 99610  
(907) 252-1426

---

**CONTRACTOR SIGNATURE DATE ACCEPTANCE BY KENAI PENINSULA BOROUGH:**

**PURCHASE ORDER NO.:** PC 3'5

---

**MARK FOWLER**  
Purchasing & Contracting  
Date: 11/4/2003

---

**Revised 11/4/2003**
CONTRACTOR WILL PROVIDE THE KENAI PENINSULA BOROUGH THE FOLLOWING SERVICE(S)

Professional Design and Development of color IP addressable digital cameras and an FTP server digital recording system. Design and Development feature considerations include, but not limited to the following per Request for Proposal dated 10/31/08.

- Utility access and requirements
- Camera coverage and quantity
- On site and off site system support infrastructure
- Technical Specification
- Site plan as required
- Development of a centrally located or on site recording system
- Bld Ready construction documents

Prior to completion of the documents the consultant will be required to review and modify the project scope with the owner to allow for budget constraints or any minor changes to accommodate the users needs.

ACCOUNT DISTRIBUTION: 411.32220.09CAM.49311

DEPARTMENT/SERVICE AREA: Capital Projects Division

Contractor's compensation will be:
Seven Thousand, Two Hundred and no/100 Dollars

Not to exceed $7,200.00

Insurance, if required:
- Auto $1,000,000.00
- CGL $1,000,000.00
- E & O $1,000,000.00

Time schedule for performance will be 45 Days from Notice to Proceed

The following attachments are incorporated herein by reference:
RFP dated 10/31/08 and Quote received 11/19/08 for Remote Monitoring System Design for the Kasilof Transfer Site Remote Monitoring System

BY SIGNING BELOW, THE CONTRACTOR HEREBY AFFIRMS THAT HE OR SHE HAS READ AND ACCEPTS ALL TERMS AND CONDITIONS OF THIS CONTRACT INCLUDING THE PROVISIONS CONTAINED ON THE REVERSE OF THIS FORM

CONTRACTOR SIGNATURE

MARK FOWLER
PURCHASING & CONTRACTING

ACCEPTANCE BY KENAI PENINSULA BOROUGH:

PO 35493

DATE

REV: 7/21/06
Proposed to Contract for Services

Kennai Peninsula Borough

This Proposal becomes a contract when accepted and signed by the Mayor or his designated official.

Contractor's Printed Name: Mullikin Surveys

Contractor's Federal Tax Identification Number: 92-0069562

Job/Service Provided: Land Surveying/Platting Services

144 North Binkley Street
Soldotna, AK 99669
907-202-4441

Contractor will provide the Kenai Peninsula Borough the following service(s):

All elements necessary to complete surveying and platting of "Huller Ridge Subdivision" by subdivision plat in accordance with KPB Chapter 20 and in accordance with "Request for Quotes" dated November 17, 2008 and "Plan of Survey" attached hereto and incorporated by reference.

Account Distribution: 250.21210.43011

Department/Service Area: Land Management

Contractor's compensation will be:

Thirteen Thousand Two Hundred Twenty Eight Dollars EVEN ($13,228.00)

Time schedule for performance will be Preliminary Plat Submittal Due January 19, 2009 unless otherwise agreed.

The following attachments are incorporated herein by reference:

- Request for Quotes, dated November 17, 2008
- Plan of Survey, 9/19/08

Contractor Address & Phone Number:

Mullikin Surveys
P.O. Box 790
Homer, AK 99603
(907) 235-8875

Insurance, if required:

Auto $1,000,000
CGL $1,000,000
E & O $500,000

By signing below, the Contractor hereby affirms that he or she has read and accepts all terms and conditions of this contract including the provisions contained on the reverse of this form.

Contractor Signature: X
Date: 12/4/08

Recommended by:

May 1st 2008

Approved as to form:

Mark Fowler
Purchasing & Contracting

Date: 1/7/08

Purchase Order No.: PO 35460

Acceptance by Kenai Peninsula Borough:

David R. Casey
11/18/08

Date

Rev: 7/21/06
CONTRACTOR WILL PROVIDE THE KENAI PENINSULA BOROUGH THE FOLLOWING SERVICE(S)

AT KENAI MIDDLE SCHOOL, KENAI, ALASKA:
Provide all labor, materials, equipment, and tools to prepare the floor, and furnish and install approximately 600 square feet (300 square feet per restroom) of specified resilient sheet vinyl flooring, along with associated accessories where applicable. New vinyl floor shall be heat welded material.

ACCOUNT DISTRIBUTION: 400.78050.08755 / 00755.43011
DEPARTMENT/SERVICE AREA: MAINTENANCE DEPARTMENT

Contractor's compensation will be:
SEVEN THOUSAND NINE HUNDRED AND SIX DOLLARS AND NO/100 DOLLARS ----------------------------------- Not to exceed $7,906.00

Insurance, if required: Auto $1,000,000.00 CGL $1,000,000.00 E & O $ N/A

Time schedule for performance will be COMPLETION BY JANUARY 4, 2009

The following attachments are incorporated herein by reference:
INFORMAL INVITATION TO BID RELEASED NOVEMBER 18, 2008, INCLUDING TITLE 36 WAGE INFORMATION

BY SIGNING BELOW, THE CONTRACTOR HEREBY AFFIRMS THAT HE OR SHE HAS READ AND ACCEPTS ALL TERMS AND CONDITIONS OF THIS CONTRACT INCLUDING THE PROVISIONS CONTAINED ON THE REVERSE OF THIS FORM

CONTRACTOR SIGNATURE __X____ DATE 12-17-08

RECOMMENDED BY: _____________________________ DATE 12/16/08

APPROVED AS TO FORM: _____________________________ DATE 12/19/08

DEPARTMENT DIRECTOR OR DESIGNEE DATE MARK FOWLER

PURCHASING & CONTRACTING DATE

CONTRACTOR ADDRESS & PHONE NUMBER:
47201 EAST POPPY LANE
SOLDOTNA, AK 99669
(907) 260-9720

ACCEPTANCE BY KENAI PENINSULA BOROUGH:
PURCHASE ORDER NO. P035527

RECOMMENDED BY: _____________________________ DATE 12/17/08

MARK FOWLER
PURCHASING & CONTRACTING

ACCEPTANCE BY KENAI PENINSULA BOROUGH:
PURCHASE ORDER NO. P035527

MAYOR OR DESIGNATED OFFICIAL DATE 19 Dec 08

REV: 7/21/06
CONTRACTOR WILL PROVIDE THE KENAI PENINSULA BOROUGH THE FOLLOWING SERVICE(S)


ACCOUNT DISTRIBUTION: 290.32122.00000.43011
DEPARTMENT/SERVICE AREA: SOLID WASTE

Contractor's compensation will be:
FIFTY TWO THOUSAND EIGHTY DOLLARS AND NO CENTS
Not to exceed $52,080.00

Insurance, if required: Auto $ 500,000.00 CGL $ 500,000.00 E & O $ NOT APPLICABLE

Time schedule for performance will be JANUARY 1, 2009 THROUGH DECEMBER 31, 2009.

