

# **Kenai Peninsula Borough ASSEMBLY PACKET**

**May 20, 2014**

**6:00 P.M.**



**Assembly Chambers**

**George A . Navarre Borough Administration Building**

**1 4 4 North Binkley Street, Soldotna**

# May 2014

## Monthly Planner

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
				<b>1</b>  7:00 PM Hope/Sunrise APC	<b>2</b>	<b>3</b>	
	<b>4</b>	<b>5</b>  7:00 PM KPB SB Seward  7:00 PM SBCF SA	<b>6</b>  5:00 PM Seldovia Rec SA  7:00 PM Anchor Point APC  <div style="border: 1px solid black; padding: 2px; text-align: center; width: fit-content; margin: auto;"> <b>ASSEMBLY MEETING</b> </div>	<b>7</b>  7:00 PM Cooper Landing APC	<b>8</b>  6:30 PM South Pen Hosp SA  7:00 PM KESA	<b>9</b>	<b>10</b>
<b>11</b>	<b>12</b>  5:30 PM Central Pen Hosp SA  KPB Planning Commission: 5:30 Plat Committee 7:30 Reg. Mtg.	<b>13</b>  7:00 PM Road SA  7:30 PM Bear Creek FSA	<b>14</b>  5:30 PM Nikiski Senior SA  7:30 PM Nikiski FSA	<b>15</b>  6:00 PM CES SA (Cancelled)	<b>16</b>	<b>17</b>	
<b>18</b>	<b>19</b>  7:00 PM SBCF SA Work Session (Cancelled)	<b>20</b>  7:00 PM Anchor Point APC  <div style="border: 1px solid black; padding: 2px; text-align: center; width: fit-content; margin: auto;"> <b>ASSEMBLY MEETING</b> </div>	<b>21</b>  6:30 PM Anchor Point FSA	<b>22</b>	<b>23</b>	<b>24</b>	
<b>25</b>	<b>26</b>  7:00 PM North Pen Rec SA  <div style="border: 1px solid black; padding: 2px; text-align: center; width: fit-content; margin: auto;"> <b>Holiday Mem. Day</b> </div>	<b>27</b>  KPB Planning Commission: 5:30 Plat Committee 7:30 Reg. Mtg.	<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>	

APC = Advisory Planning Commission; FSA = Fire Service Area; SA = Service Area

# June 2014

## Monthly Planner

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# May 2014 - December 2014

## Assembly Yearly Planner

May 2014						
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### MAY

- 6 Assembly Meeting
- 20 Assembly Meeting
- 26 Borough Holiday: Memorial Day

- 28 Borough Holiday: Day After Thanksgiving

### DECEMBER

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

Nov 2014						
S	M	T	W	T	F	S
						1
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29	30					

### JUNE

- 3 Assembly Meeting
- 17 Assembly Meeting

### JULY

- 1 Assembly Meeting
- 4 Borough Holiday: Independence Day

Dec 2014						
S	M	T	W	T	F	S
	1	2	3	4	5	6
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Jul 2014						
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

- 22 Assembly Meeting

### AUGUST

- 5 Assembly Meeting
- 19 Primary Election

Jan 2015						
S	M	T	W	T	F	S
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Aug 2014						
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31						

- 1 Borough Holiday: Labor Day
- 2 Assembly Meeting
- 16 Assembly Meeting (Homer)

Feb 2015						
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Sep 2014						
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28	29	30				

### OCTOBER

- 7 Election Day
- 14 Assembly Meeting
- 28 Assembly Meeting

Mar 2015						
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Oct 2014						
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19	20	21	22	23	24	25
26	27	28	29	30	31	

### NOVEMBER

- 4 General Election
- 11 Borough Holiday: Veteran's Day
- 25 Assembly Meeting
- 27 Borough Holiday: Thanksgiving

Apr 2015						
S	M	T	W	T	F	S
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5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
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***TUESDAY, MAY 20, 2014***

**3:30 PM            Finance Committee**

**4:00 PM            Lands Committee**

**4:15 PM            Policies and Procedures Committee**

**6:00 PM            Regular Assembly Meeting**

Above listed meetings will be held in:

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

May 20, 2014	3:30 PM	Assembly Chambers George A. Navarre Kenai Peninsula Borough Administration Building, Soldotna
Brent Johnson, Chair	Charlie Pierce, Vice Chair	Wayne Ogle

**AGENDA**

**M. PUBLIC HEARINGS ON ORDINANCES**

- 1. Ordinance 2013-19-39: Accepting and Appropriating \$5,799.19 from the U.S. Fish and Wildlife Service, Coastal Impact Assistance Program and Redirecting \$18,200.81 Deobligated Funds from the Coastal Impact Assistance Program to the Adopt-A-Stream Program (Mayor).....68

**O. NEW BUSINESS**

- 1. Resolutions
  - \*a. Resolution 2014-032: Determining the Amount to be Provided from Local Sources for School Purposes During Fiscal Year 2015 (Mayor) .....78
- 2. Ordinances
  - \*a. Ordinance 2013-19-40: Appropriating \$406,989.48 to the Special Assessment Fund for the Deep Creek Estates – Fairwood Subdivision Utility Special Assessment District (Mayor) (Shortened Hearing on 06/03/14).....141

\*Consent Agenda Items

May 20, 2014	4:00 PM	Assembly Chambers George A. Navarre Kenai Peninsula Borough Administration Building, Soldotna
Dale Bagley, Chair	Kelly Wolf, Vice Chair	Bill Smith

**AGENDA**

**O. NEW BUSINESS**

1. Resolutions

- \*b. Resolution 2014-033: Classifying Four Parcels of Borough Land in the Sterling and Clam Gulch Areas (Mayor) .....82

\*Consent Agenda Items

***Policies and Procedures Committee***

May 20, 2014	4:15 PM	Assembly Chambers George A. Navarre Kenai Peninsula Borough Administration Building, Soldotna
Sue McClure, Chair	Wayne Ogle, Vice Chair	Charlie Pierce

**AGENDA**

**K. MAYOR’S REPORT**.....13

- 1. Assembly Requests/Responses – None.
- 2. Agreements and Contracts
  - a. Authorization to Award Contract for Helicopter Flight Services to Egli Air Haul, Inc.....14
  - b. Authorization to Award Contract for Homer High School Artificial Turf Field to Arno Construction .....16
  - c. Authorization to Award a Contract through a Government Purchasing Agreement for the Purchase of Artificial In-Filled Playing Surface (turf) for Soldotna High School from FieldTurf USA through the Federal General Services Administration contract #GS-07F-9631S .....18
  - d. Authorization to Award Contract for Kenai Middle School and Aurora Borealis Charter School Gym Floor Refinishing to Alaska Industries, Inc.....19
  - e. Authorization to Award Contract for Central Peninsula Hospital Phase 2A Radiology Department Expansion to Neeser Construction, Inc.....21
  - f. Authorization to Award Contract for 2014 KPB School Re-Roof Projects to Earhart Roofing Co., Inc. ....23
- 3. Other
  - a. Bear Creek Fire Service Area Code Blue Award and Department Match Confirmation.....26
  - b. FY14 Third Quarter Senior Grant Narrative Reports .....27



c.	FY14 Third Quarter Non-department Grant Reports.....	40
d.	Municipal Entitlement Land Selections Update, Region 4.....	58
e.	Revenue – Expenditure Report – April 2014.....	62
f.	Budget Revisions – April 2014.....	65

**O. NEW BUSINESS**

1. Resolutions

*c.	<u>Resolution 2014-034</u> : Approving a Cooperative Fire Suppression Agreement and Operations Plan Between the Kenai Peninsula Borough on Behalf of Bear Creek Fire Service Area and the United States Department of Agriculture Forest Service Chugach National Forest (Mayor) .....	100
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2. Ordinances

*b.	<u>Ordinance 2014-18</u> : Amending KPB 5.18.430(F) to Change the 60 Percent Voter Approval Requirement to a Simple Majority to Increase the Cap on Taxable Sales (Johnson) (Hearing on 06/17/14).....	144
*c.	<u>Ordinance 2014-20</u> : Amending Title 4 to Require Borough Elections to be Held By Mail and Repealing KPB 4.10.110(B) Authorizing Statements Supporting or Opposing Propositions to be Included in the Informational Brochure (Smith) (Hearing on 06/17/14).....	148

3. Other

*a.	Confirming Appointments to the Kachemak Emergency Service Area Board (Mayor).....	176
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<u>Applicant</u>	<u>Seat</u>	<u>Term to Expire</u>
David Bachrach	B	October 2014
Buck Jones	D	October 2014

\*Consent Agenda Items

# *Assembly Agenda*

May 20, 2014 - 6:00 PM

Regular Meeting

Assembly Chambers, Soldotna, Alaska

*Hal Smalley  
Assembly President  
Seat 2 - Kenai  
Term Expires 2014*

*Bill Smith  
Assembly Vice President  
Seat 8 - Homer  
Term Expires 2014*

*Dale Bagley  
Assembly Member  
Seat 4 - Soldotna  
Term Expires 2016*

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

*Brent Johnson  
Assembly Member  
Seat 7 - Central  
Term Expires 2016*

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

*Wayne Ogle  
Assembly Member  
Seat 3 - Nikiski  
Term Expires 2016*

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

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

**A. CALL TO ORDER**

**B. PLEDGE OF ALLEGIANCE**

**C. INVOCATION**

**D. ROLL CALL**

**E. COMMITTEE REPORTS**

**F. APPROVAL OF AGENDA AND CONSENT AGENDA**

(All items listed with an asterisk (\*) are considered to be routine and non-controversial by the Assembly and will be approved by one motion. There will be no separate discussion of these items unless an Assembly Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.)

**G. APPROVAL OF MINUTES**

- \*1. May 6, 2014 Regular Assembly Meeting Minutes..... 1

**H. COMMENDING RESOLUTIONS AND PROCLAMATIONS**

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

- 1. Central Peninsula Hospital Quarterly Report (10 minutes)
- 2. Friendship Mission, Skipper Cowgill (10 minutes)

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

**K. MAYOR'S REPORT ..... 13**

- 1. Assembly Requests/Responses – None.

2.	Agreements and Contracts	
a.	Authorization to Award Contract for Helicopter Flight Services to Egli Air Haul, Inc.....	14
b.	Authorization to Award Contract for Homer High School Artificial Turf Field to Arno Construction .....	16
c.	Authorization to Award a Contract through a Government Purchasing Agreement for the Purchase of Artificial In-Filled Playing Surface (turf) for Soldotna High School from FieldTurf USA through the Federal General Services Administration contract #GS-07F-9631S .....	18
d.	Authorization to Award Contract for Kenai Middle School and Aurora Borealis Charter School Gym Floor Refinishing to Alaska Industries, Inc.....	19
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e.	Revenue – Expenditure Report – April 2014.....	62
f.	Budget Revisions – April 2014.....	65

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

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

1. Ordinance 2013-19-39: Accepting and Appropriating \$5,799.19 from the U.S. Fish and Wildlife Service, Coastal Impact Assistance Program and Redirecting \$18,200.81 Deobligated Funds from the Coastal Impact Assistance Program to the Adopt-A-Stream Program (Mayor) (Referred to Finance Committee).....68

**N. UNFINISHED BUSINESS** – None.

**O. NEW BUSINESS**

1. Resolutions

\*a. Resolution 2014-032: Determining the Amount to be Provided from Local Sources for School Purposes During Fiscal Year 2015 (Mayor) (Referred to Finance Committee).....78

\*b. Resolution 2014-033: Classifying Four Parcels of Borough Land in the Sterling and Clam Gulch Areas (Mayor) (Referred to Lands Committee) .....82

\*c. Resolution 2014-034: Approving a Cooperative Fire Suppression Agreement and Operations Plan Between the Kenai Peninsula Borough on Behalf of Bear Creek Fire Service Area and the United States Department of Agriculture Forest Service Chugach National Forest (Mayor) (Referred to Policies and Procedures Committee) .....100

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\*a. Ordinance 2013-19-40: Appropriating \$406,989.48 to the Special Assessment Fund for the Deep Creek Estates – Fairwood Subdivision Utility Special Assessment District (Mayor) (Shortened Hearing on 06/03/14) (Referred to Finance Committee) .....141

\*b. Ordinance 2014-18: Amending KPB 5.18.430(F) to Change the 60 Percent Voter Approval Requirement to a Simple Majority to Increase the Cap on Taxable Sales (Johnson) (Hearing on 06/17/14) (Referred to Policies and Procedures Committee) .....144

\*c. Ordinance 2014-20: Amending Title 4 to Require Borough Elections to be Held By Mail and Repealing KPB 4.10.110(B) Authorizing Statements Supporting or Opposing Propositions to be Included in the Informational Brochure (Smith) (Hearing on 06/17/14) (Referred to Policies and Procedures Committee) .....148

3. Other

\*a. Confirming Appointments to the Kachemak Emergency Service Area Board (Mayor) (Referred to Policies and Procedures Committee) .....176

<u>Applicant</u>	<u>Seat</u>	<u>Term to Expire</u>
David Bachrach	B	October 2014
Buck Jones	D	October 2014

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

**Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. June 3, 2014 Regular Assembly Meeting 6:00 PM Soldotna

**R. ASSEMBLY COMMENTS**

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

1. Ordinance 2013-19-38: Appropriating \$749,351.77 from the State of Alaska Division of Homeland Security and Emergency Management for Costs Incurred by Federal Disaster DR-4161 that Occurred in October 2013 (Mayor) (Hearing on 06/03/14) (Referred to Finance Committee)
2. Ordinance 2014-14: Amending KPB 22.30.010 to Revise Six Assembly and School Board District Boundaries to Better Align with Precinct Boundaries (Smalley at the Request of the Borough Clerk) (Hearing on 06/03/14) (Referred to Policies and Procedures Committee)
3. Ordinance 2014-15: Amending KPB 14.06.240, the Procedures for Road Maintenance Decertification (Mayor) (Hearing on 06/03/14) (Referred to Policies and Procedures Committee)

4. Ordinance 2014-16: Authorizing the Sale of Certain Parcels of Borough Land in Widgeon Woods Phase Two Subdivision in the Ciechanski Area by Sealed Bid Followed by an Over-the-Counter Sale (Mayor) (Hearing on 06/03/14) (Referred to Lands Committee)
5. Ordinance 2014-17: Authorizing the Sale of Certain Parcels of Borough Land By Sealed Bid Followed by an Over-the-Counter Sale (Mayor) (Hearing on 06/03/14) (Referred to Lands Committee)
6. Ordinance 2014-19: Appropriating Funds for Fiscal Year 2015 (Mayor) (Hearing on 06/03/14) (Referred to Finance Committee)

**T. INFORMATIONAL MATERIALS AND REPORTS**

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

The next meeting of the Kenai Peninsula Borough Assembly will be held on June 3, 2014, at 6:00 P.M. in the Borough Assembly Chambers, Soldotna, Alaska.

*This meeting will be broadcast on KDLL-FM 91.9 (Central Peninsula), KBBI-AM 890 (South Peninsula), K201AO-FM 88.1 (East Peninsula).*

*Copies of agenda items are available at the Borough Clerk's Office in the Meeting Room just prior to the meeting. For further information, please call the Clerk's Office at 714-2160 or toll free within the Borough at 1-800-478-4441, Ext. 2160. Visit our website at [www.borough.kenai.ak.us](http://www.borough.kenai.ak.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*

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# Kenai Peninsula Borough

## *Assembly Meeting Minutes*

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May 6, 2014

Regular Meeting - Soldotna, Alaska

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### **CALL TO ORDER**

A Regular Meeting of the Kenai Peninsula Borough Assembly was held on May 6, 2014, in the Borough Assembly Chambers, Soldotna, Alaska. President Smalley called the meeting to order at 6:00 p.m.

### **PLEDGE OF ALLEGIANCE AND INVOCATION**

The Pledge of Allegiance was recited followed by the invocation given by Pastor Dale Salberg from Alaska Christian College.

### **There were present:**

Hal Smalley, Presiding  
Dale Bagley  
Mako Haggerty  
Brent Johnson  
Sue McClure

Wayne Ogle  
Charlie Pierce  
Bill Smith  
Kelly Wolf

comprising a quorum of the assembly.

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

Colette Thompson, Borough Attorney  
Johni Blankenship, Borough Clerk  
Michele Turner, Deputy Borough Clerk

### **COMMITTEE REPORTS**

Assembly Member Johnson said the Finance Committee met and discussed its agenda items. (06:02:58)

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

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

### **APPROVAL OF THE AGENDA AND CONSENT AGENDA**

MOTION TO APPROVE AGENDA:

Smith moved for the approval of the agenda and consent agenda. (06:14:33)

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

The following item was removed from the consent agenda:

- Resolution 2014-030: Waiving for Good Cause the February 15, 2014 Deadline for Senior Citizen and Disabled Veteran Exemption Applications Filed after that Date but on or before March 31, 2014 (Mayor) (Referred to Policies and Procedures Committee)

The following item was added to the agenda:

- Mayor's Proclamation Declaring May 11-17, 2014 as "National Hospital Week"

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

- April 15, 2014 Regular Assembly Meeting Minutes
- Resolution 2014-028: Reappointing an Assembly Representative to the Kenai Peninsula College Council (KPCC) (Smalley) (Referred to Policies and Procedures Committee)
- Resolution 2014-029: Authorizing the Mayor to Sign the 2014 Alaska Land Mobile Radio Communication System Membership Agreements (Mayor) (Referred to Policies and Procedures Committee)
- Ordinance 2013-19-38: Appropriating \$749,351.77 from the State of Alaska Division of Homeland Security and Emergency Management for Costs Incurred by Federal Disaster DR-4161 that Occurred in October 2013 (Mayor) (Hearing on 06/03/14) (Referred to Finance Committee)
- Ordinance 2013-19-39: Accepting and Appropriating \$5,799.19 from the U.S. Fish and Wildlife Service, Coastal Impact Assistance Program and Redirecting \$18,200.81 Deobligated Funds from the Coastal Impact Assistance Program to the Adopt-A-Stream Program (Mayor) (Shortened Hearing on 05/20/14) (Referred to Finance Committee)
- Ordinance 2014-14: Amending KPB 22.30.010 to Revise Six Assembly and School Board District Boundaries to Better Align with Precinct Boundaries (Smalley at the Request of the Borough Clerk) (Hearing on 06/03/14) (Referred to Policies and Procedures Committee)
- Ordinance 2014-15: Amending KPB 14.06.240, the Procedures for Road Maintenance Decertification (Mayor) (Hearing on 06/03/14) (Referred to Policies and Procedures Committee)



- Ordinance 2014-16: Authorizing the Sale of Certain Parcels of Borough Land in Widgeon Woods Phase Two Subdivision in the Ciechanski Area by Sealed Bid Followed by an Over-the-Counter Sale (Mayor) (Hearing on 06/03/14) (Referred to Lands Committee)

*[Clerk's Note: Bagley declared a conflict with Ordinance 2014-16 due to local realtors being able to collect a finder's fee for their involvement with the sale of these parcels as he owns a real estate company. President Smalley ruled a conflict did exist and Assembly Member Bagley abstained from discussion on Ordinance 2014-16.]*

- Ordinance 2014-17: Authorizing the Sale of Certain Parcels of Borough Land by Sealed Bid Followed by an Over-the-Counter Sale (Mayor) (Hearing on 06/03/14) (Referred to Lands Committee)

*[Clerk's Note: Bagley declared a conflict with Ordinance 2014-17 due to local realtors being able to collect a finder's fee for their involvement with the sale of these parcels as he owns a real estate company. President Smalley ruled a conflict did exist and Assembly Member Bagley abstained from discussion on Ordinance 2014-17.]*

*[Clerk's Note: McClure declared a conflict with Ordinance 2014-17 as she is a property owner near one of the parcels. President Smalley ruled a conflict did not exist.]*

- Ordinance 2014-19: Appropriating Funds for Fiscal Year 2015 (Mayor) (Hearing on 06/03/14) (Referred to Finance Committee)

President Smalley called for public comment with none being offered.

AGENDA APPROVED AS AMENDED: Unanimous.

### **COMMENDING RESOLUTIONS AND PROCLAMATIONS**

(06:21:55)

The Mayor presented a proclamation to the local chapters of Alaska Bikers Advocating Training and Education; Gold Wing Road Rider Association; Harley Owners Group; American Legend Riders; Black Sheep; and Lady's of Harley declaring May 2014 as "Motorcycle Safety Awareness Month".

The Mayor presented a proclamation to Bob Letson, CEO of South Peninsula Hospital and Trena Richardson, Vice President of Central Peninsula General Hospital, Inc. Board of Directors declaring May 11-17, 2014 as "National Hospital Week".

**PRESENTATIONS WITH PRIOR NOTICE** – None.

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

(06:28:49)

President Smalley called for public comment with none being offered.

## MAYOR'S REPORT

(06:29:12)

1. Assembly Requests/Responses – None.
2. Agreements and Contracts
  - a. Authorization to Award Contract for Soldotna High School Site Work and Track and Field Improvements to South Central Construction, Inc.
  - b. Authorization to Award Contract for Sweeping and Removal of Sand, Gravel and Debris from Various Borough Facility Parking Lots to: Smithsons Group 1 (Soldotna); River City Clean Sweep Group 2 (Kenai); River City Clean Sweep Group 3 (Nikiski); Smithsons Group 4 (Homer); Smithsons Group 5 (Seward)
  - c. Authorization to Award Contract for Beluga Landfill – Operations & Maintenance 2014 to D&L Construction Co., Inc.
  - d. Authorizing Award of Contract for Road Service Area Capital Improvement Project: Ashley Avenue and Elly Circle #C3ASH to Great Northern Construction and Management
  - e. Authorizing Award of Contract for Road Service Area Capital Improvement Project: Glacier Blue Street, Riverwind Drive, Vienna Court, Legends Circle and Crampon Court #C3GLA to Specialty Excavating
  - f. Authorization to Award Contract for Kaleidoscope School and, Ninilchik School Asbestos Abatement 2014 to Far North Services, LLC
  - g. Sole Source Request to Purchase Three (3) Each Vortex TR Granular Application Systems from Vortex Granular Systems
3. Other
  - a. Revenue-Expenditure Report – March 2014
  - b. Budget Revisions – March 2014
  - c. Project Reports – March 2014
  - d. Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2013

ITEMS NOT COMPLETED FROM PRIOR AGENDA – None.

**PUBLIC HEARING ON ORDINANCES**

(06:31:32)

**Ordinance 2013-19-32: Appropriating \$120,000 from the Central Peninsula Hospital Plant Replacement and Expansion Fund for the Binkley Professional Plaza Parking Lot (Mayor) (Referred to Finance Committee)**

MOTION: Johnson moved to enact Ordinance 2013-19-32.

President Smalley called for public comment with none being offered.

**VOTE ON MOTION TO ENACT:**

Yes: Bagley, Haggerty, Johnson, McClure, Ogle, Pierce, Smith, Wolf, Smalley

No: None

Absent: None

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

(06:33:16)

**Ordinance 2013-19-34: Appropriating \$1,370,000 in the Borough's School Revenue Capital Project Funds for Safety and Security Improvements to School Facilities (Mayor) (Referred to Finance Committee)**

MOTION: Johnson moved to enact Ordinance 2013-19-34.

President Smalley called for public comment with none being offered.

**VOTE ON MOTION TO ENACT:**

Yes: Bagley, Haggerty, Johnson, McClure, Ogle, Pierce, Smith, Wolf, Smalley

No: None

Absent: None

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

(06:40:55)

**Ordinance 2013-19-35: Appropriating \$52,810 in the School Maintenance Fund for Purchase of Equipment (Mayor) (Referred to Finance Committee)**

MOTION: Johnson moved to enact Ordinance 2013-19-35.

President Smalley called for public comment with none being offered.

**VOTE ON MOTION TO ENACT:**

Yes: Bagley, Haggerty, Johnson, McClure, Ogle, Pierce, Smith, Wolf, Smalley

No: None  
Absent: None  
MOTION TO ENACT PASSED: 9 Yes, 0 No, 0 Absent

(06:46:56)

**Ordinance 2013-19-36: Accepting and Appropriating \$32,701.84 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management to Purchase Mobile Radio and Extrication Equipment (Mayor) (Referred to Finance Committee)**

MOTION: Johnson moved to enact Ordinance 2013-19-36.

President Smalley called for public comment with none being offered.

MOTION TO AMEND: Johnson moved to amend Ordinance 2013-19-36.

The sixth Whereas to read, “at its regular meeting on April 8, 2014, the BCFSA Board of Directors recommended approval; and”

The final Whereas to read, “at its regular meeting on April 16, 2014, the APFEMSA Board of Directors recommended approval; and”

VOTE ON MOTION TO AMEND: Unanimous.

VOTE ON MOTION TO ENACT:

Yes: Bagley, Haggerty, Johnson, McClure, Ogle, Pierce, Smith, Wolf, Smalley

No: None

Absent: None

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

(06:50:33)

**Ordinance 2013-19-37: Appropriating \$135,000 from the Borough’s General Fund to the Borough’s School Revenue Capital Project Fund and Redirecting \$165,000 in Previous Appropriations in the School Revenue Capital Project Fund for Additional Funding Needed for the SOHI Track and Field Project (Mayor) (Referred to Finance Committee)**

MOTION: Johnson moved to enact Ordinance 2013-19-37.

President Smalley called for public comment with none being offered.

Assembly Member Wolf spoke in opposition to Ordinance 2013-19-37.

Assembly Member Haggerty spoke in support of Ordinance 2013-19-37.

VOTE ON MOTION TO ENACT:

Yes: Bagley, Haggerty, Johnson, McClure, Ogle,  
Pierce, Smith, Wolf, Smalley  
No: None  
Absent: None  
MOTION TO ENACT PASSED: 9 Yes, 0 No, 0 Absent

(07:05:20)

**Ordinance 2014-13: Amending KPB 5.12.105(E)(5) to Provide that the Assembly May by Resolution Waive the March 31 Deadline to File a Senior Citizen or Disabled Veteran Property Tax Exemption Application if the Claimant is Unable to Comply with the Deadline (Bagley, Mayor) (Referred to Policies and Procedures Committee)**

MOTION: McClure moved to enact Ordinance 2014-13.

President Smalley called for public comment with none being offered.

VOTE ON MOTION TO ENACT:

Yes: Bagley, Haggerty, Johnson, McClure, Ogle,  
Pierce, Smith, Wolf, Smalley  
No: None  
Absent: None  
MOTION TO ENACT PASSED: 9 Yes, 0 No, 0 Absent

UNFINISHED BUSINESS

(07:10:50)

**Ordinance 2014-11 (Smith) Substitute: Amending KPB 22.30.110 to Adjust Borough Assembly Members' Allowance in Accordance with Inflation (Smith) [Reconsideration Given by Johnson]**

*[Clerk's Note: No motion to reconsider Ordinance 2014-11 (Smith) Substitute was offered.]*

NEW BUSINESS

(07:11:17)

**Resolution 2014-030: Waiving for Good Cause the February 15, 2014 Deadline for Senior Citizen and Disabled Veteran Exemption Applications Filed after that Date but on or before March 31, 2014 (Mayor) (Referred to Policies and Procedures Committee)**

MOTION: McClure moved to adopt Resolution 2014-030.

President Smalley called for public comment with none being offered.

Assembly Members Pierce, Wolf and Ogle spoke in opposition to Resolution 2014-030.

MOTION TO AMEND:

Smith moved to amend Resolution 2014-030 by deleting applicants as follows:

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

<u>Senior Citizen</u>	<u>Pin Number</u>	<u>Year</u>	<u>Reason for late file</u>
Abraham, Ellen	055-402-16	2014	Other – thought exemption was approved in summer of 2013 when she made office visit
[BARNES, GARY	060-360-20	2014	OTHER – NOT AWARE OF THE REQUIREMENT TO FILE A FORM TO APPLY]
Bell, Ronald	059-203-07	2014	Medical & other – applicant did not know about exemption and is disabled.
[BICKFORD, PHILIP	191-270-02	2014	OTHER – DIDN'T KNOW – WAITED UNTIL GOT BOROUGH PAPER]
Brown, Loretta	013-200-73	2014	Medical – Broken ankle and two surgeries
Carl, Dean	144-060-02	2014	Medical – knee surgery and recovery and spent 6 weeks out to sea.
[CAHILL, LINDA APPLICATION	012-262-01	2014	OTHER – DIDN'T REALIZE HAD TO FILE
CHARLESWORTH, DEBORAH	013-240-09	2014	OTHER – MUST FLY TO ANCHORAGE MONTHLY FOR MEDICAL REASONS]
Clements, Roy	185-320-62	2014	Medical – Had surgery and still recovering and forgot
[FITE, DEBORAH	049-210-08	2014	OTHER – DIDN'T KNOW ABOUT EXEMPTION UNTIL MARCH 2014]
Ford, Carol	013-400-43	2014	Family Medical & Other – Father's death and birth of grandchild, learned of exemption at new home purchase closing
[HANSEN, PATRICIA	063-390-15	2014	OTHER – RECENTLY REALIZED THERE WAS A DEADLINE
HANSON, ARON	179-380-01	2014	OTHER – FORGOT
HICKEL, JAMES	165-165-21	2014	EXTENDED TRAVEL – WORK
HOWARD, DAVE	043-350-36	2014	OTHER – NOT PAYING ATTENTION]
Martin, Diann	175-081-61	2014	Other – states completed and mailed form by 12/31/2013
[MASON, STANLEY	133-400-32	2014	OTHER – WAITING ON PERMANENT FUND]
Merritt, William	125-150-02	2014	Health condition – left blank
[MILES, JOHN	171-361-09	2014	OTHER – WAS NOT TOLD DEADLINE DATE

MILLER, STEPHEN	189-190-16	2014	OTHER – WAS NOT AWARE OF EXEMPTION OR DEADLINE]
Moore, Hugh	035-310-25	2014	Health condition – disabled, needed ride to Soldotna
[MOREY, KATHLEEN	043-340-35	2014	OTHER
MULLIKIN, DONALD	177-103-03	2014	OTHER–FAILED TO SEE THE FEB 15 DEADLINE]
Nelson, Rodney	135-255-60	2014	Health condition & other – health appointments for his wife, too much paperwork
[OLSGARD, DALE	159-310-16	2014	OTHER – 1ST TIME BEING OVER 65
OTTO, RICHARD	063-540-14	2014	OTHER – WAITING ON PFD ELIGIBILITY]
Reutov, Ivan	185-212-19	2014	Family medical needs – did not know about exemption
[ROUSE, MICHAEL	063-370-27	2014	EXTENDED TRAVEL OUT OF STATE–LEFT BLANK]
Schmelzenbach, Mary	057-043-42CO01	2014	Family medical needs – death of husband
[STRATTEN MARVIN	060-140-63co09	2014	HEALTH CONDITION – LEFT BLANK
SWEENEY, GLORIA	059-301-11	2014	OTHER – JUST HEARD OF EXEMPTION AND THAT ONLY ONE SPOUSE NEEDED TO BE 65 TO QUALIFY
TANNER, STEPHEN	013-270-26	2014	OTHER – MISUNDERSTOOD THE WORDING OF HOW OLD APPLICANT MUST BE
TORDOFF, KATHLEEN	059-390-03	2014	OTHER – WASN'T AWARE OF DEADLINE]
Van Patten, Douglas	173-720-13	2014	Extended travel out of state – unaware I could apply prior to start of exemption year – out of state yearly from Nov 25th to Feb 28th
Van Ronk, Anita	174-025-01	2014	Medical – hospitalized Feb 10th to Feb 15th
[WALLACE, LARRY	157-010-81	2014	OTHER – UNAWARE OF EXEMPTION OR DEADLINE
WARNER, GEORGE	131-200-34	2014	OTHER – WORKING ON NORTH SLOPE
WEST, BONNIE	013-410-52	2014	FAMILY MEDICAL – GRANDSON'S MEDICAL REQUIRING NUMEROUS TRIPS ABROAD AND BEING UNAWARE OF FILING DEADLINE]
Wright, Linda	137-280-04	2014	Other – Unaware of deadline
<u>Disabled Veteran</u>	<u>Pin Number</u>	<u>Year</u>	<u>Reason for late file</u>
Clark, Shirley	137-330-16	2014	Other – 3 family deaths and applicant's own medical issues"

SECONDARY MOTION TO AMEND:

Haggerty moved to amend the Smith amendment by deleting the following applicants from the amendment:

[STRATTEN MARVIN	060-140-63co09	2014	HEALTH CONDITION – LEFT BLANK]
[WEST, BONNIE	013-410-52	2014	FAMILY MEDICAL – GRANDSON'S

MEDICAL REQUIRING NUMEROUS TRIPS ABROAD AND BEING UNAWARE OF FILING DEADLINE]

MOTION:

Bagley moved to split the question.

There was no objection from the assembly.

VOTE ON MOTION TO DELETE APPLICANT STRATTEN FROM SMITH AMENDMENT:

Yes:

Bagley, McClure, Ogle, Pierce, Smith, Wolf, Smalley

No:

Johnson, Haggerty

Absent:

None

MOTION TO DELETE APPLICANT STRATTEN FROM SMITH AMENDMENT PASSED:

7 Yes, 2 No, 0 Absent

VOTE ON MOTION TO DELETE APPLICANT WEST FROM SMITH AMENDMENT:

Yes:

Bagley, Johnson, McClure, Ogle, Smith, Wolf

No:

Haggerty, Pierce, Smalley

Absent:

None

MOTION TO DELETE APPLICANT WEST FROM SMITH AMENDMENT PASSED:

6 Yes, 3 No, 0 Absent

SECONDARY MOTION TO AMEND:

Bagley moved to amend the Smith amendment by including the following applicant to the Smith amendment:

Reutov, Ivan

185-212-19

2014 Family medical needs – did not know about exemption

VOTE ON SECONDARY MOTION TO AMEND:

Yes:

Haggerty, McClure, Pierce, Smith, Smalley

No:

Bagley, Johnson, Ogle, Wolf

Absent:

None

SECONDARY MOTION TO AMEND FAILED:

4 Yes, 5 No, 0 Absent

Assembly Member Bagley spoke in opposition to Smith amendment as amended.

Assembly Members Johnson, Haggerty and Ogle spoke in support of the Smith amendment as amended.



**VOTE ON MOTION TO AMEND AS AMENDED:**

Yes: Haggerty, Johnson, McClure, Ogle, Pierce,  
Smith, Wolf, Smalley  
No: Bagley  
Absent: None  
MOTION TO AMEND AS AMENDED PASSED: 8 Yes, 1 No, 0 Absent

**VOTE ON MOTION TO ADOPT AS AMENDED:**

Yes: Bagley, Haggerty, Johnson, McClure, Ogle,  
Smith, Wolf, Smalley  
No: Pierce  
Absent: None  
MOTION TO ADOPT AS AMENDED PASSED: 9 Yes, 0 No, 0 Absent

**PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

*(08:01:41)*

President Smalley called for public comment with none being offered.

**ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

*(08:02:03)*

The next meeting of the Kenai Peninsula Borough Assembly was scheduled for May 20, 2014, at 6:00 p.m. in the Borough Assembly Chambers, Soldotna, Alaska.

**ASSEMBLY COMMENTS**

*(08:02:10)*

Assembly Member Wolf complimented the administration for their efforts with the SOHI track project. He asked everyone to keep the families of the fallen Alaska State Troopers in their thoughts and prayers.

Assembly Member Johnson wished his wife a happy anniversary and stated they had been married for thirty-nine years.

Assembly Member Bagley stated the Realtor's Association hosted the Sport, Recreation and Trade Show and several of the vendors were happy to report that a lot of buying had taken place. He stated this was one of the best springs he had seen in a long time.

Assembly Member Haggerty reminded everyone that the Kachemak Bay Shorebird Festival was being held in Homer, May 8 through May 11, 2014. He stated the best part was the pancake breakfast on Saturday, hosted by State Parks. Mr. Haggerty congratulated Cheryl and Dr. Larry Reynolds of Seldovia for receiving an honorary recognition from the Alaska State Legislature for forty years of service to the community of Seldovia. He extended his best wishes to Erin Lockwood in her retirement. He stated she taught him a lot about sales tax and was always helpful, never approached him as enforcing something, she just wanted him to get it right. He stated that she exemplified what a public servant was.

Assembly Member Pierce stated Gary Hale was retiring and would be missed. He stated Gary was the best and had over forty years of firefighting service. He wished Gary and his wife Sharon all the best.

Assembly Member McClure stated that since the assembly meeting in Seward, it had been sunny, beautiful and spring like there. She stated when she traveled to Soldotna it started to rain and was not sure what that meant. Ms. McClure stated it had been a remarkable spring in Seward; the official harbor opening was not until May 17, but the harbor was full over the weekend. She reiterated the Mayor's proclamation for Motorcycle Safety and wanted to include bicycle safety as well.

Assembly Member Ogle stated the State of Alaska suffered a horrific day with the recent murders of two State Troopers; Scott Johnson and Gabe Rich. He stated the State Troopers are unlike any other police organization that he had ever encountered and truly appreciated the sacrifices they and their families make to serve the people of Alaska. Mr. Ogle stated he attended the BP Teachers of Excellence Awards and five teachers were recognized for their dedication and effectiveness in the classroom. He shared a "Nikiski Nugget"; he attended the dedication ribbon cutting ceremony for Homer Electric's new co-generation plant in Nikiski.

Assembly Member Smith congratulated Brent and Judy for their thirty-nine years of marital bliss. He stated, as he held up his handheld devices, that he had taken some responsibility with his consuming habits and was reminded of that because of the coal smog rolling over the Pacific from China. He discussed the effects it had in the food chain and stated we needed to think about the consequences of our own actions.

Assembly President Smalley stated he attended the ribbon cutting ceremony at the new co-generation plant as well. He wished all moms a Happy Mother's Day on Sunday. Mr. Smalley thanked Erin Lockwood and Gary Hale for their service to the borough, they will be missed. He congratulated Brent and his wife Judy on their thirty-ninth anniversary.

## **ADJOURNMENT**

(08:14:50)

With no further business to come before the assembly, President Smalley adjourned the meeting at 8:15 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of May 6, 2014.

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Johni Blankenship, MMC, Borough Clerk

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



## **KENAI PENINSULA BOROUGH**

144 North Binkley St. Soldotna, Alaska 99669-7520

Toll-Free within the Borough 1-800-478-4441

Phone 907-714-2150 • Fax 907-714-2377

www.borough.kenai.ak.us

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

### **MAYOR'S REPORT TO THE ASSEMBLY**

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

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

**DATE:** May 20, 2014

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#### Assembly Requests/ Response

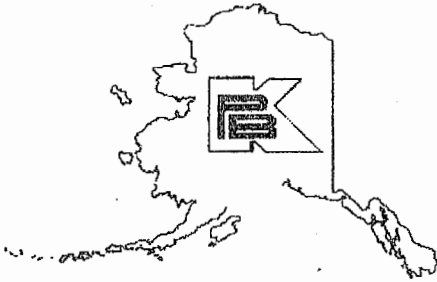
None

#### Agreements and Contracts

- a. Authorization to Award Contract for Helicopter Flight Services to Egli Air Haul Inc.
- b. Authorization to Award Contract for Homer High School Artificial Turf Field to Arno Construction, Homer, Alaska.
- c. Authorization to Award a Contract through a Government Purchasing Agreement for the Purchase of Artificial In-Filled Playing Surface (turf) for Soldotna High School from FieldTurf USA through the Federal General Services Administration contract #GS-07F-9631S.
- d. Authorization to Award Contract for Kenai Middle School and Aurora Borealis Charter School Gym Floor Refinishing to Alaska Industries, Inc., Wasilla, AK.
- e. Authorization to Award Contract for Central Peninsula Hospital Phase 2A Radiology Department Expansion to Neeser Construction, Inc., Anchorage, Alaska.
- f. Authorization to Award Contract for 2014 KPB School Re-Roof Projects to Earhart Roofing Co, Inc.