The following attachments are incorporated herein by reference:

BY SIGNING BELOW, THE CONTRACTOR HEREBY AFFIRMS THAT HE OR SHE HAS READ AND ACCEPTS ALL TERMS AND CONDITIONS OF THIS CONTRACT INCLUDING THE PROVISIONS CONTAINED ON THE REVERSE OF THIS FORM

CONTRACTOR SIGNATURE: [Signature]
DATE: 12/16/2008

RECOMMENDED BY:

APPROVED AS TO FORM:

DEPARTMENT DIRECTOR OR DESIGNEE
DATE
MARK FOWLER
PURCHASING & CONTRACTING
DATE

ACCEPTANCE BY KENAI PENINSULA BOROUGH:
PURCHASE ORDER NO.:

MAYOR OR DESIGNATED OFFICIAL
DATE

REV: 7/21/06
To: Milli Martin, Assembly President  
Members of the Kenai Peninsula Borough Assembly

Thru: Dave Carey, Borough Mayor

Thru: Craig C. Chapman, Finance Director

From: Brandi Harbaugh, Controller

Date: December 10, 2008

Subject: Revenue-Expenditure Report – November 2008

Attached is the Revenue-Expenditure Report of the General Fund for the Month of November 2008. Please note that 41.67% of the year has elapsed, 48.82% of budgeted expenditures have been made, and 75.84% of budgeted revenues have been collected.
<table>
<thead>
<tr>
<th>ACCOUNT NUMBER</th>
<th>DESCRIPTION</th>
<th>ESTIMATED REVENUE</th>
<th>YTD RECEIPTS</th>
<th>PTD RECEIPTS</th>
<th>VARIANCE</th>
<th>% COLLECTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>31100</td>
<td>TOTAL REAL TAX</td>
<td>23,087,655</td>
<td>21,458,329</td>
<td>3,629,326</td>
<td>(1,629,326)</td>
<td>92.94%</td>
</tr>
<tr>
<td>31203</td>
<td>TOTAL PERS TAX</td>
<td>1,290,239</td>
<td>1,261,362</td>
<td>193,542</td>
<td>(28,877)</td>
<td>97.76%</td>
</tr>
<tr>
<td>31300</td>
<td>OIL TAX 2000</td>
<td>2,858,724</td>
<td>3,016,465</td>
<td>-</td>
<td>157,741</td>
<td>105.52%</td>
</tr>
<tr>
<td>31400</td>
<td>MOTOR VEHICLE TAX</td>
<td>850,000</td>
<td>200,402.00</td>
<td>67,890.00</td>
<td>(649,598)</td>
<td>23.58%</td>
</tr>
<tr>
<td>31510</td>
<td>PROPERTY TAX PENALTY &amp; INTEREST</td>
<td>470,615</td>
<td>113,038</td>
<td>43,990</td>
<td>(357,577)</td>
<td>24.02%</td>
</tr>
<tr>
<td>31610</td>
<td>SALES TAX</td>
<td>29,214,000</td>
<td>17,633,087</td>
<td>5,252,056</td>
<td>(11,580,913)</td>
<td>60.36%</td>
</tr>
<tr>
<td>33110</td>
<td>IN LIEU PROPERTY TAX</td>
<td>1,900,000</td>
<td>3,051,929</td>
<td>1,151,929</td>
<td>1,151,929</td>
<td>160.63%</td>
</tr>
<tr>
<td>33117</td>
<td>OTHER FEDERAL REVENUE</td>
<td>75,000</td>
<td>25,000</td>
<td>25,000</td>
<td>(50,000)</td>
<td>33.33%</td>
</tr>
<tr>
<td>34110</td>
<td>SCHOOL DEBT REIMBURSEMENT</td>
<td>1,616,817</td>
<td>38,964</td>
<td>-</td>
<td>(1,577,853)</td>
<td>2.41%</td>
</tr>
<tr>
<td>34221</td>
<td>ELECTRICITY AND TELEPHONE REVENUE</td>
<td>170,000</td>
<td>-</td>
<td>-</td>
<td>(170,000)</td>
<td>0.00%</td>
</tr>
<tr>
<td>34222</td>
<td>FISH TAX REVENUE SHARING</td>
<td>650,000</td>
<td>13,609</td>
<td>175</td>
<td>(636,391)</td>
<td>2.09%</td>
</tr>
<tr>
<td>34210</td>
<td>MUNICIPAL ENERGY ASSISTANCE</td>
<td>2,150,000</td>
<td>2,060,590</td>
<td>-</td>
<td>(89,410)</td>
<td>0.00%</td>
</tr>
<tr>
<td>36541</td>
<td>E911 SERVICE FEES</td>
<td>914,349</td>
<td>445,114</td>
<td>74,376</td>
<td>(469,235)</td>
<td>48.68%</td>
</tr>
<tr>
<td>37350</td>
<td>INTEREST ON INVESTMENTS</td>
<td>354,319</td>
<td>497,399</td>
<td>92,100</td>
<td>143,080</td>
<td>140.38%</td>
</tr>
<tr>
<td>38000</td>
<td>TRANSFER FROM OTHER FUNDS</td>
<td>136,234</td>
<td>136,234.00</td>
<td>-</td>
<td>-</td>
<td>100.00%</td>
</tr>
<tr>
<td>39000</td>
<td>OTHER LOCAL REVENUE</td>
<td>231,651</td>
<td>79,143</td>
<td>(11,909)</td>
<td>(152,508)</td>
<td>34.16%</td>
</tr>
<tr>
<td><strong>TOTAL REVENUES</strong></td>
<td><strong>65,969,603</strong></td>
<td><strong>50,030,665</strong></td>
<td><strong>10,655,528</strong></td>
<td><strong>(15,938,938)</strong></td>
<td><strong>75.84%</strong></td>
<td></td>
</tr>
<tr>
<td>DESCRIPTION</td>
<td>REVISED BUDGET</td>
<td>YTD EXPENDED</td>
<td>PTD EXPENDED</td>
<td>ENCUMBERED</td>
<td>AVAILABLE BALANCE</td>
<td>% EXPENDED</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>----------------</td>
<td>--------------</td>
<td>--------------</td>
<td>------------</td>
<td>------------------</td>
<td>------------</td>
</tr>
<tr>
<td>ASSEMBLY ADMINISTRATION</td>
<td>$445,184</td>
<td>$114,842</td>
<td>$25,082</td>
<td>$76,033</td>
<td>$254,309</td>
<td>25.80%</td>
</tr>
<tr>
<td>ASSEMBLY CLERK</td>
<td>450,065</td>
<td>146,402</td>
<td>32,929</td>
<td>10,175</td>
<td>67,854</td>
<td>32.53%</td>
</tr>
<tr>
<td>ASSEMBLY ELECTIONS</td>
<td>159,175</td>
<td>81,146</td>
<td>3,820</td>
<td>10,175</td>
<td>133,179</td>
<td>50.98%</td>
</tr>
<tr>
<td>ASSEMBLY RECORDS MANAGEMENT</td>
<td>211,895</td>
<td>69,694</td>
<td>12,049</td>
<td>9,022</td>
<td>469,224</td>
<td>32.89%</td>
</tr>
<tr>
<td>MAYOR ADMINISTRATION</td>
<td>732,286</td>
<td>252,898</td>
<td>51,030</td>
<td>10,164</td>
<td>469,224</td>
<td>34.54%</td>
</tr>
<tr>
<td>PURCHASING AND CONTRACTING</td>
<td>211,813</td>
<td>65,559</td>
<td>16,748</td>
<td>8,72</td>
<td>145,283</td>
<td>31.00%</td>
</tr>
<tr>
<td>GENERAL SERVICES</td>
<td>482,439</td>
<td>174,395</td>
<td>30,164</td>
<td>13,548</td>
<td>293,952</td>
<td>36.26%</td>
</tr>
<tr>
<td>GENERAL SERVICES - MIS</td>
<td>1,666,852</td>
<td>582,922</td>
<td>92,845</td>
<td>54,776</td>
<td>1,049,154</td>
<td>34.56%</td>
</tr>
<tr>
<td>GENERAL SERVICES - GIS</td>
<td>498,944</td>
<td>177,094</td>
<td>32,872</td>
<td>6,802</td>
<td>314,248</td>
<td>35.65%</td>
</tr>
<tr>
<td>GENERAL SERVICES - PRINT/MAIL</td>
<td>252,998</td>
<td>105,478</td>
<td>10,791</td>
<td>14,145</td>
<td>133,375</td>
<td>41.69%</td>
</tr>
<tr>
<td>GENERAL SERVICES - CUSTODIAL MAINT</td>
<td>105,511</td>
<td>38,667</td>
<td>8,097</td>
<td>6,714</td>
<td>60,130</td>
<td>36.65%</td>
</tr>
<tr>
<td>EMERGENCY MANAGEMENT</td>
<td>463,299</td>
<td>169,140</td>
<td>23,823</td>
<td>69,272</td>
<td>224,887</td>
<td>36.51%</td>
</tr>
<tr>
<td>911 COMMUNICATIONS</td>
<td>1,251,904</td>
<td>461,654</td>
<td>64,855</td>
<td>15,062</td>
<td>775,188</td>
<td>36.88%</td>
</tr>
<tr>
<td>LEGAL ADMINISTRATION</td>
<td>799,242</td>
<td>283,073</td>
<td>50,927</td>
<td>21,898</td>
<td>494,271</td>
<td>35.42%</td>
</tr>
<tr>
<td>FINANCE - ADMINISTRATION</td>
<td>459,295</td>
<td>189,563</td>
<td>50,985</td>
<td>5,390</td>
<td>264,342</td>
<td>41.27%</td>
</tr>
<tr>
<td>FINANCIAL SERVICES</td>
<td>768,843</td>
<td>297,774</td>
<td>59,461</td>
<td>2,002</td>
<td>469,067</td>
<td>38.73%</td>
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<tr>
<td>FINANCE - PROPERTY TAX AND COLLECTION</td>
<td>754,116</td>
<td>268,590</td>
<td>51,994</td>
<td>13,714</td>
<td>471,812</td>
<td>35.62%</td>
</tr>
<tr>
<td>FINANCE - SALES TAX</td>
<td>394,147</td>
<td>135,886</td>
<td>34,454</td>
<td>10,667</td>
<td>247,594</td>
<td>34.48%</td>
</tr>
<tr>
<td>ASSESSING ADMINISTRATION</td>
<td>912,813</td>
<td>323,515</td>
<td>59,590</td>
<td>13,709</td>
<td>575,589</td>
<td>35.44%</td>
</tr>
<tr>
<td>ASSESSING APPRAISAL</td>
<td>1,473,590</td>
<td>558,917</td>
<td>103,313</td>
<td>14,830</td>
<td>899,843</td>
<td>37.93%</td>
</tr>
<tr>
<td>RESOURCE PLANNING ADMINISTRATION</td>
<td>1,115,262</td>
<td>427,136</td>
<td>76,356</td>
<td>62,672</td>
<td>625,454</td>
<td>38.30%</td>
</tr>
<tr>
<td>MAJOR PROJECTS - ADMINISTRATION</td>
<td>96,442</td>
<td>10,539</td>
<td>(4,754)</td>
<td>6,587</td>
<td>79,316</td>
<td>10.93%</td>
</tr>
<tr>
<td>SENIOR CITIZENS GRANT PROGRAM</td>
<td>481,969</td>
<td>146,687</td>
<td>32,299</td>
<td>335,282</td>
<td>-</td>
<td>30.43%</td>
</tr>
<tr>
<td>NON-DEPARTMENTAL</td>
<td>54,697,793</td>
<td>28,559,790</td>
<td>3,947,025</td>
<td>618,247</td>
<td>25,519,756</td>
<td>52.21%</td>
</tr>
</tbody>
</table>

**TOTAL EXPENDITURES**

$$\text{TOTAL EXPENDITURES} = \$68,905,877 \quad \$33,642,804 \quad \$4,866,755 \quad \$1,427,137 \quad \$33,835,936 \quad 48.82\%$$
To: Milli Martin, Assembly President
   Members of the Kenai Peninsula Borough Assembly

Thru: Dave Carey, Borough Mayor

Thru: Craig C. Chapman, Finance Director

From: Brandi Harbaugh, Controller

Date: December 10, 2008

Subject: Budget Revisions – November 2008

Attached are budget revisions for November 2008. The attached list only contains budget revisions between major expenditure categories (i.e., maintenance & operations and capital outlay). Other minor transfers were processed between sub-objects within major expenditure categories.
**MAINTENANCE:** To adjust for overexpended line items and move funds for purchases to occur prior to fiscal year end. New Director has identified these expenditures through review of budget.