#### Other

- a. BCFSA Code Blue Award and Department Match Confirmation
- b. FY14 – 3Q Senior Grant Narrative Reports
- c. FY14 – 3Q Non-department Grant Reports
- d. Municipal Entitlement Land Selections Update, Region 4
- e. Revenue – Expenditure Report – April 2014
- f. Budget Revisions – April 2014



**KENAI PENINSULA BOROUGH**  
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**MIKE NAVARRE**  
 BOROUGH MAYOR

**MEMORANDUM**

**TO:** Mike Navarre, Mayor  
**THRU:** Mark Fowler, Purchasing & Contracting Director *[Signature]*  
**FROM:** Gary Williams, Manager – Donald E. Gillman River Center *[Signature]*  
**DATE:** April 24, 2014  
**SUBJECT:** Authorization to Award Contract for Helicopter Flight Services

The Purchasing and Contracting Office formally solicited and received bids for Helicopter Flight Services. Bid packets were released on March 25, 2014 and the Invitation to Bid was advertised in the Peninsula Clarion on March 25, 2014 and the Homer News on March 27, 2014.

The project consists of providing helicopter flight services for aerial photography of water bodies within the Kenai Peninsula Borough whose buffers were brought under borough regulatory authority in 2014 and, if funds and time permit, photography of water bodies previously brought under regulation.

On the due date of April 17, 2014 three (3) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$46,085 was submitted by Egli Air Haul Inc.

Your approval for this bid award is hereby requested. Funding for this project is in account number 271.21135.11124.43011.

*[Signature]*  
 Mike Navarre, Mayor

4/28/14  
 Date

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>271.21135.11124.43011</u>
Amount	<u>\$46,085.00</u>
By: <i>[Signature]</i>	Date: <u>4/25/14</u>

**KENAI PENINSULA BOROUGH  
PURCHASING & CONTRACTING**

**BID TAB FOR: ITB14-025 Helicopter Flight Services**

CONTRACTOR	COST PER HOUR (65 HR EST.)	TOTAL EXTENDED COST
Pathfinder Aviation	\$ 965.00	\$ 62,725.00
Maritime Helicopters	\$ 1,058.38	\$ 68,794.70
Egli Air Haul	\$ 709.00	\$ 46,085.00

**DUE DATE: April 17, 2014 @ 2:00 PM**

**KPB OFFICIAL:**



**Mark Fowler, Purchasing & Contracting Director**



**KENAI PENINSULA BOROUGH**

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

**MIKE NAVARRE  
BOROUGH MAYOR**

**MEMORANDUM**

**TO:** Mike Navarre, Mayor  
**THRU:** Mark Fowler, Purchasing & Contracting Director *[Signature]*  
**FROM:** Kevin Lyon, Capital Projects Director *[Signature]*  
**DATE:** April 28, 2014  
**SUBJECT:** Authorization to Award Contract for Homer High School Artificial Turf Field

The Purchasing and Contracting Office formally solicited and received bids for the Homer High School Artificial Turf Field. Bid packets were released on March 25, 2014 and the Invitation to Bid was advertised in the Peninsula Clarion and the Anchorage Daily News on March 25, 2014 and the Homer News on March 27, 2014.

The project consists of field construction including removal of existing natural turf grass field, concrete pads, and goal posts; grading, base, and artificial turf field construction; construction of goal posts; construction of perimeter sub drain and outlet connections.

On the due date of April 16, 2014 four (4) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$1,734,570.00 was submitted by Arno Construction, Homer, Alaska.

Your approval for this bid award is hereby requested. Funding for this project is in account number 401.72010.14SCH.49101.

*lor*  
*Paul Oster*  
\_\_\_\_\_  
Mike Navarre, Mayor

*4/29/14*  
\_\_\_\_\_  
Date

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	401.72010.14SCH.49101
Amount	\$1,734,570.00
By: <i>pc</i>	Date: <i>4/28/14</i>

**KENAI PENINSULA BOROUGH  
PURCHASING & CONTRACTING**

**BID TAB FOR: ITB14-027 Homer High School Artificial Turf Field**

CONTRACTOR	BASE BID	ADD ALT 1	TOTAL EXTENDED PRICE
Blazy Construction	\$ 2,034,097.00	\$ 35,840.00	\$ 2,069,937.00
Prosser Dagg Construction	\$ 2,000,000.00	\$ 10,000.00	\$ 2,010,000.00
Tutka LLC	\$ 2,365,000.00	\$ 32,000.00	\$ 2,397,000.00
Arno Construction	\$ 1,721,600.00	\$ 12,970.00	\$ 1,734,570.00

**DUE DATE: April 16, 2014 @ 2:00 PM**

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



# KENAI PENINSULA BOROUGH


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



**MIKE NAVARRE**  
BOROUGH MAYOR

## MEMORANDUM

**TO:** Mike Navarre, Mayor

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

**DATE:** April 23, 2013


**SUBJECT:** Authorization to Award a Contract through a Government Purchasing Agreement for the Purchase of Artificial In-Filled Playing Surface (turf) for Soldotna High School

This memorandum seeks authorization to enter into a contract utilizing a Government Purchasing Agreement for the purchase and installation of Artificial In-Filled Playing Surface (turf) for Soldotna High School.


Government pricing has been established with Tarkett Sports Company, who owns and supplies FieldTurf USA, Inc. The FieldTurf product has been used successfully in Alaska for over ten years. This product is currently installed and being used in the Anchorage School District, Matanuska Susitna Borough and Kodiak Island Borough, as well as at Kenai Central High School.

This procurement consists of the purchase and installation of artificial in-filled playing surface (turf) from FieldTurf USA through the Federal General Services Administration contract #GS-07F-9631S for an estimated cost of \$857,145.45.

Your approval for award is hereby requested. Funding for this project is in account number 400.76020.13556.49101.

  
 Mike Navarre, Mayor

4/28/14  
 Date

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. <u>400.76020.13556.49101</u>	
Amount <u>\$857,145.45</u>	
By: <u></u>	Date: <u>4/25/14</u>





# KENAI PENINSULA BOROUGH

## Maintenance Department

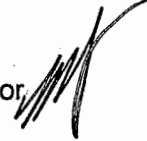
47140 East Poppy Lane, Soldotna, Alaska 99669  
1-800-478-4441 • 907-262-4011 • Fax 907-262-5882  
www.borough.kenai.ak.us/Maintenance




MIKE NAVARRE  
BOROUGH MAYOR

### MEMORANDUM

**TO:** Mike Navarre, Mayor

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

**FROM:** Scott Griebel, Maintenance Director 

**DATE:** May 2, 2014

**SUBJECT:** Authorization to Award Contract for Kenai Middle School and Aurora Borealis Charter School Gym Floor Refinishing

The Purchasing and Contracting Office formally solicited and received bids for the "Kenai Middle School and Aurora Borealis Charter School Gym Floor Refinishing" project Bid packets were released on April 10, 2014 and the Invitation to Bid was advertised in the Peninsula Clarion on April 10, 2014.

The project consists of all labor, materials and equipment to remove the existing floor finish by sanding, prepare floor for new finish and apply 12,755 square feet of new sealer coats, associated paint and game lines, finish coats, new cove base were required and any other necessary associated materials and accessories as specified in the at Kenai Middle School, 201 Tinker Lane, Kenai, AK 99611 and Aurora Borealis Charter School, 705 Frontage Road, Kenai, AK 99611.


On the due date of April 29, 2014, one (1) bid was received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$49,820.00 was submitted by Alaska Industries, Inc., PO Box 872113, Wasilla, AK 99687.

Your approval for this bid award is hereby requested. Funding for this project is in account number 400.78050.13755.43780 and 400.78050.14755.43780.

Approved:

  
Mike Navarre, Mayor

5/2/14  
Date

FINANCE DEPARTMENT FUNDS VERIFIED	
ACCT#400.78050.13755.43780 - \$ 6,755.56	
ACCT#400.78050.14755.43780 - \$43,064.44	
By: 	Date: 5/2/14

**KENAI PENINSULA BOROUGH  
PURCHASING & CONTRACTING**

**BID TAB FOR: ITB14-034 Kenai Middle School & Aurora Borealis Charter School Gym Floor Refinishing**

CONTRACTOR	KENAI MIDDLE	AURORA BOREALIS	TOTAL BID PRICE
Alaskan Industries	\$ 33,470.00	\$ 16,350.00	\$ 49,820.00

**DUE DATE: April 29, 2014 @ 2:00 PM**

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



**KENAI PENINSULA BOROUGH**

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

**MIKE NAVARRE  
BOROUGH MAYOR**

**MEMORANDUM**

**TO:** Mike Navarre, Mayor

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

**FROM:** Kevin Lyon, Capital Projects Director *[Signature]*

**DATE:** May 1, 2014

**SUBJECT:** Authorization to Award Contract for Central Peninsula Hospital Phase 2A Radiology Department Expansion

The Purchasing and Contracting Office formally solicited and received bids for the Central Peninsula Hospital Phase 2A Radiology Department Expansion. Bid packets were released on March 26, 2014 and the Invitation to Bid was advertised in the Peninsula Clarion and the Anchorage Daily News on March 26, 2014 and the Homer News and the Seward Phoenix Log on March 27, 2014.

The project consists of approximately 5900 square feet of new/renovated single story construction of a steel framed building addition to house medical imaging services for Central Peninsula Hospital. Site work will include concrete curb, sidewalk asphalt paving and landscaping.

On the due date of April 17, 2014 three (3) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$2,507,000.00 was submitted by Neeser Construction, Inc., Anchorage, Alaska.

Your approval for this bid award is hereby requested. Funding for this project is in account number 490.81110.13IMG.49101.

*for* *Paul Ostro*  
Mike Navarre, Mayor

5/2/14  
Date

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>490.81110.13IMG.49101</u>
Amount	<u>\$2,507,000.00</u>
By:	<u>pc</u> Date: <u>5/1/14</u>


*Bux xov ecc*

**KENAI PENINSULA BOROUGH  
PURCHASING & CONTRACTING**

**BID TAB FOR: ITB14-030 CPH Phase 2A Radiology Department Expansion**

CONTRACTOR	BASE BID	ADD ALT 1	TOTAL EXTENDED BID
Steiners North Star Construction	\$ 2,782,548.00	\$ 90,019.00	\$ 2,872,567.00
Neeser Construction	\$ 2,387,000.00	\$ 120,000.00	\$ 2,507,000.00
Blazy Construction	\$ 2,519,462.00	\$ 92,929.00	\$ 2,612,391.00

**DUE DATE: April 17, 2014 @ 2:00 PM**

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



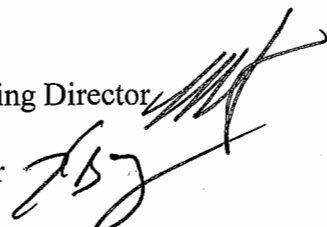
**KENAI PENINSULA BOROUGH**

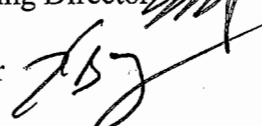
144 North Binkley Street • Soldotna, Alaska 99669-7520  
Toll-free within the Borough: 1-800-478-4441, Ext. 2260  
www.borough.kenai.ak.us

**MIKE NAVARRE  
BOROUGH MAYOR**

**MEMORANDUM**

**TO:** Mike Navarre, Mayor

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

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

**DATE:** May 5 2014

**SUBJECT:** Authorization to Award Contract for 2014 KPB School Re-Roof Projects

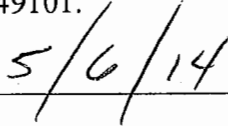
The Purchasing and Contracting Office formally solicited and received bids for the 2014 KPB School Re-Roof Projects. Bid packets were released on March 31, 2014 and the Invitation to Bid was advertised in the Peninsula Clarion on March 31, 2014 and the Anchorage Daily News on March 31, 2014 and April 4, 2014.

The project consists of removing and replacing approximately 11,670 sf portion of roof at the Kenai Alternative / Aurora Borealis School; removing and replacing the entire 49,713 sf roof at Tustumena Elementary and removing and replacing the entire 83,328 sf roof at the Skyview School.

On the due date of April 22, 2014 four (4) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$3,200,000.00 was submitted by Earhart Roofing Co, Inc.

Your approval for this bid award is hereby requested. Funding for this project is in account numbers 401.73010.14SCH.49101, 401.71130.14SCH.49101, 401.71180.14SCH.49101.

  
Mike Navarre, Mayor

  
Date

FINANCE DEPARTMENT  
FUNDS VERIFIED

Acct. No. 401.71180.14SCH.49101

Amount \$1,751,000.00

By: PC Date: 5/5/14

*C. Chapman*

FINANCE DEPARTMENT  
FUNDS VERIFIED

Acct. No. 401.73010.14SCH.49101

Amount \$299,000.00

By: PC Date: 5/5/14

*C. Chapman*

FINANCE DEPARTMENT  
FUNDS VERIFIED

Acct. No. 401.71130.14SCH.49101

Amount \$1,150,000.00

By: PC Date: 5/5/14

*C. Chapman*





**KENAI PENINSULA BOROUGH**  
**Office of Emergency Management**  
253 Wilson Lane, Soldotna, Alaska 99669  
Office: (907) 262-4910  
Direct: (907) 262-2095  
Fax: (907) 714-2395  
swalden@kpb.us

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

**MEMORANDUM**

To: Mike Navarre, Mayor

From: Scott Walden, OEM Director *SW*

Date: May 2, 2014

**Re: BCFSA Code Blue Award and Department Match Confirmation**

The attached award document lists the approved equipment to be funded by the Southern Region Emergency Medical Services Council, Inc. under Phase 13 of the Code Blue program.

BCFSA will receive:

1. Life Pak 1000 AED valued at \$2047.50 with a required match adjusted to \$227.50
2. EMS Training Aid (Skeleton Model) valued at \$1,157 with a required match adjusted to \$118.83.
3. EMS Training Aid (Anatomy Model) valued at \$901 with a required match adjusted to \$64.90

The SREMSC letter reflects an increase or decrease to the required match per item as necessary. The Department budget has funds available to cover the required total match of \$411.23 for the three items.

This does not require a resolution because the value of the items is under \$5000, and the BCFSA FY14 small equipment budget can meet the match.

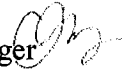
KPB R2000-014 makes the authorization to list grants less than \$5000 in the Mayor's Report as long as the grant meets specific requirements (attached).





# KENAI PENINSULA BOROUGH GRANTS MANAGEMENT

## M E M O R A N D U M

**TO:** Mike Navarre, Mayor  
**FROM:** Brenda Ahlberg, Community & Fiscal Projects Manager   
**DATE:** 06 May 2014  
**SUBJECT:** FY14-3Q Senior Grant Narrative Reports

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The following senior grant reports have been submitted for FY14 third quarter:

- Anchor Point Senior Citizens
- Cooper Landing Senior Citizens
- Forget-Me-Not Center
- Homer Senior Center
- Kenai Senior Citizens
- Nikiski Senior Citizens (no report received before this memo was due)
- Seldovia Senior Center
- Seward Seniors Citizens
- Soldotna Senior Citizens
- Sterling Area Senior Citizens

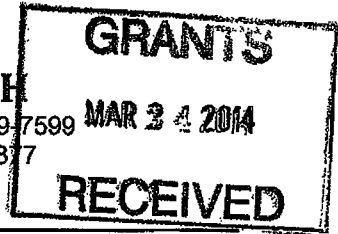
The following centers closed FY14 grant obligations earlier in the year, and no additional reporting is required:

- Homer Friendship Center
- Ninilchik Senior Citizens



# KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7599  
PHONE: (907) 714-2153 • FAX: (907) 714-2377  
EMAIL: bahlberg@borough.kenai.ak.us



**FROM:** Anchor Point Senior Citizens, Inc.  
**KPB ACCOUNT:** 100.62110.ANCSR.43011

**Award Amount:** \$44,869  
**Ending:** 30 June 2014

## Financial / Progress Report

<b>Submit Report To:</b>	<b>Project Name:</b> FY14 Senior Grant Program
Brenda Ahlberg	<b>Date:</b> 3/19/14
Community & Fiscal Projects Manager	<b>Report No.:</b> 3
Kenai Peninsula Borough	<b>Quarter From:</b> January 1, 2014
144 N. Binkley St., Soldotna, AK 99669	<b>To:</b> March 31, 2014

### **FINANCIAL REPORT: FINAL REPORT DUE ON OR BEFORE 15 JULY 2014**

Cost Category	Authorized Budget	Expenditures from Last Report	Expenditures This Period	Total Expenditures to Date	Balance of Funds
Personnel	22,969.00	5,375.39	4,377.23	16,105.15	\$ 6,863.85
Utilities	16,000.00	4,230.05	6,138.35	14,793.68	\$ 1,206.32
Contractual	5,500.00	710.53	2,203.80	4,424.86	\$ 1,075.14
Supplies	400.00	164.72	147.63	389.31	\$ 10.69
		-	-	-	\$ -
		-	-	-	\$ -
<b>TOTALS</b>	<b>\$ 44,869.00</b>	<b>10,480.69</b>	<b>\$ 12,867.01</b>	<b>\$ 35,713.00</b>	<b>\$ 9,156.00</b>

Payment Request \$ 12,867.01

**PROGRESS REPORT:** Describe activities that have occurred during this reporting period. Describe any challenges you may have experienced, any foreseen problems, and/or any special requests. Attach additional pages.

The Anchor Point Senior Center has Bingo with concessions every Friday night. We have dinner every Thursday night and a once a month all you can eat breakfast. We had a 2 day breakfast for Snow Rondi and a 3 day bingo party the last of February, first of March. We have exercise class twice a week. We have a game afternoon with Wii bowling, cards, pool table and board games one day a week and a once a month Quilter group get together.

**Grantee Certification:** I certify that the above information is true and correct, and that expenditures have been made for the purpose of, and in accordance with, applicable grant agreement terms and conditions.

Signature: Roberta Ness Date: 3/19/14

Printed Name and Title: Roberta Ness President BOD



**KENAI PENINSULA BOROUGH**  
 144 North Binkley Street • Soldotna, Alaska 99669-7599  
 PHONE: (907) 714-2153 • FAX: (907) 714-2377  
 EMAIL: bahlberg@borough.kenai.ak.us



**FROM:** Cooper Landing Senior Citizens Corp., Inc.  
**KPB ACCOUNT:** 100.62115.CLSN.43011

**Award Amount:** \$18,665  
**Ending:** 30 June 2014

## Financial / Progress Report

**Submit Report To:** Brenda Ahlberg  
 Community & Fiscal Projects Manager  
 Kenai Peninsula Borough  
 144 N. Binkley St., Soldotna, AK 99669

**Project Name:** FY14 Senior Grant Program  
**Date:** April 4, 2014  
**Report No.:** Three (3)  
**Quarter From:** January 1, 2014  
**To:** March 31, 2014

**FINANCIAL REPORT: FINAL REPORT DUE ON OR BEFORE 15 JULY 2014**

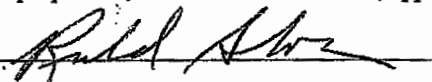
Cost Category	Authorized Budget	Expenditures from Last Report	Expenditures This Period	Total Expenditures to Date	Balance of Funds
	\$ 18,665.00				
Personnel		5,546.50	3,188.00	8,734.50	\$ (8,734.50)
Transportation		3,816.68	974.33	4,791.01	\$ (4,791.01)
Insurance		-	165.00	165.00	\$ (165.00)
Utilities		866.43	340.13	1,206.56	\$ (1,206.56)
Supplies/Equipment		781.00	502.50	1,283.50	\$ (1,283.50)
		-	-	-	\$ -
<b>TOTALS</b>	<b>\$ 18,665.00</b>	<b>11,010.61</b>	<b>\$ 5,169.96</b>	<b>\$ 16,180.57</b>	<b>\$ 2,484.43</b>

Payment Request \$ 5,169.96

**PROGRESS REPORT:** Describe activities that have occurred during this reporting period. Describe any challenges you may have experienced, any foreseen problems, and/or any special requests. Attach additional pages.

The third quarterly report continues to reflect the costs related to bookkeeping, office administration and care and maintenance of the two senior buses. The insurance expenditure was for the surety bond coverage for office and clerical support. Utility and supply expenditures are in support of office and bus garage functions (e.g., electricity, paper, printing ink, maintenance/cleaning materials and postage).

**Grantee Certification:** I certify that the above information is true and correct, and that expenditures have been made for the purpose of, and in accordance with, applicable grant agreement terms and conditions.

Signature: 

Date: April 8, 2014

Printed Name and Title: Ronald Sloan, President



**KENAI PENINSULA BOROUGH**  
 144 North Binkley Street • Soldotna, Alaska 99669-7599  
 PHONE: (907) 714-2153 • FAX: (907) 714-2377  
 EMAIL: bahlberg@borough.kenai.ak.us

**GRANTS**  
**APR 11 2014**  
**RECEIVED**

**FROM: [...] dba Forget-Me-Not Center**  
**KPB ACCOUNT: 100.62195.FNTCO.43011**

**Award Amount: \$33,045**  
**Ending: 30 June 2014**

**Financial / Progress Report**

**Submit Report To:** Brenda Ahlberg  
 Community & Fiscal Projects Manager  
 Kenai Peninsula Borough  
 144 N. Binkley St., Soldotna, AK 99669

**Project Name:** FY14 Senior Grant - Adult Daycare Prgm  
**Date:** 4/10/2014  
**Report No.:** 3<sup>rd</sup> Quarter  
**Quarter From:** 1/1/2014  
**To:** 3/31/2014

**FINANCIAL REPORT: FINAL REPORT DUE ON OR BEFORE 15 JULY 2014**

Cost Category	Authorized Budget	Expenditures from Last Report	Expenditures This Period	Total Expenditures to Date	Balance of Funds
Personnel	\$ 4,819.00	\$ 4,819.00	\$ -	\$ 4,819.00	\$ -
Transportation	\$ 8,621.42	\$ 6.12	\$ 330.00	\$ 336.12	\$ 8,285.30
Supplies	\$ 19,604.58	\$ 853.38	\$ 10,310.68	\$ 11,164.06	\$ 8,440.52
<b>TOTALS</b>	<b>\$ 33,045.00</b>	<b>\$ 5,678.50</b>	<b>\$ 10,640.68</b>	<b>\$ 16,319.18</b>	<b>\$ 16,725.82</b>

Payment Request	\$ 10,640.68
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**PROGRESS REPORT:** Describe activities that have occurred during this reporting period. Describe any challenges you may have experienced, any foreseen problems, and/or any special requests. Attach additional pages.

The Forget-Me-Not Center served nineteen elders during the (01/1/2014 to 03/31/2014) period. Four staff members provided adult day services (rehabilitative and recreational activities, medication assistance, vitals monitoring, transportation to and from center and community outings, and assistance with activities of daily living). During the last month of this period an additional Activity Coordinator and a Program Manager were hired and also joined the staff. A 1:4 staffing ratio is desired due to the physical and cognitive needs of the people who attend the program; frequently we were able to serve our elders at a 1:2 ratio.

We continue to be involved in our community. Our elders performed musically, playing percussion instruments and singing for other seniors at the local nursing home and a senior center in the area. Both staff and our elders alike have commented on how much they enjoy these musical experiences, and how much fun it is to socialize with more adults in the community. In addition, we had outings to local senior centers, and the local nursing home. We provided a dine-in restaurant experience with the meal catered by a local restaurant, and our elders expressed their enjoyment in this dining experience. A variety of community volunteers regularly contribute their skills and help connect our elders to different aspects of our community; through providing pet therapy, Tai-Chi, and other sensory stimulating experiences.

We incorporate suggestions directly from our elders in developing our activity and outing calendar and we provide recreational and learning experiences to our elders that are highly motivating and enjoyable. Supplies were purchased on an ongoing basis for things such as food items to meet nutritional needs and to continue celebratory traditions. Purchased supplies also included multi-sensory tools that supported musical, baking, and craft programming; and also ensured the physical comfort of our elders. We received and followed up with several referrals, one of which started attending Forget-Me-Not Center in the first week of April and another one that is scheduled to start in May. We enjoy continuing to meet the needs of the seniors in our community who experience mental illness, developmental disabilities, dementias, and physical impairments. We continue to actively educate the community through newspaper and radio ads, and we also continually provide education to our families and caregivers about the benefits of active living for all seniors, and how the adult day center service promotes this.

**Grantee Certification:** I certify that the above information is true and correct, and that expenditures have been made for the purpose of, and in accordance with, applicable grant agreement terms and conditions.

Signature: Larae Paxton Date: 4/11/14  
Printed Name and Title: Larae Paxton, Finance Director

**City of Kenai-Kenai Senior Services**  
**Progress Report**  
**3<sup>rd</sup> Quarter Report ending March 31, 2014**

Highlights for this Director were: the Director attended six city department head meetings, 2 City Council meetings, facilitated 3 Council on Aging meeting, acted as liaison at 2 Senior Connection, Inc. meetings (fundraising arm of senior center), assisted in developing the on 2015 budget for senior center and Vintage Pointe Manor attended budget meeting with City Manager and Finance Director, assisted an Assisted Living Director with 6-week menu and recommended an area dietitian for review. Director was on the City Employee Appreciation Party Committee. She attended State Background Unit Data-Base Class to learn the new web-based program for background check processing. She also completed 4 on-line classes: "Sexual Harassment Awareness for Supervisors," "CECBEMS Hazard Communication," "Discipline and Termination," "Workplace Stress," and "Performance Management." Director completed the State NTS Bi-annual Grant report, and 3 City Monthly reports. She assisted senior families in dealing with senior family members that were out of state find placement for their senior family member, assisted in getting a couple moving out of state and acquiring placement in an assisted living and signing up for Medicaid in Utah.

Activity/Volunteer Director had a busy quarter. She was required to complete four on-line classes. She completed "Sexual Harassment Awareness," "Hazard Communication," "OSHA Log," "General Office Ergonomics, "Workplace Violence."

In January, activity director provided activities to assist with "cabin fever" and encourage seniors to remain active and not isolate. On January 6, seniors made placemats for a special dinner at Wildwood Correctional Facility for 100 prisoners. 56 seniors attended the "Snowball" Dance; and 34 seniors celebrated the Chinese New Year with special decorations, games, and lunch. In February, we had a Valentines Luncheon and dancing with the "Forget Me Not" Band. 105 seniors were present.

At the end of February, 211 seniors participated in the week long area-wide senior Olympics. Soldotna Senior Center took home the traveling trophy and 25 seniors were from our senior center. There were a variety of games from water walking, to ping pong, bridge, pinochle, dominos, poker, "Hall Walking," bowling, pool, basketball, and darts.

In March, we celebrated St. Patrick's Day and Volunteer Appreciation Luncheon with 135 in attendance. Last year, volunteers provided 11,205 service hours. Our volunteers are the Backbone of the Senior Center.

The wellness and various exercise activities continue to be successful. We had 29 seniors participated 147 times this quarter in aerobics class, 20 seniors participated 315 times this quarter in the "Growing Stronger" class, 15 seniors participated 75 times in

Tai Chi, 8 participated in 68 zumba classes. We are seeing an increase in the number of seniors that frequent the senior center early in the morning for coffee and rolls, visit with each other, stay for various exercise activities and/or staying for lunch and participating in afternoon activities. 25 seniors participated in three health classes this quarter. The weekly Spanish classes are going well. 8 seniors participated 34 times. This class meets weekly. 8 seniors have participated in the new Sign Language Class. 10 seniors participated in a weekly computer class and we split the class into two classes. This provided more "hands on" assistance. A senior teaches the class. Seniors are commented they are learning a lot of information and glad the class was offered.

13 seniors participated in bell ringing. They practiced at the center and entertained around the community 141 hours this quarter. The 10 line dancers practiced and entertained 90 hours this quarter.

Evening Bluegrass was put on hold for two months. Beginning in March, we have had 3 evening Jam sessions with 80 participants.

Dog Therapy is lead by one of the seniors in the community. She has two sheltie dogs that are certified "Pet Therapy Dogs." They come to the Center once a week.

We have provided PFD and tax assistance this quarter. 12 seniors needed assistance with PFD applications and 8 seniors needed assistance with taxes.

The outreach worker teaches ceramics, knitting, crocheting, and visiting. This quarter she began a "Hand-Built Ceramics" progressive class. Each week the participants have worked on a different type ceramics. 8 seniors attended. Students learned to mold and create their own designs from clay to sculpting. 4 seniors participated in weekly knitting classes in February and March. The outreach person also visits seniors going into their home, hospital, assisted living or nursing home. She visited 10 seniors this quarter. Two were in an assisted living home, four living alone in their own home, and four in Heritage Place. She visited two new assisted living homes in our area; Riverside in Soldotna and Charis Place in Kenai; both very nice facilities and each with their own appeal.

This past quarter, we provided 3,401 congregate meals and 5,928 home meals. We are preparing for the home meals fundraiser that will take place in April. We will have a dinner, silent auction, balloon prizes besides a "mail out" solicitation.



**KENAI PENINSULA BOROUGH**  
 144 North Binkley Street • Soldotna, Alaska 99669-7599  
 PHONE: (907) 714-2153 • FAX: (907) 714-2377  
 EMAIL: bahlberg@borough.kenai.ak.us

**GRANTS**  
 APR 11 2014  
**RECEIVED**

**FROM:** City of Seldovia dba Seldovia Senior Center  
**KPB ACCOUNT:** 100.62160.SELDO.43011

**Award Amount:** \$10,770  
**Ending:** 30 June 2014

**Financial / Progress Report**

**Submit Report To:** Brenda Ahlberg  
 Community & Fiscal Projects Manager  
 Kenai Peninsula Borough  
 144 N. Binkley St., Soldotna, AK 99669

**Project Name:** FY14 Senior Grant Program  
**Date:** 4/7/14  
**Report No.:** 3  
**Quarter From:** 1/1/14  
**To:** 3/31/14

**FINANCIAL REPORT: FINAL REPORT DUE ON OR BEFORE 15 JULY 2014**

Cost Category	Authorized Budget	Expenditures from Last Report	Expenditures This Period	Total Expenditures to Date	Balance of Funds
Personnel		-	-		\$ -
Transportation		-	-	-	\$ -
Contractual		-	-	-	\$ -
Supplies	10770	6,275.53	4,494.47	10,770.00	\$ -
Equipment		-	-	-	\$ -
		-	-	-	\$ -
<b>TOTALS</b>	<b>\$ 10,770.00</b>	<b>6,275.53</b>	<b>\$ 4,494.47</b>	<b>\$ 10,770.00</b>	<b>\$ -</b>

**Payment Request** \$ 4,494.47

**PROGRESS REPORT:** Describe activities that have occurred during this reporting period. Describe any challenges you may have experienced, any foreseen problems, and/or any special requests. Attach additional pages.

We continue to serve three meals a week to our senior community. The program remains a mainstream social activity for those who attend. While our freight and transportation costs continue to rise, we still strive to serve the people who will benefit most from the program, and it is successful in our small community. Recently, our only restaurant closed, so we will be seeing a gradual increase in attendance. Subsequently, we are expensing more and more at a quicker pace. It is evident, costs are rising and not going as far as we'd like to see. Please consider this our final report for FY2014 as funds are expended.

**Grantee Certification:** I certify that the above information is true and correct, and that expenditures have been made for the purpose of, and in accordance with, applicable grant agreement terms and conditions.

Signature: Cassidi Little Date: April 8, 2014  
 Printed Name and Title: Cassidi Little Treasurer





**KENAI PENINSULA BOROUGH**  
 144 North Binkley Street • Soldotna, Alaska 99669-7599  
 PHONE: (907) 714-2153 • FAX: (907) 714-2377  
 EMAIL: bahlberg@borough.kenai.ak.us

**GRANTS**  
 APR 22 2014  
**RECEIVED**

**FROM:** Homer Senior Citizens, Inc.  
**KPB ACCOUNT:** 100.62120.HOMSR.43011

**Award Amount:** \$132,668  
**Ending:** 30 June 2014

**Financial / Progress Report**

**Submit Report To:** Brenda Ahlberg  
 Community & Fiscal Projects Manager  
 Kenai Peninsula Borough  
 144 N. Binkley St., Soldotna, AK 99669

**Project Name:** FY14 Senior Grant Program  
**Date:** April 22, 2014  
**Report No.:** 3  
**Quarter From:** January 1, 2014  
**To:** March 31, 2014

**FINANCIAL REPORT: FINAL REPORT DUE ON OR BEFORE 15 JULY 2014**

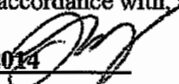
Cost Category	Authorized Budget	Expenditures from Last Report	Expenditures This Period	Total Expenditures to Date	Balance of Funds
Personnel	99,501.00	78,538.09	15,198.40	93,736.49	\$ 5,764.51
Transportation		-	-	-	\$ -
Contractual/Utilities		-	-	-	\$ -
Supplies	33,167.00	11,490.25	10,927.60	22,417.85	\$ 10,749.15
Equipment		-	-	-	\$ -
		-	-	-	\$ -
<b>TOTALS</b>	<b>\$ 132,668.00</b>	<b>90,028.34</b>	<b>\$ 26,126.00</b>	<b>\$ 116,154.34</b>	<b>\$ 16,513.66</b>

Payment Request \$ 26,126.00

**PROGRESS REPORT:** Describe activities that have occurred during this reporting period. Describe any challenges you may have experienced, any foreseen problems, and/or any special requests. Attach additional pages.

Provided for wages and for food for the Food Service Department. Meals were served to the senior population, adult day services and the meals on wheels program.

**Grantee Certification:** I certify that the above information is true and correct, and that expenditures have been made for the purpose of, and in accordance with, applicable grant agreement terms and conditions.

Signature: Emailed April 22, 2014  Date: April 22, 2014

Printed Name and Title: Keren Kelley, Executive Director



**KENAI PENINSULA BOROUGH**  
 144 North Binkley Street • Soldotna, Alaska 99669-7599  
 PHONE: (907) 714-2153 • FAX: (907) 714-2377  
 EMAIL: bahlberg@borough.kenai.ak.us

**GRANTS**  
 MAY 06 2014  
**RECEIVED**

**FROM:** Seward Senior Citizens  
**KPB ACCOUNT:** 100.62150.SEWSR.43011

**Award Amount:** \$47,238  
**Ending:** 30 June 2014

**Financial / Progress Report**

**Submit Report To:** Brenda Ahlberg  
 Community & Fiscal Projects Manager  
 Kenai Peninsula Borough  
 144 N. Binkley St., Soldotna, AK 99669

**Project Name:** FY14 Senior Grant Program  
**Date:** 04/15/14  
**Report No.:** FY14, Qtr 3  
**Quarter From:** January 1, 2014  
**To:** March 31, 2014

**FINANCIAL REPORT: FINAL REPORT DUE ON OR BEFORE 15 JULY 2013**

Cost Category	Authorized Budget	Expenditures from Last Report	Expenditures This Period	Total Expenditures to Date	Balance of Funds
Personnel	35,000.00	8,750.00	8,750.00	26,250.00	\$ 8,750.00
Transportation		-	-	-	\$ -
Contractual	5,000.00	1,250.00	1,250.00	3,750.00	\$ 1,250.00
Supplies				-	\$ -
Equipment		-	-	-	\$ -
Facility/Utilities	7,238.00	1,809.50	1,809.50	5,428.50	\$ 1,809.50
<b>TOTALS</b>	<b>\$ 47,238.00</b>	<b>11,809.50</b>	<b>\$ 11,809.50</b>	<b>\$ 35,428.50</b>	<b>\$ 11,809.50</b>

Payment Request \$ 11,809.50

**PROGRESS REPORT:** Describe activities that have occurred during this reporting period. Describe any challenges you may have experienced, any foreseen problems, and/or any special requests. Attach additional pages.

**The Seward Senior Center provided 419 meals on wheels, 1540 meals in dining room services, 636 one way rides in unassisted transportation, 293 health promotion classes including: weight and strength training, tai chi, core balance, and Wii bowling. The center relies on other community human resource agencies to assist supporting the senior community of Seward.**

**We are encouraged by the KPB efforts in supporting senior services across the Peninsula and strive to provide unduplicated and essential services to those in the greatest need in our senior community.**

**Thank you!**

**Grantee Certification:** I certify that the above information is true and correct, and that expenditures have been made for the purpose of, and in accordance with, applicable grant agreement terms and conditions.

**Signature:** Dana Paperman **Date:** 4/15/2014

**Printed Name and Title:** Dana Paperman, Executive Director



**KENAI PENINSULA BOROUGH**  
 144 North Binkley Street • Soldotna, Alaska 99669-7599  
 PHONE: (907) 714-2153 • FAX: (907) 714-2377  
 EMAIL: bahlberg@borough.kenai.ak.us

**GRANTS**  
 APR 23 2014  
**RECEIVED**

**FROM:** Soldotna Area Senior Citizens, Inc.  
**KPB ACCOUNT:** 100.62170.SOLSR.43011

**Award Amount:** \$90,886  
**Ending:** 30 June 2014

**Financial / Progress Report**

**Submit Report To:** Brenda Ahlberg  
 Community & Fiscal Projects Manager  
 Kenai Peninsula Borough  
 144 N. Binkley St., Soldotna, AK 99669

**Project Name:** FY14 Senior Grant Program  
**Date:** 4/23/2014  
**Report No.:** 4  
**Quarter From:** 1/1/14  
**To:** 3/31/14

**FINANCIAL REPORT: FINAL REPORT DUE ON OR BEFORE 15 JULY 2014**

Cost Category	Authorized Budget	Expenditures from Last Report	Expenditures This Period	Total Expenditures to Date	Balance of Funds
Personnel	\$74,304.00	24,652.05	159.03	74,304.00	\$ -
Utilities	\$16,582.00	5,412.84	-	16,582.00	\$ -
		-	-	-	\$ -
<b>TOTALS</b>	<b>\$ 90,886.00</b>	<b>30,064.89</b>	<b>\$ 159.03</b>	<b>\$ 90,886.00</b>	<b>\$ -</b>

Payment Request \$ 159.03

*Jan Fena*

**PROGRESS REPORT:** Describe activities that have occurred during this reporting period. Describe any challenges you may have experienced, any foreseen problems, and/or any special requests. Attach additional pages.

Final expenditures for Soldotna Area Senior Citizens, Inc.'s Kenai Peninsula Borough Senior Grant Funding is \$159.03 utilized for Personnel.

**Grantee Certification:** I certify that the above information is true and correct, and that expenditures have been made for the purpose of, and in accordance with, applicable grant agreement terms and conditions.

Signature: Emailed to Brenda Ahlberg Date: 4/23/14

Printed Name and Title: Jan Fena, Ex. Director



**KENAI PENINSULA BOROUGH**  
 144 North Binkley Street • Soldotna, Alaska 99669-7599  
**PHONE:** (907) 714-2153 • **FAX:** (907) 714-2377  
**EMAIL:** bahlberg@borough.kenai.ak.us

Requested close-out for final payment, 4/1/14 BZ

**FROM:** Soldotna Senior Citizens  
**KPB ACCOUNT:** 100.62170.SOLSR.43011

**Award Amount:** \$90,886  
**Ending:** 30 June 2014

## Financial / Progress Report

**Submit Report To:**  
 Brenda Ahlberg  
 Kenai Peninsula Borough  
 144 N. Binkley St., Soldotna, AK 99669

**Project Name:** FY14 Senior Grant Program  
**Date:** 4/1/2014  
**Quarter From:** 1/1/2014  
**To:** 3/31/2014

**FINANCIAL REPORT: FINAL REPORT DUE ON OR BEFORE 15 JULY 2014**

Cost Category	Authorized Budget	Expenditures from Last Report	Expenditures This Period	Total Expenditures to Date	Balance of Funds
Personnel	74,304.00	49,492.92	24,652.05	74,144.97	159.03
Transportation			-	-	
Contractual				-	
Supplies	16,582.00	11,169.16	5,412.84	16,582.00	
Equipment				-	
<b>TOTALS</b>	<b>90,886.00</b>	<b>60,662.08</b>	<b>30,064.89</b>	<b>90,726.97</b>	<b>159.03</b>

Payment Request \$ 30,064.89

**PROGRESS REPORT:** Describe activities that have occurred during this reporting period. Describe any challenges you may have experienced, any foreseen problems, and/or any special requests. Attach additional pages.

Provided congregate meals and home delivered meals daily, provided senior transportation without interruption during quarter. Numerous information and referral services and senior outreach to isolated, poverty level, disabled home bound seniors. Considerable effort expended to assist a homebound recipient. Sponsored the Kenai Peninsula-Wide Senior Olympics consisting of 211 senior contestants and 17 games held in Soldotna, Kenai, Nikiski. Soldotna seniors won the Title and plaque for 2014. Completed 1st phase of lighting replacement project; internal lighting in dining room and offices to low-energy T-8 and all exterior lights converted to LED's which was funded by Center's fundraising efforts. Planning for 2nd phase of remaining lighting completed, project to be completed in FY15. Bathroom remodel: counter tops and sinks replaced, toilets replaced with ADA items which are all low volume and sensor flushed. Shower plumbing portion of remodel done, just need to tile both showers to complete project. Held Volunteer's Award Banquet, free tax preparation, low-vision presentation, monthly caregivers' meetings, provided PDF forms and e-filed applications, special music presentations. Held no-host dinners at St. Elias, Gingers, PJs. Special dinners on St. Patrick's Day and Valentines. Completed boiler and fire inspection of facilities and AHFC housing inspection. Held monthly game nights.

**Grantee Certification:** I certify that the above information is true and correct, and that expenditures have been made for the purpose of, and in accordance with, applicable grant agreement terms and conditions.

Signature: Morris M. Breed Date: 4/1/14  
 Printed name and title: Morris Breed President



**KENAI PENINSULA BOROUGH**  
 144 North Binkley Street • Soldotna, Alaska 99669-7599  
 PHONE: (907) 714-2153 • FAX: (907) 714-2377  
 EMAIL: bahlberg@borough.kenai.ak.us

**GRANTS**  
 APR 11 2014  
**RECEIVED**

**FROM:** Sterling Area Senior Citizens  
**KPB ACCOUNT:** 100.62180.STESR.43011

**Award Amount:** \$60,376  
**Ending:** 30 June 2014

**Financial / Progress Report**

**Submit Report To:** Brenda Ahlberg  
 Community & Fiscal Projects Manager  
 Kenai Peninsula Borough  
 144 N. Binkley St., Soldotna, AK 99669

**Project Name:** FY14 Senior Grant Program  
**Date:** 4/7/2014  
**Report No.:** 3  
**Quarter From:** 01 January 2014  
**To:** 31 March 2014

**FINANCIAL REPORT: FINAL REPORT DUE ON OR BEFORE 15 JULY 2014**

Cost Category	Authorized Budget	Expenditures from Last Report	Expenditures This Period	Total Expenditures to Date	Balance of Funds
Personnel	43,000	30,289.52	15,683.09	45,972.61	\$ (2,872.61)
Transportation		-	-	-	\$ -
Contractual	15,000	7,045.77	6,196.74	13,242.51	\$ 1,757.49
Supplies	2376	641.65	707.16	1,348.81	\$ 1,027.19
Equipment		-	-	-	\$ -
		-	-	-	\$ -
<b>TOTALS</b>	<b>\$ 60,376.00</b>	<b>37,976.94</b>	<b>\$ 22,486.99</b>	<b>\$ 60,463.93</b>	<b>\$ (87.93)</b>

Payment Request \$ 22,399.06

**PROGRESS REPORT:** Describe activities that have occurred during this reporting period. Describe any challenges you may have experienced, any foreseen problems, and/or any special requests. Attach additional pages.

A total of 2482 congregate and home delivered meals were served in the first quarter of 2014. We also had an ice cream social in January that was open to the public. The senior Olympics were held in February with many of our members competing in events. March celebrated St. Patrick's day with a special choir presentation and a traditional corned beef and cabbage that many enjoyed. A spreadsheet expenditure report is included with this report.

**\*\*This is the Final Report for this grant. We have exceeded the Authorized Budget. Thank you....\*\***

**Grantee Certification:** I certify that the above information is true and correct, and that expenditures have been made for the purpose of, and in accordance with, applicable grant agreement terms and conditions.

Signature:  Date: 4/7/2014

Printed Name and Title: M. McKinley - Executive Director



**KENAI PENINSULA BOROUGH  
GRANTS MANAGEMENT**

**M E M O R A N D U M**

**TO:** Mike Navarre, Mayor  
**FROM:** Brenda Ahlberg, Community & Fiscal Projects Manager  
**DATE:** 06 May 2014  
**SUBJECT:** **FY14-3Q Non-department Grant Reports**

---

Attached are the FY14 third quarter grant reports for non-departmental awards.

CARTS – Central Area Rural Transit System  
KPEDD – Kenai Peninsula Economic Development District  
KPTMC – Kenai Peninsula Tourism Marketing Council  
SBDC – Small Business Development Center



**KENAI PENINSULA BOROUGH**  
 144 North Binkley Street • Soldotna, Alaska 99669-7599  
 PHONE: (907) 714-2153 • FAX: (907) 714-2377  
 EMAIL: bahlberg@borough.kenai.ak.us

**GRANTS**  
 APR 14 2014  
**RECEIVED**

**FROM:** CARTS  
**KPB ACCOUNT:** 100.94910.CARTS.43010

**Contract Amount:** \$25,000  
**Ending:** June 30, 2014

**Financial / Progress Report**

**Submit Report To:**  
 Brenda Ahlberg  
 Community & Fiscal Projects Manager  
 Kenai Peninsula Borough  
 144 N. Binkley St., Soldotna, AK 99669

**Project Name:** Public Transportation  
**Date:** 01/09/14  
**Report No.:** 3  
**Quarter From:** January 1, 2014  
**To:** March 31, 2014

**FINANCIAL REPORT:**

Cost Category	Authorized Budget	Expenditures from Last Report	Expenditures This Period	Total Expenditures to Date	Balance of Funds
Personnel	13000	9,878.21	1,771.26	11,649.47	\$ 1,350.53
Travel		-	-	-	\$ -
Contractual	7000	1,750.00	-	1,750.00	\$ 5,250.00
Supplies	5000	1,250.00	3,750.00	5,000.00	\$ -
Equipment		-	-	-	\$ -
		-	-	-	\$ -
<b>TOTALS</b>	<b>\$ 25,000.00</b>	<b>12,878.21</b>	<b>\$ 5,521.26</b>	<b>\$ 18,399.47</b>	<b>\$ 6,600.53</b>
<b>Payment Request</b>					<b>\$ 5,521.26</b>

**PROGRESS REPORT:** Describe activities that have occurred during this reporting period. Describe any challenges you may have experienced, any foreseen problems, and/or any special requests. Attach additional pages.

This reporting period CARTS delivered 12,577 trips bringing our grand total to 653,124 one way trips. The biggest percentage of trips (30%) were for customers going back and forth to work or work related activities. In addition, the majority of our trips are customers paying for themselves instead of having an agency purchase their trip. Homer recorded 627 trips for this reporting period.

We are putting the finishing touches on the ticketless fare collection project – in the next few weeks we will be rolling that out with the addition of online fare purchase and online ride scheduling. This project has taken a little longer than expected but we wanted to get all the wrinkles out before we implemented it. Next we will formatting the online ride scheduling for mobile phones so it can be used on the go!

**Grantee Certification:** I certify that the above information is true and correct, and that expenditures have been made for the purpose of, and in accordance with, applicable grant agreement terms and conditions.

Signature: Jennifer Beckmann Date: 04/14/14

Printed Name and Title: Jennifer Beckmann, Executive Director



**KENAI PENINSULA BOROUGH**  
 144 North Binkley Street • Soldotna, Alaska 99669-7599  
 PHONE: (907) 714-2153 • FAX: (907) 714-2377  
 EMAIL: bahlberg@borough.kenai.ak.us

**GRANTS**  
 APR 04 2014  
**RECEIVED**

**FROM: Kenai Peninsula Economic Development District**      **Contract Amount: \$50,000.00**  
**KPB ACCOUNT: 100.94910.KPRDD.43009**                      **Ending: 6/30/14**

**Financial / Progress Report**

**Submit Report To:**                      **Project Name:** Kenai Peninsula Economic Development District  
 Brenda Ahlberg                              **Date:** June 30, 2013  
 Community & Fiscal Projects Manager      **Report No.:** 3 of 4  
 Kenai Peninsula Borough                      **Quarter From:** January 1, 2014  
 144 N. Binkley St., Soldotna, AK 99669      **To:** March 31, 2014

**FINANCIAL REPORT:**

Cost Category	Authorized Budget	Expenditures from Last Report	Expenditures This Period	Total Expenditures to Date	Balance of Funds
Personnel	\$ 50,000.00	25,000.00	12,500.00	37,500.00	\$ 12,500.00
Travel		-	-	-	\$ -
Contractual					\$ -
Supplies		-	-	-	\$ -
Equipment		-	-	-	\$ -
<b>TOTALS</b>	<b>\$ 50,000.00</b>	<b>25,000.00</b>	<b>\$ 12,500.00</b>	<b>\$ 37,500.00</b>	<b>\$ 12,500.00</b>

Advance funding	\$ -
Expenditures applied to advance	-
Remaining Advance Balance	\$ -

**PROGRESS REPORT:** Describe activities that have occurred during this reporting period. Describe any challenges you may have experienced, any foreseen problems, and/or any special requests. Attach additional pages.

Please see attached.

*Support docs on file.*

**Grantee Certification:** I certify that the above information is true and correct, and that expenditures have been made for the purpose of, and in accordance with, applicable grant agreement terms and conditions.

Signature: *Rick A. Roeske*                      Date: 4/4/14

Printed Name and Title: Rick A. Roeske, Executive Director



KPEDD has recognized the growth to the community and is in the process of working with the Kenai Chapter of the Alliance to inform new businesses of the upcoming Forum and encouraging participation.

9/30/13

KPEDD provides administrative and accounting support to the Kenai Peninsula Construction Academy (KPCA). KPEDD prepared and submitted the IRS 501(c)(3) application package for KPCA. The IRS approved the application is KPCA is now recognized as a tax exempt corporation retroactive July 6, 2011.

KPEDD was approved by the State of Alaska, Alaska Commission Postsecondary Education Authorization of Operate a Postsecondary Educational Institution through June 21, 2015.

The Small Business Development Center has partnered with KPEDD by referring potential clients for the QuickBooks Training and has stopped offering it as a course in their offices due to the outdated equipment they have to offer the newest class.

---

### Small Business Assistance

3/31/14

KPEDD continues to offer the class once a month at the Job Center in Kenai and to other areas outside the community with 4 to 6 registered persons. A class was held in Homer on March 12, 13, 14 and while there several other people voiced interest. We will schedule another class at the end of May in Homer.

KPEDD has been working with several small businesses in the Kenai, Soldotna, Sterling, and Cooper Landing area on reviewing their postings during audits and tax preparation. We are also working with several local CPA's on adjusting entries, and correct entry for payroll, accounts payable, and receivables postings and corrections. Several local CPA firms do not have a QuickBooks support person and have been utilizing our services.

The KPEDD Business Analysis Survey in completed and posted to the [www.kpedd.org](http://www.kpedd.org) webpage. KPEDD will conduct two studies in 2014 to attempt a greater response and will be using incentives for response.

The Programs Manager has been working with several businesses finding people who may be qualified for part time or job share and referring them to Job Service to fill the gap in some smaller communities. It appears there is a shortage of qualified experienced office personnel in smaller communities that have had a growth spurt recently.

**helped publicize the agency in a very positive way. We are working toward an upcoming events newsletter to help announce the activities that KPEDD is involved in for public awareness.**

**We are also planning a Community Forum in Seward, Alaska that will focus on the smaller communities and what is happening in the industries of their communities. This year the Seward Community Forum is planned for May 8<sup>th</sup> & 9<sup>th</sup>.**

**The goal for the community forums will be to go to a different community each year in the spring months and host the event to bring awareness to the local community and outside communities of what is going on in the local supported industries. It also provides an economic boost to the local businesses and an opportunity for new businesses to discuss what they do to the attendees.**

12/31/13

KPEDD is moving forward with the 2014 Industry Outlook Forum and have joined with the Kenai Chapter of the Alliance. This event will be a huge success because of the speakers that are confirming that they will be attending.

9/30/13

KPEDD is in the planning stages of the 2014 Industry Outlook Forum that will be held at the Challenger Learning Center on January 30 & 31, 2014. This year will be co-hosted by the City of Kenai and the Alaska Alliance, Kenai Chapter.





# Alaska Small Business Development Center

SBDC UNIVERSITY of ALASKA ANCHORAGE



April 1, 2014

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

Dear Mayor Navarre:

I'm pleased to offer the attached Alaska Small Business Development Center South West Region (AKSBDC-SW) report for your review. Year-to-date (YTD) results are as follows:

- Total # of clients counseled: 170
- New clients counseled: 93
- New businesses: 15
- Jobs created: 39
- Training events: 13
- Training attendees: 51
- Capital infusion: \$2,000,000

During the third quarter of 2014, the South West SBDC began to notice the growth of businesses in Seward associated with the future development of the Seward Marine Industrial Complex. Additionally, a manufacturing business in Homer moved its location and hired additional workers as the sales of the new product line showed a dramatic increase. Continued growth of the "High Mark Distillery" in Sterling demonstrates development of a long term economic engine for the future.

In March, 2014 at the AKSBDC Spring Strategic Planning Conference, the focus was identification of the team leaders for our Key Performance Process teams and plans for moving forward, including creating figures for in-process measures data.

Sincerely,

Bryan Zak  
Assistant State Director  
Alaska SBDC - South West Region  
43335 Kalifornsky Beach Road, Suite 12  
Soldotna, AK 99669

*Copy for  
Brenda  
ahberg*



**Alaska Small Business  
Development Center**

**SBDC UNIVERSITY of ALASKA ANCHORAGE**

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

**Third Quarter Report  
FY2014  
January 1, 2014 through March 31, 2014**

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

**April 1, 2014**

The focus of the Alaska Small Business Development Center Southwest Region (SBDC-SW) is on existing business that are looking to grow, although we offer our services to all businesses owners and future owners on the Kenai Peninsula.

Our mission is to advance small businesses in Alaska, and our vision is that our streamlined network of interactive tools and resources makes us the business community partner of choice helping businesses thrive and create a lasting impact. The hallmark to our services is the free, one-on-one, confidential advising to meet each client's needs. An advising session may cover a myriad of topics related to business, including business plan development and review, business projections, cash flow analysis, marketing, bookkeeping, loan packaging, licensing and permitting, to name a few.

The SBDC-SW also provides entrepreneurs access to business libraries at AVTEC in Seward, and at the SBDC offices in Soldotna and Homer. Additionally, computers with internet connections are available for conducting research and business training is provided through no- and low-cost seminars, workshops, and webinars. The Offices in Soldotna, Homer, and Seward offer further assistance through SBDC-SW's partner program PTAC, which provides assistance with state, federal and local government procurement opportunities. Other available resources include a set of business tools at [www.aksbdc.org](http://www.aksbdc.org), access to market research, and a statewide network of knowledgeable staff.

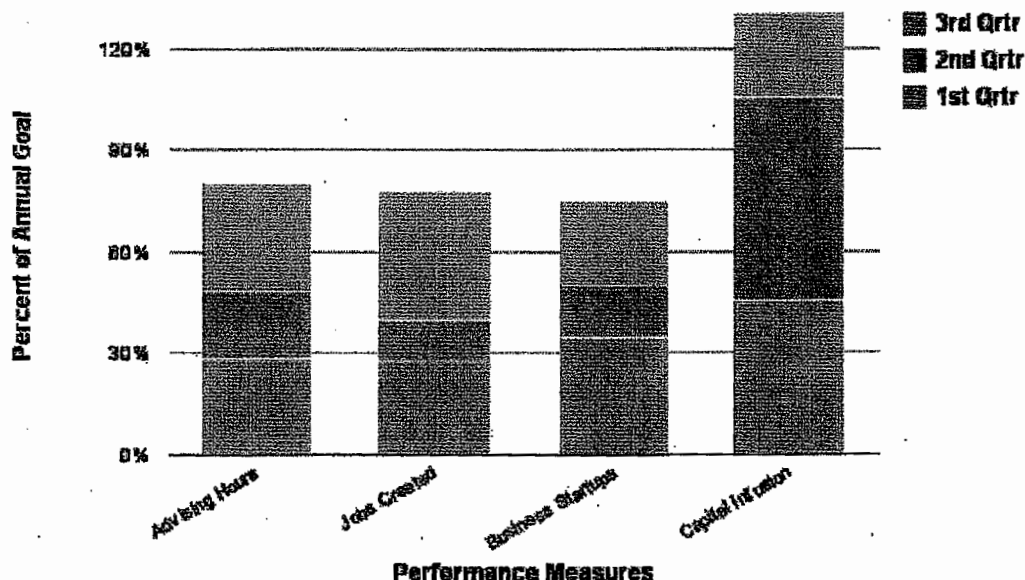
On the Kenai Peninsula the SBDC-SW has established collaborative relationships with the Kenai Peninsula Borough, all of the Chambers of Commerce, the cities of Homer and Seward, as well as the Kenai Peninsula Tourism Marketing Council and the Kenai Peninsula Economic Development District. These relationships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

In addition to the client-focused results highlighted above, the organization also continues to work on improving its performance and efficiency. Throughout the 3rd quarter the Alaska SBDC continued its "Baldrige journey" working to achieve excellence in the services provided to our clients as well as the stewardship of the resources to provide those services. In March, 2014 at the AKSBDC Spring Strategic Planning Conference, we took the next step in our Baldrige Journey by identifying team leaders for each of our Key Processes, and developing plans to improve and monitor our performance across all of our key performance measures (KPMs) and in-process measures (IPMs).

**Performance Indicators and Progress To-Date**

The SBDC-SW performance measures for the third quarter FY2014 (1/1/2014 through 3/31/14) are depicted in the figure below and explained in this report. With the third quarter completed we are able to measure our progress against our strategic goals for business start-ups, clients advised, jobs created, and capital infusion. All measures indicate we are maintaining our significant high level of service to our clients and they in return have invested additional capital and created additional jobs.

**Kenai Peninsula Center (7/1/13 - 6/30/14)**



**Number of Clients advised Current Quarter: 76**  
**YTD: 170 unique clients**

During the third quarter, 76 clients received advising assistance. This represents 160.00 hours spent with clients in the quarter. Since the beginning of the fiscal year (YTD), 170 individual clients met with a business advisor one or more times. Of clients that are currently in business, 24 are women-owned businesses, 17 are male-owned and 19 have two or more owners.

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

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

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

**Jobs Created**

**Current Quarter: 19**  
**YTD: 39**

During the third quarter, 19 new jobs were added and these jobs are associated with business in the following sectors:

- manufacturer/producer (42%)
- retail (21%)
- service (21%)
- agriculture (11%)
- arts & entertainment (5%)

**Business Starts**  
**Current Quarter: 5**  
**YTD: 15**

Additionally, results for business starts shows a positive trend as business owners continue to take advantage of low interest rates and new business opportunities. An enterprise is considered "in-business" when all required licensing/permitting is acquired and has either payroll, acquired debt or equity capital, incurred business expenses, and/or has a sale. During the third quarter, we had 5 new businesses created in the following sectors: agriculture, arts & entertainment, manufacturer/producer, and retail.

**Capital Infusion**  
**Current Quarter: \$415,000**  
**YTD: \$2,000,000**

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

**TOTAL TO DATE:**  
SBA Loans: \$290,000  
Non-SBA: \$1,015,000  
Non-Debt Financing: \$695,000

**Training Events & Attendees**  
**YTD Events: 13**  
**YTD Attendees: 51**

Training events, in the form of workshops and classes, are available through the SBDC-SW office. These trainings may be provided by the Business Advisor or other professionals. During the third quarter, we offered 2 training events with a total of 6 attendees. The training topics covered throughout the year include pre-business training, bookkeeping, cash flow management, and financing options.

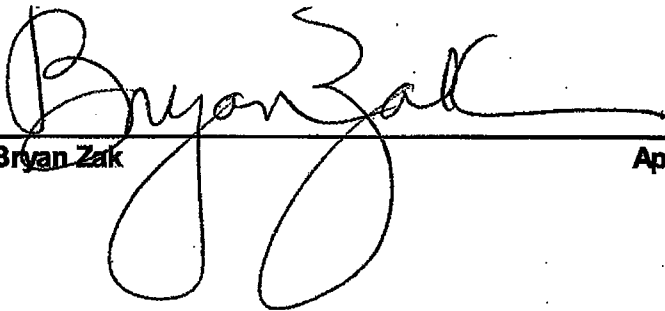
The SBDC-SW workshops continue to be available via an online software, ReadyTalk. An individual needs only a computer, internet connection, and phone line to join the workshop. These workshops are also archived so our customers can view at times that are convenient for



them. We're pleased to say that these workshops are important for any client to be able to access our workshops anytime but that our actual attendance at our real time workshops has also continued to have strong attendance and excellent customer feedback on the evaluations.

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

**I certify that to the best of my knowledge, the information contained herein is accurate and reflects the activities executed by the SBDC-SW during the third Quarter FY14.**

A handwritten signature in black ink, appearing to read "Bryan Zak", written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke at the end.

**Bryan Zak**

**April 1, 2014**



**KENAI PENINSULA BOROUGH**  
 144 North Binkley Street • Soldotna, Alaska 99669-7599  
 PHONE: (907) 714-2153 • FAX: (907) 714-2377  
 EMAIL: bahlberg@borough.kenai.ak.us

**GRANTS**  
 APR 03 2014  
**RECEIVED**

FROM: KPTMC  
 KPB ACCOUNT: 100.94910.KPTMC.43021

Contract Amount: \$300,000  
 Ending: June 30, 2014

**Financial / Progress Report**

Submit Report To: **Project Name:** Tourism Marketing/Peninsula Promotion  
 Brenda Ahlberg **Date:** April 3, 2014  
 Community & Fiscal Projects Manager **Report No.:** 3  
 Kenai Peninsula Borough **Quarter From:** January 1, 2014  
 144 N. Binkley St., Soldotna, AK 99669 **To:** March 31, 2014

**FINANCIAL REPORT:**

Cost Category	Authorized Budget	Expenditures from Last Report	Expenditures This Period	Total Expenditures to Date	Balance of Funds
Personnel	\$ 45,184.00	\$28,278.96	\$ 15,553.66	\$43,832.62	\$ 1,351.38
Travel	\$ 19,502.00	\$2,848.65	\$ 8,863.24	\$ 11,711.89	\$ 7,790.11
Contractual	\$ 60,000.00	\$59,490.00		\$ 59,490.00	\$ 510.00
Marketing/Advertise	\$ 175,314.00	\$99,245.30	\$ 58,449.63	\$ 157,694.93	\$ 17,619.07
					\$ -
<b>TOTALS</b>		<b>\$ 189,862.91</b>	<b>\$ 82,866.53</b>	<b>\$ 272,729.44</b>	<b>\$ 27,270.56</b>
<b>Payment Request</b>					<b>\$ 82,866.53</b>

**PROGRESS REPORT:** Describe activities that have occurred during this reporting period. Describe any challenges you may have experienced, any foreseen problems, and/or any special requests. Attach additional pages.

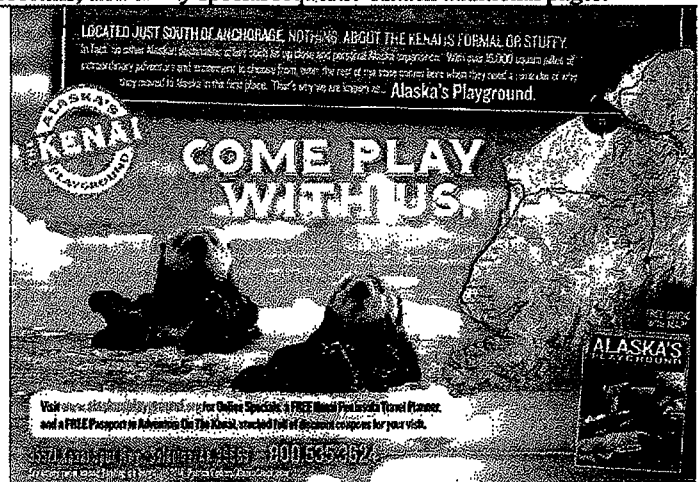
**Advertising:**

Ad buys for the 2015 season have been secured; we are running 16 different advertisements in national publications and visitor guides.

**Passport to the Kenai:**

The 2014 Passport to Adventure on the Kenai has been printed and distribution has begun.

KPTMC will distribute 20,000 Passports again this year. The Passport targets travelers who are traveling The Kenai this season specifically and encourages them to visit all of our communities



*Support does on file.*

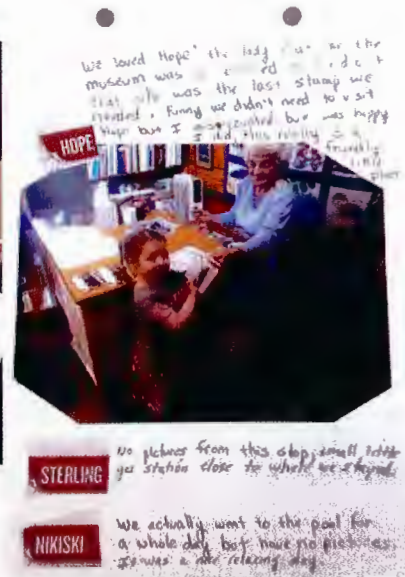
on the Kenai Peninsula. By collecting stamps in 10 of 13 communities, participants are entered to win a weeklong vacation in 2015.

In addition to the fold-out map and community pages, the Passport contains coupons for activities, accommodations, restaurants and other products. One of the great things about this program is that the coupons are easy for advertisers to track in order to gauge their ROI.

Each year we receive pictures and letters from visitors who enjoyed the program during their trip. This year in January we received a particularly fun follow up:

*Hello,*

*I wanted to write a little letter and send a photo album of the adventure we had getting the stamps in our Passport. This made our vacation so much fun and added new elements of adventure and a fun challenge. Our adventure took place in late June/early July over the 4th of July. We had no idea what to expect but Alaska was beautiful, more amazing than we could have imagined.*



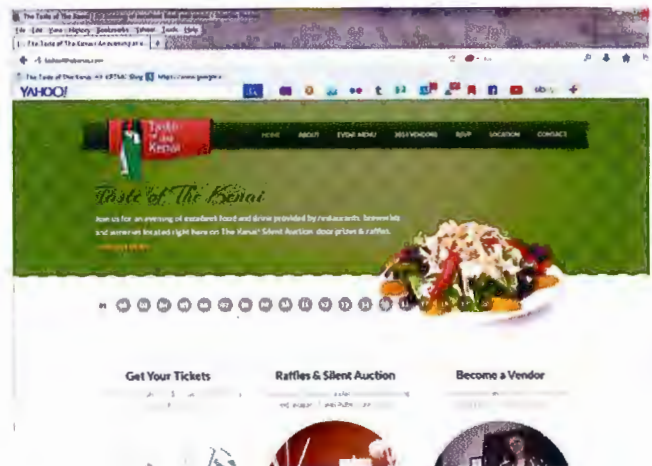
*We hiked, took boat excursions, toured museums, went halibut fishing, visited glaciers, toured a wildlife park, Iditaride Sled Dog Tours, Alaska Sealife Center, visited Alyeska and went up on the ski lift and visited so many fun places. I can honestly say Alaska has so many kind and friendly people. My daughter was so excited to become a Junior Ranger of the Kenai Fjords National Park.*

*My daughter, Maeva, had so much fun getting the stamps. Actually, my husband was teasing me asking who was having more fun, my daughter or me.*

*Thank you for the memories,  
The Settock Family*

**Taste of The Kenai**

Excerpt from *The Dispatch*: With 300 tickets sold in advance, 19 vendors, 62 silent auction items and 7 live auction items that included exotic trips on the Kenai Peninsula and hunting rifle, the 4th Annual Taste of the Kenai was the most successful ever. With visitors and participants from across the Peninsula and Anchorage it was Homer's turn to go home happy. A deliciously unique Elk Meatloaf with Potato Pancake and mushroom cream took the People's Choice award for favorite entrée, prepared by the chef from The Chart Room at Land's End in Homer. "I've been there not quite two years now and the Elk Meatloaf was the first thing that I brought to the menu there and we've had a great response from it," said the chef, "I was just great



being here around a lot of other cooks, we shared a kitchen with all the other restaurants that were here and it was fun to get out of my own kitchen at the restaurant and be here at an event that supports a great cause while hanging out with other great cooks of the Peninsula,”

The other two People’s Choice Awards for best dessert and best beverage both went to repeat winners from last year’s event; Cakealicious in the dessert category and High Mark Distillery for the best beverage. “I’m just so excited to have won two years in a row,” said Cakealicious owner Andie Bock, “Cakealicious is a dangerously delicious dessert! It’ cakes that are made with sinfully delicious ingredients. My mission is to make fresh, one of a kind edible pieces of art that not only look fantastic but taste incredible and I’m so glad for the support that the people have shown me the last two years,” she said. Also taking her second straight Taste of the Kenai People’s Choice Award for the best beverage was Felicia Keith-Jones owner of the High Mark Distillery in Sterling. “I studied for five years before I was able to open the doors after obtaining 29 licenses and permits to be able to distill hard alcohol here in Alaska and it’s been quite an adventure, including studying in Ireland with the infamous Jameson family distillery of Dublin,” said Jones who was once an elementary school teacher here on the Peninsula. “We really have a fantastic group of wineries and craft breweries here on the Peninsula and any one of them were worthy of the People’s Choice Award here tonight they are all gold medal quality and take their craft seriously, I just happened to be the lucky one again tonight,” she said.



All proceeds from the Taste of the Kenai benefit the Kenai Peninsula Tourism Marketing Council in its mission to market the Kenai Peninsula as a world class, year round vacation destination. (KPTMC netted just over \$20,000 from the Taste of The Kenai this year.)

**2014 Discovery Guide Distribution:**

Since we received the 2014 Discovery Guides in November, we have distributed almost 94,000 of the 125,000 printed.

**Consumer Shows:**

It’s show season! We kicked things off with our big out of state show in Long Beach. We took down materials for 24 businesses and organizations. We distributed many rack cards, almost 1,000 Kenai Peninsula Discovery Guides and about an equal number of community guides.

**Show blippet:**

This past weekend we joined over 3,000 of our exhibitor personnel at our 9th Annual Los Angeles Travel & Adventure Show®, held at the Long Beach Convention Center, February 8-9.

Wow! What a weekend. We were excited to set a new attendance record with a +13% increase to 32,181 travel enthusiasts and travel trade attending, with a record 450 exhibitor booths, making it the largest attended travel show in the United States.

2014 Kenai Peninsula Discovery Guide Distribution Summary	
Source	# of Guides
Website Requests	1,088
State of Alaska Mailing	50,000
Phone Requests	313
Membership Mail Outs	250
Mail Requests	5
Paid Leads	3,411
Visitor Centers	1,632
Anchorage Brochure Distribution	32,640
Businesses	1,360
Conventions	3,216
<b>Total</b>	<b>93,915</b>



We also attended The Mat-Su Outdoorsman Show and the Great Alaska Sportsman Show, handing out “We’re #1” foam fingers to the kids along with our print materials, bags, and member brochures. Next up is the Fairbanks Outdoorsman show, followed by the Soldotna Sport Rec and Travel Show.



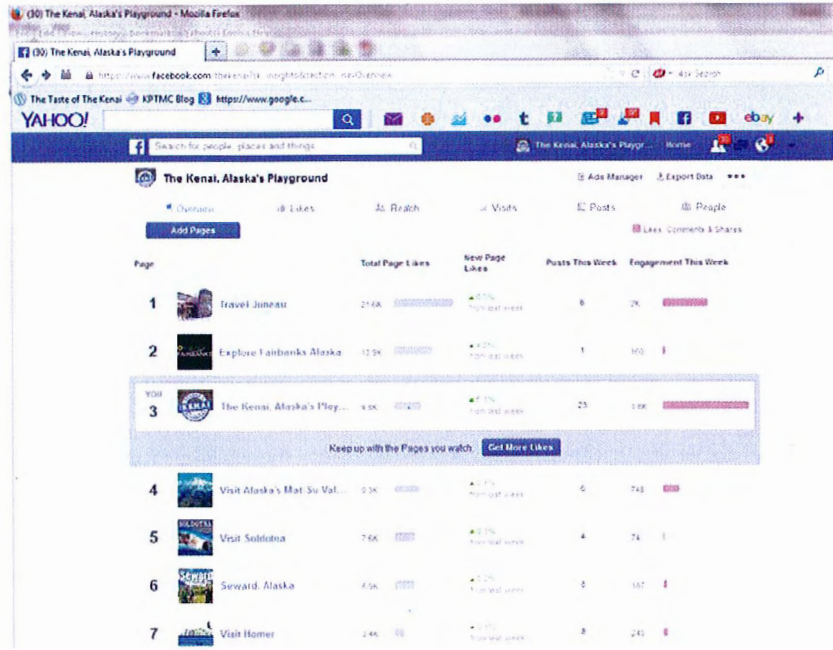
**Website Traffic and Social Media:**

Traffic to [www.kenaipeninsula.org](http://www.kenaipeninsula.org) is up 12% over the same period last year, and unique visitors are up 14%.

We have had a nice uptick in our visitor leads to members with the new website and increased interest in The Kenai.

- 2014 Visitor Leads to date: 789
- 2013 Visitor Leads 2,348
- 2012 Visitor Leads 1,274
- 2011 Visitor Leads 1,076
- 2010 Visitor Leads 1,424
- 2009 Visitor Leads 1,780
- 2008 Visitor Leads 1,152

Our Facebook page, The Kenai, Alaska’s Playground, is growing fans exponentially. We are on the cusp of breaking 10,000 followers and our weekly engagement is better than our larger competitors.



**Ram 1500 Stay and Play Raffle Press Release:**

**KENAI PENINSULA TOURISM MARKETING COUNCIL ANNOUNCES THE RAM 1500 STAY & PLAY RAFFLE**

“Your Key to The Kenai, Alaska’s Playground” – Buy a ticket for a chance to win a 2012 RAM 1500, Recreational Kayak, & lots of great lodging & excursion packages!

Soldotna, AK, March 26, 2014– The Kenai Peninsula Tourism Marketing Council (KPTMC) is excited to announce the RAM 1500 Stay & Play Raffle. This exciting raffle which offers residents & visitors alike a vast array of enticing winning prizes, was derived through a lucrative partnership with Stanley Chrysler, located in Soldotna, AK, who offered up a RAM 1500 vehicle donation, as well as many great sponsors including the Homer Chamber of Commerce, Kenai Chamber of Commerce & Visitor’s Center, Seward Chamber of Commerce, Soldotna Chamber of Commerce, & Sportsman’s Warehouse.

From now through September 15, 2014, 1600 tickets will be sold at KPTMC, Stanley Chrysler, and all of the sponsoring locations for \$50.00 a piece, with only 1600 being sold. Prizes include a 2012 RAM 1500 Truck

from Stanley Chrysler, a 14" Recreational Kayak with Thule Rack from Sportsman's Warehouse, "Stay & Play" lodging & excursion in Seward with Seward Windsong Lodge & Kenai Fjords Tours, "Stay & Play" in Soldotna with Big Sky Charter & Fishcamp, "Stay & Play" in Kenai with Aspen Hotel & Alaska West Air, "Stay & Play" in Homer with Land's End Resort & Homer Ocean Charters, Free Auto Detailing for 1 Year from Stanley Chrysler, and Free Oil Changes for 1 Year from Stanley Chrysler.

*"Because of these great partnerships and sponsors, we are beyond-thrilled to have the opportunity to offer residents & visitors such an exciting way to further enjoy, & get excited about The Kenai, Alaska's Playground®! We have the pleasure of falling in love with the Kenai Peninsula day after day through the work that we do and the relationships that we cultivate on a worldwide level. But to have that same passionate response from so many other local businesses who are truly so passionate about their communities, is remarkable. The best part is that all of the money raised will go directly back into helping the Kenai Peninsula businesses, and overall economy grow & prosper!" – Shanon Hamrick, KPTMC*

The kicker? In addition to being outfitted with a bright red recreational kayak, the RAM 1500 truck that will be raffled off has a full high-graphic vehicle wrap applied to it messaging the KPTMC's brand; The Kenai, Alaska's Playground®. With one side featuring a brown bear diving into the river after a sockeye salmon, and the other side displaying a patriotic bald eagle, the truck is sure to turn heads and draw some exciting attention to all that the Kenai Peninsula has to offer. Throughout the next several months, this truck can be spotted cruising around to all of the largest events happening throughout the many communities on the Kenai Peninsula, or parked outside one of the sponsoring locations.

*"We could not be more thrilled for this exciting opportunity! If by donating a truck and a couple of cool prizes, we can show our love, support, and pride for the Kenai Peninsula and all of the residents and visitors living, working, & enjoying The Kenai, Alaska's Playground® - mission accomplished. We are so proud of our community and to have the opportunity to partner with KPTMC and all of the great sponsors to help spearhead such an exciting campaign is like a dream come true! To thank the community for buying local, we figured, why not give local?!" – Courtney Stanley, Stanley Chrysler*

All of the money raised from this raffle will go back into marketing the entire Kenai Peninsula as Alaska's Playground, on a worldwide level. The goal is to spread awareness about the many great communities on the Kenai Peninsula, and to show the rest of the world why The winners will be selected in front of a live audience at the Soldotna Sport's Complex on September 16, 2014 at the joint Kenai & Soldotna Chamber luncheon.

# WIN ME!



**BROUGHT TO YOU BY:**




## RAM 1500 STAY AND PLAY RAFFLE

YOUR KEY TO THE KENAI, ALASKA'S PLAYGROUND

# TICKETS: \$50

AVAILABLE AT ANY SPONSOR LOCATION  
1600 WILL BE SOLD

## 1ST PLACE: 2012 DODGE RAM 1500

2nd Place: Sea Kayak & Rack  
3rd Place: Stay and Play in Seward  
4th Place: Stay and Play in Soldotna  
5th Place: Stay and Play in Kenai  
6th Place: Stay and Play in Homer  
7th Place: Free Auto Detailing for 1 Year  
8th Place: Free Oil Changes for 1 Year

Terms & conditions will apply. Winner will be responsible for taxes shipping delivery & additional fees. Permit #1988

**SPONSORED BY:**



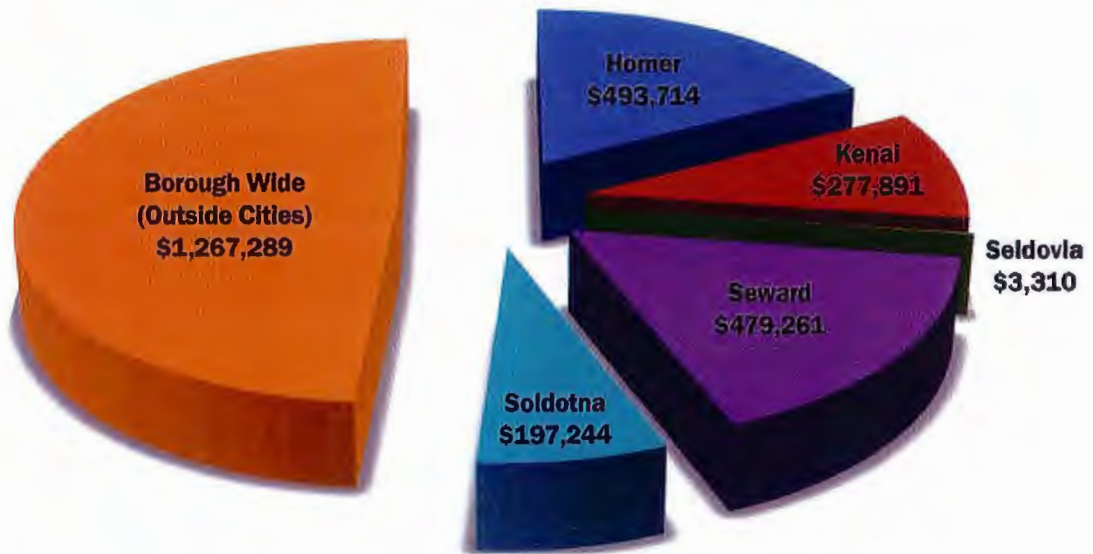




**Sustainable Funding Initiative:**

KPTMC's Sustainable Funding Task force has been working toward having an Accommodations Tax on the ballot this October. Input has been garnered from stakeholders throughout the Peninsula. The following proposal is being recommended:

### Kenai Peninsula Bed Tax Proposal:



- 4% Bed Tax - \$2,829,835 (Figures provided by the KPB Sales Tax department using actual accommodations sales collected in 2013.)
- 100% collected in the cities is returned to the cities.
- 80% collected in the unincorporated areas used to fund Borough wide marketing.
- 20% collected in the unincorporated areas used for tourism related borough infrastructure needs.
- 3.04% administrative fee subtracted.
- 5% early remittance for businesses collecting the tax is subtracted.