<table>
<thead>
<tr>
<th>Account Numbers</th>
<th>Description</th>
<th>INCREASE</th>
<th>DECREASE</th>
</tr>
</thead>
<tbody>
<tr>
<td>241.41010.00000.43780</td>
<td>(Building/Grounds Maintenance)</td>
<td>10,411.89</td>
<td></td>
</tr>
<tr>
<td>241.41010.00000.42410</td>
<td>(Small Tools/Minor Equipment)</td>
<td>1,616.48</td>
<td></td>
</tr>
<tr>
<td>241.41010.00000.42413</td>
<td>(Minor Commun. Equipment)</td>
<td>2,500.00</td>
<td></td>
</tr>
<tr>
<td>241.41010.00000.43014</td>
<td>(Physical Exams)</td>
<td>1,500.00</td>
<td></td>
</tr>
<tr>
<td>241.41010.00000.43015</td>
<td>(Water/Air Sample Test)</td>
<td>55.00</td>
<td></td>
</tr>
<tr>
<td>241.41010.00000.43250</td>
<td>(Freight &amp; Express)</td>
<td>4,216.49</td>
<td></td>
</tr>
<tr>
<td>241.41010.00000.43750</td>
<td>(Vehicle Maintenance)</td>
<td>523.92</td>
<td></td>
</tr>
</tbody>
</table>

**SOLID WASTE DEPARTMENT:** 36 hours OT for J. Norcross to clean up the inert waste stock piles in Nanwalek and remove Hazmat stored in Port Graham.

<table>
<thead>
<tr>
<th>Account Numbers</th>
<th>Description</th>
<th>INCREASE</th>
<th>DECREASE</th>
</tr>
</thead>
<tbody>
<tr>
<td>290.32570.00000.43011</td>
<td>(Contract Services)</td>
<td>1,978.00</td>
<td></td>
</tr>
<tr>
<td>290.32570.00000.40130</td>
<td>(Overtime)</td>
<td>1,525.00</td>
<td></td>
</tr>
<tr>
<td>290.32570.00000.40210</td>
<td>(FICA)</td>
<td>117.00</td>
<td></td>
</tr>
<tr>
<td>290.32570.00000.40221</td>
<td>(Pers)</td>
<td>336.00</td>
<td></td>
</tr>
</tbody>
</table>

**OFFICE OF EMERGENCY MANAGEMENT - 911:** To move funds for the purchase of software that enables the State and Borough computers in 911 to access needed programs.

<table>
<thead>
<tr>
<th>Account Numbers</th>
<th>Description</th>
<th>INCREASE</th>
<th>DECREASE</th>
</tr>
</thead>
<tbody>
<tr>
<td>100.11255.00000.42120</td>
<td>(Computer Software)</td>
<td>2,000.00</td>
<td></td>
</tr>
<tr>
<td>100.11255.00000.43011</td>
<td>(Contract Services)</td>
<td>2,000.00</td>
<td></td>
</tr>
</tbody>
</table>

**KACHEMAK EMERGENCY SERVICE:** To allocate add'l admin service fees for grant project 34054 since admin fees are not included in the grant.

<table>
<thead>
<tr>
<th>Account Numbers</th>
<th>Description</th>
<th>INCREASE</th>
<th>DECREASE</th>
</tr>
</thead>
<tbody>
<tr>
<td>212.51810.34054.61990</td>
<td>(Admin Service Fees)</td>
<td>760.00</td>
<td></td>
</tr>
<tr>
<td>212.51810.00000.48750</td>
<td>(Minor Firefighting Equipment)</td>
<td>760.00</td>
<td></td>
</tr>
</tbody>
</table>

**FINANCE-FINANCIAL SERVICES:** Purchase updated version of Adobe Acrobat Professional

<table>
<thead>
<tr>
<th>Account Numbers</th>
<th>Description</th>
<th>INCREASE</th>
<th>DECREASE</th>
</tr>
</thead>
<tbody>
<tr>
<td>100.11430.00000.43019</td>
<td>(Computer Software)</td>
<td>300.00</td>
<td></td>
</tr>
<tr>
<td>100.11430.00000.48710</td>
<td>(Minor Office Equipment)</td>
<td>300.00</td>
<td></td>
</tr>
</tbody>
</table>

**MAYOR:** New phone equipment for new administration

<table>
<thead>
<tr>
<th>Account Numbers</th>
<th>Description</th>
<th>INCREASE</th>
<th>DECREASE</th>
</tr>
</thead>
<tbody>
<tr>
<td>100.11210.00000.42413</td>
<td>(Minor Communication Equipment)</td>
<td>1,000.00</td>
<td></td>
</tr>
<tr>
<td>100.11210.00000.43110</td>
<td>(Communication)</td>
<td>1,000.00</td>
<td></td>
</tr>
</tbody>
</table>
To: Milli Martin, Assembly President
Members of the Kenai Peninsula Borough Assembly