The task force is currently working to help develop language for an Ordinance and identifying a sponsor/sponsors.

**Grantee Certification:** I certify that the above information is true and correct, and that expenditures have been made for the purpose of, and in accordance with, applicable grant agreement terms and conditions.

Signature: \_\_\_\_\_

Date: April 4, 2014

Printed Name and Title: \_\_\_\_\_  
Shanon Hamrick, Executive Director



## **KENAI PENINSULA BOROUGH**

### **Land Management Division**

144 North Binkley Street • Soldotna, Alaska 99669-7520

**PHONE:** (907) 714-2205 • **FAX:** (907) 714-2378

*Toll-free within the Borough: 1-800-478-4441, Ext. 2205*

## Memorandum

**To:** Cooper Landing Advisory Planning Commission

**cc:** KPB Planning Commission  
KPB Assembly

**From:** Marcus A. Mueller, Land Management Officer

**Date:** May 9, 2014

**Re:** Municipal Entitlement Land Selections Update: Region 4, Cooper Landing  
Preliminary Decision Public Comment Period through June 2, 2014

---

The borough continues its commitment to fulfill its municipal entitlement land grant, which has been vested since 1978. With the conclusion of agency discussions, community involvement, advisory planning commissions' vote of support, and assembly approval, the KPB administration submitted a request to DNR for certain actions on existing municipal selections in the Cooper Landing area, also known as region 4 of the Kenai Area Plan. This application has been met with a Preliminary Decision by DNR.

KPB requested adjudication of 4,245 acres of previously selected lands in the Cooper Landing area on September 5, 2013. On May 1, 2014 the Dept. of Natural Resources, State of Alaska responded with a Preliminary Decision. This Preliminary Decision is open for public comment until June 2, 2014. More detailed information is presented on the weblink below.

Comments **MUST** be in writing to the State of Alaska and received on or **BEFORE** June 2, 2014. They may be directed as follows:

DNR, Municipal Entitlement Unit, Attention John Dwyer, 550 W. 7<sup>th</sup> Avenue, Suite 1050, Anchorage, AK 99501-3579; by electronic email: [john.dwyer@alaska.gov](mailto:john.dwyer@alaska.gov), phone (907) 269-8531, or fax (907) 269-8915

Please contact myself or Jennifer Domke at 714-2217 here in our Land Management Division if you have additional questions.

<http://www.borough.kenai.ak.us/landmgt/entitlements/state-of-alaska-municipal-entitlement-process-summary>



## **Municipal Entitlement Land Selections Update: Region 4, Cooper Landing**

### **ADL #'s 227984, 227965, 201307**

Preliminary Decision Conveyance Land Under AS 29.65.010 posted May 1, 2014

Special Exception Kenai Area Plan Jerome Lake Management Unit 408C

Comment Period through June 2, 2014

After a significant public outreach and review process the KPB requested DNR to adjudicate 4,245 acres of existing selections in the Cooper Landing area on September 5, 2013. On May 1, 2014 the Dept. of Natural Resources, State of Alaska responded with the below Preliminary Decision.

Of these existing land selections the KPB found that 2,960 acres were in KAP units that were designated as conveyable to a municipality and in unison with KPB's mission as identified on the list of "Lands of Local Importance". Therefore these lands were requested for conveyance to the borough. An additional 511 acres were found to be designated as conveyable but were not in complete unison with the goals and missions of the KPB and were requested to be postponed for further action under the advisement of DNR representatives. There were 774 acres which the KPB found were non-conveyable and anticipated the state would reject that acreage. On December 11, 2013, KPB modified its original request to move 37 acres from the postpone and reject lists to the conveyance list in order to facilitate the relocation of a community shooting range.

The Preliminary Decision issued by DNR on May 1, 2014 has notably different findings. Of the existing selections the state found 1,710 acres to be conveyable according to the Kenai Area Plan; 1080 acres at Juneau Bench is proposed to be conditionally approved with transfer of management authority postponed until the state determines the location of the sterling highway bypass corridor; and 1,495 acres to be rejected as non-conveyable under the Kenai Area Plan.

The major differences between the KPB request and DNR's proposed action include: DNR proposes to reject 240 acres of land in sections 10 & 11 near Jerome Lake requested under "A Lands of Local Importance Vision" and DNR proposes to reject 10 acres of land in section 10 requested for conveyance in order to facilitate the relocation of a community shooting range. These lands are described as follows:

NE1/4 Section 10, T5N, R2W, S.M.: 160 acres

W1/2NW1/4 Section 11, T5N, R2W, S.M.: 80 acres

S1/2S1/2SW1/4SW1/4 Section 10, T5N, R2W, S.M.: 10 acres

Some discrepancy between KPB and DNR acreage estimates are to be expected and the overall acreage will be reconciled at time of conveyance. Additionally DNR has concurrently presented a special exception process on 40 acres which are included in the proposed approvals.

This Preliminary Decision is open for comment until June 2, 2014. Comments **MUST** be in writing and received on or Before **June 2, 2014**. They may be directed as follows:

DNR, Municipal Entitlement Unit, Attention John Dwyer, 550 W. 7<sup>th</sup> Avenue, Suite 1050, Anchorage, AK 99501-3579; by electronic email: [john.dwyer@alaska.gov](mailto:john.dwyer@alaska.gov), phone (907) 269-8531, or fax (907) 269-8915

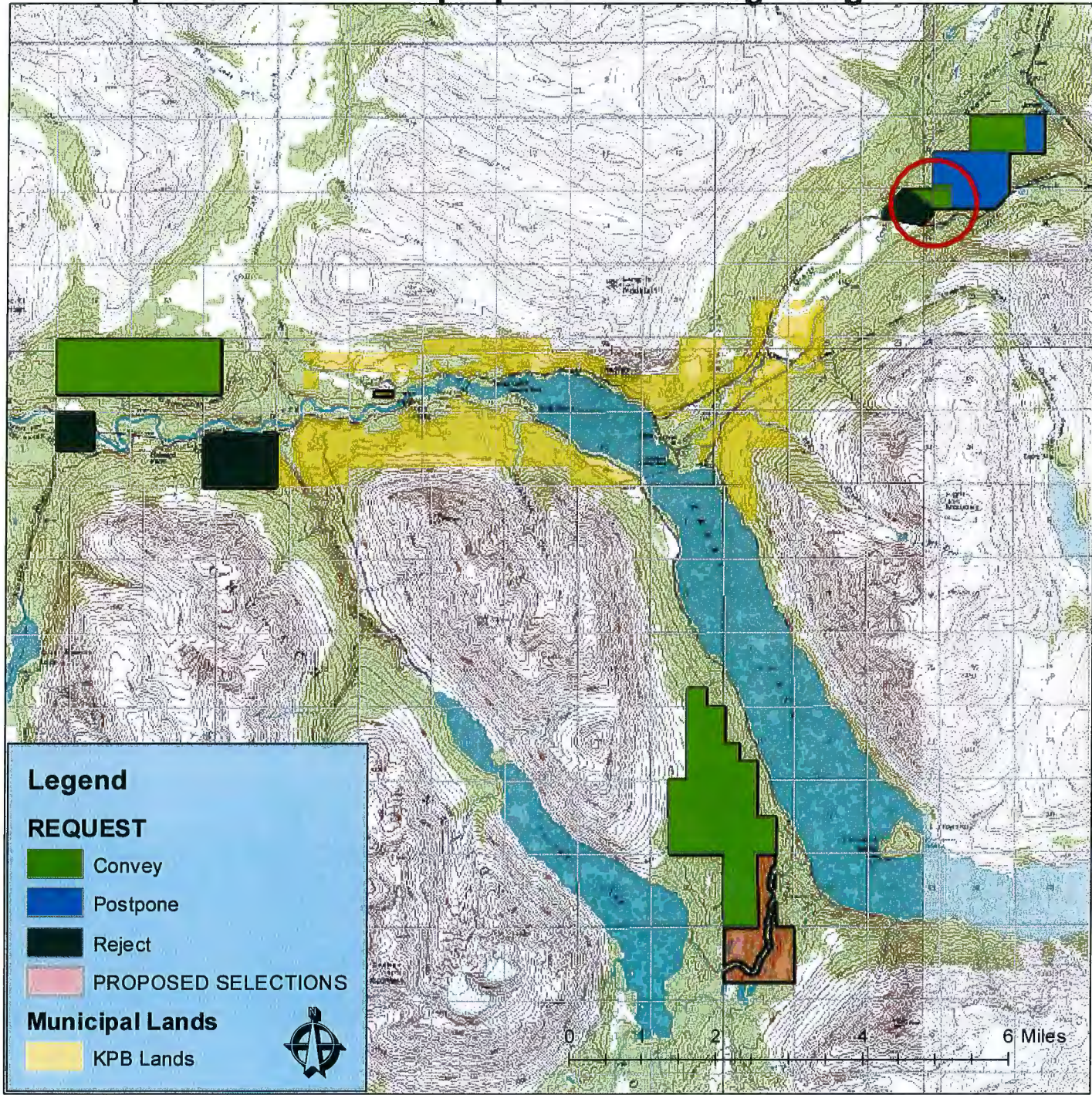
**In order to be qualified to file an administrative appeal to the FINAL DECISION you MUST have commented in writing to the Preliminary Decision.**

**<http://www.borough.kenai.ak.us/landmgt/entitlements/state-of-alaska-municipal-entitlement-process-summary>**

# KPB MUNICIPAL ENTITLEMENT LAND GRANT OVERVIEW

## KAP Region 4: Cooper Landing Area-

### Updated to include proposed Shooting Range Lands



KPB Resolution 2013-054 identified 27,000 acres of existing and proposed land selections for fulfillment of KPB's Municipal Entitlement land grant, known as "A Lands of Local Importance Vision" (ALLIV).

Other existing selections not identified through the ALLIV process are NOT REQUESTED for Municipal Entitlement Conveyance but are included in the State of Alaska's decision process.

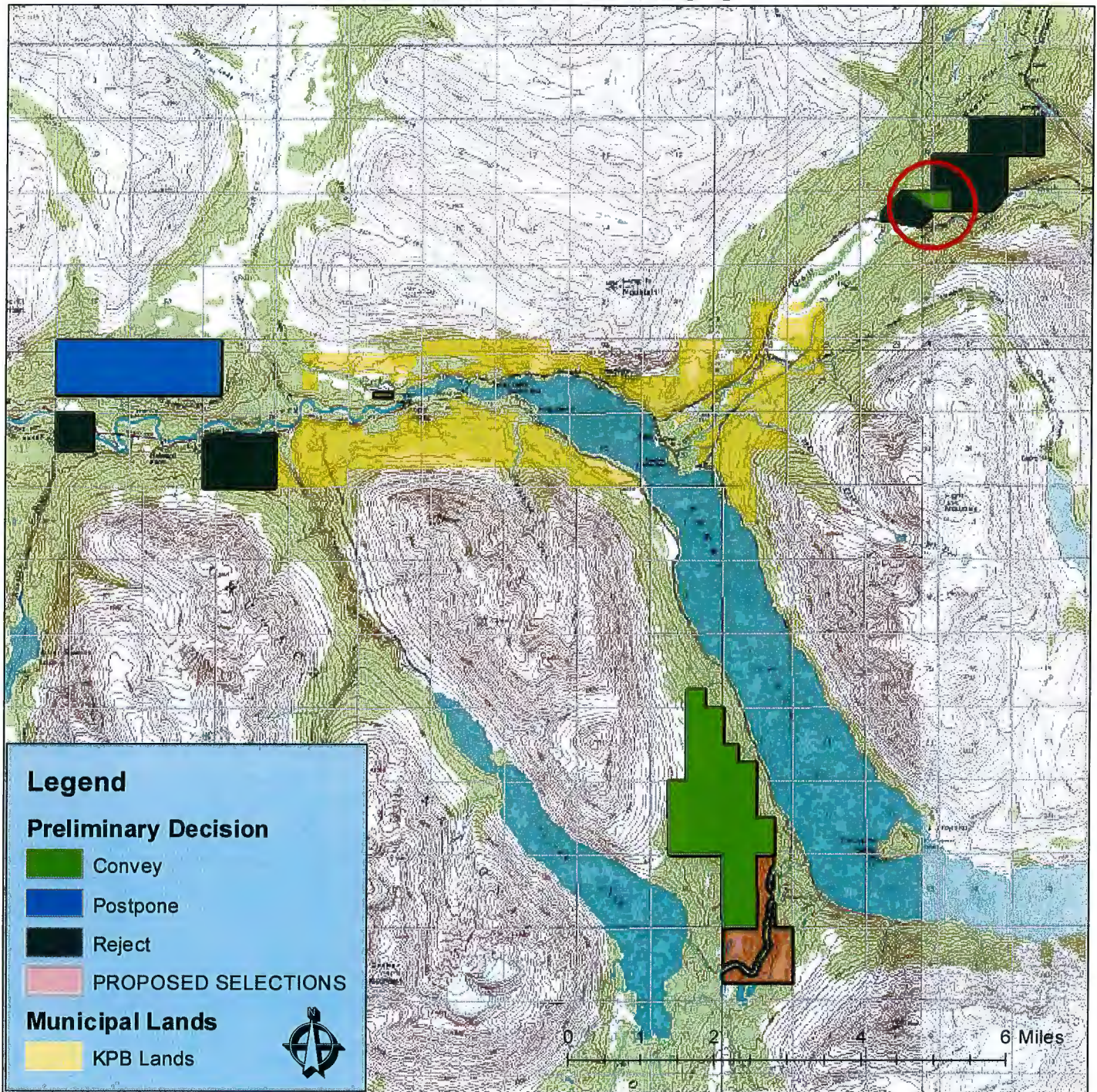
Proposed land selections are not being processed at this time.

Prepared By: KPB Land Mgmt Div.  
 August 30, 2013  
 Updated December 10, 2013

# KPB MUNICIPAL ENTITLEMENT LAND GRANT OVERVIEW

## KAP Region 4: Cooper Landing Area

### PRELIMINARY DECISION



KPB Resolution 2013-054 identified 27,000 acres of existing and proposed land selections for fulfillment of KPB's Municipal Entitlement land grant, known as "A Lands of Local Importance Vision" (ALLIV).

Other existing selections not identified through the ALLIV process are NOT REQUESTED for Municipal Entitlement Conveyance but are included in the State of Alaska's decision process.

Proposed land selections are not being processed at this time.

Prepared By: KPB Land Mgmt Div.  
 August 30, 2013  
 Updated May 9, 2014



## **KENAI PENINSULA BOROUGH**

Finance Department

144 North Binkley Street • Soldotna, Alaska 99669-8250

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

MIKE NAVARRE  
BOROUGH MAYOR

**To:** Hal Smalley, Assembly President  
Members of the Kenai Peninsula Borough Assembly

**Thru:** Mike Navarre, Borough Mayor

**Thru:** Craig C. Chapman, Finance Director *C Chapman*

**From:** Brandi Harbaugh, Controller *BH*

**From:** Lauri Lingafelt, Auditor/Accountant

**Date:** May 6, 2014

**Subject:** Revenue-Expenditure Report – April 2014

Attached is the Revenue-Expenditure Report of the General Fund for the month of March 2014. Please note that 83.33 % of the year has elapsed, 79.26 % of budgeted expenditures have been made, and 92.94 % of budgeted revenues have been collected.

KENAI PENINSULA BOROUGH  
REVENUE REPORT  
FOR THE PERIOD  
APRIL 1, 2104 THROUGH APRIL 30, 2014

ACCOUNT NUMBER	DESCRIPTION	ESTIMATED REVENUE	YTD RECEIPTS	PTD RECEIPTS	VARIANCE	% COLLECTED
31100	TOTAL REAL TAX	\$ 25,663,680	\$ 25,348,821	\$ 92,751	\$ (314,859)	98.77%
31200	TOTAL PERS TAX	1,577,411	1,689,039	4,527	111,628	107.08%
31300	TOTAL OIL TAX	4,453,947	4,456,169	0	2,222	100.05%
31400	MOTOR VEHICLE TAX	700,000	391,701	0	(308,299)	55.96%
31510	PROPERTY TAX PEN & INT	494,843	447,610	25,986	(47,233)	90.45%
31610	SALES TAX	29,938,049	26,175,981	1,557,063	(3,762,068)	87.43%
33110	IN LIEU PROPERTY TAX	2,539,512	2,662,396	0	122,884	104.84%
33117	OTHER FEDERAL REV	717,612	630,419	575,112	(87,193)	87.85%
34110	SCHOOL DEBT RMBRSMT	1,753,936	1,719,978	0	(33,958)	98.06%
34221	ELECTRICITY & PHONE REV	170,000	0	0	(170,000)	0.00%
34222	FISH TAX REV SHARING	750,000	(15,912)	0	(765,912)	-2.12%
34210	REVENUE SHARING	2,150,000	2,133,916	0	(16,084)	99.25%
37350	INTEREST ON INVESTMENTS	1,250,000	656,578	33,975	(593,422)	52.53%
38000	TRANS FROM OTHER FUNDS	-	1,674	0	1,674	0%
39000	OTHER LOCAL REVENUE	300,000	188,941	12,721	(111,059)	62.98%
290	SOLID WASTE REVENUE	600,000	879,604	8,449	279,604	146.60%
TOTAL REVENUES		\$ 73,058,990	\$ 67,366,915	\$ 2,310,584	\$ (5,692,075)	92.21%

KENAI PENINSULA BOROUGH  
EXPENDITURE REPORT  
FOR THE PERIOD  
APRIL 1 through APRIL 30, 2014

DESCRIPTION	REVISED BUDGET	YTD EXPENDED	PTD EXPENDED	AMOUNT ENCUMBERED	AVAILABLE BALANCE	% EXPENDED
ASSEMBLY ADMINISTRATION	\$ 652,142	\$ 361,050	\$ 26,197	\$ 67,908	\$ 223,184	55.36%
ASSEMBLY CLERK	533,413	361,770	41,197	11,649	159,994	67.82%
ASSEMBLY ELECTIONS	127,110	104,698	237	12,935	9,476	82.37%
ASSEMBLY RECORDS MNGMT	262,392	150,940	18,348	10,137	101,315	57.52%
MAYOR ADMINISTRATION	743,165	556,753	64,394	2,776	183,636	74.92%
PURCHASING AND CONTRACTING	383,793	252,778	32,551	1,921	129,094	65.86%
GENERAL SERVICES	643,280	488,751	51,231	2,463	152,066	75.98%
GENERAL SERVICES - MIS	1,894,884	1,354,741	138,128	64,775	475,368	71.49%
GENERAL SERVICES - GIS	553,973	373,625	36,266	17,612	162,736	67.44%
GENERAL SERVICES - PRINT/MAIL	197,751	148,066	14,704	15,725	33,960	74.88%
GENERAL SVC - CUSTODIAL MAINT	109,438	86,139	9,885	2,938	20,361	78.71%
EMERGENCY MANAGEMENT	708,572	486,045	65,513	37,252	185,274	68.60%
LEGAL ADMINISTRATION	985,300	632,106	68,175	6,724	346,471	64.15%
FINANCE - ADMINISTRATION	505,352	400,573	37,259	37	104,741	79.27%
FINANCIAL SERVICES	848,339	641,991	68,077	3,257	203,091	75.68%
FINANCE - PROPERTY TAX AND COL	991,683	680,487	62,852	79,272	231,924	68.62%
FINANCE - SALES TAX	812,788	678,149	47,466	6,280	128,358	83.43%
ASSESSING ADMINISTRATION	1,339,807	967,165	90,847	8,121	364,521	72.19%
ASSESSING APPRAISAL	1,792,157	1,247,510	134,185	64,938	479,709	69.61%
RESOURCE PLANNING ADMIN	1,279,786	873,862	95,732	69,053	336,872	68.28%
THE RIVER CENTER	785,456	591,625	69,235	17,225	176,606	75.32%
MAJOR PROJECTS - ADMIN	298,112	185,180	50,674	2,631	110,301	62.12%
SENIOR CITIZENS GRANT PRGRM	608,969	404,537	12,867	204,432	0	66.43%
SCHOOL DISTRICT OPERATIONS	48,040,623	40,756,930	3,625,000	0	7,283,693	84.84%
SOLID WASTE TRANSFER	7,726,262	5,570,484	395,674	961,147	1,194,631	72.10%
NON-DEPARTMENTAL	2,780,837	1,571,923	97,753	141,524	1,067,391	56.53%
<b>TOTAL EXPENDITURES</b>	<b>\$ 75,605,384</b>	<b>\$ 59,927,877</b>	<b>\$ 5,354,448</b>	<b>\$ 1,812,732</b>	<b>\$ 13,864,775</b>	<b>79.26%</b>



## **KENAI PENINSULA BOROUGH**

Finance Department

144 North Binkley Street • Soldotna, Alaska 99669-8250

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

MIKE NAVARRE  
BOROUGH MAYOR

**To:** Hal Smalley, Assembly President  
Members of the Kenai Peninsula Borough Assembly

**Thru:** Mike Navarre, Borough Mayor

**Thru:** Craig C. Chapman, Finance Director *C Chapman*

**From:** Brandi Harbaugh, Controller *Brandi*

**From:** *(W)* Lauri Lingafelt, Auditor/Accountant

**Date:** May 7, 2014

**Subject:** Budget Revisions – April 2014

Attached is a budget revision listing for April 2014. The attached list contains budget revisions between major expenditure categories (i.e., maintenance & operations and capital outlay). Other minor transfers were processed between object codes within major expenditure categories.

Apr-14

INCREASE

DECREASE

**NORTH PENINSULA RECREATIONAL SERVICE AREA:** Funding necessary to purchase maintenance supplies for tractors.

225.61110.00000.43750 (Vehicle Maintenance)		150.00
225.61110.00000.42360 (Motor Vehicle Repair Supplies)	150.00	

**CENTRAL EMERGENCY SERVICES:** Replace worn summer tires on Squads 3 & 4 (\$2000). Only \$266 left in Motor Vehicle Supplies. Plus additional \$1000 for balance of year. Funds available from cancelled AAFAI conference.

211.51610.00000.43210 (Transportation & Subsistance)		3,000.00
211.51610.00000.42360 (Motor Vehicle Supplies)	3,000.00	

**SEWARD BEAR CREEK FLOOD SERVICE AREA:** Employee reimbursement for microphone and equipment for using Skype for meetings.

259.21212.00000.48710 (Minor Office Equipment)	30.95	
259.21212.00000.42210 (Operating Supplies)		30.95

**ANCHOR POINT FIRE & EMS AREA:** Revising to purchase needed equipment and supplies in this budget year, so that money can be saved by reducing the next fiscal year budget. Purchasing summer tire/wheels, fixing building problems, purchasing minor equipment for boosting ISO rating, supplementing grant money, finishing vehicle project (command).

209.51410.00000.40110 (Regular Wages)		25,000.00
209.51410.00000.42210 (Operating Supplies)	1,500.00	
209.51410.00000.42220 (Fire/Medical/Rescue Supplies)	1,500.00	
209.51410.00000.42360 (Motor Vehical Repair Supplies)	10,000.00	
209.51410.00000.43780 (Building Grounds/Maintenance)	4,000.00	
209.51410.00000.48740 (Minor Machines/Equipment)	3,000.00	
209.51410.00000.48760 (Minor Fire Equipment)	5,000.00	

**KACHEMAK EMERGENCY SERVICES:** To reallocate overestimated funds to cover T & S due to unexpected FY14 Traning opportunities.

212.51810.00000.42220 (Medical Supplies)		3,500.00
212.51810.00000.43210 (Transportation & Subsistance)	3,500.00	

**NORTH PENINSULA RECREATION SERVICE AREA:** Funding necessary to purchase repair/maintenance supplies for remaining FY14.

225.61110.00000.43780 (Building/Grounds Maintenance)		5,000.00
225.61110.00000.42310 (Repair/Maintenance Supplies)	5,000.00	



**SOLID WASTE - HOMER TF:** Transfer funds for purchase of heavy equipment batteries for the track loader, being used to fix leachate seep.

290.32310.00000.43011 (Contract Services)		235.38
290.32310.00000.42360 (Vehicle Repair/Maintenance)	235.38	

**NORTH PENINSULA RECREATION SERVICE AREA:** Funding required for purchase of copier stand.

225.61110.00000.43780 (Building/Grounds Maintenance)		125.00
225.61110.00000.48720 (Minor Office Furniture)	125.00	

**LEGAL:** For new data-scrubbing software not originally budgeted for. Old software renewal was discontinued as a stand-alone product.

100.11310.00000.40120 (Temporary Wages)		400.00
100.11310.00000.42120 (Computer Software)	400.00	

Introduced by: Mayor  
Date: 05/06/14  
Shortened Hearing: 05/20/14  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2013-19-39**

**AN ORDINANCE ACCEPTING AND APPROPRIATING \$5,799.19 FROM THE U.S. FISH AND WILDLIFE SERVICE, COASTAL IMPACT ASSISTANCE PROGRAM AND REDIRECTING \$18,200.81 DEOBLIGATED FUNDS FROM THE COASTAL IMPACT ASSISTANCE PROGRAM TO THE ADOPT-A-STREAM PROGRAM**

- 1 **WHEREAS**, the Coastal Impact Assistance Program (CIAP) was established under Section 384 of  
2 the Energy Act of 2005 and authorizes the Secretary of the Interior to disburse funds  
3 to Outer Continental Shelf oil and gas producing states; and
- 4 **WHEREAS**, the borough received 15 CIAP project awards as adopted by KPB Resolution 2009-  
5 018, approved in the Alaska Department of Natural Resources State Plan and  
6 awarded through CIAP; and
- 7 **WHEREAS**, CIAP funds in the amount of \$5,799.19 are available to be awarded to the borough's  
8 Adopt-A-Stream Program; and
- 9 **WHEREAS**, deobligated CIAP funds in the amount \$18,200.81 are available to be redirected to  
10 the Adopt-A-Stream Program; and
- 11 **WHEREAS**, the borough applied for and received an amendment from U.S. Fish & Wildlife  
12 Service to increase the Adopt-A-Stream Program from \$209,272 to \$233,272; and
- 13 **WHEREAS**, the approved amendment in the amount of \$24,000 shall be subawarded to Kenai  
14 Watershed Forum, which is the approved subrecipient that may conduct the Adopt-  
15 A-Stream Education Program within the Kenai Peninsula borough School District;

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

3 **SECTION 1.** That U.S. Fish and Wildlife Service, Coastal Impact Assistance Program funds are  
4 appropriated and redirected to the Adopt-A-Stream Education Project as follows:

- 5 • Grant funds in the amount of \$5,799.19 are appropriated to account  
6 271.21135.20121.49999; and
- 7 • Funds in the amount of \$18,200.81 are redirected from the Crooked Creek State  
8 Recreation Area Bank Restoration Project account number 271.21135.15161.49999  
9 to account number 271.21135.20121.49999.

10 **SECTION 2.** That the mayor is authorized to execute a grant agreement in which grant funds  
11 totaling \$24,000 are subawarded to Kenai Watershed Forum, for the Adopt-A-Stream  
12 Education Program within the Kenai Peninsula Borough School District.

13 **SECTION 3.** That the mayor is authorized to execute any other documents deemed necessary to  
14 accept and expend the grant, and to fulfill the intents and purposes of this ordinance.

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

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \*  
DAY OF \* 2014.**

\_\_\_\_\_  
Hal Smalley, Assembly President

ATTEST:

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

Yes:

No:

Absent:



## KENAI PENINSULA BOROUGH

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

MIKE NAVARRE  
BOROUGH MAYOR

### MEMORANDUM

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

**THRU:** Mike Navarre, Mayor *MN*  
Craig Chapman, Finance Director *C Chapman*  
Brenda Ahlberg, Community & Fiscal Projects Manager *B Ahlberg*  
Gary Williams, River Center Manager *G Williams*

**FROM:** Tom Dearlove, Resource Planner *TD*

**DATE:** April 24, 2014

**SUBJECT:** Ordinance 2013-19-39, accepting and appropriating \$5,799.19 from the U.S. Fish & Wildlife Service, Coastal Impact Assistance Program and redirecting \$18,200.81 of deobligated funds from the Coastal Impact Assistance Program to the Adopt-A-Stream Program

The borough was awarded 15 Coastal Impact Assistance Program (CIAP) project awards as adopted by resolution 2009-018, approved in the Alaska Department of Natural Resources State Plan and awarded through U.S. Fish & Wildlife Service, Coastal Impact Assistance Program. Resolution 2014-022 recognized the deobligated funds from two CIAP projects that have been completed. To date there is \$21,153.28 available in reserve for the borough to redirect to open project awards.

The borough received notification that \$5,799.19 in new CIAP funds were available to be awarded to an existing CIAP project. The borough applied for and received an amendment to award \$5,799.19 and redirect \$18,200.81 from the reserved funds to increase the Adopt-A-Stream Program. The total amount of \$24,000 is intended to increase the Kenai Watershed Forum subrecipient agreement from \$179,290 to \$203,290 to supplement the Adopt-A-Stream Education Program. Shortened hearing is requested to ensure that subrecipient grant funds are expended before FY14 year end.

The following chart illustrates grant actions:

Project	Ordinance	Award	Deobligated Available	Redirected Amount	Remaining Balance
Crooked Creek State Recreation Area Bank Restoration (CLOSED)	O10-19-15	\$98,271.68	\$21,153.28	\$18,200.81	\$2,952.47
Adopt-A-Stream Program	O10-19-13	\$209,272.00			
Adopt-A-Stream Program	O13-19-	\$5,799.19		\$18,200.81	
Adopt-A-Stream Revised Total		\$233,272.00			

NOTE: Once project grants have been closed the borough intends to apply for future amendments from the CIAP to redirect any remaining funds from the reserve balance to previously approved projects. Amendments to redirect open project awards will be brought to the Assembly for approval.

Attachments: Award letter

FINANCE DEPARTMENT ACCOUNT / FUNDS VERIFIED	
Acct. No.	<u>271.21135.20121.49999</u>
Amount	<u>N/A</u>
By:	<u>pc</u> Date: <u>4/24/14</u>



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Washington, D.C. 20240



In Reply Refer To:  
WSFR/CIAP/ F12AF70248

MAR 25 2014

Mr. Mike Navarre  
Mayor  
Kenai Peninsula Borough  
144 North Brinkley Street  
Soldotna, Alaska 99669

Dear Mr. Navarre:

Grant number F12AF70248, amendment 2, "Adopt-A-Stream Program" is approved for additional funding in the amount of \$24,000.00 as well as an extension of the performance period under the Coastal Impact Assistance Program (CFDA # 15.668). The previously approved funding was \$209,272.00. The currently approved funding is \$233,272.00. The effective date for this amendment is March 14, 2014. The revised grant agreement period is August 30, 2010 through November 30, 2016.

An SF-424 amendment will be required to add or delete a project; increase or decrease the Federal funds; modify the agreement period and/or change key personnel. A letter or email to the Coastal Impact Assistance Program (CIAP) Branch Chief may be used for a change in key personnel. Please submit all correspondence, amendments, and performance reports to FW9\_WSFR\_CIAP@fws.gov .

This grant award is subject to the following terms and conditions:

a) Reporting requirements:

1) Financial and performance reports are required under this award, as follows:

Report	Report Period	Report Due Date
Annual interim financial & performance reports	08/30/2010 – 09/30/2011	Received
	10/01/2011 – 09/30/2012	Received
	10/01/2012 – 09/30/2013	Received
	10/01/2013 – 09/30/2014	12/29/2014
	10/01/2014 – 09/30/2015	12/29/2015
Final financial & performance reports	08/30/2010 – 11/30/2016	02/28/2017

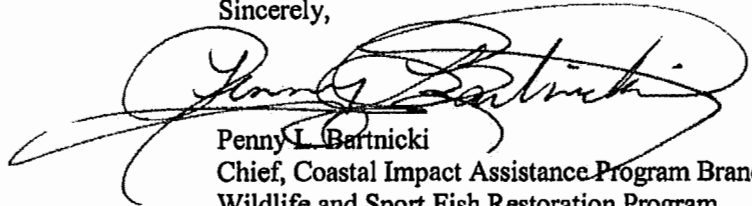
- 2) Requests for an extension of the report due date up to an additional 90 days must be submitted to, and received by, this office, no later than **1 day** before the report due date. If these reports are not received by the original or extended due date, the CIAP may: 1) withhold cash payments; 2) suspend or terminate the award, partially or entirely; 3) withhold further awards for the grant program; and 4) pursue other legal remedies. The sanctions that the CIAP imposes will remain in effect until the required reports are received [43 CFR 12.80(b)(1); 43 CFR 12.81(b)(3); U.S. Fish and Wildlife Service (USFWS) Manual Chapters 516 FW 1 & 516 FW 2].

- 3) A performance report must contain the following:
  - A. A comparison of actual accomplishments with the goals and objectives established for the reporting period;
  - B. If the goals and objectives were not met, reasons why; and
  - C. Other important information including, when appropriate, analysis and explanation of cost overruns or high unit costs compared to the benefit received to reach an objective
- b) Grantees must comply with the Federal Funding Accountability and Transparency Act (FFATA). Additional information may be found at <https://www.fsrs.gov/>.
- c) All Grant conditions identified in previous award letter(s) remain in effect.

Acceptance of a Federal financial award carries with it the responsibility to be aware of and comply with the terms and conditions of the award, including those assurances submitted annually by your agency per [http://www.doi.gov/pam/programs/financial\\_assistance/TermsandConditions.cfm](http://www.doi.gov/pam/programs/financial_assistance/TermsandConditions.cfm). Acceptance is defined as the start of work, drawing down funds, or accepting the award via electronic means. Awards are based on the application and supporting documents as submitted to and approved by the CIAP.

Please contact Stephen Jones, Grant Specialist, at 703-358-2097, or me at 703-358-1783, with any questions regarding the terms of this award, specified conditions, and/or reporting requirements. Please contact John Gissel, Alaska State Liaison, at 907-786-3878, with any questions regarding technical guidance during project development / implementation and project monitoring.

Sincerely,



Penny L. Bartnicki  
Chief, Coastal Impact Assistance Program Branch  
Wildlife and Sport Fish Restoration Program

cc: Tom Dearlove, KP  
John Gissel, CIAP



**From:** Dearlove, Tom  
**To:** "Gissel, John"  
**Cc:** Ahlberg, Brenda  
**Subject:** RE: Additional Funds for Adopt-A-Stream (F12AF70248)  
**Date:** Wednesday, April 16, 2014 4:21:38 PM

---

Dear Bill:

I talked to Brenda and this will clarify the question on funds that were not previously obligated to a CIAP project. We can now present this increase in funding to the KPB Assembly for their approval.

Thanks for your assistance.

Tom

**From:** Gissel, John [mailto:john\_gissel@fws.gov]  
**Sent:** Tuesday, April 15, 2014 9:11 AM  
**To:** Dearlove, Tom  
**Subject:** Fwd: Additional Funds for Adopt-A-Stream (F12AF70248)

Tom - just to clarify the funding I would like to state that the \$5,799.19 funds that were not previously obligated are now included as part of the \$24,000 increase to the grant F12AF70248. The other portion of funds making up the \$24,000 is the re-directed funds from closed projects.

----- Forwarded message -----

**From:** Jones, Stephen <stephen\_jones@fws.gov>  
**Date:** Mon, Mar 31, 2014 at 10:52 AM  
**Subject:** Re: Additional Funds for Adopt-A-Stream (F12AF70248)  
**To:** "Dearlove, Tom" <tdearlove@borough.kenai.ak.us>  
**Cc:** "Ahlberg, Brenda" <bahlberg@borough.kenai.ak.us>, John Gissel <john\_gissel@fws.gov>

Hello All:

The award letter confirms that the funding for the \$24,000 increase was available for use.

Stephen

On Mon, Mar 31, 2014 at 2:45 PM, Dearlove, Tom <tdearlove@borough.kenai.ak.us> wrote:  
 Stephen:

This was part of the original request for the \$24,000, and have attached my request below dated March 14, 2014.

On Fri, Mar 14, 2014 at 1:05 PM, Dearlove, Tom <tdearlove@borough.kenai.ak.us> wrote:  
 Dear CIAP Administrators:

Adopt-a-Stream Program (AAS) USFW #F12AF70248 award amount \$209,272.00

The Borough is requesting a time extension for the AAS program extending to November 30, 2016 and re-obligation of funds. This will allow for additional time to accomplish the goals below.

There are two components to the AAS program: (1) Public Awareness outputs were approved as contractual costs in the amount of \$29,982.00 and (2) Education component was approved as a subaward to Kenai Watershed Forum in the amount of \$179,290.00. The subrecipient is the only nonprofit organization approved by the Kenai Peninsula School District to conduct the Adopt-a-Stream Education Program. This amendment request is to increase the existing subrecipient agreement from \$179,290.00 to \$203,290.00 (+ \$24,000). The subrecipient will use the funds for personnel/fringe, mileage, supplies and admin. as regulated by 43 CFR 12 and 2 CFR 230. In an email from Stephanie Rickabaugh (Former CIAP Administrator) in December of 2012, she stated the Kenai Peninsula Borough has \$5,779.19 remaining in the CIAP program that had not been designated to a specific project. I would appreciate guidance for the process in moving these unencumbered funds to the Adopt-A-Stream project.

Project	Award	Balance
---------	-------	---------

Beluga Slough (CLOSED) F12AF70145	\$65,834.00	\$482.89
Crooked Creek Bank Restoration (CLOSED) F12AF70095	\$92,271.68	\$53,670.39
Unencumbered Funds	unencumbered	\$5,779.19
Adopt-A-Stream (ACTIVE) F12AF70248	\$209,272.00	\$233,272.00

In closing, the USFW #F12AF70248 revised total award with the approved increase will be \$233,272.00.

Sincerely,  
Tom

**From:** Jones, Stephen [mailto:stephen\_jones@fws.gov]  
**Sent:** Monday, March 31, 2014 10:41 AM  
**To:** Dearlove, Tom  
**Cc:** Ahlberg, Brenda; John Gissel  
**Subject:** Re: Additional Funds for Adopt-A-Stream (F12AF70248)

Is this in addition to the \$24,000 that was previously added?

On Mon, Mar 31, 2014 at 2:35 PM, Dearlove, Tom <[tdearlove@borough.kenai.ak.us](mailto:tdearlove@borough.kenai.ak.us)> wrote:  
Dear Stephen:

We will be presenting the additional funds shown below to the Kenai Peninsula Borough Assembly for approval to be added to the Adopt-A-Stream project. Since these funds were not originally accepted by the Assembly they will need to be approved by resolution. Brenda Ahlberg and I need an email confirming that these funds were in the original award and had not been designated to a specific project.

Grant number F12AF70248, amendment 2, "Adopt-A-Stream Program" is approved for additional funding in the amount of \$24,000.00 as well as an extension of the performance period under the Coastal Impact Assistance Program (CFDA # 15.668). The previously approved funding was \$209,272.00. The currently approved funding is \$233,272.00. The additional funding is verified as follows:

\$18,200.81	Redirected funds from closed projects
\$5,799.19	Unencumbered funds that have not been previously awarded to KPB projects

If you need more information, please contact my office.

Sincerely,

Tom Dearlove  
Coastal Zone Resource Planner  
Kenai Peninsula Borough - River Center  
514 Funny River Road Soldotna, AK 99669  
Phone: 907-714-2216  
[tdearlove@borough.kenai.ak.us](mailto:tdearlove@borough.kenai.ak.us)

--  
Stephen Jones - Contractor  
Fish & Wildlife Grant Specialist  
Coastal Impact Assistance Program  
U.S. Fish & Wildlife Service, Department of the Interior  
4501 N. Fairfax Drive  
Arlington, VA 22203  
(703)358-2097 direct  
[Stephen\\_Jones@fws.gov](mailto:Stephen_Jones@fws.gov)

--

Stephen Jones - Contractor  
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4501 N. Fairfax Drive  
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[Stephen\\_Jones@fws.gov](mailto:Stephen_Jones@fws.gov)

--

Bill Gissel  
Alaska CIAP Liaison  
US Fish and Wildlife Service  
1011 E. Tudor Road, MS 261  
Anchorage, AK 99503  
(907)786-3878

Introduced by: Mayor  
Date: 05/20/14  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
RESOLUTION 2014-032**

**A RESOLUTION DETERMINING THE AMOUNT TO BE PROVIDED FROM LOCAL  
SOURCES FOR SCHOOL PURPOSES DURING FISCAL YEAR 2015**

1 **WHEREAS**, in accordance with Alaska Statute 14.14.060(c) and KPB 5.04.021 the school board  
2 shall submit the school budget for approval of the total amount; and

3 **WHEREAS**, the Assembly must determine the total amount of money to be made available from  
4 local sources for school purposes and must furnish to the school board a statement of  
5 the sum to be made available within 30 days of receipt of the budget; and

6 **WHEREAS**, the borough is proposing that school funding from local sources for FY2015 be  
7 \$43,500,000;

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

10 **SECTION 1.** That the Assembly approves a total education budget for the Fiscal Year July 1, 2014  
11 to June 30, 2015 as follows:

12	A. School District Operations	163,837,368
13	B. Borough Maintenance	7,550,268
14	C. School District Utilities	85,600
15	D. Insurance	1,860,222
16	E. Audit	60,400
17	F. Custodial Serviced	<u>112,856</u>
18	TOTAL EDUCATION BUDGET	<u>\$173,506,714</u>

1           **Note:** Item (A) is budgeted and controlled by the Board of Education. Items (B)  
2           through (F) are budgeted and controlled by the Assembly as in-kind services

3   **SECTION 2.** That \$43,500,000 shall be made available from local sources to fund school  
4           district operations for Fiscal Year 2015 as follows:

5	A. Local Effort	33,830,654
6	B. Borough Maintenance	7,550,268
7	C. School District Utilities	85,600
8	D. Insurance	1,860,222
9	E. Audit	60,400
10	F. Custodial Services	<u>112,856</u>
11	TOTAL LOCAL FUNDING PER AS 14.17.410	<u>\$43,500,000</u>

12  
13   **SECTION 3.** That an ordinance appropriating funds specified in items (A) through (F) will be  
14           enacted prior to June 30, 2014.

15   **SECTION 4.** That a copy of this resolution will be sent to the President of the Board of Education  
16           upon its adoption.

17   **SECTION 5.** That this resolution takes effect immediately upon its adoption.

18   **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 20TH**  
19   **DAY OF MAY 2014.**

\_\_\_\_\_  
Hal Smalley, Assembly President

ATTEST:

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

Yes:

No:

Absent:



## KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520

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

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

www.borough.kenai.ak.us

MIKE NAVARRE  
BOROUGH MAYOR

### MEMORANDUM

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

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

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

**DATE:** May 8, 2014

**SUBJECT:** Resolution 2014-~~032~~, determining the amount to be provided from local sources for school purposes during FY2015 and approving the Kenai Peninsula Borough School District FY 2015 budget

The attached resolution approves the total Kenai Peninsula Borough School District FY2015 budget and confirms the amount from local sources that will be provided to fund the FY 2015 school budget. The amount provided from local sources is \$43,500,000.

The assembly is required to determine an amount of funding to be made available from local sources within 30 days of receipt of the school district budget. The school district budget was presented to the assembly on April 24, 2014. The assembly may take action on the attached resolution any time within the 30-day time period. If the assembly takes no action the amount requested in the school district budget is automatically deemed approved per AS 14.14.060(c).

The FY2015 School District proposed budget is \$173,506.714.

FINANCE DEPARTMENT ACCOUNT / FUNDS VERIFIED	
Acct. No.	<u>100.94910.00000.50241</u>
Amount	<u>\$43,500,000</u>
By:	<u>pc</u> Date: <u>5/7/14</u>

Pending Assembly approval of FY15 budget.

Introduced by:  
Date:  
Action:  
Vote:

Mayor  
05/20/14

**KENAI PENINSULA BOROUGH  
RESOLUTION 2014-033**

**A RESOLUTION CLASSIFYING FOUR PARCELS OF BOROUGH LAND IN THE  
STERLING AND CLAM GULCH AREAS**

- 1 **WHEREAS,** the Kenai Peninsula Borough has received title to subject land; and
- 2 **WHEREAS,** pursuant to KPB Chapter 17.10.080 classification provides direction for the  
3 management of borough land; and
- 4 **WHEREAS,** public notice was published and notification was sent to land owners and/or  
5 leaseholders of record within a one-half mile radius of the land proposed for  
6 classification, including applicable departments, agencies, and interested parties;  
7 and
- 8 **WHEREAS,** Parcel No. 06306405 was retained by Ordinance 89-27 (Substitute) for a future  
9 transfer site for a solid waste container and since that time the borough  
10 established another waste transfer facility in the Sterling area; and
- 11 **WHEREAS,** Parcel No. 06306406 was retained by Ordinance 2003-34 as it was less than  
12 40,000 square foot and was considered a sub-standard lot; and
- 13 **WHEREAS,** any rights by the previous last owner of record afforded through tax foreclosure  
14 proceedings for either parcel have since been extinguished; and
- 15 **WHEREAS,** the Kenai Peninsula Borough Planning Commission at its regular scheduled  
16 meeting of April 28, 2014 recommended adoption by unanimous consent;



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

3 **SECTION 1.** Based on the findings of fact, analysis, and conclusions contained in the staff  
 4 report of April 28, 2014 the following classifications for borough lands described  
 5 below are compatible with the surrounding land use and shall be classified as  
 6 follows:

<b>Assessor's Parcel No.</b>	<b>General Location</b>	<b>Legal Description</b>	<b>Acres</b>	<b>Classification</b>
063-064-05	Sterling	Lot 2, Block 1, Sumpter Subdivision as shown on Plat No. 525, Kenai Recording District. Except that portion per Quitclaim Deed recorded in Book 380, Page 962, Kenai Recording District.	0.50±	Commercial
063-064-06	Sterling	Lot 1, Block 1, Sumpter Subdivision as shown on Plat No. 525, Kenai Recording District. Except that portion per Warranty Deed recorded in Book 374, Page 88, Kenai Recording District.	0.48±	Commercial
139-050-49	Clam Gulch	Lot 5B, Kenai Peninsula Borough Subdivision of Government Lot 5 as shown on Plat No. 83-62, Homer Recording District.	2.16±	Rural
139-100-01	Clam Gulch	Government Lot 5, T1N, R13W, Section 27, Seward Meridian, Alaska.	6.72± Gross 3.70± Net	Rural

7 **SECTION 2.** This resolution shall take effect immediately upon adoption.

8 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS**  
 9 **20TH DAY OF MAY, 2014.**

\_\_\_\_\_  
 Hal Smalley, Assembly President

ATTEST:

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

Yes:

No:

Absent:



## **KENAI PENINSULA BOROUGH**

Planning Department • Land Management Division  
144 North Binkley Street • Soldotna, Alaska 99669-7520  
**PHONE:** (907) 714-2200 • **FAX:** (907) 714-2378  
Toll-free within the Borough: 1-800-478-4441, Ext. 2200  
[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

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

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

**THRU:** Mike Navarre, Mayor *MN*  
Max Best, Planning Director *MB*

**FROM:** Marcus Mueller, Land Management Officer *MM*

**DATE:** May 8, 2014

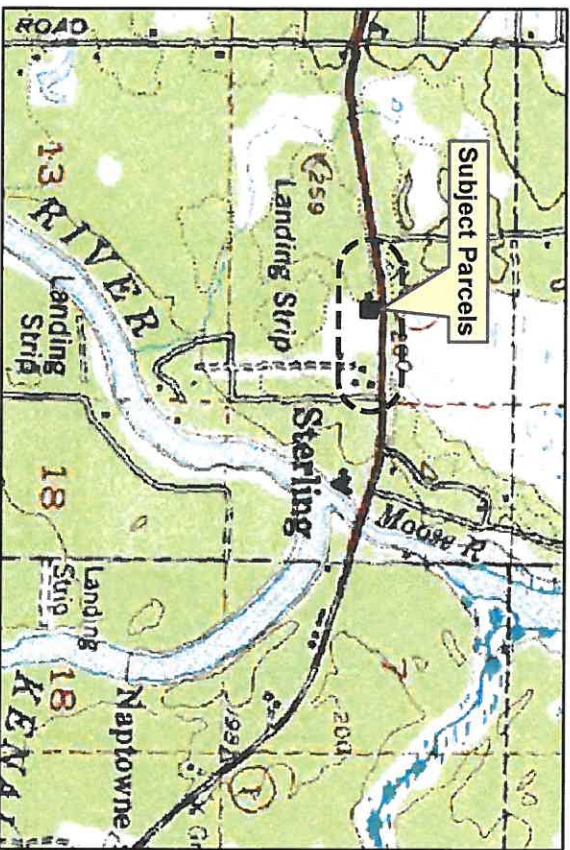
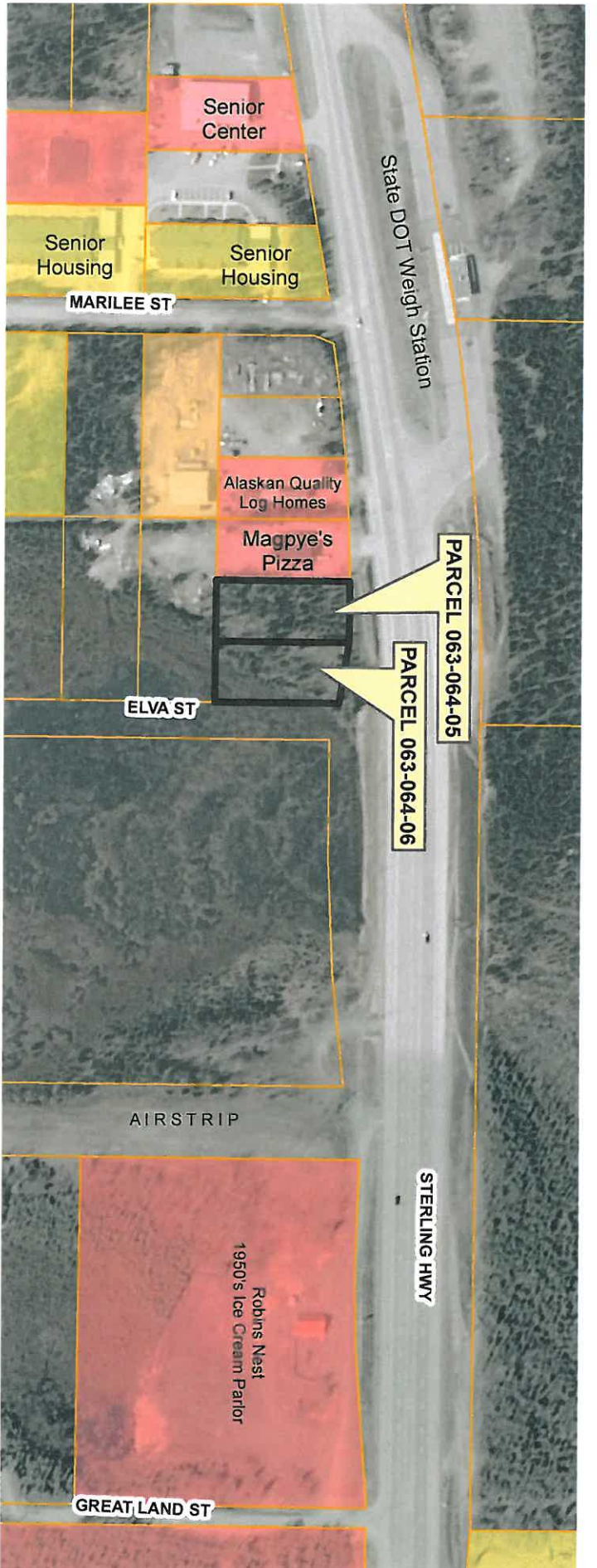
**SUBJECT:** Resolution 2014-*033* Classifying Certain Parcels of Borough Owned Land  
in the Sterling and Clam Gulch areas

KPB Land Management has identified two parcels in the Sterling area that are surplus to borough needs. Classifying these parcels as Commercial, combining them into one, and offering them in a future land sale would foster productive use of this land.

KPB Land Management also identified two parcels in the Clam Gulch area that are surplus to borough needs. These parcels have limited potential for conventional development. That portion along the shoreline would have some practical but limited use for recreational purposes or shore fishery set net users. Classifying these parcels as Rural and offering them in a future land sale would foster more productive use of this land.

Pursuant to KPB Code of Ordinances, Chapter 17.10.080 classification provides guidance for the management of borough land. Public notice was published and notification was sent to land owners and/or leaseholders of record within a one-half mile radius of the parcels proposed to be classified, including applicable departments, agencies, and interested parties. Notice consists of a cover letter, map, and list of land classification definitions.

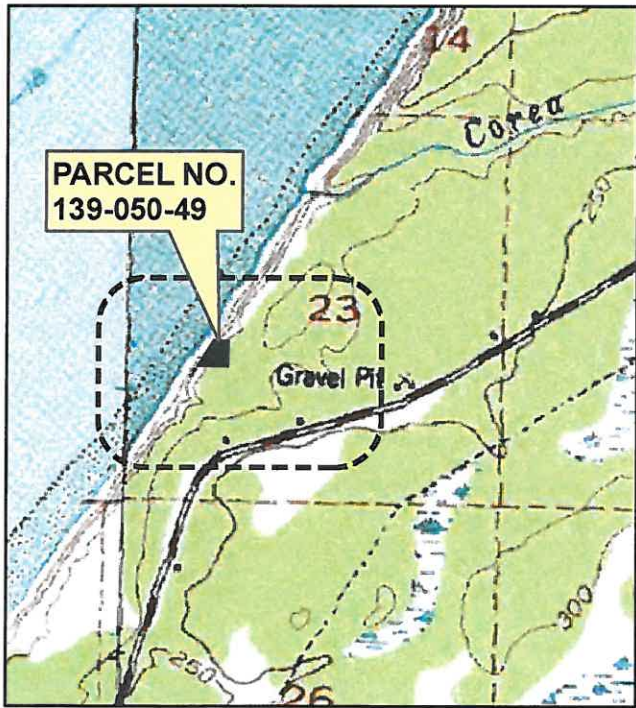
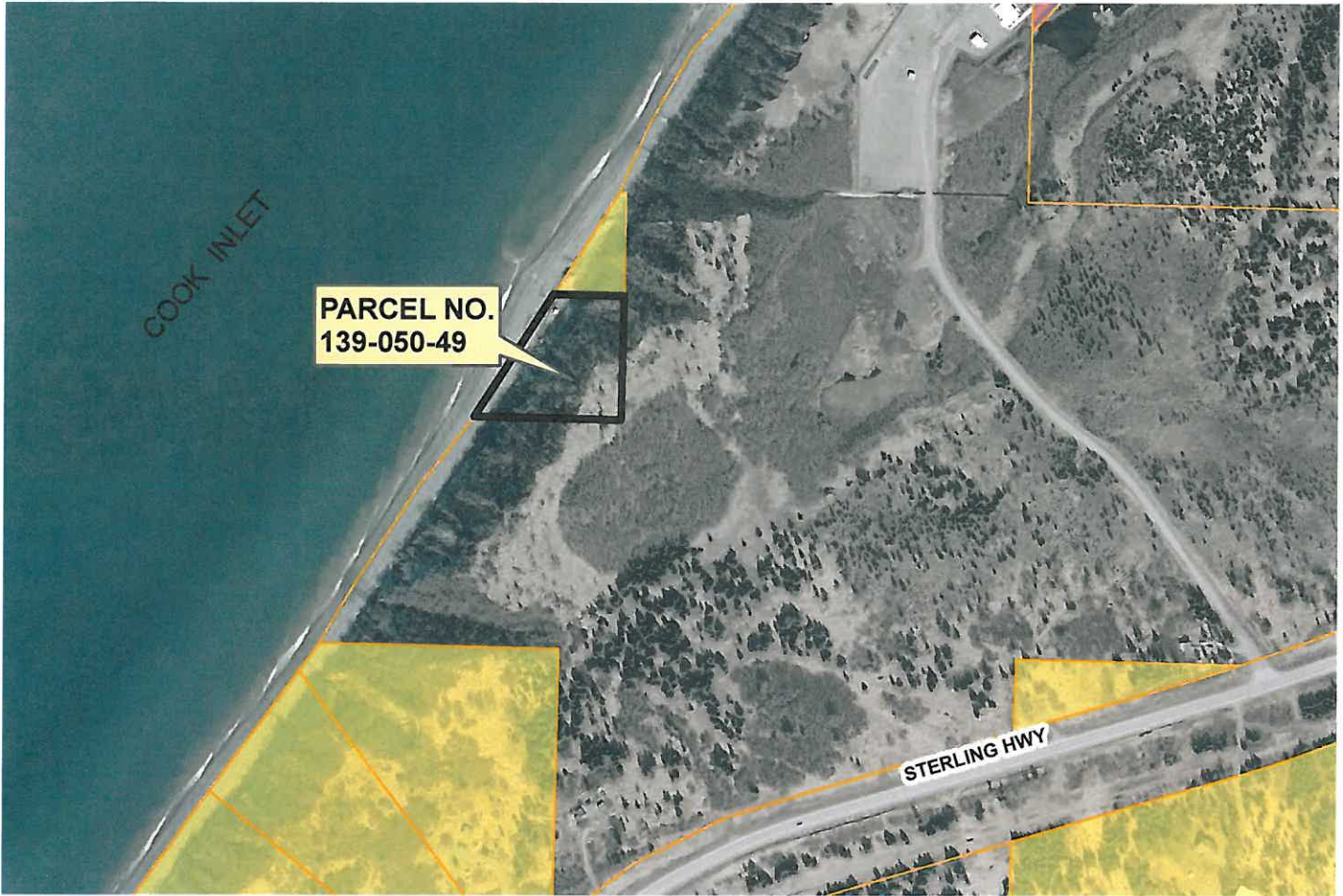
The attached resolution would classify two parcels of borough owned land as Commercial, and two parcels as Rural consistent with the findings contained in the staff report. Your consideration is respectfully requested.



- Land Use Legend**
- VACANT
  - RESIDENTIAL
  - COMMERCIAL
  - INSTITUTIONAL
  - INDUSTRIAL
  - TIMBER/FARM
  - ACCESSORY BUILDING



**Parcel No. 063-064-05 & 063-064-06**

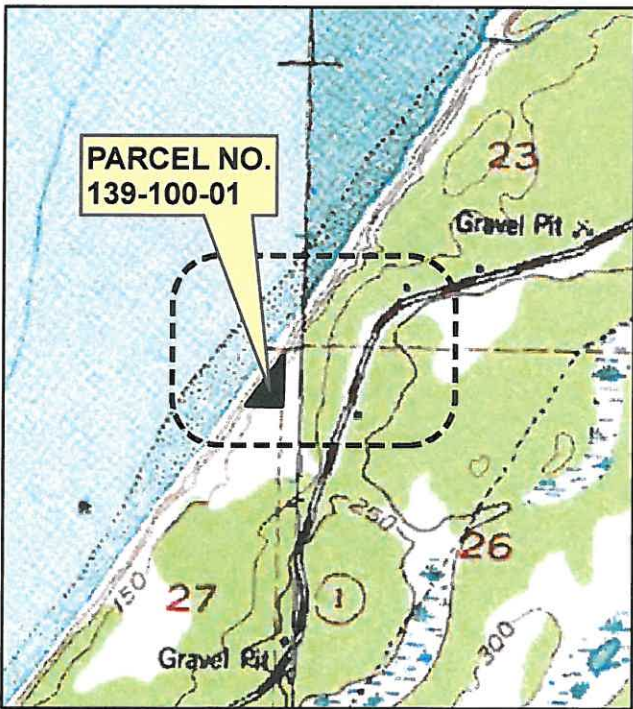
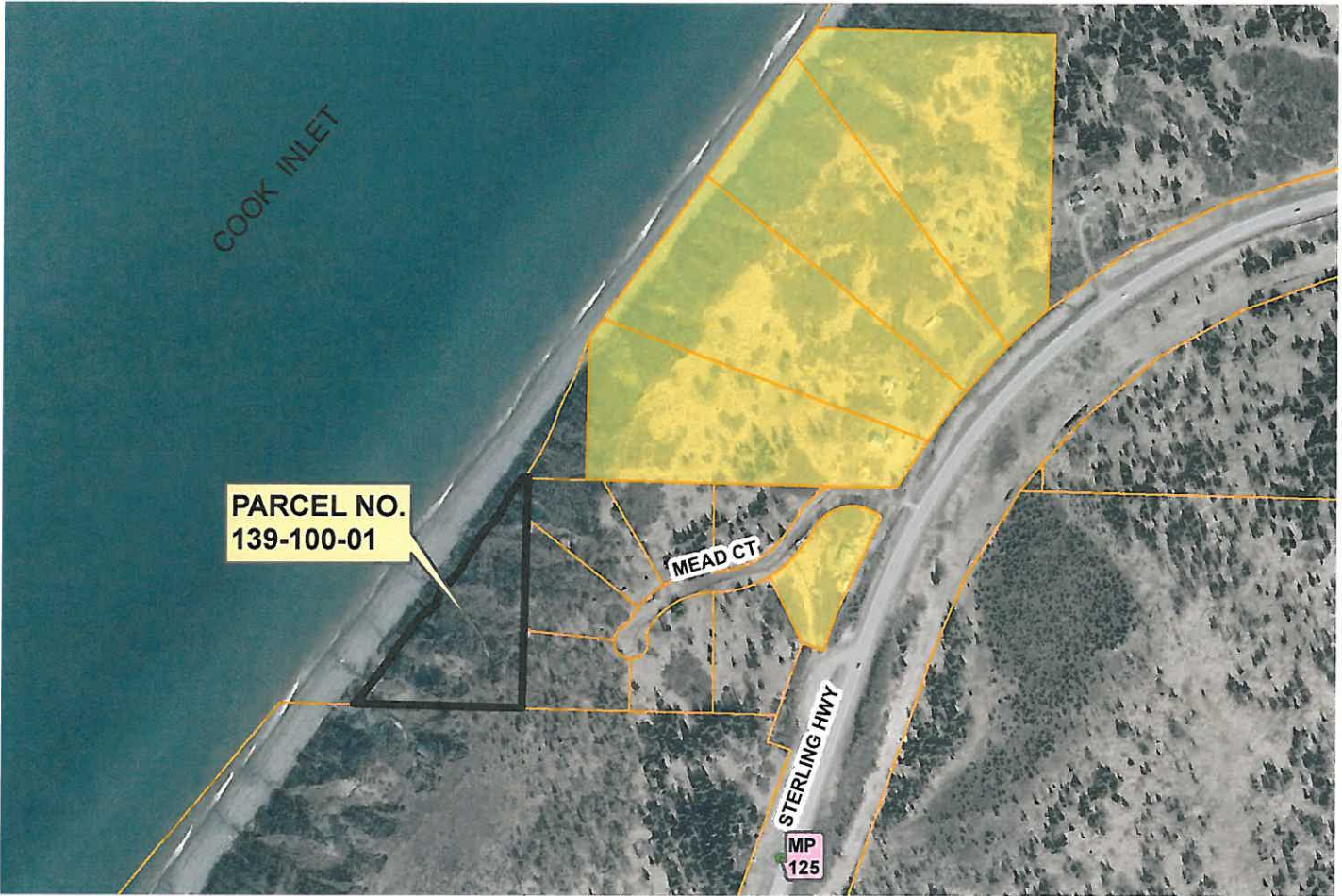


**Land Use Legend**

- VACANT
- RESIDENTIAL
- COMMERCIAL
- INSTITUTIONAL
- INDUSTRIAL
- TIMBER/FARM
- ACCESSORY BUILDING



**Parcel No. 139-050-49**



**Land Use Legend**

- VACANT
- RESIDENTIAL
- COMMERCIAL
- INSTITUTIONAL
- INDUSTRIAL
- TIMBER/FARM
- ACCESSORY BUILDING



**Parcel No. 139-100-01**

KENAI PENINSULA BOROUGH PLANNING COMMISSION  
ASSEMBLY CHAMBERS  
GEORGE A. NAVARRE ADMINISTRATION BUILDING  
144 NORTH BINKLEY STREET  
SOLDOTNA, ALASKA 99669

April 28, 2014 - 7:30 P.M.

UNAPPROVED MINUTES

AGENDA ITEM A. CALL TO ORDER

Vice Chairman Martin called the meeting to order at 7:30 p.m.

AGENDA ITEM B. ROLL CALL

*Commissioners Present*

Paulette Bokenko-Carluccio, City of Seldovia  
JoAnne Collins, Anchor Point / Ninilchik  
Cindy Ecklund, City of Seward  
Mari Anne Gross, Southwest Borough  
James Isham, Sterling  
Harry Lockwood, Ridgeway  
Blair Martin, Kalifornsky Beach  
Robert Ruffner, Clam Gulch / Kasilof  
Jason Tauriainen, Northwest Borough  
Paul Whitney, City of Soldotna

With 10 members of a 13 member Commission in attendance, a quorum was present.

*Staff Present*

Max Best, Planning Director  
Dan Conetta, Land Management Agent  
Patti Hartley, Administrative Assistant  
Carrie Henson, E911 Addressing Officer  
Paul Voeller, Platting Officer

*Others Present*

No Members of the Public in Attendance

AGENDA ITEM C. APPROVAL OF REGULAR AGENDA AND ADOPTION OF THE CONSENT AGENDA

AGENDA ITEM C. CONSENT AGENDA

1. Time Extension Request
  - a. Foothills Subdivision Sunset View Estates Addition No. 2  
KPB File 2006-004; Imhoff/Sunset View Estates  
Location: City of Homer

STAFF REPORT

PC Meeting: 4/28/2014

This subdivision was approved on January 9, 2006, valid through January 9, 2007. A time extension was granted, extending the approval to December 11, 2007

- 1) Correct by removing the access drive plat note, arrow, and line indicating the approximate location of the access drive shown on Lot 2 and Tract A2.
- 2) By labeling a portion of the natural gas line has been vacated.

**Staff recommends** this be accomplished by drawing a line through the access drive label and to label a portion of the natural gas line has been vacated.

STAFF RECOMMENDATIONS: Grant permission to surveyor to withdraw the original Mylar to amend as requested, subject to the following:

1. Written approval by the State Recorder.

**NOTE: An appeal of a decision of the Planning Commission may be filed to the board of adjustment, in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the borough clerk within 15 days of date of the notice of the decision; using the proper forms; and, be accompanied by the \$300 filing and records preparation fee.**

END OF STAFF REPORT

**\* Approved by Adoption of the Consent Agenda**

AGENDA ITEM C.      CONSENT AGENDA

- \*6.      Utility Easement Vacations - None

AGENDA ITEM C.      CONSENT AGENDA

- \*7.      Commissioner Excused Absences
- a.      Philip Bryson, City of Kenai
  - b.      Rick Foster, City of Homer
  - c.      Sandra Holsten, East Peninsula

AGENDA ITEM C.      CONSENT AGENDA

- \*8.      Minutes
- a.      April 14, 2014 Plat Committee Minutes
  - b.      April 14, 2014 Planning Commission Minutes

**MOTION:** Commissioner Carluccio moved, seconded by Commissioner Ecklund to approve the consent and regular agenda. Seeing and hearing no discussion or objection, the motion passed by unanimous consent.

AGENDA ITEM D.      PUBLIC COMMENT / PRESENTATIONS / COMMISSIONERS

Vice Chairman Martin asked if there were members of the public who would like to address the commission for items not listed on the agenda. Hearing none, the meeting continued.

AGENDA ITEM E.      UNFINISHED BUSINESS - None

AGENDA ITEM F.      PUBLIC HEARINGS



- Proposed Classification of Certain Borough Land, Pursuant to KPB Code of Ordinances, Chapter 17.10.080.

Staff Report given by Dan Conetta

PC Meeting: April 28, 2014

**Petitioner:** KPB Land Management proposes to classify certain parcels of borough owned land.

**Basis for Classification:** Subject parcels are considered surplus to borough needs and appropriate for future disposal. Classification provides guidance for the management of borough land. KPB land must be classified prior to disposal pursuant to KPB Code of Ordinances, Chapter 17.10.090.

Description of Borough Land Proposed for Classification				
Assessor's Parcel No.	General Location	Legal Description	Acres	Proposed Classification
063-064-05	Sterling	Lot 2, Block 1, Sumpter Subdivision as shown on Plat No. 525, Kenai Recording District. Except that portion per Quitclaim Deed recorded in Book 380, Page 962, Kenai Recording District.	0.50±	Commercial
063-064-06	Sterling	Lot 1, Block 1, Sumpter Subdivision as shown on Plat No. 525, Kenai Recording District. Except that portion per Warranty Deed recorded in Book 374, Page 88, Kenai Recording District.	0.48±	Commercial
139-050-49	Clam Gulch	Lot 5B, Kenai Peninsula Borough Subdivision of Government Lot 5 as shown on Plat No. 83-62, Homer Recording District.	2.16±	Rural
139-100-01	Clam Gulch	Government Lot 5, T1N, R13W, Section 27, Seward Meridian, Alaska.	6.72± Gross 3.70± Net	Rural

**Public Notice:** Public notice was published in the Peninsula Clarion Newspaper, March 16<sup>th</sup> and 30<sup>th</sup>, 2014. Public notice is sent to all land owners and/or leaseholders within a one-half mile radius of the land proposed to be classified, applicable agencies, and interested parties. The notice consists of a cover letter, map, and list of land classification definitions. Written public comments were requested to be returned by 5:00 p.m., April 7, 2014.

Assessor's Parcel No.	General Location	Legal Description	Acres	Proposed Classification
063-064-05	Sterling	Lot 2, Block 1, Sumpter Subdivision as shown on Plat No. 525, Kenai Recording District. Except that portion per Quitclaim Deed recorded in Book 380, Page 962, Kenai Recording District.	0.50±	*Commercial
063-064-06	Sterling	Lot 1, Block 1, Sumpter Subdivision as shown on Plat No. 525, Kenai Recording District. Except that portion per Warranty Deed recorded in Book 374, Page 88, Kenai Recording District.	0.48±	*Commercial

\*Commercial means lands suitable for development or location of service oriented facilities such as stores, offices, medical clinics, restaurants, lodges, vehicular service stations, hotels, and camper parks. Lands must be able to support on-site water and sewer systems or capable of receiving water and/or sewer service, near public utilities and be in proximity to residential areas. [KPB 17.10.250(D)]

**Overview:** Located in the Sterling area adjacent to Magpye's Pizza at approximately Mile Post 82.5 of the Sterling Highway.

**Findings of Fact:**

- Land Status: The Borough has received title by Clerks' Deed through tax foreclosure proceedings.

This parcel is not classified (undesignated).

Parcel No. 06306405 was retained by Ordinance 89-27 (substitute) for a future transfer site for a solid waste container. Since that time the borough established another waste transfer facility in the Sterling area.

Parcel No. 06306406 was retained by Ordinance 2003-34 as it was less than 40,000 s.f. and was considered a sub-standard lot.

Any rights by the previous last owner of record afforded through tax foreclosure proceedings for either parcel have since been extinguished.

2. Topography:

Parcel No. 06306405 is generally level and well treed with mostly spruce and some birch.

Parcel No. 06306406 has approximately a 2.5% slope and is well treed with spruce and some birch. Borough GIS mapping shows wetland covering the east half of this parcel. Such wetland is identified as Kettle wetland and are usually peatlands with seasonally variable water table.

Source Data: Wetland Classification and Mapping of the Kenai Lowland, Alaska (M. Gracz).

3. Soil:

\* Parcel 06306405

90%± of this parcel is classified as "Soldotna Silt Loam", well-drained with a depth to water table at more than 80 inches, very limited for septic tank absorption but not limited for a commercial building site.

10%± of this parcel is classified as "Starichkof Peat", very poorly drained with a depth to water table at about 0 to 10 inches, very limited for septic tank absorption and very limited for a commercial site.

\* Parcel 06306406

20%± of this parcel is classified as "Soldotna Silt Loam", well-drained with a depth to water table at more than 80 inches, very limited for septic tank absorption but not limited for a commercial building site.

80%± of this parcel is classified as "Starichkof Peat", very poorly drained with a depth to water table at about 0 to 10 inches, very limited for septic tank absorption and very limited for a commercial site.

Source Data: Web Soil Survey, provided by the U.S. National Resource Conservation Service.

(Note: Soil information is not site-specific and does not eliminate the need for onsite testing and sampling)

4. Surrounding Land Use: No comprehensive land use plan has been developed for this area. The highway abuts the north boundary of subject parcels. Surrounding land use includes commercial and undeveloped land. Surrounding developments includes Magpye's Pizza, Sterling Senior Center, and the State DOT Weigh Station. Residential use is in close proximity along residential roads. An airstrip lies to the east. The confluence of the Moose River and Kenai River is approximately one mile to the east and the Sterling Elementary School is approximately one mile to the west.

5. Surrounding Land Ownership: Surrounding land ownership is primarily in private ownership. The State DOT Weigh Station is located across the Sterling Highway and is in state ownership.

6. Access and Easements: Primary access is gained from the Sterling Highway and may require a State driveway permit. Elva Street lies adjacent to Parcel No. 063-064-06 but is not improved as it is

partially platted in wetlands and is not practical for access. A 20 foot wide public use easement exists along the southerly boundary of subject parcels as shown on Sumpter Subdivision filed as Plat No. 525, KR.D.

7. Utilities: Gas, electric, and telephone utilities are available for these parcels.
8. Public Comment: As of the writing of this report, no written comments were received. Written comments received by the Planning Department after the writing of this report will be presented at the Planning Commission Hearing.
9. Department / Agency Comments: Written comments were received from the following dept. / agencies:
  - Written comment received from the KPB Solid Waste Director Jack Maryott stated that there is no anticipated need for subject sites as it relates to solid waste management in the Sterling area.
  - Written comment received from the KPB Central Emergency Services Chief Chris Mokaracek stated that CES has no need for these parcels.
  - Written comment received from KPB Office of Emergency Management stated no comment / no objection.
  - Written comment received from KPB Planner, Bruce Wall stated there do not appear to be any issues concerning material sites, local option zoning, or the KPB Comprehensive Plan.

**Analysis:**

Parcel No. 063-064-05

In 1989 this parcel was retained for a future transfer site for a solid waste container. Since that time the borough established another waste transfer facility in the Sterling area. Because of such progress this parcel is now surplus to borough needs and could be used for other purposes. Soil conditions allow this parcel to have potential for commercial development. An engineered septic absorption system may be necessary to overcome soil limitations. However, because this parcel is only 0.50 acres it has limited potential as a stand-alone parcel. Combining this parcel with adjacent Parcel No. 063-064-06 would make it feasible to support an on-site water and sewer system and site development.

Parcel No. 063-064-06

In 2003 this parcel was retained as it was less than 40,000 s.f. and was considered a sub-standard lot. Because of wetlands, soil conditions, and its size (0.48 acres) this parcel has limited potential as a stand-alone parcel. However, combining this parcel with adjacent Parcel No. 063-064-05 would make it feasible to contribute auxiliary support of site development.

**Conclusions:**

Both parcels are considered surplus to borough needs and could be used for more productive purposes. A Commercial classification is compatible with the surrounding area. Such classification and combining these parcels into one would better serve the community for its development potential.

Classifying subject parcels as commercial is also supported by Goal 3.1, Objective 1, Implementation Action E of the Kenai Peninsula Borough Comprehensive Plan (2005) which states: "Inventory and classify borough lands suitable for economic development."

Pursuant to KPB 17.10.250(D), subject parcels fit within the borough's definition of a commercial classification:

*"Commercial means lands suitable for development or location of service oriented facilities such as stores, offices, medical clinics, restaurants, lodges, vehicular service stations, hotels, and camper parks. Lands must be able to support on-site water and sewer systems or capable of receiving water and/or sewer service, near public utilities and be in proximity to residential areas."*

Assessor's Parcel No.	General Location	Legal Description	Acres	Proposed Classification
139-050-49	Clam Gulch	Lot 5B, Kenai Peninsula Borough Subdivision of Government Lot 5 as shown on Plat No. 83-62, Homer Recording District.	2.16 ±	*Rural
*Rural means lands which are located in a remote area. This classification will have no restrictions. [KPB 17.10.250(HH)]				

**Overview:** Bluff parcel situated in the Clam Gulch area in the proximity of Mile Post 124.5 of the Sterling Highway.

**Findings of Fact:**

1. Land Status: The Borough received title by State patent. This parcel is not classified (undesigned).
2. Topography: A 170 foot high bluff parcel with approximately 400 feet of Cook Inlet shoreline. Because of the steep topography little of this land is suitable for development. On top there is approximately ½ acre of level land treed predominately with spruce. Uplands also consist of indigenous vegetation.

That portion of land situated along the shoreline and inundated by tides is classified as Tidal wetland. The rest of the parcel is considered upland.

Source Data: Wetland Classification and Mapping of the Kenai Lowland, Alaska (M. Gracz).

3. Soil:  
63%± of this parcel is classified as "Typic Cryorthents", 100 to 150 percent slopes, well-drained with a depth to water table at more than 80 inches, and very limited for dwellings.  
18%± of this parcel is classified as "Gravel Pits", not rated. (Note: does not contain a gravel pit)  
19%± of this parcel is classified as "Beaches", not rated.

Source Data: Web Soil Survey, provided by the U.S. National Resource Conservation Service. (Note: Soil information is not site-specific and does not eliminate the need for onsite testing and sampling)

4. Surrounding Land Use: No comprehensive land use plan has been developed for this area. Surrounding land use includes residential and areas largely undeveloped. Surrounding development includes a residential cabin structure to the north. This parcel fronts the Cook Inlet and lies adjacent to the Clam Gulch Critical Habitat Area pursuant to AS 16.20.595. Land use in this area includes beach and waterfront recreational use and shore fishery set net activity.
5. Surrounding Land Ownership: Surrounding land ownership is in private ownership.
6. Access and Easements: This parcel has no developed road access. A 50-foot wide public access easement exists upland from and along the mean high water line, per AS 38.05.127 and 11 AAC 51.045. Private road access to the beach is located to the south near Mile Post 126.5 of the Sterling Highway.
7. Utilities: Utility services to this parcel are not available or practical as little of this land is accessible or suitable for development.
8. Special Features: A 170 foot high bluff parcel with approximately 400 feet of Cook Inlet shoreline
9. Public Comment: As of the writing of this report, no written comments have been received. Written

comments received by the Planning Department after the writing of this report will be presented at the Planning Commission Hearing.

10. Department / Agency Comments: Written comments were received from the following dept. / agencies:

- Written comment received from KPB Office of Emergency Management stated no comment / no objection.
- Written comment received from KPB Planner, Bruce Wall stated there do not appear to be any issues concerning material sites, local option zoning, or the KPB Comprehensive Plan.

**Analysis:**

Because of the remote location, steep topography, lack of access to a public road or utility services this parcel is not suited for conventional development. That portion along the shoreline would have some practical but limited use for beach and waterfront recreational use, seasonal cabin, or shore fishery set net use. Such use includes staging areas and seasonal storage of set net fishery gear. The parcel to the north has been used for many years for such purposes as it was disposed of by the borough in 1983.

**Conclusions:**

This parcel is considered surplus to borough needs as it is located in a remote location, has limited use, and could better serve the community for more productive purposes. A Rural classification is compatible with the surrounding area.

Assessor's Parcel No.	General Location	Legal Description	Acres	Proposed Classification
139-100-01	Clam Gulch	Government Lot 5, T1N, R13W, Section 27, Seward Meridian, Alaska.	6.72± Gross 3.70± Net	*Rural
*Rural means lands which are located in a remote area. This classification will have no restrictions. [KPB 17.10.250(HH)]				

**Overview:** Bluff parcel situated in the Clam Gulch area in the proximity of Mile Post 125 of the Sterling Highway.

**Findings of Fact:**

1. Land Status: The Borough received title by State patent. This parcel is not classified (undesignated).
2. Topography: A 160 foot high bluff parcel with approximately 800 feet of Cook Inlet shoreline. Because of the steep topography little of this land is suitable for development. On top there is approximately 1/3 acre of level land treed predominately with spruce. Uplands also consist of indigenous vegetation. This parcel was originally 6.72 acres but due to bluff erosion approximately 3.70 acres of upland exist.

That portion of land situated along the shoreline and inundated by tides is classified as Tidal wetland. The rest of the parcel is considered upland.

Source Data: Wetland Classification and Mapping of the Kenai Lowland, Alaska (M. Gracz).

3. Soil:  
97%± of this parcel is classified as "Typic Cryorthents", 100 to 150 percent slopes, well drained with a depth to water table at more than 80 inches, and very limited for dwellings.