Thru: Dave Carey, Borough Mayor

Thru: Craig C. Chapman, Finance Director

From: Brandi Harbaugh, Controller

Date: December 10, 2008

Subject: Revenue-Expenditure Report – October 2008

Attached is the Revenue-Expenditure Report of the General Fund for the Month of October 2008. Please note that 33% of the year has elapsed, 41.76% of budgeted expenditures have been made, and 59.69% of budgeted revenues have been collected.
<table>
<thead>
<tr>
<th>ACCOUNT NUMBER</th>
<th>DESCRIPTION</th>
<th>ESTIMATED REVENUE</th>
<th>YTD RECEIPTS</th>
<th>PTD RECEIPTS</th>
<th>VARIANCE</th>
<th>% COLLECTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>31100</td>
<td>TOTAL REAL TAX</td>
<td>23,087,655</td>
<td>17,692,573</td>
<td>6,340,947</td>
<td>(5,395,082)</td>
<td>76.63%</td>
</tr>
<tr>
<td>31203</td>
<td>TOTAL PERS TAX</td>
<td>1,290,239</td>
<td>1,067,820</td>
<td>500,085</td>
<td>(222,419)</td>
<td>82.76%</td>
</tr>
<tr>
<td>31300</td>
<td>OIL TAX 2000</td>
<td>2,868,724</td>
<td>3,016,465</td>
<td>30,269</td>
<td>157,741</td>
<td>105.52%</td>
</tr>
<tr>
<td>31400</td>
<td>MOTOR VEHICLE TAX</td>
<td>850,000</td>
<td>132,512.00</td>
<td>69,834.00</td>
<td>(717,488)</td>
<td>15.59%</td>
</tr>
<tr>
<td>31510</td>
<td>PROPERTY TAX PENALTY &amp; INTEREST</td>
<td>470,615</td>
<td>69,049</td>
<td>36,110</td>
<td>(401,566)</td>
<td>14.67%</td>
</tr>
<tr>
<td>31610</td>
<td>SALES TAX</td>
<td>29,214,000</td>
<td>12,381,027</td>
<td>3,663,352</td>
<td>(15,832,973)</td>
<td>42.38%</td>
</tr>
<tr>
<td>33110</td>
<td>IN LIEU PROPERTY TAX</td>
<td>1,900,000</td>
<td>1,899,376</td>
<td>-</td>
<td>(624)</td>
<td>99.97%</td>
</tr>
<tr>
<td>33117</td>
<td>OTHER FEDERAL REVENUE</td>
<td>75,000</td>
<td>-</td>
<td>-</td>
<td>(75,000)</td>
<td>0.00%</td>
</tr>
<tr>
<td>34110</td>
<td>SCHOOL DEBT REIMBURSEMENT</td>
<td>1,616,817</td>
<td>38,964</td>
<td>-</td>
<td>(1,577,853)</td>
<td>2.41%</td>
</tr>
<tr>
<td>34221</td>
<td>ELECTRICITY AND TELEPHONE REVENUE</td>
<td>170,000</td>
<td>-</td>
<td>-</td>
<td>(170,000)</td>
<td>0.00%</td>
</tr>
<tr>
<td>34222</td>
<td>FISH TAX REVENUE SHARING</td>
<td>650,000</td>
<td>13,435</td>
<td>13,435</td>
<td>(636,565)</td>
<td>2.07%</td>
</tr>
<tr>
<td>34210</td>
<td>MUNICIPAL ENERGY ASSISTANCE</td>
<td>2,150,000</td>
<td>2,060,590</td>
<td>832,019</td>
<td>(89,410)</td>
<td>0.00%</td>
</tr>
<tr>
<td>36541</td>
<td>E911 SERVICE FEES</td>
<td>914,349</td>
<td>370,738</td>
<td>74,448</td>
<td>(543,611)</td>
<td>40.55%</td>
</tr>
<tr>
<td>37350</td>
<td>INTEREST ON INVESTMENTS</td>
<td>354,319</td>
<td>405,299</td>
<td>(56,919)</td>
<td>50,980</td>
<td>114.39%</td>
</tr>
<tr>
<td>38000</td>
<td>TRANSFER FROM OTHER FUNDS</td>
<td>136,234</td>
<td>136,234</td>
<td>-</td>
<td>-</td>
<td>100.00%</td>
</tr>
<tr>
<td>39000</td>
<td>OTHER LOCAL REVENUE</td>
<td>231,651</td>
<td>91,054</td>
<td>48,302</td>
<td>(140,597)</td>
<td>39.31%</td>
</tr>
<tr>
<td>TOTAL REVENUES</td>
<td></td>
<td>65,969,603</td>
<td>39,375,136</td>
<td>11,551,882</td>
<td>(26,594,467)</td>
<td>59.69%</td>
</tr>
<tr>
<td>DESCRIPTION</td>
<td>REVISED BUDGET</td>
<td>YTD EXPENDED</td>
<td>PTD EXPENDED</td>
<td>AMOUNT ENCUMBERED</td>
<td>AVAILABLE BALANCE</td>
<td>% EXPENDED</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>----------------</td>
<td>--------------</td>
<td>--------------</td>
<td>-------------------</td>
<td>-------------------</td>
<td>------------</td>
</tr>
<tr>
<td>ASSEMBLY ADMINISTRATION</td>
<td>$445,184</td>
<td>$89,760</td>
<td>$26,301</td>
<td>$75,980</td>
<td>$279,444</td>
<td>20.16%</td>
</tr>
<tr>
<td>ASSEMBLY CLERK</td>
<td>$450,065</td>
<td>$113,473</td>
<td>$43,422</td>
<td>$40,942</td>
<td>$256,650</td>
<td>25.21%</td>
</tr>
<tr>
<td>ASSEMBLY ELECTIONS</td>
<td>$159,175</td>
<td>$77,326</td>
<td>$51,373</td>
<td>$13,506</td>
<td>$68,343</td>
<td>48.58%</td>
</tr>
<tr>
<td>ASSEMBLY RECORDS MANAGEMENT</td>
<td>$211,895</td>
<td>$57,645</td>
<td>$22,747</td>
<td>$9,006</td>
<td>$145,244</td>
<td>27.20%</td>
</tr>
<tr>
<td>MAYOR ADMINISTRATION</td>
<td>$732,286</td>
<td>$201,868</td>
<td>$69,705</td>
<td>$9,305</td>
<td>$521,113</td>
<td>27.57%</td>
</tr>
<tr>
<td>PURCHASING AND CONTRACTING</td>
<td>$211,813</td>
<td>$48,910</td>
<td>$25,723</td>
<td>$3,697</td>
<td>$159,206</td>
<td>23.09%</td>
</tr>
<tr>
<td>GENERAL SERVICES</td>
<td>$482,439</td>
<td>$144,776</td>
<td>$45,423</td>
<td>$14,356</td>
<td>$323,307</td>
<td>30.01%</td>
</tr>
<tr>
<td>GENERAL SERVICES - MIS</td>
<td>$1,666,852</td>
<td>$490,077</td>
<td>$193,457</td>
<td>$49,628</td>
<td>$1,147,147</td>
<td>29.05%</td>
</tr>
<tr>
<td>GENERAL SERVICES - GIS</td>
<td>$498,944</td>
<td>$145,023</td>
<td>$36,426</td>
<td>$13,095</td>
<td>$340,826</td>
<td>29.07%</td>
</tr>
<tr>
<td>GENERAL SERVICES - PRINT/MAIL</td>
<td>$252,998</td>
<td>$94,687</td>
<td>$20,828</td>
<td>$14,566</td>
<td>$143,745</td>
<td>37.43%</td>
</tr>
<tr>
<td>GENERAL SERVICES - CUSTODIAL MAINT</td>
<td>$105,511</td>
<td>$30,569</td>
<td>$9,001</td>
<td>$7,507</td>
<td>$67,435</td>
<td>28.97%</td>
</tr>
<tr>
<td>EMERGENCY MANAGEMENT</td>
<td>$463,299</td>
<td>$145,317</td>
<td>$38,568</td>
<td>$69,557</td>
<td>$248,425</td>
<td>31.37%</td>
</tr>
<tr>
<td>911 COMMUNICATIONS</td>
<td>$1,251,904</td>
<td>$396,799</td>
<td>$91,291</td>
<td>$15,975</td>
<td>$839,130</td>
<td>31.70%</td>
</tr>
<tr>
<td>LEGAL ADMINISTRATION</td>
<td>$799,242</td>
<td>$232,145</td>
<td>$80,552</td>
<td>$22,336</td>
<td>$544,761</td>
<td>29.05%</td>
</tr>
<tr>
<td>FINANCE - ADMINISTRATION</td>
<td>$459,295</td>
<td>$138,578</td>
<td>$51,733</td>
<td>$15,808</td>
<td>$304,909</td>
<td>30.17%</td>
</tr>
<tr>
<td>FINANCIAL SERVICES</td>
<td>$768,843</td>
<td>$238,314</td>
<td>$84,978</td>
<td>$1,249</td>
<td>$528,280</td>
<td>31.00%</td>
</tr>
<tr>
<td>FINANCE - PROPERTY TAX AND COLLECTION</td>
<td>$754,116</td>
<td>$216,596</td>
<td>$70,783</td>
<td>$11,310</td>
<td>$526,210</td>
<td>28.72%</td>
</tr>
<tr>
<td>FINANCE - SALES TAX</td>
<td>$394,147</td>
<td>$101,433</td>
<td>$39,813</td>
<td>$8,988</td>
<td>$283,726</td>
<td>25.73%</td>
</tr>
<tr>
<td>ASSESSING ADMINISTRATION</td>
<td>$912,813</td>
<td>$263,925</td>
<td>$94,192</td>
<td>$9,989</td>
<td>$638,899</td>
<td>28.91%</td>
</tr>
<tr>
<td>ASSESSING APPRAISAL</td>
<td>$1,473,590</td>
<td>$455,603</td>
<td>$152,740</td>
<td>$5,584</td>
<td>$1,012,403</td>
<td>30.92%</td>
</tr>
<tr>
<td>RESOURCE PLANNING ADMINISTRATION</td>
<td>$1,115,262</td>
<td>$350,780</td>
<td>$119,555</td>
<td>$62,855</td>
<td>$701,627</td>
<td>31.45%</td>
</tr>
<tr>
<td>MAJOR PROJECTS - ADMINISTRATION</td>
<td>$96,442</td>
<td>$15,291</td>
<td>$10,107</td>
<td>$4,036</td>
<td>$77,115</td>
<td>15.86%</td>
</tr>
<tr>
<td>SENIOR CITIZENS GRANT PROGRAM</td>
<td>$481,969</td>
<td>$114,389</td>
<td>$49,610</td>
<td>$367,580</td>
<td>$-</td>
<td>23.73%</td>
</tr>
<tr>
<td>NON-DEPARTMENTAL</td>
<td>$54,697,793</td>
<td>$24,612,765</td>
<td>$5,533,005</td>
<td>$621,693</td>
<td>$29,463,335</td>
<td>45.00%</td>
</tr>
</tbody>
</table>

**TOTAL EXPENDITURES**

$68,905,877 $28,776,049 $6,961,423 $1,468,548 $38,661,280 41.76%
To: Milli Martin, Assembly President
   Members of the Kenai Peninsula Borough Assembly

Thru: Dave Carey, Borough Mayor

Thru: Craig C. Chapman, Finance Director

From: Brandi Harbaugh, Controller

Date: December 10, 2008

Subject: Budget Revisions – October 2008

Attached are budget revisions for October 2008. The attached list only contains budget revisions between major expenditure categories (i.e., maintenance & operations and capital outlay). Other minor transfers were processed between sub-objects within major expenditure categories.
**Road Service Area:** Set up new RSA employee with office equipment including chair; purchase 4 office computers to allow inspectors to access ARC Map program

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>INCREASE</th>
<th>DECREASE</th>
</tr>
</thead>
<tbody>
<tr>
<td>236.33950.42110</td>
<td>Office Supplies</td>
<td>1,000.00</td>
<td></td>
</tr>
<tr>
<td>236.33950.48710</td>
<td>Minor Office Equipment</td>
<td>6,500.00</td>
<td></td>
</tr>
<tr>
<td>236.33950.48720</td>
<td>Minor Office Furniture</td>
<td>600.00</td>
<td></td>
</tr>
<tr>
<td>236.33950.4301</td>
<td>Contract Services</td>
<td></td>
<td>8,100.00</td>
</tr>
</tbody>
</table>

**Bear Creek Fire Service Area:** Transfer for flares

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>INCREASE</th>
<th>DECREASE</th>
</tr>
</thead>
<tbody>
<tr>
<td>207.51210.48514</td>
<td>Firefighting/Rescue Equipment</td>
<td></td>
<td>307.92</td>
</tr>
<tr>
<td>207.51210.42210</td>
<td>Operating Supplies</td>
<td></td>
<td>307.92</td>
</tr>
</tbody>
</table>

**MAJOR PROJECTS:** Transfer funds to communications equipment for purchase of Cisco phones.

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>INCREASE</th>
<th>DECREASE</th>
</tr>
</thead>
<tbody>
<tr>
<td>100.31110.00000.43413</td>
<td>Communications Equipment</td>
<td>900.00</td>
<td></td>
</tr>
<tr>
<td>100.31110.00000.43110</td>
<td>Communications</td>
<td>900.00</td>
<td></td>
</tr>
</tbody>
</table>

**BEAR CREEK FIRE SERVICE AREA:** Covering the cost of uniform shirts to be purchased for the department.

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>INCREASE</th>
<th>DECREASE</th>
</tr>
</thead>
<tbody>
<tr>
<td>207.51210.00000.43011</td>
<td>Contract Services</td>
<td>1,500.00</td>
<td></td>
</tr>
<tr>
<td>207.51210.00000.42250</td>
<td>Uniforms</td>
<td>1,500.00</td>
<td></td>
</tr>
</tbody>
</table>

**SOLID WASTE:** Increasing Office Supplies to pay for Paper.

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>INCREASE</th>
<th>DECREASE</th>
</tr>
</thead>
<tbody>
<tr>
<td>290.32010.00000.43011</td>
<td>Contract Services</td>
<td>200.00</td>
<td></td>
</tr>
<tr>
<td>290.32010.00000.42110</td>
<td>Office Supplies</td>
<td>200.00</td>
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**KENAI RIVER CENTER:** Purchase computer, due to obsolescence of equipment being used.

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MEMORANDUM

TO: Milli Martin, Assembly President
    Members of the Kenai Peninsula Borough Assembly

THRU: David R. Carey, Borough Mayor

FROM: Colette Thompson, Borough Attorney

DATE: December 23, 2008

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. The Alliance of Concerned Taxpayers, Inc. sued the borough seeking a declaration and injunction that the borough may not increase the sales tax rate above 2 percent without approval of 60 percent of the people, to enjoin the borough from violating the initiative requiring 60 percent voter approval to spend more than $1 million on a capital improvement project, and asking the court to extend the prohibition against enacting contrary legislation for two years after the judge’s decision. On December 31, 2007, the court granted the borough’s motion for summary judgment, approving the 3 percent sales tax. The parties have filed cross-motions for summary judgment on the capital improvement issue.