3%± of this parcel is classified as "Nikolai Peat, 0 to 4 percent slopes, poorly drained with a depth to water table about 0 to 18 inches, and very limited for dwellings.

Source Data: Web Soil Survey, provided by the U.S. National Resource Conservation Service.  
 (Note: Soil information is not site-specific and does not eliminate the need for onsite testing and sampling)

4. Surrounding Land Use No comprehensive land use plan has been developed for this area. Surrounding land use includes residential and undeveloped parcels. A residential subdivision lies to the north and east with single family homes built adjacent to the Sterling Highway. This parcel fronts the Cook Inlet and lies adjacent to the Clam Gulch Critical Habitat Area pursuant to AS 16.20.595. Land use in this area includes beach and waterfront recreational use and shore fishery set net activity. A residential subdivision abuts subject parcel to the east.
5. Surrounding Land Ownership: Surrounding land ownership includes private and Native ownership.
6. Access and Easements: This parcel has no developed road access. A 50-foot wide Section-line easement exists along the north boundary, per AS 19.10.010. A 50-foot wide public access easement exists upland from and along the mean high water line, per AS 38.05.127 and 11 AAC 51.045. A private access road to the beach is located to the south near Mile Post 126.5 of the Sterling Highway.
7. Utilities: Utility services to this parcel are not available or practical as little of this land is accessible or suitable for development.
8. Special Features: A 160 foot high bluff parcel with approximately 800 feet of Cook Inlet shoreline.
9. Public Comment: As of the writing of this report, no written comments have been received. Written comments received by the Planning Department after the writing of this report will be presented at the Planning Commission Hearing.
10. Department / Agency Comments: Written comments were received from the following dept. / agencies:
  - Written comment received from KPB Office of Emergency Management stated no comment / no objection.
  - Written comment received from KPB Planner, Bruce Wall stated there do not appear to be any issues concerning material sites, local option zoning, or the KPB Comprehensive Plan.

**Analysis:**

Because of the remote location, steep topography, lack of access to a public road or utility services this parcel is not suited for conventional development. That portion along the shoreline would have some practical but limited use for beach and waterfront recreational use, seasonal cabin, or shore fishery set net use. Such use includes staging areas and seasonal storage of set net fishery gear.

**Conclusions:**

This parcel is considered surplus to borough needs as it is located in a remote location, has limited use, and could better serve the community for more productive purposes. A Rural classification is compatible with the surrounding area.

**STAFF RECOMMENDATION:** Based on the findings of fact, analysis, and conclusions that the KPB Planning Commission finds that it is in the borough's best interest to recommend adoption of Resolution 2014-\_\_\_ classifying subject land as follows:

Assessor's Parcel No.	General Location	Legal Description	Acres	Proposed Classification
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063-064-05	Sterling	Lot 2, Block 1, Sumpter Subdivision as shown on Plat No. 525, Kenai Recording District. Except that portion per Quitclaim Deed recorded in Book 380, Page 962, Kenai Recording District.	0.50±	Commercial
063-064-06	Sterling	Lot 1, Block 1, Sumpter Subdivision as shown on Plat No. 525, Kenai Recording District. Except that portion per Warranty Deed recorded in Book 374, Page 88, Kenai Recording District.	0.48±	Commercial
139-050-49	Clam Gulch	Lot 5B, Kenai Peninsula Borough Subdivision of Government Lot 5 as shown on Plat No. 83-62, Homer Recording District.	2.16±	Rural
139-100-01	Clam Gulch	Government Lot 5, T1N, R13W, Section 27, Seward Meridian, Alaska.	6.72± Gross 3.70± Net	Rural

**END OF STAFF REPORT**

Vice Chairman Martin noted no members of the public were in attendance.

**MOTION:** Commissioner Ruffner moved, seconded by Commissioner Isham to recommend adoption of Resolution 2014-\_\_\_; classifying the two parcels of land in Sterling and Clam Gulch as recommended by staff.

Commissioner Ecklund asked why the properties were presented together and not separately since two properties were being recommended to be classified as Commercial and two properties classified as Rural. Mr. Conetta replied that the Commission could handle the properties separately.

Commissioner Tauriainen asked what the method was to sell these properties. Mr. Conetta replied that the plan method for sale on these properties would be a minimum sealed bid. If they don't get sold in a sealed bid then there will be an over the counter sale.

**VOTE:** The motion passed by unanimous consent.

BRYSON ABSENT	CARLUCCIO YES	COLLINS YES	ECKLUND YES	FOSTER ABSENT	GROSS YES	HOLSTEN ABSENT
ISHAM YES	LOCKWOOD YES	MARTIN YES	RUFFNER YES	TAURIAINEN YES	WHITNEY YES	10 YES 3 ABSENT

**AGENDA ITEM F. PUBLIC HEARINGS**

2. Rename existing streets in conjunction with the Enhanced 911 Street Naming and Addressing Methods within the Kenai Peninsula Borough. Streets under consideration at this meeting are described as follows:
  - a. Old Sterling Hwy; frontage road within the Sterling Hwy right-of-way commencing at mile 137 and concluding at HM0970081 Lucason Subdivision 1997 Addition; T 2S R14W SECTION 4; Seward Meridian, AK; in the community of Happy Valley; ESN 451

Staff Report given by Carrie Henson

PC MEETING 04/28/2014

Applicant: Kenai Peninsula Borough

Existing right-of-way names: Old Sterling Hwy

Name proposed by staff: Massif Dr

Reason for Change: Duplicate

## **Kenai Peninsula Borough Land Classification Definitions** **Borough Code of Ordinances, Title 17**

**"Agriculture"** means activities that result in products for human or animal use. Agriculture activities may include raising crops, animals, or grazing animals. Agriculture does not include human habitation.

**"Commercial"** means lands suitable for development or location of service oriented facilities such as stores, offices, medical clinics, restaurants, lodges, vehicular service stations, hotels, and camper parks. Lands must be able to support on-site water and sewer systems or capable of receiving water and/or sewer service, near public utilities and be in proximity to residential areas.

**"Government"** means lands that may be or are required for use by a federal, state or local governmental entity. Such uses include existing and future school sites; sites for service area facilities; or, any governmental use determined to be beneficial to the public.

**"Heavy Industrial"** means lands suitable for processing chemicals or manufacturing from or extraction of raw materials, stockyards, fish processing plants, distilleries, or uses that may discharge water, create hydrocarbons, excessive noise, odors, danger of explosions, or waste material, making them incompatible with most other land uses. Lands should not be located in or immediately adjacent to residential development; parcels should be of sizes reasonably appropriate to accommodate the activities together with sufficient buffers zones for the activity associated with this class of use. Appropriate access shall be available or feasible without going through residential areas. The lands shall be in a location that is reasonably convenient to conduct the activity.

**"Institutional"** means lands which may be of value for the location of churches, private schools, clubs, associations, nonprofit organizations, or cemeteries.

**"Light Industrial"** means lands suitable for industrial uses that generally do not have offensive characteristics and can be conducted primarily inside closed buildings. Such uses may include warehousing, storage inside enclosed areas, and light manufacturing not inside buildings.

**"Preservation"** means lands needed for stabilization or maintenance of natural features, historic value, known nesting areas of migratory birds or required to maintain the integrity of certain types of easements or as buffers, green belts, water sheds or other reservations to preserve natural resources and aesthetic qualities. Soils may be of such a nature as to not be usable for construction of buildings.

**"Recreational"** means land located in an area where the potential for recreational use exists. This may include both indoor and outdoor uses such as gun ranges, archery ranges, camping, golf courses, snow machine trails, cross country trails, skiing, boating, fishing or which may provide access to those activities. Recreational does not include use of lands for amusement parks. Site conditions for any authorized use must be appropriate and suited for such uses. Recreational lands disposed of to private parties must allow public use unless specifically waived by ordinance. If recreational lands are for sale or lease then restrictions may be imposed for appropriate uses given conditions and surrounding use. Not all activities are suitable for all sites.

**"Residential"** means lands suitable for development for single family or multifamily settlement of a permanent nature. Residential parcels may be located adjacent to existing communities or are determined to be necessary for future community development. Residential parcels must be able to support on-site water and sewer systems or capable of receiving water and/or sewer service, have legal access and feasible physical access, suitable terrain and appropriate with the given surrounding uses.

**"Rural"** means lands which are located in a remote area. This classification will have no restrictions.



**"Utility/Transportation"** (not including oil and gas and electricity generation or production facilities) means lands which may be of value for airports, port and harbor facilities, power lines, pipelines, utility services, rights-of-way, easements and related activities but does not include general and production facilities for oil and gas and electricity.

**"Waste Handling"** means land with suitable characteristics and location for the express purpose of providing facilities to handle solid waste, recyclable materials, transfer stations, junked or wrecked vehicles, demolition refuse, septic and sewage waste and industrial waste. Disposal or use of any tract so classified will be subject to determination of the tract being suitable for a particular proposed activity.

**"Resource Development"** means land containing resources of sufficient volume and quality and located so that on-going development or production of those resources would yield an overall net economic return. Lands so classified may be sold or leased subject to appropriate restrictions concerning operations or future reclamation. Lands so classified may be retained by the KPB and resources on those lands may be sold or permitted for use.

**"Resource Management"** means land having resources which may be extracted as an interim use in a manner which will not create a negative impact on the most appropriate use of the land. This classification is not exclusive and may overlap any other classification thereby allowing other non-conflicting uses. Resources on these lands may be sold or permitted for use.

**"Grazing Lands"** means those lands which in their natural state have the physical and climatic features that make them primarily useful for the pasturing of domestic livestock. This classification is not exclusive and may overlap any other classification thereby allowing other nonconflicting uses.

Introduced by:

Mayor

Date:

05/20/14

Action:

Vote:

**KENAI PENINSULA BOROUGH  
RESOLUTION 2014-034**

**A RESOLUTION APPROVING A COOPERATIVE FIRE SUPPRESSION  
AGREEMENT AND OPERATIONS PLAN BETWEEN THE KENAI PENINSULA  
BOROUGH ON BEHALF OF BEAR CREEK FIRE SERVICE AREA AND THE  
UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE,  
CHUGACH NATIONAL FOREST**

1 **WHEREAS**, cooperative fire agreements and their operations plans provide for additional  
2 resources to residents of the Kenai Peninsula Borough in the form of fire  
3 suppression personnel and other resources when required; and

4 **WHEREAS**, these types of agreements are common in the fire service professions to assist  
5 with fire fighting efforts to protect lives and property; and

6 **WHEREAS**, Alaska Statute 18.70.150 provides that “A city, other incorporated entity, and  
7 other fire protection groups may organize a mutual-aid program by adopting an  
8 ordinance or resolution authorizing and permitting their fire department, fire  
9 company, emergency relief squad, fire police squad, or fire patrol to go to the aid  
10 of another city, incorporated entity, or fire protection group, or territory outside of  
11 it;” and

12 **WHEREAS**, the United States Department of Agriculture Forest Service is responsible for fire  
13 protection within the Chugach National Forest and associated fire protection costs  
14 incurred by Bear Creek Fire Service Area are reimbursable pursuant to the terms  
15 of the agreement and operations plan; and

16 **WHEREAS**, in recent years the operational plans have been considered as matters within the  
17 expertise of the agencies providing the requested services and, therefore, future

1 amendments to the operational plans have been left to the discretion of the joint  
2 agencies; and

3 **WHEREAS**, at its meeting of \_\_\_\_\_ the BCFSA board recommended \_\_\_\_\_  
4 \_\_\_\_\_;

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

7 **SECTION 1.** That the Cooperative Fire Suppression Agreement between the Kenai Peninsula  
8 Borough on behalf of the Bear Creek Fire Service Area and the United States  
9 Department of Agriculture Forest Service, Chugach National Forest  
10 (“Agreement”) is approved by the assembly and the Mayor is authorized to  
11 execute an Agreement substantially in the form attached hereto and all documents  
12 associated with the Agreement.

13 **SECTION 2.** That the attached 2014 annual operations plan (AOP) is hereby approved and the  
14 Bear Creek Fire Service Area Board is authorized to approve amendments to the  
15 AOP with the Mayor’s approval without further review by the Assembly so long  
16 as any such amendment would not conflict with any cooperative or aid agreement  
17 currently in place.

18 **SECTION 3.** That this resolution shall take effect immediately upon its adoption.

19 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS**  
20 **20TH DAY OF MAY, 2014.**

\_\_\_\_\_  
Hal Smalley, Assembly President

ATTEST:

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

Yes:

No:

Absent:



# KENAI PENINSULA BOROUGH

## Office of Emergency Management

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### MEMORANDUM

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

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

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

**FROM:** Scott Walden, Office of Emergency Management Director *SW*

**COPY:** Bear Creek Fire Service Area Board

**DATE:** May 8, 2014

**SUBJECT:** Resolution 2014-*021* approving a cooperative fire suppression agreement between the Kenai Peninsula Borough on behalf of Bear Creek Fire Service Area and the United States Department of Agriculture Forest Service, Chugach National Forest

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On September 18, 1990, the assembly adopted Resolution 90-101, approving an agreement between the Bear Creek Fire Service Area (BCFSA) and the United States Department of Agriculture Forest Service (Forest Service). This agreement has not been updated for almost 24 years. The current resolution before the assembly would approve an updated Cooperative Agreement between the BCFSA and Forest Service. A similar resolution was passed in 2010, however for reasons unknown today, the agreement was never executed.

The Forest Service has the responsibility for prevention, detection and suppression of wildland fires on national forest administered land and on adjacent or intermingled state and private lands for which the Forest Service has assumed fire management responsibility. Structures and land protected by the BCFSA are intermingled and/or adjacent to lands protected by the Forest Service.

It is mutually advantageous and in the public's interest for the Forest Service and service area to coordinate their efforts in the prevention, detection and suppression of wildland fires in and adjacent to their areas of responsibility.

The BCFSA board recommendations will be submitted to the assembly prior to the May 20, 2014, assembly meeting.

FS Agreement No. 14-FI-11100430-010

Cooperator Agreement No. \_\_\_\_\_

**COOPERATIVE FIRE PROTECTION AGREEMENT**  
**Between The**  
**BEAR CREEK FIRE SERVICE AREA**  
**KENAI PENINSULA BOROUGH**  
**And The**  
**USDA, FOREST SERVICE**  
**CHUGACH NATIONAL FOREST**

This COOPERATIVE FIRE PROTECTION AGREEMENT is made and entered into by and between the Kanai Peninsula Borough (KPB) on behalf of the Bear Creek Fire Service Area, hereinafter referred to as the "Cooperator" and the USDA, Forest Service, Chugach National Forest, hereinafter referred to as the "U.S. Forest Service," under the authority and provisions of: the Reciprocal Fire Protection Act of May 27, 1955(42 U.S.C. 1856).

**PURPOSE**

The purpose of this Agreement is to provide for cooperation in the prevention, detection and suppression of wildland fires within the protection areas of parties signatory to this Agreement.

This Agreement provides for cooperation only in wildland fire management activities. The U.S. Forest Service shall not respond to structure fires, vehicle fires or traffic accidents in lieu of the cooperator. The U.S. Forest Service may, as available, respond to such incidents when adjacent wildlands covered under this Agreement are threatened by fire from such incidents.

**I. STATEMENT OF MUTUAL BENEFITS AND INTERESTS**

The U.S. Forest Service has the responsibility for prevention, protection, and suppression of wildland fires on National Forest administered lands, and on adjacent or intermingled State and private forested lands as identified through written agreements with the State of Alaska, Division of Forestry and the Bureau of Land Management.

The Cooperator has the responsibility for prevention, detection, and suppression of structure and other non-wildland fire within their area of responsibility.

Structure and land protected by the Cooperator are intermingled or adjacent to lands protected by the Forest Service.

Therefore, it is mutually advantageous and in the public interest for the parties to coordinate their efforts in prevention, detection, and suppression of wildland fire in and adjacent to their areas of responsibility.

**II. GENERAL PROVISIONS**

1. **NONDISCRIMINATION.** The cooperator shall comply with all Federal statutes relating to nondiscrimination and all applicable requirements of all other Federal laws, Executive orders, regulations, and policies. These include, but are not limited to Sections 119 and 504 of the Rehabilitation Act of 1973 as amended, which prohibits discrimination on the basis of race, color, religion, sex, age, national origin, marital status, familial status, sexual orientation, participation in any public assistance program, or disability.
2. **PRINCIPAL CONTACTS.** The principal contacts for this instrument are:

**Principal Cooperator Contacts:**

<b>Cooperator Program Contact</b>	<b>Cooperator Administrative Contact</b>
Name: Scott Walden Address: 253 Wilson Lane City, State, Zip: Soldotna, AK, 99669 Telephone: 907-394-2417 FAX: 907-262-4910 Email: swalden@kpb.us	Name: Andrea Morris Address: P.O. Box 1565 City, State, Zip: Seward, AK 99664 Telephone: 907-224-3345 FAX: 907-224-3344 Email: amorris@kpb.us

**Principal U.S. Forest Service Contacts:**

<b>U.S. Forest Service Program Manager Contact</b>	<b>U.S. Forest Service Administrative Contact</b>
Name: Bobette Rowe (FMO) Address: 29847 Seward Highway City, State, Zip: Seward, AK, 99664 Telephone: 907-288-7732 FAX: 907-288-2002 Email: bsrowe@fs.fed.us	Name: Tina Moynier Address: 599 West Price River Dr. City, State, Zip: Price, UT, 84501 Telephone: 435-636-3529 FAX: 435-637-4940 Email: tmoynier@fs.fed.us

3. **FREEDOM OF INFORMATION ACT (FOIA).** Public access to award records shall not be limited, except when such records must be kept confidential and would have been exempted from disclosure pursuant to "Freedom of Information" regulations (5 U.S.C. 552).
4. **ANNUAL OPERATING PLANS:** The Forest Service and the Cooperator will meet annually, prior to the initiation of the fire season to prepare an Annual Operating Plan (AOP). This plan will include protection area maps for all parties, dispatching procedures, and any other items identified in the agreement as necessary for efficient implantation. Individuals responsible for negotiation and signing the Annual Operating Plan will be the Zone Fire Management



Officer and the KPB Mayor, or other responsible official, for the Cooperator. Signing of the AOP will be the Forest Supervisor and the KPB Mayor. The approved AOP shall become attached to and made part of this agreement.

5. **DEFINITION OF RESPONSIBILITIES:** The parties hereto shall be identified as follows:  
**Protecting Party:** The party responsible for providing for direct fire protection in given areas pursuant to this Agreement. (Forest Service)  
**Supporting Party:** A party providing suppression assistance or other support and resources to the protecting party. (Cooperator)  
**Jurisdictional Party:** The party that has overall all land and resource management and /or protection responsibility as provided by law. (State of Alaska and Forest Service)
6. **TEXT MESSAGING WHILE DRIVING.** In accordance with Executive Order (EO) 13513, "Federal Leadership on Reducing Text Messaging While Driving," any and all text messaging by Federal employees is banned: a) while driving a Government owned vehicle (GOV) or driving a privately owned vehicle (POV) while on official Government business; or b) using any electronic equipment supplied by the Government when driving any vehicle at any time. All cooperators, their employees, volunteers, and contractors are encouraged to adopt and enforce policies that ban text messaging when driving company owned, leased or rented vehicles, POVs or GOVs when driving while on official Government business or when performing any work for or on behalf of the Government.
7. **PROTECTION AREA AND BOUNDARIES:** Protection areas and boundaries will be established, mapped, and made a part of the Annual Operating Plan.
8. **RECIPROCAL FIRE PROTECTION:** As deemed appropriate, the agencies will establish reciprocal initial attack zones for lands of intermingled or adjoining protection responsibility. Within such zones a Supporting Party will, upon Forest Service request, take initial attack action in support of the Protecting Party.
9. **REQUESTING ASSISTANCE:** Outside initial attack zones, when requested by the Protecting Party, the Supporting Party will, within their capability, provide initial action or other support on wildland fires. Such requested assistance is reimbursable.
10. **INDEPENDENT ACTION ON LANDS PROTECTED BY ANOTHER PARTY:** Except as otherwise described in the Annual Operating Plans, any party on its own initiative and without reimbursement may go upon lands





protected by another party to suppress wildland fires, if that fire is a threat to property within that Party's protection responsibility. In such instances, the party taking action will promptly notify the Protecting Party.

11. **NOTIFICATIONS**: Each party will promptly notify the Protecting Party of wildland fires burning on or threatening lands for which that party has protection responsibility. When taking action within the protection of the other, the Supporting Party will, as soon as possible, notify the appropriate official identified in the Annual Operating Plan, and provide details of which equipment and personnel has been dispatched to a specific location.
12. **BOUNDARY LINE FIRES**: Boundary line wildland fires are the initial attack responsibility of the Protecting Party on either side of the protection boundary. Neither party will assume the other party is aware of the wildland fire or that the other party will take action. Each party will make every reasonable effort to communicate with the other concerning the fire. The officer-in-charge who arrives on the wildland fire first will act as incident commander. When both parties have arrived, the officers in charge for each agency will mutually agree to the designation of an Incident Commander(s).
13. **COST SHARING**: The Forest Service has assumed the role of the wildland fire Protecting Party on all State and Private Lands within its designated jurisdiction through agreements with the State of Alaska Division of Forestry and the Bureau of Land Management. Cost sharing therefore lacks legal significance, and cannot be considered.
14. **BILLING PROCEDURES**: The Supporting Party will bill the Protecting Party for actual costs incurred for assistance provided and identified as reimbursable. Reimbursable costs include all costs associated with direct fireline/fireground operations and incident support ordered by or for the incident (except as described otherwise in the reciprocal initial attack and independent actions situations). Rates and conditions of use for equipment and personnel will be mutually agreed to and documented in the Annual Operating Plan.
  - A. *Billing Estimates and Timeframes*: The Supporting Party shall submit a bill or estimate for reimbursement within 10 days of the incident. If final costs are not known at the time of initial billing, an estimated bill, so identified may be submitted. A final bill will be issued within 20 days of the incident.
  - B. *Billing Content*: Bills will be identified by wildland fire locations, and appropriate incident number and will be supported by adequate documentation as outlined in the Annual Operating Plan. Billing for wildland fire suppression assistance will not include administrative overhead.
  - C. *Billing Address*:



**USDA, Forest Service**  
Albuquerque Service Center  
Incident Business  
101B Sun Ave., NE  
Albuquerque, NM 8710

15. SHARED EQUIPMENT AND SUPPLIES: The Party that owns the equipment is responsible for the operation, service, and repair of such equipment. Notwithstanding the general waiver of claims against each other, the Protecting Party shall pay or reimburse for damage in excess of normal wear and tear, and shall replace or reimburse items lost or destroyed, except for damages occurring as a result of negligence by the Supporting Party.
16. COMMUNICATION SYSTEMS: The Parties mutually agree to share the use of communication systems, radios, and radio frequencies for the execution of this agreement. Sharing of frequencies must be approved by authorized personnel for each Party and documented in the Annual Operating Plan.
17. FIRE REPORTING: If either party takes action on a wildland fire either independently or by request, the Supporting Party will furnish the Protecting Party with a preliminary incident report (oral) within 24 hours of action taken and a written incident report within 10 days of action taken.
18. DETERMINATION OF CAUSE AND PRESERVATION OF EVIDENCE: When one party to this agreement takes initial action on a wildland fire on lands under this agreement, the initial attack force will attempt to protect the area of origin of the fire and gather and protect evidence pertaining to the fire cause.
19. NON-WILDLAND FIRES AND OTHER EMERGENCIES: This agreement provides for cooperation only in wildland fire management activities. The Forest Service shall not respond to structure fires, dump fires, vehicle or traffic accidents in lieu of the Cooperator. The Forest Service may, as available, respond to such incidents when adjacent wildlands covered under this agreement are threatened by fire from such incidents.
20. TRAINING: Each party will advise the other of the applicable cross training opportunities for trainee positions in instruction programs. Each party will meet NWCG 310-1 standards or FSM-5109.17.
21. FIRE PREVENTION: The Parties agree to share responsibility and materials for fire prevention activities. Materials may include posters for display in public buildings, businesses, and on private and patented lands within the cooperative assistance area. The Parties will share responsibility for fire



prevention and rural fire safety presentations and demonstrations.

22. FIRE CLOSURES: Parties will coordinate fire restrictions and area closures as outlines in the Annual Operating Plan.
23. EMPLOYMENT POLICY: Employees and/or volunteers of the parties to this Agreement shall at all times be subject only to the laws, regulations, and rules governing their employment, regardless of incident locations, and shall not be entitled to compensations or other benefits of any kind other than specifically provided by the terms of their employment.
24. CLAIMS: Parties to this agreement shall each be responsible for their own losses arising out of the performance of this agreement, and each Party hereby waives any claim against any other Party for compensation for any loss or damage of its property and/or personal injury or death of its employees or agents occurring as a consequence of performance of this agreement; provided, this provision shall not relieve any Party from responsibility for claims from third parties for losses for which the Party is otherwise legally liable.  
  
Cooperators' employees and/or volunteers acting under the terms of the agreement are not considered Federal employees, and are not covered by the Federal Tort Claim Act.
25. EXAMINATION OF RECORDS: Each party shall give the other, or their authorized representative, access to and the right to examine all records, books, papers, and documents related to the agreement.
26. FIRE INVESTIGATION AND LAW ENFORCEMENT: Each party shall render mutual assistance in wildland fire cause investigations, and other fire related law enforcement activities. Each party will be responsible for such activities within their respective protection areas. On wildland fire burning on both lands, the parties will share responsibilities as agreed to.
27. PRESCRIBED FIRE AND FUELS MANAGEMENT: The Jurisdictional Party will inform all parties of prescribed fires it is managing.
28. APPROPRIATED FUND LIMITATIONS: Nothing herein shall be considered as obligating the Forest Service to expend or as involving the United States or Cooperator to expend or as involving in any contract or other obligation for future payment of this money in excess of funding approved and made available for payment under this instrument and modifications thereto.
29. PERSONAL PROTECTIVE EQUIPMENT: All personnel in support of wildland fires will wear leather lace-type boots with skid resistant soles with tops at least eight inches high, leather gloves, hard hats, fire resistant shirts,



pants, and carry fire shelters.

The Forest Service may loan the Cooperator personal protective equipment required for wildland fire suppression. All equipment loaned must be documented on an AD-107 "Report of Transfer or Other Disposition or Construction of Property". Such property will remain the property of the U.S. Government and shall be returned to the Forest Service at the end of the fire season.

30. OFFICIALS NOT TO BENEFIT: Pursuant to Section 22 Title 41 U.S.C., no member of, or Delegate to Congress shall be admitted to any share or part of this instrument or to any benefit that may arise there from.
31. PREVIOUS AGREEMENT CANCELED: All previous agreements with the Cooperator are considered void upon approval of this Cooperative Agreement.
32. TERMINATION BY MUTUAL AGREEMENT. This award may be terminated, in whole or part, as follows:
  - When the U.S. Forest Service and Cooperator agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated.
  - By 30 days written notification by Cooperator to the U.S. Forest Service setting forth the reasons for termination, effective date, and in the case of partial termination, the portion to be terminated.

If, in the case of a partial termination, the U.S. Forest Service determines that the remaining portion of the award will not accomplish the purposes for which the award was made, the U.S. Forest Service may terminate the award in its entirety.

Upon termination of an award, Cooperator shall not incur any new obligations for the terminated portion of the award after the effective date, and shall cancel as many outstanding obligations as possible. The U.S. Forest Service shall allow full credit to Cooperator for the United States Federal share of the non-cancelable obligations properly incurred by Cooperator up to the effective date of the termination. Excess funds shall be refunded within 60 days after the effective date of termination.

33. MODIFICATION. Modifications within the scope of this agreement must be made by mutual consent of the parties, by the issuance of a written modification signed and dated by all properly authorized, signatory officials, prior to any changes being performed. Requests for modification should be made, in writing, at least 30 days prior to implementation of the requested change. The



U.S. Forest Service is not obligated to fund any changes not properly approved in advance.

- 34. FREEDOM OF INFORMATION ACT: Any information furnished to the Forest Service under this agreement is subject to the Freedom of Information Act (5 U.S.C. 552).
- 35. COMMENCEMENT/EXPIRATION DATE. This agreement is executed as of the date of last signature and is effective for five years at which time it will expire unless extended.
- 36. AUTHORIZED REPRESENTATIVES. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this agreement. In witness whereof, the parties hereto have executed this agreement as of the last date written below.

KENAI PENINSULA BOROUGH

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: \_\_\_\_\_

Mike Navarre, Mayor

By: \_\_\_\_\_

Asst. Borough Attorney

Date: \_\_\_\_\_

Date: \_\_\_\_\_

US FOREST SERVICE, CHUGACH NF

\_\_\_\_\_  
TERRI MARCERON, Forest Supervisor

\_\_\_\_\_  
Date

The authority and format of this agreement have been reviewed and approved for signature.

*Dina Moynier*  
\_\_\_\_\_  
DINA MOYNIER

*04/25/2014*  
\_\_\_\_\_  
Date

U.S. Forest Service Grants & Agreements Specialist



## Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

**FY 2014 OPERATING PLAN  
COOPERATIVE FIRE SUPPRESSION AGREEMENT**  
between  
**BEAR CREEK FIRE SERVICE AREA  
KENAI PENINSULA BOROUGH**  
and  
**USDA FOREST SERVICE,  
CHUGACH NATIONAL FOREST**

This operating plan is entered into by and between the United States Department of Agriculture, Forest Service, Chugach National Forest, hereinafter called the Forest Service, and the Kenai Peninsula Borough (KPB) on behalf of the Bear Creek Fire Service Area, hereinafter called the Cooperator under the provision of Cooperative Agreement No. 14-FI-11100430-010 executed on \_\_\_\_\_. This Operating Plan becomes attached to and a part of that agreement. This operating plan will remain in effect until superseded by a new operating plan.

The parties hereto agree as follows:

**PURPOSE:**

The purpose of this Operating Plan is to define operating procedures and responsibilities within the framework of the Cooperative Fire Management Agreement referred to above.

**A. Assistance Area**

The enclosed maps, Attachment A, which is made part of this Operating Plan, outlines the protection area of the Cooperator within the framework of the Cooperative Fire Management Agreement referred to above.

The Cooperator is responsible for suppression of structural fires in and around the Bear Creek Fire Service Area, and has the authority to assist the Forest Service in suppression of wildland fires regardless of land ownership within the initial attack zones displayed on the attached map as per Clause 4 of the parent agreement.

The Forest Service is responsible for suppression of wildland fires on National Forest lands and has the delegated authority for suppression of wildland fires regardless of land ownership within the jurisdiction of the Chugach National Forest within the initial attack zone displayed on the attached maps.

**B. Resource Inventory Attachments:**

- a. Service area map (Attachment A)
- b. Personnel roster, equipment pay rates (Attachment B)
- c. Cooperator equipment roster and rental rates (Attachment C)
- d. Dispatch information (Attachment D)
- e. Radio Frequencies: MOU #14-MU-11100430-011 (Attachment E)

**C. Reporting Fires**

It is understood that the Forest service will act as the primary contact and representative for the State based on the current master agreement between the Alaska

Division of Forestry and the U.S. Forest Service (Region-10), and the current operating agreement between the Forest Service and the Coastal Region of the Alaska Division of Forestry.

The Cooperator will immediately notify the Forest Service of any wildland fire within its jurisdiction.

When reporting wildland fires, the following information is to be provided:

- a. Location (Township, Range and Section preferred)
- b. Size of fire
- c. Fuel type.
- d. Weather, wind speed and direction.
- e. Terrain, slope and aspect:
- f. Anticipated additional resources needed to control the fire.

#### **D. Communications**

Each party to this agreement agrees to maintain an up-to-date listing of principal party telephone numbers for emergency contact.

The Cooperator has been assigned radio frequencies for emergency purposes. The Cooperator authorizes the Forest Service and other cooperators to use these frequencies for emergency purposes while engaged in cooperative incident management according to MOU #14-MU-11100430-011 Attachment E.

The Forest Service authorizes the Cooperator use of the Forest assigned frequencies for emergency communication purposes while engaged in cooperative incident management according to MOU #14-MU-11100430-011 Attachment E.

#### **E. Operations**

When one party requests assistance from the other, every effort will be made to provide personnel and equipment that meets the training, physical requirements and performance standards necessary to perform the tasks assigned per NWCG 310-1 or NFPA standards.

At the time of the request, the responding agency will identify the person in charge of responding resources.



The first responding party to a fire incident will identify an Incident Commander who will be responsible for assessment of the situation and coordination and management of personnel and resources engaged in the incident. Once a qualified representative from the Protecting Party arrives on scene, that person may initiate a coordinated transfer of authority and assume command from the Initial Attack Incident Commander on any wildland fire at any time. The Forest Service will assume command if it appears that the incident will go beyond a successful initial attack.

If the Cooperator is the first responder to a wildland fire incident on lands protected by the Forest Service, and the initial attack Incident Commander determines that there is an immediate threat of the fire escaping initial attack, the official may request additional assistance from other Forest Service Cooperators and the Forest Service through Forest Dispatch before the arrival of Forest Service personnel.

The Cooperator is to notify the Forest Service and obtain approval for commercial or privately owned resources prior to ordering them to a fire. Upon approval, the Forest Service assumes financial responsibility for payment of those resources.

Equipment volunteered by individuals or companies may be utilized at the discretion of the Incident Commander. The Incident Commander will notify the Forest Service of any volunteered equipment present on the fire. The Forest Service assumes no responsibility for volunteered equipment until the Forest Service takes control of the fire. The Forest Service will complete an Emergency Equipment Rental Agreement prior to using these resources.

It shall be the policy of both parties to release the Supporting Party's personnel and equipment from emergency duties as soon as practical and mutually agreed upon between the Forest Service and the Supporting Party.

All incidents occurring on National Forest jurisdiction or Forest Service protected lands will be managed under the Incident Command System (ICS).

Personnel and equipment of either party to this agreement may enter on the lands administered or protected by the other in order to effect this agreement, including access onto administratively closed roads for emergency response to incidents.

F. **Fire closures and restrictions**

Open burning closures for State and private lands will be authorized and enforced by the State of Alaska Division of Forestry, whereas open burning closures for Forest System lands will be authorized and enforced by the Forest Service.

### **G. Annual Coordination Meeting**

A coordination meeting between the Cooperator and the Forest Service will be held annually in February. This meeting will review the past year of cooperative assistance and if necessary, revise the Operating Plan.

### **H. Compensation for Services**

Compensation for services provided by the cooperator will be guided by the parent agreement.

Equipment rates will be the same as those listed in the Alaska Department of Forestry's Fire Service Organization Rate Book. These rates have been reviewed and accepted by the USDA Forest Service, USDI Bureau of Land Management, USDI Bureau of Indian Affairs, and the Alaska Department of Forestry.

The Cooperator is responsible for the cost of all servicing, except when the Forest Service assumes responsibility for partial or total servicing on an incident. The term servicing shall include providing and maintaining the apparatus with fuel, oil, lubricants, filters, and other operating supplies to maintain the apparatus in a safe operating condition. It is the responsibility of the operator/personnel to determine that the fuel used is the proper fuel for the apparatus.

The Cooperator is responsible for providing apparatus to the Forest Service in a good and safe operating condition and will be subject to pre-use inspection at time of hire. If, in the determination of the Forest Service, the apparatus is not in good, safe operating condition based upon the manufacturer's general safety specifications when it arrives for work, the Forest Service may reject it. If equipment is rejected, the Forest Service will not pay any costs, including transportation costs. The operator/personnel shall keep a copy of the Bear Creek Fire Service Area Fire Agreement and Cooperator Conditions of Hire document with the apparatus.

The start of the rental period begins upon passing inspection and said time shall be documented on the initial shift ticket. Each service call will be documented via shift tickets to an Emergency Equipment Use Invoice, OF-286, or equivalent. The Cooperator agrees that service call documents may be signed by the Cooperator's operator/personnel as a duly authorized representative for the purpose of certification as to the number of hours or other units of pay earned. The Cooperator or its operator/personnel must sign shift tickets during the assignment and the Emergency Equipment Use Invoice document at the time of release from work.

Apparatus shall be delivered, at the Forest Service expense, from point of hire to the work site and returned to the point of hire.

For each incident, information from individual Emergency Equipment Shift Tickets will be transferred to the Emergency Equipment Use Invoice (OF-286) completed and signed by the responsible government officer and cooperators representative.

For each piece of equipment provided by the cooperator to an incident, a Resource Order number will be assigned and documented on the Emergency Equipment Use Invoice.

The operator/personnel are responsible at all times for tools, spares, and accessories belonging to the Cooperator, and shall secure them in the apparatus if possible. Items

that cannot be so secured may be placed in a Forest Service designated storage area, if available.

The operator/personnel are responsible at all times for the safe and efficient operation of apparatus and may refuse to work in a situation:

- Exceeding operator/personnel ability
- That exceeds the capability of the apparatus
- That may result in damage to the apparatus

The operator/personnel receives work assignments from, and performs work under the general direction of the Forest Service. In the event the Forest Service terminates an operator for cause, replacement operator/personnel may be requested from the Cooperator. A performance evaluation will be completed for each operator/apparatus.

The cooperator will provide qualified personnel to operate each piece of equipment in accordance with minimum standards assigned to equipment kinds and types and specified by the NWCG PMS-310-1.

The cooperator shall abide by and be reimbursed by the rates established in the Alaska Department of Natural Resource Division of Forestry Alaska Incident Business Management Handbook Chapter 6 and 7. See Attachment C.

#### **I. Location of Agreement and Operating Plan**

Copies of the Agreement and the Operating Plan will be kept in each of the listed Cooperator vehicles, and in Forest Service Engines 3-1, 3-2 and 3-3, as well as in each office.

#### **J. Addendums/Amendments**

This Annual Operating Plan is agreed to by the Forest Service through the Forest Supervisor and the Bear Creek Fire Service Area through the Kenai Peninsula Borough Mayor and is effective upon signing. This Annual Operating Plan is in effect until superseded. Modifications within the scope of this operating plan must be made by mutual consent of the parties, by the issuance of a written modification signed and dated by all properly authorized, signatory officials, prior to any changes being performed. Requests for modification should be made, in writing, at least 30 days prior to implementation of the requested change. The U.S. Forest Service is not obligated to fund any changes not properly approved in advance.

#### **K. Billing Procedures**

- 1) The Forest Service Incident Commander (IC) or Assistant Fire Management Officer (AFMO) will create a payment request package to include a copy of the resource order, signed shift tickets, and an Emergency Equipment Use Invoice signed by the Bear Creek Fire Service Area.
- 2) The Bear Creek Fire Service Area will ensure that Agreement #14-FI-11100430-010 is documented on the invoice and will forward the invoice with a copy of the signed shift tickets to the address below:

USDA-Forest Service  
Albuquerque Service Center  
Incident Business  
101B Sun Ave., NE  
Albuquerque, NM 87109

In witness thereof, this operating plan is executed as of the date of last signature and remains in effect until superseded.

KENAI PENINSULA BOROUGH

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY

By: \_\_\_\_\_  
Mike Navarre, Mayor

By: \_\_\_\_\_  
Asst. Borough Attorney

Date: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

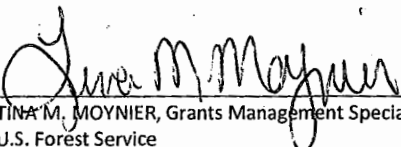
By: \_\_\_\_\_  
Borough Clerk

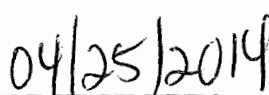
Date: \_\_\_\_\_

\_\_\_\_\_  
TERRI MARCERON, Forest Supervisor  
U.S. Forest Service, Chugach National Forest Service

\_\_\_\_\_  
Date

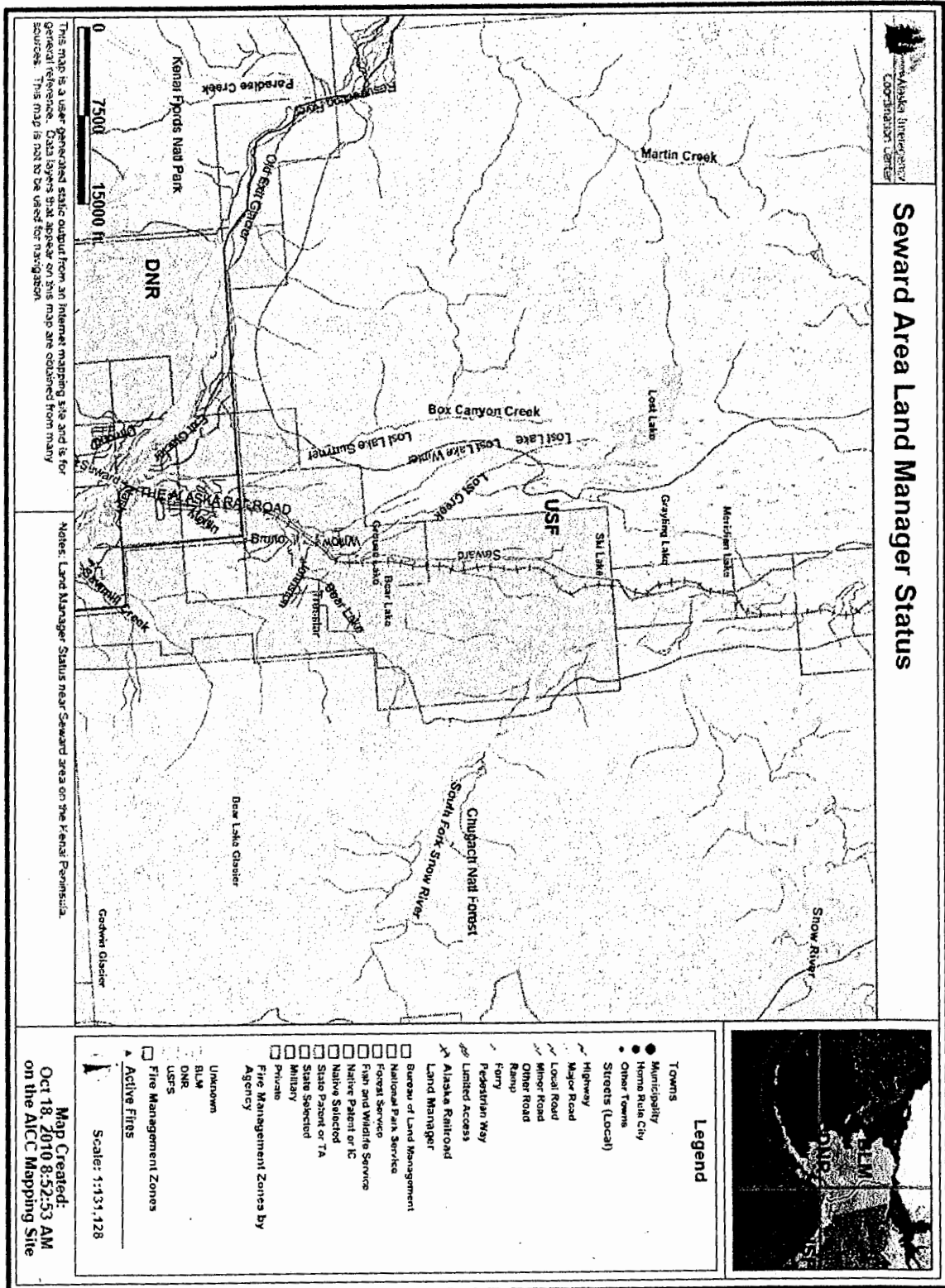
The authority and format of this operating plan (14-FI-11100530-010 Mod 1)  
have been reviewed and approved for signature.

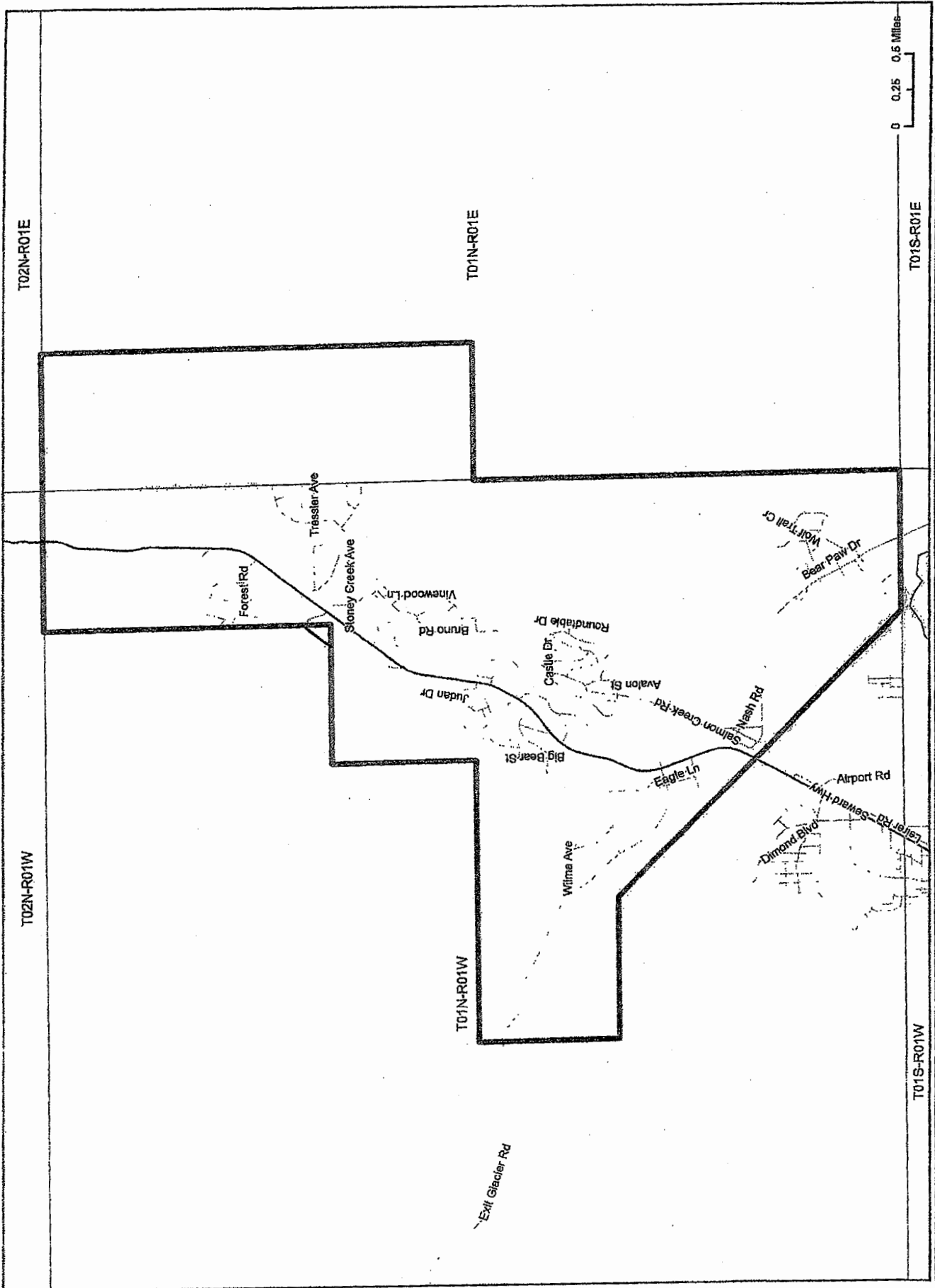
  
\_\_\_\_\_  
TINA M. MOYNIER, Grants Management Specialist  
U.S. Forest Service

  
\_\_\_\_\_  
Date

**ATTACHMENT A**

# ATTACHMENT A





Kenai Peninsula Borough  
GIS Division  
DECEMBER 4, 2007

**BEAR CREEK FIRE SERVICE AREA**

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



**ATTACHMENT B**  
**PERSONNEL ROSTER**

<u>NAME</u>	<u>TITLE/POSITION</u>
Beals	Fire Chief
Krouse	Asst. Chief
Wiles	Captain/Safety
Beardsley	Captain
Bildeaux	Lieutenant
Edgar	Lieutenant
Wolf	Lieutenant
Brasher	Firefighter
Hoogland	Firefighter
Tallman	Firefighter
Fulton	Firefighter
Backlund	Firefighter
Sieminski	Firefighter
Swanson	Firefighter
Whatmore	Firefighter
Zweifel	Firefighter
Beardsley	Firefighter
Goodwater	Support
Knopf	Support
Robertson	Support

Additional people may become members of the Bear Creek Fire Service Area at any time during the life of the current Operating Plan, or, individuals listed may obtain higher qualifications in the interim prior to preparing an updated Operating Plan.



**ATTACHMENT C**

**Bear Creek Fire Service Area Equipment Roster and Rental Rates**

Shift or hours, whichever is more cost efficient (1 shift equals 12 hours)

Unit	Vehicle Type	Water Capacity	Pump	ICS Typ	Crew	Payment Rate
# 124	1994 Autocar 4v2scbcg2pr5119 58	1000 gal.	1000 gpm	1	2	\$185/hr \$2550 Daily \$4005 Double Crew Daily
# 125	1986 Ford F- 800 1fdxf82k6gva3 5211	2000 gal.	500gp m	1	2	\$185/hr \$2550 Daily \$4005 Double Crew Daily
# 161	1980 Chevy 310 Ckm33ab120923	300 gal		3	2	\$115/hr \$1605 Daily \$2,520 Double Crew Daily
# 118	2004 Freightliner 1fvhc50e95hn86675	1600 gal.	1,500 gpm	1	2	\$185/hr \$2550 Daily \$4005 Double Crew Daily
# 127	2010 Kenworth 2nkhl9x6bm269471	3000	1000 gpm	S2	2	\$105/hr \$1460Daily \$2290 Double Crew Daily

**Rates per the Alaska Department of Natural Resources Division of Forestry Alaska Incident Business Management Handbook.**  
<http://forestry.alaska.gov/fire/incidentmanagement.htm>

**INSURANCE:** The Cooperator must carry and maintain motor vehicle liability insurance as required by AS 28.22.01. The Cooperator's operator/personnel remains an employee of the Cooperator and the Cooperator must carry and maintain Worker's Compensation coverage as required by AS 23.30.045.

**ATTACHMENT D**

**DISPATCH INFORMATION**

**Bear Creek Fire Service Area**

**FIRE DISPATCHING:**

**Bear Creek Fire Service Area**

**Emergency-911**

Fire Dispatch

Office: 907-224-9210 Fax: 907-424-6000

	<b>OFFICE</b>	<b>CELL</b>
Mark Beals, Fire Chief	907-224-9210	907-362-1213
Steve Krouse, Deputy Chief	907-224-9210	907-362-3635
James Wiles, Captain/Safety	907-224-9210	907-244-7599

**CHUGACH NATIONAL FOREST**

**FIRE DISPATCHING**

	<b>OFFICE</b>	<b>CELL</b>
Tom Hudson Forest Fire Management Office	907-743-9435	907-240-1208
Bobette Rowe Fire Management Officer	907-288-7732	907-382-0166
Nicole Longfellow	907-288-7734	907-362-1185
Daniel Osborn Engine Captain	907-288-7735	907-362-5013
Tom Malecek District Ranger	907-288-7730	907-362-0967
Forest Dispatch Dispatch-Anchorage	907-743-9433	
Seward Ranger District	907-224-3374	

**ATTACHMENT E**

See attached MOU #14-MU-11100430-011  
Frequency MOU

FS Agreement No. 14-MU-11100430-011  
Agreement No. \_\_\_\_\_

**MEMORANDUM OF UNDERSTANDING  
FOR COOPERATIVE FREQUENCY USE**  
Between The  
**BEAR CREEK FIRE SERVICE AREA  
KENAI PENINSULA BOROUGH**  
And The  
**USDA, FOREST SERVICE  
CHUGACH NATIONAL FOREST**

This MEMORANDUM OF UNDERSTANDING (MOU) is hereby made and entered into by and between the Kenai Peninsula Borough (KPB) on behalf of the Bear Creek Fire Service Area, hereinafter referred to as "Cooperator," and the U.S. Forest Service, Chugach National Forest, hereinafter referred to as the U.S. Forest Service.

**I. PURPOSE:** The purpose of this MOU is to document the cooperation between the parties for sharing of specific radio frequencies that are authorized to each party, in accordance with the following provisions.

**II. STATEMENT OF MUTUAL BENEFIT AND INTERESTS:**

This MOU provides efficient, cost effective radio communications to support the protection of life and property management policies of the parties to this MOU

In consideration of the above premises, the parties agree as follows:

**III. BEAR CREEK FIRE SERVICE AREA SHALL:**

- A. Determine the dispatch and management procedures to be used for Cooperator's frequencies listed herein.
- B. Provide evidence of authorization to operate Cooperator's frequencies listed herein and to immediately notify the U.S. Forest Service when conditions of the authorization to operate change, or the authorization becomes invalid.
- C. Use U.S. Forest Service frequencies for official use when required for testing, maintenance, employee and public safety, fire suppression, or joint operations between parties.
- D. Cease operating on U.S. Forest Service frequencies when requested by the U.S. Forest Service.
- E. Submit an application through the Federal Communications Commission (FCC) for licenses to operate on the U.S. Forest Service frequencies listed in Exhibit A to this MOU.
- F. Allow the U.S. Forest Service usage of Cooperator's frequencies listed in Exhibit A.



**Note: The frequency data contained in Exhibit A is Sensitive but Unclassified (SBU) and is not releasable under the Freedom of Information Act.**

#### **IV. THE U.S. FOREST SERVICE SHALL:**

- A. Determine the dispatch and management procedures to be used for the U.S. Forest Service frequencies listed herein.
- B. Provide evidence of authorization to operate on the U.S. Forest Service frequencies listed herein and to immediately notify Cooperator when conditions of the authorization to operate change, or the authorization becomes invalid.
- C. Use Cooperator's frequencies for official use when required for testing, maintenance, employee and public safety, fire suppression, or joint operations between the parties.
- D. Cease operating on Cooperator's frequencies when requested by Cooperator.
- E. Submit an application through the National Telecommunications and Information Administration (NTIA) for a license to operate on Cooperator's frequencies listed in Exhibit A to this MOU.
- F. Allow Cooperator usage of U.S. Forest Service frequencies listed in Exhibit A.

**Note: The frequency data contained in Exhibit A is Sensitive but Unclassified (SBU) and is not releasable under the Freedom of Information Act.**

#### **V. IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN THE PARTIES THAT:**

- A. Each party shall maintain administrative control of their radio frequencies and will be responsible for all use of the frequency.
- B. Frequency use is limited to the restrictions imposed on Radio Frequency Authorization (RFA) supplied by the U.S. Forest Service, and/or Cooperator and may be installed in mobile and portable radios for operational use between the U.S. Forest Service and Cooperator as designated by each party.
- C. Each party shall furnish their own radio communications equipment to operate on the frequencies listed in Exhibit A to this MOU.
- D. Equipment shall be and remain the property of each party who furnished it, and that party shall be the licensee thereof pursuant to the Federal Communications Commission (FCC) and International Radio Advisory Committee (IRAC) regulations.
- E. Each party is authorized to operate their equipment for test purposes, maintenance, reliability checks and operational use.



- F. The parties agree to operate and maintain their equipment in accordance with FCC and NTIA regulations and operational parameters as established by this MOU. Cooperator **shall submit an application through the FCC to apply for a license to operate on the listed frequencies.** Federal licenses may be acquired without cost by submitting form: FCC-601 (Main) FCC-601D (Station Location & Antenna Structure Information) & FCC-601H (Private Land Mobile & Land Mobile Auxiliary Radio Service Information) to the FCC at the following address:

Federal Communications Commission  
1270 Fairfield Road  
Gettysburg, PA 17325

- G. PRINCIPAL CONTACTS. Individuals listed below are authorized to act in their respective areas for matters related to this agreement.

**Principal Cooperator Contacts:**

<b>Cooperator Program Contact</b>	<b>Cooperator Administrative Contact</b>
Name: Scott Walden Address: 253 Wilson Lane City, State, Zip: Soldotna, AK, 99669 Telephone: 907-394-2417 FAX: 907-262-4910 Email: swalden@kpb.us	Name: Andrea Morris Address: P.O. Box 1565 City, State, Zip: Seward, AK 99664 Telephone: 907-224-3345 FAX: 907-224-3344 Email: amorris@kpb.us

**Principal U.S. Forest Service Contacts:**

<b>U.S. Forest Service Radio Contact</b>	<b>U.S. Forest Service Administrative Contact</b>
Name: Stacy Griffith Address: 161 East 1 <sup>st</sup> Ave. City, State, Zip: Anchorage, AK 99501 Telephone: 907-743-9526 Email: stgriffith@fs.fed.us	Name: Tina Moynier Address: 599 West Price River Dr. City, State, Zip: Price, UT 84501 Telephone: 435-636-3529 FAX: 435-637-4940 Email: tmoynier@fs.fed.us

<b>U.S. Forest Service Program Manager Contact</b>
Name: Fire Management Officer Address: 29847 Seward Highway City, State, Zip: Seward, AK 99664 Telephone: 907-288-7732 FAX: 907-288-2002 Email: bsrowe@fs.fed.us



- H. NOTICES. Any communications affecting the operations covered by this agreement given by the U.S. Forest Service or Cooperator is sufficient only if in writing and delivered in person, mailed, or transmitted electronically by e-mail or fax, as follows:

To the U.S. Forest Service Program Manager, at the address specified in the MOU.

To Cooperator, at Cooperator's address shown in the MOU or such other address designated within the MOU.

Notices are effective when delivered in accordance with this provision, or on the effective date of the notice, whichever is later.

- I. PARTICIPATION IN SIMILAR ACTIVITIES. This MOU in no way restricts the U.S. Forest Service or Cooperator from participating in similar activities with other public or private agencies, organizations, and individuals.
- J. ENDORSEMENT. Any of Cooperator's contributions made under this MOU do not by direct reference or implication convey U.S. Forest Service endorsement of Cooperator's products or activities.
- K. NONBINDING AGREEMENT. This MOU creates no right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity. The parties shall manage their respective resources and activities in a separate, coordinated, and mutually beneficial manner to meet the purposes(s) of this MOU. Nothing in this MOU authorizes any of the parties to obligate or transfer funds. Specific projects or activities that involve the transfer of funds, services, or property among the parties require execution of separate agreements and are contingent upon the availability of appropriated funds. These activities must be independently authorized by statute. This MOU does not provide that authority. Negotiation, execution, and administration of these agreements must comply with all applicable law. Each party operates under its own laws, regulations, and policies, subject to the availability of appropriated funds. Nothing in this MOU is intended to alter, limit, or expand the agencies' statutory and regulatory authority.
- L. FREEDOM OF INFORMATION ACT (FOIA). Public access to MOU or agreement records must not be limited, except when such records must be kept confidential and would have been exempted from disclosure pursuant to Freedom of Information regulations (5 U.S.C. 552).
- M. TEXT MESSAGING WHILE DRIVING. In accordance with Executive Order (EO) 13513, "Federal Leadership on Reducing Text Messaging While Driving," any and all text messaging by Federal employees is banned: a) while driving a Government owned vehicle (GOV) or driving a privately owned vehicle (POV) while on official Government business; or b) using any electronic equipment supplied by the Government when driving any vehicle at any time. All cooperators, their employees, volunteers, and contractors are encouraged to adopt and enforce policies that ban text messaging when driving company owned, leased or rented vehicles, POVs or GOVs when driving while on official Government business or when performing any work for or on behalf of the Government.



- N. TERMINATION. Any of the parties, in writing, may terminate this MOU in whole, or in part, at any time before the date of expiration.
- O. DEBARMENT AND SUSPENSION. Cooperator shall immediately inform the U.S. Forest Service if they or any of their principals are presently excluded, debarred, or suspended from entering into covered transactions with the federal government according to the terms of 2 CFR Part 180. Additionally, should Cooperator or any of their principals receive a transmittal letter or other official Federal notice of debarment or suspension, then they shall notify the U.S. Forest Service without undue delay. This applies whether the exclusion, debarment, or suspension is voluntary or involuntary.
- P. MODIFICATIONS. Modifications within the scope of this MOU must be made by mutual consent of the parties, by the issuance of a written modification signed and dated by all properly authorized, signatory officials, prior to any changes being performed. Requests for modification should be made, in writing, at least 30 days prior to implementation of the requested change.
- Q. COMMENCEMENT/EXPIRATION DATE. This MOU is executed as of the date of the last signature and is effective through April 30, 2019 at which time it will expire, unless extended by an executed modification, signed and dated by all properly authorized, signatory officials. Expiration date shall be concurrent with that of the IRAC authorizations.
- R. AUTHORIZED REPRESENTATIVES. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this MOU. In witness whereof, the parties hereto have executed this MOU as of the last date written below.

KENAI PENINSULA BOROUGH	APPROVED AS TO FORM AND LEGAL SUFFICIENCY
BY: _____ MIKE NAVARRE, MAYOR	BY: _____ ASST. Borough Attorney
DATE: _____	Date: _____

---

TERRI MARCERON, Forest Supervisor U.S. Forest Service, Chugach National Forest	Date
--------------------------------------------------------------------------------------	------

The authority and format of this agreement have been reviewed and approved for signature.





*Tina M. Moynier*  
TINA M. MOYNIER

*04/25/2014*

Date

U.S. Forest Service Grants Management Specialist

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.



Introduced by: Mayor  
Date: 05/20/14  
Shortened Hearing: 06/03/14  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2013-19-40**

**AN ORDINANCE APPROPRIATING \$406,989.48 TO THE SPECIAL ASSESSMENT  
FUND FOR THE DEEP CREEK ESTATES – FAIRWOOD SUBDIVISION UTILITY  
SPECIAL ASSESSMENT DISTRICT**

1 **WHEREAS**, KPB 5.35 provides authority for creating and financing utility special assessment  
2 districts for utility line extension; and

3 **WHEREAS**, a petition has been received requesting the formation of a special assessment district  
4 in the Deep Creek Estates – Fairwood Subdivision for construction of a natural gas  
5 mainline; and

6 **WHEREAS**, Resolution 2014-\_\_\_ to form the district and proceed with the improvement for the  
7 Deep Creek Estates - Fairwood Subdivision Utility Special Assessment District  
8 (USAD), was \_\_\_\_\_ at the \_\_\_\_\_ assembly meeting; and

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

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

13 **WHEREAS**, the estimated total cost of the project of \$406,989.48 is to be provided as an  
14 investment by the general fund which will be repaid with interest by assessments on  
15 the parcels within the district;

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

3 **SECTION 1.** That the amount of \$406,989.48 is authorized to be advanced to the assessment fund  
4 from the general fund and appropriated into Account No. 899.92039.DEEPC.49999  
5 for the Deep Creek Estates - Fairwood Subdivision Natural Gas Line project.

6 **SECTION 2.** That the special assessment fund shall repay the full amount with interest to the  
7 general fund through payments made on the special assessments levied.

8 **SECTION 3.** That this ordinance shall take effect immediately upon its enactment.

9 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \* DAY**  
10 **OF \* 2014.**

\_\_\_\_\_  
Hal Smalley, Assembly President

ATTEST:

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

Yes:

No:

Absent:



## KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520

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

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

www.borough.kenai.ak.us

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

### MEMORANDUM

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

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

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

**DATE:** May 8, 2014

**SUBJECT:** Ordinance 2013-19-40, appropriating \$406,989.48 to the special assessment fund for the Deep Creek Estates - Fairwood Subdivision Utility Special Assessment District

With passage of the resolution to form the district and proceed with the improvement which will be presented to the assembly June 3, 2014, when this ordinance is scheduled to be heard, the next step in the utility special assessment district (USAD) process is assembly consideration of the appropriating ordinance. The attached ordinance appropriates the estimated project costs and authorizes an interfund loan from the general fund to finance the USAD.

The total cost of the gas line project is estimated at \$406,989.48. This includes direct cost of \$393,501 and indirect administrative cost of \$13,488.48. Funding for the project will be provided through an interfund loan from the borough's general fund. The loan will be repaid through 10 annual assessments levied on property located within the USAD. Billings will include an interest charge equal to the published prime rate in effect at the time of the loan plus 2 percent. The prime rate is currently 3.25 percent. If it remains unchanged through project completion, residents of the USAD will be charged an interest rate of 5.25 percent (3.25 + 2). This is the same formula used to determine the rate of interest on the interfund loans used to finance other USAD projects. Penalties are not imposed for accelerated payments.

If for any reason the USAD is not formed, the loan will not be made and the General Fund will absorb any administrative costs that exceed the \$1,000 filing fee received with the petition.

To begin construction of the gas line during the 2014 construction season a shortened hearing on the attached ordinance to appropriate the funds is requested.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>100.27910 FB</u>
Amount	<u>\$406,989.48</u>
By:	<u>pc</u> Date: <u>5/7/14</u>

Introduced by: Johnson  
Date: 05/20/14  
Hearing: 06/17/14  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2014-18**

**AN ORDINANCE AMENDING KPB 5.18.430(F) TO CHANGE THE 60 PERCENT  
VOTER APPROVAL REQUIREMENT TO A SIMPLE MAJORITY  
TO INCREASE THE CAP ON TAXABLE SALES**

1 **WHEREAS**, KPB 5.18.100 currently limits sales taxes to the first \$500 of any given sale; and

2 **WHEREAS**, Kenai Peninsula voters passed an initiative in 2005 which, among other things,  
3 required approval by at least 60 percent of the voters to raise the sales tax cap;  
4 and

5 **WHEREAS**, the above initiative was approved by 54.2 percent of the voters; and

6 **WHEREAS**, a 60 percent voter approval requirement is inappropriate for sales tax cap  
7 legislation because it gives control of this decision to a minority of the voters;

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

10 **SECTION 1.** That KPB 5.18.430(F) is hereby amended as follows:

11 **5.18.430. Computation—Maximum tax**

12 A. The sales tax referred to in KPB 5.18.100 shall be applied only to the first \$500.00 of  
13 each separate sale, rent or service transaction, except as otherwise provided in this  
14 section.

- 1 B. Except as provided below for long-term vehicle leases, the payment of rent, whether for  
2 real or personal property, in excess of \$500.00 and for more than one month, shall be  
3 treated as several separate transactions covering the rental/lease for one month each.
- 4 C. Services provided on account and billed to the customer on a periodic basis are subject to  
5 application to the tax on a maximum of \$500.00 of each billing, per account. For  
6 purposes of this section, any advance payment for services other than to a trust or escrow  
7 account is considered to be paid pursuant to a "billing".
- 8 D. Each night's rental of each individual room shall be considered a separate transaction and  
9 therefore the maximum tax computation shall be calculated on a per room per night basis.
- 10 E. Long-term vehicles leases shall be treated as one transaction per year, and per fractional  
11 year, of the lease term. The tax paid for any fraction of a year shall equal the tax paid for  
12 a whole year. The sales tax for the entire long-term vehicle lease shall be due and  
13 collected at the time of the first payment. Tax shall be calculated at the sales tax rate in  
14 effect on the day the lease is signed. There shall be no refund of such taxes should the  
15 lease terminate earlier than on its terms. Any extension of the initial lease term shall be  
16 treated as a new long-term vehicle lease.
- 17 F. Any increase to the maximum sales tax described in subsection (A), above, shall not take  
18 effect until ratified by [AT LEAST 60 PERCENT] a simple majority of voters at a regular  
19 borough election.
- 20 G. Recreational sales shall be treated on a per person per day basis and therefore the  
21 maximum tax computation shall be calculated on a per person per day basis. For purposes  
22 of this subsection, the term "person" means an individual human being.

23 **SECTION 2.** That this ordinance shall take effect immediately upon its enactment.

1 ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \*  
2 DAY OF \* 2014.

---

Hal Smalley, Assembly President

ATTEST:

---

Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



# KENAI PENINSULA BOROUGH

## Kenai Peninsula Borough Assembly

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

Hal Smalley, Assembly President  
Bill Smith, Vice President

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### MEMORANDUM

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

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

**DATE:** May 7, 2014

**RE:** Ordinance 2014-18, amending KPB 5.18.430(F) to require 50 percent voter approval to raise the sales tax cap of \$500 instead of the current 60 percent requirement.

---

In 2005 the voters approved an initiative that, among other things, amended the sales tax code to require voter approval of any increases in the \$500 cap on sales subject to the sales tax. That initiative included a requirement that 60 percent of the voters must approve any such increase. This gives control of the decision to increase the sales tax to a minority of the voters as less than 50 percent of the voters can prevent an increase from being implemented even if a majority of the voters approve it. Interestingly, the initiative was approved by 54.2 percent of the voters, which is less than 60 percent.

By analogy, this problem would be the same if a decrease in the cap were to require 60 percent voter approval. In that scenario 40 percent of the voters could prevent the \$500 cap from being decreased.

In my view it is appropriate to change this provision to require only a simple majority to approve an increase in the sales tax cap.

Your consideration is appreciated.

Introduced by: Smith  
Date: 05/20/14  
Hearing: 06/17/14  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2014-20**

**AN ORDINANCE AMENDING TITLE 4 TO REQUIRE BOROUGH ELECTIONS BE HELD BY MAIL AND REPEALING KPB 4.10.110(B) AUTHORIZING STATEMENTS SUPPORTING OR OPPOSING PROPOSITIONS TO BE INCLUDED IN THE INFORMATIONAL BROCHURE**

- 1 **WHEREAS**, State statutes provide that the local governing body shall establish the procedures  
2 for conducting elections; and
- 3 **WHEREAS**, the borough has instituted several absentee vote-by-mail precincts; and
- 4 **WHEREAS**, the remote nature of areas of the borough would make voting by mail more  
5 efficient, convenient, and less costly; and
- 6 **WHEREAS**, jurisdictions that have instituted vote-by-mail have experienced increased voter  
7 participation; and
- 8 **WHEREAS**, voting by mail would eliminate the need to expend staff and financial resources in  
9 training election boards; and
- 10 **WHEREAS**, by mail elections can be conducted with fewer election officials than in person  
11 voting; and
- 12 **WHEREAS**, recently adopted Senate Bill 213 clarified state statutes to provide for municipal  
13 elections by mail; and
- 14 **WHEREAS**, absentee voting will still be available if elections are conducted by mail; and

1 **WHEREAS**, including statements supporting and opposing ballot propositions in the voter  
2 pamphlets has proven problematic and should be deleted;

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

5 **SECTION 1.** That KPB 4.10.020 is hereby amended as follows:

6 **4.10.020. Definitions.**

7 In this title, unless the context otherwise requires:

8 [A.] "Borough election" means any election:

- 9 1. To fill a borough office;
- 10 2. Upon a proposition submitted to the voters under the ordinances of the borough; or
- 11 3. That the borough is required by law to administer.

12 [B.] "Borough office" means an elective office under the ordinances of the borough.

13 [C.] "Clerk" means the clerk of the borough, any properly authorized assistant or designee.

14 [D.] "Day" means a calendar day including Saturday, Sunday and holidays.

15 [E.] "Election" includes a regular, special or run-off borough election.

16 [F.] "Election official" means the borough clerk and members of all election boards.

17 [G. RESERVED.]

18 [H.] "Election supervisor" means the borough clerk.

19 [I.] "Oath" includes affirmation on penalty of perjury.

20 [J.] "Precinct" means the territory within which resident voters may cast votes [AT ONE  
21 POLLING PLACE].

22 [K.] "Proposition" includes question.

23 [L.] "Publication" means a newspaper of general circulation or posting in public places.

1 [M.] "Qualified voter" means any person who has the qualifications required by this  
2 chapter and is not disqualified under Article V of the Alaska State Constitution.

3 [N. "QUESTIONED VOTER" MEANS A VOTER WHOSE NAME DOES NOT APPEAR ON THE REGISTER  
4 IN THE PRECINCT WHERE HE ATTEMPTS TO VOTE, A VOTER WHO HAS RECEIVED AN  
5 ABSENTEE BALLOT AND DOES NOT TURN IT IN WHEN VOTING AT HIS PRECINCT ON  
6 ELECTION DAY, A VOTER WHO DOES NOT BEAR IDENTIFICATION OR IS NOT PERSONALLY  
7 KNOWN TO AN ELECTION OFFICIAL THOUGH HIS NAME APPEARS ON THE PRECINCT  
8 REGISTER, OR A VOTER WHO IS QUESTIONED FOR GOOD CAUSE AT THE POLLS IN WRITING.]

9 [O.] "Regular election" means a general election to fill borough offices as required by  
10 Alaska Statutes.

11 [P.] "Registration" or "registered" refers to the form of registration required by the state  
12 election code. For borough elections, a person is registered if registered to vote in state  
13 elections in the precinct in which that person seeks to vote 30 days prior to the borough  
14 election.

15 [Q.] "Signature" includes any mark intended as a signature or subscription.

16 [R.] "Special election" means any election held at a time other than when a regular election  
17 is held.

18 [S.] "Swear" includes "Affirm".

19 [T.] "Total votes cast" means the total number of votes cast in each seat for candidates  
20 whose names are printed on the ballot plus votes properly cast for the same seat in the  
21 write-in position(s) of the ballot. Ballots which are counted as blank votes in a  
22 particular race and ballots which are counted as over votes in a particular race shall not  
23 be added into the total votes in determining the percentage of votes cast.

24 [U.] "Voter" means any person who presents himself for the purpose of registering to vote or  
25 voting, either in person or by absentee application or ballot.

1    **SECTION 2.** That KPB 4.10.060 is hereby amended as follows:

2    **4.10.060. Notice of elections.**

3    A. The election supervisor shall publish a notice of each election at least twice in one or more  
4       newspapers of general circulation in the borough. The election supervisor shall also post  
5       such a notice in two conspicuous places in each precinct. The first such publication, and the  
6       posting in each precinct, shall be accomplished at least 20 days prior to a regular election or  
7       at least 20 days before a special election.

8    B. Each notice of election shall include:

9       1. The type of election, whether regular, special or runoff;

10      2. The date of the election;

11      3. The notice of election shall state that the election is to be conducted by mail and that  
12       there will be no precinct polling places open for the election on election day.

13      4. The hours the [POLL] absentee voting sites will be open and locations;

14      5[4]. The offices to which candidates are to be elected;

15      6[5]. The subjects of propositions to be voted upon;

16      7[6]. Voter qualifications and instructions for registration;

17      8[7]. Instructions for application for absentee voting;

18      [8. PRECINCT POLLING PLACES.]

19    C. For run-off elections, the notice of the locations of the [PRECINCT POLLING PLACES] absentee  
20       voting sites may be included or separate from the notice of the election and publication shall  
21       be made at least once, no later than 5 days prior to the run-off election. The notice of  
22       election shall be posted at 2 places within each precinct.

23    D. Notice of bonded indebtedness.

24      1. Before a general obligation bond issue election, the borough clerk shall publish notice  
25       of the borough's total existing bonded indebtedness at least once a week for three  
26       weeks.

- 1        2. The notice of the borough's total existing bonded indebtedness shall state:
- 2            a. the current total general obligation bonded indebtedness, including authorized but
- 3                   unsold bonds, of the borough;
- 4            b. the cost of the debt service on the current indebtedness; and
- 5            c. the total assessed valuation within the borough.

6        **SECTION 3.** That KPB 4.10.110 is hereby amended as follows:

7        **4.10.110. Informational brochures for ballot propositions.**

8        [A.] Fifteen days prior to each regular or special election the borough clerk shall prepare and  
9        mail to every borough boxholder a brochure containing information approved by the assembly of  
10       a strictly factual nature pertaining to each proposition on the ballot[, EXCEPT AS PROVIDED BELOW  
11       IN THIS SECTION]. Sample ballots will also be included in the brochure. The clerk shall prepare  
12       instructions explaining to voters how to obtain ballots, how to mark them, and how to obtain new  
13       ballots to replace those destroyed or spoiled.

14       [B. NOTWITHSTANDING KPB 4.10.100, STATEMENTS ADVOCATING VOTER APPROVAL OR  
15       REJECTION OF PROPOSITIONS MAY BE INCLUDED IN THE INFORMATIONAL BROCHURE IN  
16       ACCORDANCE WITH THIS SUBSECTION.

- 17            1. THE CLERK MAY INCLUDE STATEMENTS ADVOCATING VOTER APPROVAL AND REJECTION  
18            OF PROPOSITIONS IN THE ELECTION PAMPHLET. THE CLERK MAY OFFER AUTHORSHIP OF  
19            THE STATEMENT ADVOCATING VOTER APPROVAL OF A PROPOSITION TO A PUBLICLY  
20            RECOGNIZED INDIVIDUAL OR ORGANIZATION WITH A STATED INTEREST IN THE  
21            PROPOSITION. THE CLERK MAY OFFER AUTHORSHIP OF THE STATEMENT ADVOCATING  
22            VOTER REJECTION OF A PROPOSITION TO A PUBLICLY RECOGNIZED INDIVIDUAL OR  
23            ORGANIZATION WITH A STATED INTEREST IN THE PROPOSITION.
- 24            2. THE CLERK WILL ESTABLISH A DEADLINE FOR THE SUBMISSION OF A STATEMENT UNDER  
25            THIS SECTION. A STATEMENT ADVOCATING VOTER APPROVAL AND REJECTION MUST BE  
26            RECEIVED BY THE CLERK BY THE ESTABLISHED DEADLINE DATE.

- 1 3. A STATEMENT SUBMITTED UNDER THIS SECTION MAY NOT EXCEED 500 WORDS. AN  
2 ARTICLE SUCH AS "A," "AN," AND "THE" WILL BE COUNTED AS A WORD.
- 3 4. A STATEMENT SUBMITTED UNDER THIS SECTION MUST INCLUDE A SIGNER'S BLOC  
4 LOCATED AT THE BOTTOM OF THE STATEMENT. THE SIGNER'S BLOC MUST INCLUDE NO  
5 MORE THAN THREE SIGNERS. ANY SIGNERS MORE THAN THE ALLOTTED THREE WILL BE  
6 CONSIDERED ENDORSEMENTS AND INCLUDED IN THE TEXT OF THE STATEMENT AND  
7 COUNTED AGAINST THE 500-WORD LIMIT. SIGNERS MUST INCLUDE THE SIGNERS( FULL  
8 NAMES AND ORGANIZATIONS, IF ANY.
- 9 5. SIGNERS SHALL SIGN A FORM PREPARED BY THE CLERK INDICATING THAT THE SIGNERS  
10 PARTICIPATED IN THE DRAFTING OF THE STATEMENT.
- 11 6. THE CLERK WILL NOT RELEASE STATEMENTS UNTIL ALL STATEMENTS REGARDING THE  
12 QUESTION HAVE BEEN RECEIVED IN FINAL FORM AND HAVE GONE TO THE PRINTER.
- 13 7. THE CLERK MAY APPOINT A COORDINATOR FOR THE DRAFTING OF STATEMENTS UNDER  
14 THIS SECTION.
- 15 8. STATEMENTS ADVOCATING BOTH APPROVAL AND REJECTION MUST BE ACCEPTED BY THE  
16 CLERK IN ORDER TO BE PUBLISHED. IF ONLY ONE STATEMENT IS RECEIVED, IT WILL NOT BE  
17 PUBLISHED.
- 18 9. THE CLERK WILL ADD A DISCLAIMER TO EACH INITIATIVE OR REFERENDUM NOTING THE  
19 TEXT OF THE BALLOT PROPOSITION IS PRESENTED AS SUBMITTED BY THE PETITION  
20 SPONSORS. THE CLERK WILL ADD A DISCLAIMER TO EACH STATEMENT NOTING THE  
21 INFORMATION IS THE OPINION OF THE AUTHOR(S) AND HAS BEEN REPRODUCED AS  
22 SUBMITTED, WITHOUT ANY CHANGES TO GRAMMAR, SPELLING OR PUNCTUATION.

23 THE PRESENTATION ORDER FOR EACH PROPOSITION SHALL BE:

- 24 A) TEXT OF THE BALLOT PROPOSITION OR SAMPLE BALLOT;
- 25 B) PROPOSITION SUMMARY APPROVED BY THE ASSEMBLY OF A STRICTLY FACTUAL  
26 NATURE;
- 27 C) A STATEMENT ADVOCATING VOTER APPROVAL; AND
- 28 D) A STATEMENT ADVOCATING VOTER REJECTION.]

1    **SECTION 4.** That KPB 4.10.120 is hereby amended as follows:

2    **4.10.120. Election supplies and equipment.**

3    [A. BEFORE THE OPENING OF THE POLLS THE CLERK SHALL FURNISH TO THE ELECTION BOARD OF  
4       EACH PRECINCT THE STATE VOTER REGISTRATION LIST FOR THAT PRECINCT AND SHALL EQUIP  
5       AND SUPPLY EACH POLLING PLACE WITH SUFFICIENT MATERIALS FOR THAT PRECINCT'S  
6       ELECTION, INCLUDING THOSE MATERIALS REQUIRED BY THIS SECTION.