2. **Alliance of Concerned Taxpayers, Inc. v. KPB and KPBSD.** Case No. 3KN-07-896 CI. The Alliance of Concerned Taxpayers sued the borough and school district asking the court for injunctive and declaratory relief requiring the assembly and school board to vacate the seats occupied by members elected in October 2007 who had already served two consecutive terms. During the October 2007 election, the voters approved two initiatives that limit terms served by assembly and school board members to two terms and applied to candidates who were elected in 2007 who had served two terms. The court held that the school board term limit initiative was not valid and that applying the assembly term limits to candidates elected in 2007 was not legal. ACT moved for entry of final judgment arguing that it is the prevailing party and also that the term limits initiative should not be modified for three years because the court ruled it did not apply to candidates elected in 2007. The borough has opposed these parts of ACT’s motion and moved to strike them.
3. **Faulk v. KPB Board of Equalization.** Case No. 3KN-06-571 CI. David and Bonnie Faulk filed an appeal of the 2006 Board of Equalization decision. The Superior Court upheld the decision of the board of equalization. The Faulks appealed to the Alaska Supreme Court on May 30, 2007. The Supreme Court issued a decision upholding the BOE and superior court rulings in favor of the borough.

4. **Grimm v. KPBSD.** Case No. 3KN-08-411 CI. Charles and Kathleen Grimm filed this lawsuit against the school district for injuries they allegedly sustained in February 2006. The Grimms were driving on the Sterling Highway, lost control of their car and slid off the road. A school district activity bus driver subsequently lost control of the bus and made contact with the rear corner of the Grimms’ car. Discovery is in process.

5. **Horan v. KPB Board of Equalization, Pacific Park Limited Partnership.** Case No. 3KN-07-686 CI. Appeal of the July 11, 2007, board of equalization decision regarding the valuation of Pacific Park Limited Partnership apartments. Oral argument was held on April 8, 2008, and the superior court issued a decision in October 2008. KPB (Horan) appealed that decision to the Alaska Supreme Court (S-13333). Settlement negotiations were not fruitful. Briefing will begin in January 2009.

6. **KPB and City of Homer v. Baycrest Investments Corporation.** Case No. 3KN-08-974 CI. Baycrest Investments applied for a plat waiver, which the borough planning commission denied. This decision was appealed to the BOA, which remanded it to the planning commission for consideration of additional evidence. The planning commission considered and adopted 34 findings of fact supporting its decision to deny the application. On appeal, the BOA reversed the planning commission and approved the plat waiver. The borough and City of Homer have both appealed this decision to superior court.

7. **KPB v. State Department of Natural Resources.** Case No. 3KN-00-30 CI. (Quartz Creek Appeal). The State Department of Natural Resources (DNR) issued an administrative decision that an RS 2477 trail exists in the Sunrise area. The borough challenges the existence of the trail and its location, which DNR has not surveyed. The trail may impact municipal entitlement lands, including lands that may have already been conveyed. The parties have negotiated a settlement, and the State has approved a vacation of the purported RS2477 and rededication of the trail. A vacation was approved by the planning commission and not vetoed by the assembly. The preliminary plat necessary to finalize the vacation and easements reserved have been approved. After final plat is recorded, the parties will move to dismiss the case.

8. **State v. Offshore Systems-Kenai.** Case No. 3KN-08453 CI. 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. Discovery is just beginning in the case with a May 2009 trial date set. Depositions of Mike Peek, Clemente Gabuat, Carl High, Larry Miller, and Dale McGahan were taken on December 18 and 19, 2008.

9. **U.S. v. McGahan, KPB, et al.** Case No. 3:08-CV-0087(USDC Alaska). This is an income tax foreclosure case. The borough is a named defendant due to its interest in taxes on the
property subject to foreclosure and filed an Answer to the Complaint. The case is in the early stages of discovery. The U.S. Attorney stated he would prepare a stipulation to preserve KPB’s creditor rights.

10. **Warren v. KPB.** Case No. 3KN-07-1084 CI. Ms. Warren, a former borough employee, sued the borough for disclosing information regarding her departure from the borough to a subsequent employer. The subsequent employer requested the information and provided the borough with a signed release authorizing disclosure. The parties stipulated to dismissal of this case after some preliminary discovery was completed.

11. **Washington’s Army v. KPB.** Case No. 3SW-07-20 CI. Individuals who refer to themselves as Washington’s Army filed an appeal from the Mary Lowell replat which would finalize a partial vacation of Washington Street in Seward. The City of Seward is considering relocating the proposed Mary Lowell Center which would in effect moot the case for the “Army.” Therefore the “Army” has requested a stay to which the borough does not object as its only interest in this matter is approving a plat, regardless of when that approval occurs.
Mayor's Narrative Report #8 December 14, 2008

Week #8 has been most productive with a good deal of time and effort being focused on long and short term direction for the Borough. The 2009-10 Budget, reductions in Borough employees, economic opportunities and increasing involvement of Borough residents in public policy decision-making have been the highlights of this week during which we had groups of school children coming by and singing Christmas carols.

Item #1, the incident at the Hospital has raised concerns with many employees regarding security in Borough Buildings. We are evaluating what needs to be done. The Assembly appropriated $100,000 in the current budget to address security in the Borough Building especially the Clerk's Office. We have been advised by Law Enforcement to restrict access to the Mayor's Office. I have denied this request as I feel citizens must have free access to their elected leader.

Item #2, the Cruise Ship Tax will be a continued source of income for the Borough. We are discussing the correct use of these funds. As long as the overwhelming majority of these funds are generating from the Seward area, they will be used in that area on proper projects. The City of Seward has been very pro-active regarding these funds.

Item #3, there have been numerous requests that I VETO the motion to postpone the introduction of the K-Beach USAD. While I was considering vetoing the K-Beach USAD Ordinance, I can find no proper reason, at this time, to veto postponement.

Item #4, speaking at the Soldotna Chamber on Borough activities was most fun. We live in an awesome place and an awesome time. I discussed 28 topics the Borough is focusing on as well as the attitude to which we are committed. It seemed to go very well.
Item #5, the meeting to provide direction for the future of the Spruce Bark Beetle Program was difficult but necessary. I have decided to complete the majority of the Borough’s participation in this program by June 30th, the end of the 2008-09 Fiscal Year. There are no more Federal funds being requested. The Firewise Educational Program will be transferred to other Borough employees, Spruce Bark Beetle removal will be done under other Borough contracts and Borough agreements.

There will be the immediate (by January 16th) reduction of two employees; a Forestry and Fire Specialist and a Right-of-Way Mapping Coordinator. By July 1st, it is anticipated that there will be four additional position eliminated.

Item #6, the Kenai River Special Management Area (KRSMA) board meeting now includes Assembly President Martin among its’ membership. At their monthly meeting, they re-stated their approval of a request made in 2005 to include lands around Cooper Lake in the KRSMA area as requested by Board member Martin on behalf of Rep. Paul Seaton.

The Board also decided to partner their effort regarding legislative priorities with the Borough. The list of legislative priorities will be their primary topic at the January Board meeting and work session.

Item #7, a resident of Clam Gulch discussed many priorities regarding needs. Included in the discussion was the need for a Borough dumpster for waste, a gas pipeline delivering service to residents, subsistence rights like Ninilchik, a possible school, better cyber connectedness and a picture of Clam Gulch on the wall outside of the Mayor’s Office.

Item #8, during a meeting with Retired Public Employees, attended by 75 people including Rep. Paul Seaton, many inequities were discussed regarding TRS and PERS. The difficulty regarding the retention of public employees because of the portability clause of non-vested employees encourages employees to leave the state and take borough and individual funds out of the system.
The Social Security Offset (fraud) was also discussed. It limits the Social Security benefits of retired public employees, and their surviving spouses, while requiring the same level of withholding from paychecks even though equal benefits will never be provided.

Item #9, in January I will be introducing the first Mayor's Ad-Hoc Group (MAG) dealing with water (MAG-W). The citizens that volunteer to serve on MAG-W will work on different subcommittees dealing with KRSMA legislation regarding the Kenai River, the Fish Habitat Partnership plan, the listing of the Cook Inlet Beluga Whale as an Endangered Species, and the Borough's Kenai River 50 Foot Over-Lay District.

In all, week #8 has been very good with a great deal of work being done by employees on providing our basic services. Next week, #9, the TEAM will be hearing from ENSTAR regarding USADs, traveling to Homer for a day of meetings and discussions and also a trip to Anchorage for the Resource Development Council. We will also continue to work on a trip to Tyonek and to Seward.
Mayor's Narrative Report #9 December 21, 2008

Week #9 has been another full week of work and decision-making. It is difficult to believe that nine weeks have already passed. The trip to Homer on Wednesday and then to Anchorage on Thursday sure impressed me with how much goes on each day from the Borough Building. It took two days to get caught up from the two days away.

Item #1, the week began with meetings about the USADs with Assembly members, Legal, constituents and Staff. There is strong agreement that future USADs must have specific rules and guidelines that are followed. At the same time, residents have been following the stated process and many feel that it would be inappropriate to penalize those who followed the rules. The Assembly will decide.

Item #2, work on planning for the future fill sites needed by CES has been hampered by greatly increased cost estimates. If costs cannot be brought into line with original estimates, these projects will be postponed or scope of work significantly reduced.

Item #3, numerous meetings and discussions have taken place concerning the Spruce Bark Beetle Program. When the current program was determined, it was not known that the Borough would receive an $8.4 Million appropriation for roads and then $8.0 Million more for roads. With an unexpected addition to the regular Service Area funds of these $16.4 Million, I would like to see as much of the funds as possible be used to clear Spruce Bark Beetle trees from the ROW of the 143 Borough Roads that fall in Tier I from the roads Department. These are roads that are impassable during parts of the year and we are planning on projects to correct these problems during the next three years. The removal of the Spruce Bark Beetle trees from the ROW will also lower the on-going maintenance required on these 143 roads.

Item #4, the meetings dealing with the Central Peninsula Hospital indicate that things are slowly returning to normal after the shooting. We still have a Hospital employee that is in critical condition and having difficult with recovery. Prayers are still needed along with daily care.

Item #5, it is most unfortunate that after so many have done so much work we have been notified that the AK-50 Bonfires being pictured from a satellite cannot occur. We would have to reduce the light from
regular uses. This is not possible as many critical facilities have alternative generation which would automatically be activated even if Homer Electric and Seward Electric were to be shut off for the time of the bonfires. I am most appreciative of the many that worked on this.

Item #6, I vetoed the postponement of Res. 2008-089 dealing with the USAD on south K-Beach road after discussions with a representative of ENSTAR stating the price would only hold until Jan. 7th and that the 70% requirement was met regardless of the Borough parcels. These were two of the unknowns mentioned by Assembly members that voted for the postponement. The Assembly meeting on January 6th is the last date for action by the Assembly if the price is not to go up substantially. ENSTAR said to expect a 40% increase after January 7th.

Item #7, the trip to Homer was most enjoyable and beneficial. We toured the waste sites in Kasilof, Ninilchik, Anchor Point and Homer. We are also looking into improvements in solid waste service in Clam Gulch. We had numerous meetings in Homer with government officials, the Kachemak Emergency Service Board President and Chief and also patients at the South Peninsula Hospital. Gwen, our Borough representative in Homer, is doing a great job.

Item #8, the trip to Anchorage provided the opportunity to meet with many people and organizations dealing with economic development. The presentation on Tyonek at the RDC Breakfast was an excellent start to the day. The rest of the day was spent in meetings dealing with energy and projects in the western areas of the Borough.

Item #9, the meeting and tour of the Challenger Space Center was very educational. The Challenger Center needs financial support from the School District and/or the Borough directly. This is a premier facility in the world and more students and adults need to make use of the potential facility.

I am looking forward to the trip to Seward this coming Tuesday. I hope to gain a better appreciation for what is possible regarding the recurring flooding in Seward as well as a better familiarity with the different people in the area. Christmas means a strong focus on church and family this week. I hope everyone enjoys being with family over the many holidays. I am most appreciative of the work done by the Assembly and the many employees of the Borough.
Senator-elect Begich requested, in a teleconference on December 22, that the Kenai Peninsula Borough provide a list of capital priorities for submission to President-elect Obama. The deadline to submit priorities is December 29, 2008 at 5 pm Alaska Standard Time. The priorities are anticipated to be part of an economic stimulus package totaling $800 billion throughout the United States, and will be considered along with other projects submitted from within the state of Alaska.

Following are the projects the Kenai Peninsula Borough has determined to be the highest priority, and will be submitted to Senator-elect Begich.

1) Bear Creek Fire Station/ Multi-Use Facility $4,200,000
2) Multi School Re-Roofing, window replacement and Energy Conservation Upgrade (McNeil Canyon, Ninilchik, and Soldotna Elementary Roofs and Soldotna Thermal Envelope (window) upgrade $1,800,000
3) Nikiski Fire Station- build replacement fire station $5,000,000