7    B. THE CLERK SHALL PREPARE INSTRUCTIONS EXPLAINING TO VOTERS HOW TO OBTAIN BALLOTS,  
8       HOW TO MARK THEM, AND HOW TO OBTAIN NEW BALLOTS TO REPLACE THOSE DESTROYED OR  
9       SPOILED. THESE INSTRUCTIONS SHALL BE PRINTED ON CARDS IN LARGE, CLEAR TYPE AND  
10       SHALL BE DISTRIBUTED TO THE ELECTION BOARDS TO BE PROMINENTLY DISPLAYED IN EACH  
11       POLLING PLACE. THE CLERK SHALL PROVIDE BOOTHS AT EACH POLLING PLACE WITH  
12       APPROPRIATE SUPPLIES AND CONVENIENCES TO ENABLE EACH VOTER TO MARK HIS BALLOT  
13       SCREENED FROM OBSERVATION. BALLOT BOXES SHALL BE PLACED OUTSIDE THE VOTING  
14       BOOTHS IN PLAIN VIEW OF THE ELECTION OFFICIALS, VOTERS AND OTHER PERSONS AT THE  
15       POLLING PLACE.

16   C.] The clerk may contract for the provision of specialized election materials and supplies  
17       without obtaining competitive bids. These specialized materials and supplies shall include,  
18       but not be limited to, the official borough voter pamphlet, election envelopes for absentee  
19       and questioned voting, election signs, election software, computer equipment and voting  
20       booths.

21   **SECTION 5.** That KPB 4.10.130 is hereby amended as follows:

22   **4.10.130. Election expenses.**

23   A. The borough shall pay all necessary expenses relating to the conduct of each borough  
24       election except as provided below for service area special elections. Special elections held at  
25       the request of a service area and for the primary benefit of the residents of that service area  
26       shall be paid for by the service area requesting the special election. Necessary expenses shall



1 include those associated with conducting the election. [WITH SECURING POLLING PLACES,  
2 AND SHALL PROVIDE BALLOT BOXES, BALLOTS, VOTING BOOTHS OR SCREENS, NATIONAL  
3 FLAGS, AND OTHER SUPPLIES AND ANY WAGES TO ELECTION OFFICIALS UNLESS OTHERWISE  
4 PROVIDED BY THIS CODE.]

5 B. The borough or the service area as applicable shall pay each election board member and  
6 canvass board member an hourly rate for time spent at his election duties, including the  
7 receiving of instructions and posting of notices. The election supervisor shall set the hourly  
8 compensation to be paid for time spent by election officials at a rate comparable to that paid  
9 by the state for state elections. The clerk shall retain a record for auditing and payment of  
10 election expenses, including the cost of giving notice, renting [POLLING PLACES] absentee  
11 voting sites, paying election officials, securing ballot [BOXES] receiving sites, booths and  
12 other election necessities.

13 **SECTION 6.** That KPB 4.10.140 is hereby amended as follows:

14 **4.10.140. Preservation of election ballots, papers and materials.**

15 The clerk shall preserve all precinct election certificates, tallies, and registers, receipts for  
16 ballots, all voted ballots and declarations of candidacy filed [FOR ONE YEAR AFTER THE ELECTION]  
17 for one month after the election is certified, unless the election is contested. If the election is  
18 contested these records shall be preserved for one month after the election contest is resolved and  
19 the election is certified. These materials may be destroyed after their retention period has lapsed  
20 unless their destruction is stayed by an order of the court. Certificates of the canvass board are to  
21 be preserved as permanent records.

22 **SECTION 7.** That KPB 4.20.030 is hereby amended as follows:

23 **4.20.030. Registration.**

24 [A.] No person may vote in an election unless he is a qualified voter under the Alaska State  
25 Constitution and laws of Alaska and [H]as prescribed by this chapter and has registered as  
26 required by the state election code and KPB 4.20.010.

1 [B. THE PRECINCT ELECTION OFFICIALS AT ANY ELECTION SHALL ALLOW A PERSON TO VOTE  
2 WHOSE NAME IS ON THE OFFICIAL REGISTRATION LIST FOR THAT PRECINCT AND WHO IS  
3 QUALIFIED UNDER THIS CHAPTER AND AS 15.05. A PERSON WHOSE NAME IS NOT ON THE  
4 OFFICIAL REGISTRATION LIST SHALL BE ALLOWED TO VOTE A QUESTIONED BALLOT.]

5 **SECTION 8.** That KPB 4.30.030 is hereby amended as follows:

6 **4.30.030. Public official financial disclosure statements.**

7 A. Candidates for elective borough office [AND DECLARED WRITE-IN CANDIDATES] shall file a  
8 public official financial disclosure statement with the borough clerk as required by the  
9 provisions of AS 39.50 at the time of filing a declaration of candidacy. The name of the  
10 candidate shall be placed on the ballot by the borough clerk only after the candidate has  
11 complied with this requirement. This subsection does not apply to candidates for service  
12 area boards. Declared write-in candidates shall file a public official financial disclosure  
13 statement with the borough clerk as required by the provisions of AS 39.50 at the time of  
14 filing a declaration of candidacy.

15 B. Each candidate also shall file the name and address of the campaign treasurer with the  
16 Alaska Public Offices Commission no later than 7 days after the date of filing for office. The  
17 name of the candidate shall be placed on the ballot by the borough clerk only after the  
18 candidate has complied with this requirement.

19 **SECTION 9.** That KPB 4.30.050 is hereby amended as follows:

20 **4.30.050. REVIEW OF CANDIDATE QUALIFICATIONS.**

21 The clerk shall determine whether each candidate for borough office is qualified as provided  
22 by law. [AT ANY TIME BEFORE THE ELECTION THE CLERK MAY DISQUALIFY ANY CANDIDATE WHOM  
23 THE CLERK FINDS IS NOT QUALIFIED AND IMMEDIATELY NOTIFY THAT CANDIDATE BY CERTIFIED  
24 MAIL. A CANDIDATE WHO IS DISQUALIFIED MAY REQUEST A HEARING BEFORE THE CLERK WITHIN  
25 FIVE DAYS OF RECEIVING THE NOTICE. THE HEARING SHALL BE HELD NO LATER THAN FIVE DAYS  
26 AFTER THE REQUEST UNLESS THE CANDIDATE AGREES IN WRITING TO A LATER DATE.]

1    **SECTION 10.** That KPB 4.40.020 is hereby amended as follows:

2    **4.40.020. Preparation and distribution.**

3    A.    The clerk shall obtain the printing of all ballots for borough elections. The clerk shall  
4           possess the printed ballots at least 15 days before each regular election and at least 10 days  
5           before each special and run-off election. At that time, the ballots may be inspected by any  
6           candidate whose name is on the ballot, or by his authorized agent, and any discovered  
7           mistake shall be corrected immediately.

8    B.    The clerk may contract for the preparation and printing of the ballots without obtaining  
9           competitive bids.

10   [C.   THE CLERK SHALL ARRANGE FOR DELIVERY OF BALLOTS TO EACH ELECTION BOARD PRIOR TO  
11           OR ON THE DATE OF THE ELECTION BEFORE THE OPENING OF THE POLLS. THE BALLOTS SHALL  
12           BE DELIVERED IN SEPARATE CONTAINERS, WITH THE NUMBER OF BALLOTS ENCLOSED IN EACH  
13           CONTAINER CLEARLY MARKED ON THE OUTSIDE OF IT. A RECEIPT FOR EACH PACKAGE SHALL  
14           BE TAKEN FROM THE ELECTION BOARD TO WHICH IT IS DELIVERED.]

15   **SECTION 11.** That KPB 4.40.030 is hereby amended as follows:

16   **4.40.030. Sample ballots.**

17           The clerk shall obtain the printing of sample ballots. Sample ballots shall be clearly labeled  
18   "Sample Ballot." [SAMPLE BALLOTS SHALL BE DELIVERED TO THE ELECTION BOARD IN EACH  
19   PRECINCT.] Sample ballots shall be made available at absentee voting sites.

1 SECTION 12. That KPB Chapter 4.50 is hereby amended as follows:

2 CHAPTER 4.50. [OPERATION OF POLLS] ELECTIONS BY MAIL

3 4.50.010. Election officials.

4 A. Before each election, the clerk, subject to approval by the assembly, shall appoint election  
5 officials. [AT LEAST 3 JUDGES IN EACH PRECINCT. THE CLERK SHALL DESIGNATE ONE  
6 ELECTION JUDGE FROM EACH PRECINCT AS THE CHAIRMAN, WHO SHALL BE PRIMARILY  
7 RESPONSIBLE FOR ADMINISTERING THE ELECTION IN THAT PRECINCT.]

8 [B. THE BOROUGH CLERK MAY APPOINT CLERKS AND COUNTERS AT ANY POLLING PLACE WHERE  
9 THEY ARE NEEDED TO CONDUCT AN ORDERLY ELECTION AND TO RELIEVE THE ELECTION  
10 JUDGES OF UNDUE HARDSHIP.]

11 B[C]. If any appointed election official is not able or refuses to serve [ON ELECTION DAY], the  
12 clerk may appoint a replacement for that official.

13 [D. EACH ELECTION OFFICIAL SERVING AT A PRECINCT POLLING PLACE MUST BE A QUALIFIED  
14 VOTER AND, IF POSSIBLE, A RESIDENT WITHIN THE PRECINCT FOR WHICH HE IS APPOINTED.]

15 C[E]. All election [JUDGES, CLERKS AND COUNTERS] officials before entering upon their duties  
16 must subscribe to the oath required of all public officers by the Constitution of the State of  
17 Alaska in the manner prescribed by the clerk.

18 D[F]. Candidates shall not serve as election officials. Certain familial relationships may not  
19 exist between a candidate and a precinct election judge, election clerk, or member of a ballot  
20 counting team in regular, run-off or special elections. Those familial relationships are:

- 21 1. Mother, mother-in-law, stepmother;
- 22 2. Father, father-in-law, stepfather;
- 23 3. Sister, sister-in-law, stepsister;
- 24 4. Brother, brother-in-law, stepbrother;
- 25 5. Spouse; or
- 26 6. Person sharing the same living quarters.

1 E[G]. If the election supervisor knows or learns that any of these relationships exist, the  
2 precinct election judge, election clerk, or member of the ballot counting team shall be  
3 notified and replaced.

4 **4.50.015. [ABSENTEE B]By-mail precincts.**

5 A. All Precincts within the Kenai Peninsula Borough shall be designated as [WHERE THE VOTER  
6 TURNOUT WAS LESS THAN 200 VOTERS AT THE LAST REGULAR ELECTION MAY BE DESIGNATED  
7 AS "ABSENTEE] "by-mail" precincts [BY RESOLUTION OF THE ASSEMBLY. IN THOSE PRECINCTS,  
8 NO ELECTION WORKERS SHALL BE APPOINTED]. The procedures [OUTLINED IN CHAPTER 4.120  
9 SHALL BE FOLLOWED WITH THE FOLLOWING EXCEPTIONS] shall be as follows:

- 10 1. that ballots shall be sent to each registered voter in the precinct on or before the 15th  
11 day prior to the election; and
- 12 2. that voted ballots must be postmarked on or before midnight of election day and  
13 received by the clerk no later than the Tuesday following the election.

14 B. Voters wishing to vote absentee in person may do so at any designated absentee voting site.

15 [C. ANY PRECINCT DESIGNATED AS AN "ABSENTEE BY-MAIL" PRECINCT IN ACCORDANCE WITH THE  
16 PROVISIONS OF SUBSECTION A, ABOVE, WILL REMAIN AN "ABSENTEE BY-MAIL" PRECINCT  
17 UNTIL SUCH TIME AS THE "ABSENTEE BY-MAIL" STATUS IS REMOVED BY RESOLUTION OF THE  
18 ASSEMBLY.]

19 **[4.50.020. OPENING OF POLLING PLACE.**

20 A. ON THE DAY OF THE ELECTION, EACH ELECTION BOARD SHALL OPEN THE POLLS FOR VOTING AT  
21 7:00 A.M., SHALL CLOSE THE POLLS FOR VOTING AT 8:00 P.M., AND SHALL KEEP THE POLLS  
22 CONTINUOUSLY OPEN DURING THE TIME BETWEEN THOSE HOURS. THE ELECTION BOARD SHALL  
23 REPORT TO THE POLLING PLACE BY 6:30 A.M. SO THAT VOTING WILL START PROMPTLY AT 7:00  
24 A.M. THE CHAIRMAN OF THE ELECTION BOARD SHALL ROTATE TIMES AT WHICH ELECTION  
25 JUDGES, BOARD MEMBERS, AND CLERKS MAY BE RELIEVED FOR BREAKS OR MEALS; PROVIDED,  
26 HOWEVER, THAT AT ALL TIMES AT LEAST 2 JUDGES FROM THE ELECTION BOARD ARE PRESENT  
27 AT THE POLLING PLACE.

1 B. BEFORE ISSUING ANY BALLOTS, THE ELECTION BOARD MUST, IN THE PRESENCE OF ANY  
2 PERSONS ASSEMBLED AT THE POLLING PLACE, OPEN AND EXHIBIT THE BALLOT BOX TO BE USED  
3 AT THE POLLING PLACE. THE BALLOT BOX THEN SHALL BE CLOSED AND SHALL NOT BE OPENED  
4 AGAIN OR REMOVED FROM THE POLLING PLACE UNTIL THE POLLS HAVE CLOSED.]

5 **[4.50.030. VOTER REGISTRATION.**

6 THE JUDGES SHALL KEEP AN ORIGINAL REGISTER OR REGISTERS IN WHICH EACH VOTER BEFORE  
7 RECEIVING HIS BALLOT SHALL SIGN HIS NAME AND GIVE BOTH HIS RESIDENCE AND MAILING  
8 ADDRESS. A RECORD SHALL BE KEPT IN THE REGISTRATION BOOK, IN A SPACE PROVIDED, OF THE  
9 NAMES OF PERSONS WHO OFFER TO VOTE BUT WHO ACTUALLY DO NOT VOTE, AND A BRIEF  
10 STATEMENT OF EXPLANATION. THE SIGNING OF THE REGISTER CONSTITUTES A DECLARATION BY  
11 THE VOTER THAT HE IS QUALIFIED TO VOTE. IF ANY ELECTION OFFICIAL PRESENT BELIEVES THE  
12 VOTER IS NOT QUALIFIED, HE MAY QUESTION THE VOTE IN ACCORDANCE WITH THE PROVISIONS OF  
13 THIS TITLE.]

14 **4.50.025. Procedures for conducting elections by mail.**

15 A. The clerk shall mail by nonforwardable mail an official ballot with a return identification  
16 envelope addressed to the Clerk's Office and a secrecy sleeve. The ballot, return envelope,  
17 and secrecy envelope shall be mailed no later than the 15th day before the date of a regular or  
18 special election and no later than the 10th day before the date of a runoff election. The ballot  
19 shall be sent to the address stated on the official registration list unless

20 1. the voter has notified the clerk in writing of a different address to which the ballot should  
21 be sent; or

22 2. the address on the official registration list has been identified as being an undeliverable  
23 address.

24 B. On receipt of any ballot described in this section, the voter shall mark the ballot, sign the  
25 return identification envelope supplied with the ballot, and comply with the instructions  
26 provided with the ballot. The voter may return the marked ballot to the Clerk's Office by  
27 return mail or by depositing the ballot at any place of deposit designated by the clerk. The  
28 ballot must be returned in the identified envelope. A ballot must be received by the clerk or at

1 a place of deposit designated by the clerk, not later than the end of the period determined  
2 under regulations established by the clerk.

3 **[4.50.040. Voter identification at polls.**

4 A. BEFORE BEING ALLOWED TO VOTE, EACH VOTER SHALL EXHIBIT TO AN ELECTION OFFICIAL  
5 ONE FORM OF IDENTIFICATION, INCLUDING BUT NOT LIMITED TO AN OFFICIAL VOTER  
6 REGISTRATION CARD, DRIVER'S LICENSE, PASSPORT, OR HUNTING OR FISHING LICENSE.

7 B. AN ELECTION OFFICIAL MAY WAIVE THE IDENTIFICATION REQUIREMENT IF THE ELECTION  
8 OFFICIAL KNOWS THE IDENTITY OF THE VOTER.

9 C. A VOTER WHO CANNOT EXHIBIT A SATISFACTORY FORM OF IDENTIFICATION SHALL BE  
10 ALLOWED TO VOTE A QUESTIONED BALLOT.]

11 **[4.50.050. PERSONS NOT ON OFFICIAL REGISTRATION LIST.**

12 IF A PERSON'S NAME DOES NOT APPEAR ON THE OFFICIAL REGISTRATION LIST IN THE PRECINCT  
13 IN WHICH THE PERSON SEEKS TO VOTE, THE PERSON MAY VOTE A QUESTIONED BALLOT.]

14 **[4.50.060. PROVIDING BALLOT TO VOTER.**

15 WHEN A VOTER HAS QUALIFIED TO VOTE, THE ELECTION OFFICIAL SHALL GIVE THE VOTER AN  
16 OFFICIAL BALLOT. THE VOTER SHALL RETIRE TO A BOOTH OR PRIVATE PLACE TO MARK THE  
17 BALLOT.]

18 **[4.50.070. ASSISTING VOTER.**

19 A QUALIFIED VOTER WHO CANNOT READ, MARK THE BALLOT, OR SIGN HIS NAME MAY REQUEST AN  
20 ELECTION OFFICIAL OR NOT MORE THAN TWO PERSONS OF HIS CHOICE TO ASSIST HIM. IF THE  
21 ELECTION OFFICIAL IS REQUESTED, HE SHALL ASSIST THE VOTER. IF ANY OTHER PERSON IS  
22 REQUESTED, THE PERSON SHALL STATE UPON OATH BEFORE THE ELECTION OFFICIAL THAT HE WILL  
23 NOT DIVULGE THE VOTE CAST BY THE PERSON WHOM HE ASSISTS.]

1 **[4.50.080. SPOILED BALLOTS.**

2 THE ELECTION SUPERVISOR SHALL SPECIFY UNIFORM PROCEDURES FOR REPLACEMENT,  
3 REGISTRATION AND DISPOSITION OF SPOILED BALLOTS. THESE UNIFORM PROCEDURES SHALL BE  
4 PROVIDED IN WRITING TO THE ELECTION JUDGES.]

5 **[4.50.090. PLACING BALLOT IN BALLOT BOX.**

6 WHEN THE VOTER HAS MARKED THE BALLOT, THE VOTER SHALL INFORM THE ELECTION OFFICIAL.  
7 THE CLERK MAY REQUIRE THAT THE VOTER RETURN THE BALLOT TO THE ELECTION OFFICIAL  
8 TEMPORARILY SO THAT ANY STUB WHICH MAY BE PART OF THE BALLOT MAY BE REMOVED BY THE  
9 ELECTION OFFICIAL. ANY SUCH REQUIREMENT SHALL PROTECT THE SECRECY OF THE BALLOT. IN  
10 ALL CASES THE BALLOT SHALL BE DEPOSITED IN THE BALLOT BOX BY THE VOTER IN THE PRESENCE  
11 OF THE ELECTION OFFICIAL UNLESS THE VOTER REQUESTS THE ELECTION OFFICIAL TO DEPOSIT THE  
12 BALLOT.]

13 **[4.50.100. QUESTIONING PROCEDURE.**

14 A. IF THE POLLING PLACE OF A VOTER IS IN QUESTION, THE VOTER SHALL VOTE A QUESTIONED  
15 BALLOT AFTER COMPLYING WITH SUBSECTION C.

16 B. EVERY ELECTION OFFICIAL AND ELECTION JUDGE SHALL QUESTION, AND EVERY WATCHER  
17 AND ANY OTHER PERSON QUALIFIED TO VOTE IN THE PRECINCT, OR QUALIFIED TO VOTE IN THE  
18 PARTICULAR ELECTION INVOLVING LESS THAN AN ENTIRE PRECINCT IN THE CASE OF SERVICE  
19 AREAS, MAY QUESTION A PERSON ATTEMPTING TO VOTE IF THE QUESTIONER HAS GOOD  
20 REASON TO SUSPECT THAT THE QUESTIONED PERSON IS NOT QUALIFIED TO VOTE IN THE  
21 ELECTION. ALL QUESTIONS REGARDING A PERSON'S QUALIFICATIONS TO VOTE SHALL BE MADE  
22 IN WRITING, SETTING OUT THE REASON THAT THE PERSON HAS BEEN QUESTIONED.

23 C. THE QUESTIONED PERSON, BEFORE VOTING, SHALL SUBSCRIBE TO AN OATH OR AFFIRMATION  
24 ON A FORM PROVIDED BY THE ELECTION OFFICIAL ATTESTING TO THE FACT THAT IN EACH  
25 PARTICULAR THE PERSON MEETS ALL THE QUALIFICATIONS OF A VOTER, IS NOT DISQUALIFIED,  
26 AND HAS NOT VOTED AT THE SAME ELECTION. IF THE QUESTION IS TO RESIDENCE WITHIN THE  
27 PRECINCT OR VOTING AREA, THE PERSON SHALL ALSO STATE THE PLACE FROM WHICH THAT  
28 PERSON CAME IMMEDIATELY BEFORE LIVING IN THE PRECINCT WHERE OFFERING TO VOTE AND  
29 THE LENGTH OF TIME OF RESIDENCE IN THE FORMER PLACE. AFTER THE QUESTIONED PERSON



1 HAS EXECUTED THE OATH OR AFFIRMATION, THE PERSON MAY VOTE. IF THE QUESTIONED  
2 PERSON REFUSES TO EXECUTE THE OATH OR AFFIRMATION, THE PERSON SHALL NOT VOTE.

3 D. A VOTER WHO CASTS A QUESTIONED BALLOT SHALL VOTE HIS BALLOT IN THE SAME MANNER  
4 AS PRESCRIBED FOR OTHER VOTERS. AFTER THE ELECTION OFFICIAL OR JUDGE REMOVES THE  
5 NUMBERED STUB FROM THE BALLOT, THE VOTER SHALL INSERT THE BALLOT INTO A SMALL  
6 ENVELOPE AND PUT THE SMALL ENVELOPE INTO A LARGER ENVELOPE ON WHICH THE  
7 STATEMENT HE PREVIOUSLY SIGNED IS LOCATED. THESE LARGER ENVELOPES SHALL BE  
8 SEALED AND DEPOSITED IN THE BALLOT BOX. WHEN THE BALLOT BOX IS OPENED, THESE  
9 ENVELOPES SHALL BE SEGREGATED, COUNTED, COMPARED TO THE VOTING LIST, AND  
10 DELIVERED TO THE ELECTION CANVASSING BOARD. THE ELECTION CANVASSING BOARD SHALL  
11 REVIEW AND JUDGE THE APPLICABILITY OF QUESTIONED BALLOTS IN ACCORDANCE WITH  
12 SECTIONS 4.90.020 AND 4.90.030.]

13 **[4.50.110. CLOSING OF THE POLLS.**

14 A. FIFTEEN MINUTES BEFORE THE CLOSING OF THE POLLS, AND AT THE TIME OF CLOSING THE  
15 POLLS, AN ELECTION OFFICIAL SHALL ANNOUNCE BOTH THE DESIGNATED CLOSING TIME AND  
16 THE ACTUAL TIME AT WHICH THE ANNOUNCEMENT IS MADE. FAILURE TO MAKE THE  
17 ANNOUNCEMENT AT 15 MINUTES BEFORE CLOSING TIME SHALL NOT IN ANY WAY INVALIDATE  
18 THE ELECTION OR EXTEND THE TIME FOR CLOSING OF THE POLLS. AFTER CLOSING, NO PERSON  
19 WILL BE ALLOWED TO ENTER THE POLLING PLACE FOR PURPOSES OF VOTING. EVERY  
20 QUALIFIED VOTER PRESENT AND IN LINE AT THE TIME PRESCRIBED FOR CLOSING THE POLLS  
21 MAY VOTE.

22 B. WHEN THE POLLS ARE CLOSED AND THE LAST VOTE HAS BEEN CAST, THE ELECTION BOARD  
23 SHALL ACCOUNT FOR ALL BALLOTS BY COMPLETING A BALLOT STATEMENT CONTAINING, IN A  
24 MANNER PRESCRIBED BY THE CLERK, THE NUMBER OF OFFICIAL BALLOTS SUPPLIED.

25 C. THE ELECTION BOARD SHALL COUNT THE NUMBER OF QUESTIONED BALLOTS AND SHALL  
26 COMPARE THAT NUMBER TO THE NUMBER OF QUESTIONED VOTERS IN THE REGISTER.  
27 DISCREPANCIES SHALL BE NOTED ON THE BALLOT STATEMENT.]

1 **[4.50.120. VOTERS IN LINE WHEN POLLS CLOSE.**

2 EVERY QUALIFIED VOTER PRESENT AND IN LINE AT THE TIME PRESCRIBED FOR CLOSING THE POLLS  
3 MAY VOTE.]

4 **[4.50.130. PROHIBITIONS.**

5 A. DURING THE HOURS THAT THE POLLS ARE OPEN, NO ELECTION OFFICIAL MAY DISCUSS ANY  
6 POLITICAL PARTY, CANDIDATE OR ISSUE WHILE ON DUTY.

7 B. DURING THE HOURS THE POLLS ARE OPEN, NO PERSON WHO IS IN THE POLLING PLACE OR  
8 WITHIN 200 FEET OF ANY ENTRANCE TO THE POLLING PLACE MAY ATTEMPT TO PERSUADE A  
9 PERSON TO VOTE FOR OR AGAINST A CANDIDATE, PROPOSITION OR QUESTION. NOR MAY ANY  
10 PERSON CONDUCT OTHER POLITICAL ACTIVITIES THAT MAY PERTAIN TO ANY FUTURE ELECTION  
11 OR POTENTIAL BALLOT PROPOSITION. FOR THE PURPOSES OF THIS SECTION, THE ENTRANCE TO  
12 A POLLING PLACE THAT IS IN A SCHOOL IS THE ENTRANCE TO THE SCHOOL BUILDING. THE  
13 ELECTION BOARD SHALL POST WARNING NOTICES IN THE FORM AND MANNER PRESCRIBED BY  
14 THE CLERK.

15 C. NO VOTER MAY EXHIBIT A BALLOT TO AN ELECTION OFFICIAL OR ANY OTHER PERSON SO AS TO  
16 ENABLE ANY PERSON TO ASCERTAIN HOW THE VOTER MARKED THE BALLOT, EXCEPT AS  
17 PROVIDED IN SECTION 4.50.070.

18 D. WHILE THE POLLS ARE OPEN NO ELECTION OFFICIAL MAY OPEN ANY BALLOT RECEIVED FROM A  
19 VOTER, MARK A BALLOT BY FOLDING OR OTHERWISE SO AS TO BE ABLE TO RECOGNIZE IT, OR  
20 OTHERWISE ATTEMPT TO LEARN HOW A VOTER MARKED A BALLOT, OR ALLOW THE SAME TO BE  
21 DONE BY ANOTHER PERSON.

22 E. RESERVED.

23 F. NO PERSON MAY LEAVE THE POLLING PLACE WITH THE OFFICIAL BALLOT THAT THE PERSON  
24 RECEIVED TO MARK.]

25 **[4.50.140. UNUSED BALLOTS.**

26 THE NUMBERS OF ALL BALLOTS NOT ISSUED SHALL BE RECORDED AND THEN ALL SUCH BALLOTS  
27 SHALL BE DISPOSED OF AS INSTRUCTED BY THE CLERK BEFORE THE BALLOT BOX IS OPENED. THE  
28 NUMBERS OF BALLOTS DAMAGED BY VOTERS AND REPLACED BY ELECTION OFFICIALS SHALL ALSO

1 BE RECORDED. THE RECORD OF BALLOTS NOT ISSUED AND BALLOTS DAMAGED AND REPLACED  
2 SHALL BE PRESERVED FOR 60 DAYS UNLESS THE ELECTION IS CONTESTED.]

3 **SECTION 13.** That KPB 4.70.020 is hereby amended as follows:

4 **4.70.020. Commencement of ballot count.**

5 [A. FOR COUNTING OF PAPER BALLOTS, WHEN THE POLLS ARE CLOSED AND THE LAST VOTE HAS  
6 BEEN CAST, THE ELECTION BOARD SHALL IMMEDIATELY PROCEED TO OPEN THE BALLOT BOX,  
7 SEPARATE THE QUESTIONED BALLOT ENVELOPES FROM OTHER BALLOTS AND THEN PROCEED  
8 TO COUNT THE VOTES CAST. IN ALL CASES THE ELECTION BOARD SHALL CAUSE THE COUNT TO  
9 BE CONTINUED WITHOUT ADJOURNMENT UNTIL THE COUNT IS COMPLETE. THE CLERK MAY  
10 AUTHORIZE THE APPOINTMENT OF COUNTERS TO ASSIST IN THE COUNTING OF BALLOTS.  
11 BEFORE UNDERTAKING THE DUTIES OF THE OFFICE, EACH COUNTER SHALL SUBSCRIBE TO AN  
12 OATH TO HONESTLY, FAITHFULLY, IMPARTIALLY AND PROMPTLY CARRY OUT THE DUTIES OF  
13 THE POSITION. AN ELECTION JUDGE MAY ADMINISTER THE OATH. IF AN APPOINTED COUNTER  
14 FAILS TO APPEAR AND SUBSCRIBE TO THE OATH AT THE TIME DESIGNATED BY THE CLERK, THE  
15 ELECTION BOARD MAY APPOINT ANY QUALIFIED VOTER TO FILL THE VACANCY.]

16 [B.] In optical scan or other computer-read or electronic ballot precincts, when the polls have  
17 closed and the last vote has been cast, the election[BOARD] official shall immediately  
18 transmit election results to the clerk following the written instructions provided [TO EACH  
19 PRECINCT]. Once the election results have been transmitted, the election [BOARD] official  
20 shall open the ballot box, separate [QUESTIONED AND] the write-in ballots from other ballots  
21 cast, place all ballots in the tamper proof containers provided, and proceed with the ballot  
22 accountability and [POLL] closing procedures provided by the clerk.

23 **SECTION 14.** That KPB 4.70.030 is hereby amended as follows:

24 **4.70.030. General procedure for ballot count.**

25 [A.] The election supervisor may issue rules prescribing the manner in which the precinct ballot  
26 count is accomplished so as to assure accuracy in the count and to expedite the process. The

1 election board shall account for all ballots by completing a ballot statement containing (1)  
2 the number of official ballots received; (2) the number of official ballots voted; (3) the  
3 number of official ballots spoiled; (4) the number of official ballots unused and destroyed.

4 [THE BOARD SHALL COUNT THE NUMBER OF QUESTIONED BALLOTS AND SHALL COMPARE THAT  
5 NUMBER TO THE NUMBER OF QUESTIONED VOTERS IN THE REGISTER.] Discrepancies shall be  
6 noted and the numbers included in the certificate prescribed by the election supervisor.

7 When hand counting ballots, the election [BOARD] official shall count the ballots in a manner  
8 that allows watchers to see the ballots when opened and read. No person handling the ballot  
9 after it has been taken from the ballot box and before it is placed in the envelope for mailing  
10 may have a marking device in hand or remove a ballot from the immediate vicinity [OF THE  
11 POLLS].

12 [B. BALLOTS MAY NOT BE COUNTED BEFORE 8:00 P.M., LOCAL TIME, ON THE DAY OF THE  
13 ELECTION.]

14 **SECTION 15.** That KP.B 4.70.040 is hereby amended as follows:

15 **4.70.040. Rules for counting hand-marked ballots.**

16 A. The election [BOARD] officials shall count hand-marked ballots according to the following  
17 rules:

18 1. A voter may mark his ballot with a cross mark, "X" mark, diagonal, horizontal or  
19 vertical mark, solid mark, star, circle, asterisk, check or plus sign using the marking  
20 device provided at the [POLLING PLACE] absentee voting site or with any black-inked  
21 marker. The marks will be counted only if they are clearly spaced in the square opposite  
22 the name of the candidate the voter desires to designate.

23 2. A failure to properly mark a ballot as to one or more candidates does not itself  
24 invalidate the entire ballot.

25 3. If a voter marks fewer names than there are persons to be elected to the office, a vote  
26 shall be counted for each candidate properly marked.

1 4. If a voter marks more names than there are persons to be elected to the office, the votes  
2 for candidates for that office shall not be counted.

3 5. The mark specified in subsection 1 of this section shall be counted only if it is  
4 substantially inside the square provided, or touching the square so as to indicate clearly  
5 that the voter intended the particular square marked.

6 6. Improper marks on the ballot shall not be counted and shall not invalidate marks for  
7 candidates properly marked.

8 7. An erasure or correction invalidates only that section of the ballot in which it appears.

9 B. The rules set out in this section are mandatory and there shall be no exceptions to them. A  
10 ballot may not be counted unless marked in compliance with these rules.

11 **SECTION 16.** That KPB 4.70.070 is hereby amended as follows:

12 **4.70.070. Tally of votes.**

13 [A.] Tally of votes cast by paper ballots. The election supervisor shall issue instructions and shall  
14 provide forms and supplies for the tally of votes cast by paper ballot so as to assure accuracy  
15 and to expedite the process. The election board shall canvass and count the votes according  
16 to the rules for determining marks on ballots prescribed in [SECTION] KPB 4.70.040. The  
17 election board shall canvass the ballots in a manner that allows watchers to see the ballots  
18 when opened and read. No person handling the ballot after it has been taken from the ballot  
19 box and before it is placed in the envelope for delivery to the election supervisor may  
20 remove a ballot from the immediate vicinity of the polls or have a marking device in hand.

21 [B. [RESERVED.]]

22 **SECTION 17.** That KPB 4.70.100 is hereby repealed.

23 **[4.70.100. Other ballot counting systems authorized.**

24 NOTHING IN THIS TITLE PROHIBITS THE USE OF OTHER BALLOT COUNTING SYSTEMS WHICH HAVE  
25 BEEN APPROVED FOR USE IN STATE ELECTIONS. THE ELECTION SUPERVISOR, SUBJECT TO ANY

1 FURTHER APPROVAL AS MAY BE REQUIRED BY LAW, MAY PRESCRIBE RULES FOR THE USE OF THESE  
2 SYSTEMS OR MAY ADOPT SUCH RULES, REGULATIONS AND PROCEDURES AS HAVE BEEN ADOPTED  
3 BY THE STATE FOR USE IN STATE ELECTIONS.]

4 **SECTION 18.** That KPB 4.80.030 is hereby amended as follows:

5 **4.80.030. Eligibility.**

6 Any qualified voter may vote an absentee ballot for the precinct in which he resides and is  
7 registered if he was unable to vote by mail whether inside the borough or not. [(1) IF HE BELIEVES  
8 HE WILL BE UNAVOIDABLY ABSENT FROM HIS VOTING PRECINCT ON ELECTION DAY, WHETHER  
9 INSIDE THE BOROUGH OR NOT, OR (2) IF HE WILL BE UNABLE TO BE PRESENT AT THE POLLS BECAUSE  
10 OF PHYSICAL DISABILITY.]

11 **SECTION 19.** That KPB 4.80.060 is hereby amended as follows:

12 **4.80.060. Absentee voting—In person.**

13 A. A qualified voter may apply in person for an absentee ballot at the office of the borough  
14 clerk during regular office hours, or the voter may apply to the nearest city clerk's office or  
15 absentee voting official in his area during regular office hours.

16 B. On receipt of an application in person for an absentee ballot and exhibition of proof of  
17 identification as required in this title, the clerk shall issue the ballot to the applicant.

18 C. The voter shall proceed to mark the ballot in secret, to place the ballot in the small envelope,  
19 to place the small envelope in the larger envelope in the presence of the election official who  
20 shall sign as attesting official and date of his signature. The election official shall then  
21 accept the ballot.

22 D. The election official may not accept a marked ballot that has been exhibited by an absentee  
23 voter with intent to influence other voters. If the absentee voter improperly marks or  
24 otherwise damages a ballot, the voter may request, and the election official shall provide  
25 him with another ballot up to a maximum of three. Exhibited, improperly marked, or

1 damaged ballots shall be destroyed. The numbers of all ballots destroyed shall be noted on  
2 the ballot statement.

3 E. Each absentee voting official shall keep a record of the names and the signatures of voters  
4 who cast absentee ballots before him and the dates on which the ballots were cast.

5 F. Fifteen minutes before the closing of the absentee voting sites, and at the time of closing the  
6 absentee voting sites, an election official shall announce both the designated closing time  
7 and the actual time at which the announcement is made. Failure to make the announcement  
8 at 15 minutes before closing time shall not in any way invalidate the election or extend the  
9 time for closing of the absentee voting sites. After closing, no person will be allowed to  
10 enter the absentee voting site for purposes of voting. Every qualified voter present and in  
11 line at the time prescribed for closing the absentee voting site may vote.

12 G. When the absentee voting sites are closed and the last vote has been cast, the election board  
13 shall account for all ballots by completing a ballot statement containing, in a manner  
14 prescribed by the clerk, the number of official ballots supplied.

15 **SECTION 20.** That KPB 4.80.080 (B) and (E) are hereby amended as follows:

16 **4.80.080. Absentee voting—By electronic transmission.**

17 ...

18 B. A ballot electronically transmitted shall contain a copy of the ballot to be used at the election  
19 in a form suitable for transmission. A photocopy of the computerized ballot card to be used  
20 by persons voting in person at the [POLLING PLACES] absentee voting sites is acceptable.

21 ...

22 E. A voter who returns the absentee ballot by electronic transmission must comply with the  
23 same deadlines as for voting in person on or before the closing hour of the [polls] absentee  
24 voting sites.

25 ...

1    **SECTION 21.** That KPB 4.80.095 is hereby amended as follows:

2    **4.80.095. Special needs voting.**

3           A qualified voter with a disability who, because of that disability, is unable to go to [a  
4   polling place] an absentee voting site to vote may vote a special needs ballot. Special needs  
5   ballots shall be issued and accounted for in accordance with the rules adopted by the state for use  
6   in state elections and in effect at the time of the local election.

7    **SECTION 22.** That new sections numbered KPB 4.80.120 – 150 are hereby added as follows:

8    **4.80.120. Prohibitions.**

- 9    A. During the hours that the absentee voting sites are open, no election official may discuss any  
10   political party, candidate or issue while on duty.
- 11   B. During the hours the absentee voting sites are open, no person who is in the absentee voting  
12   site or within 200 feet of any entrance to the absentee polling site may attempt to persuade a  
13   person to vote for or against a candidate, proposition or question. Nor may any person  
14   conduct other political activities that may pertain to any future election or potential ballot  
15   proposition. The election board shall post warning notices in the form and manner  
16   prescribed by the clerk.
- 17   C. No voter may exhibit a ballot to an election official or any other person so as to enable any  
18   person to ascertain how the voter marked the ballot, except as provided in this chapter.
- 19   D. While the absentee voting sites are open no election official may open any ballot received  
20   from a voter, mark a ballot by folding or otherwise so as to be able to recognize it, or  
21   otherwise attempt to learn how a voter marked a ballot, or allow the same to be done by  
22   another person.
- 23   E. No person may leave the absentee voting site with the official ballot that the person received  
24   to mark.



1 **4.80.130. Assisting voter.**

2 A qualified voter who cannot read, mark the ballot, or sign his name may request an election  
3 official or not more than two persons of his choice to assist him. If the election official is  
4 requested, he shall assist the voter. If any other person is requested, the person shall state upon  
5 oath before the election official that he will not divulge the vote cast by the person whom he  
6 assists.

7 **4.80.140. Spoiled ballots.**

8 The election supervisor shall specify uniform procedures for replacement, registration and  
9 disposition of spoiled ballots. These uniform procedures shall be provided in writing to the  
10 election judges.

11 **4.80.150. Placing ballot in ballot box.**

12 When the voter has marked the ballot, the voter shall inform the election official. The clerk  
13 may require that the voter return the ballot to the election official temporarily so that any stub  
14 which may be part of the ballot may be removed by the election official. Any such requirement  
15 shall protect the secrecy of the ballot. In all cases the ballot shall be deposited in the ballot box  
16 by the voter in the presence of the election official unless the voter requests the election official  
17 to deposit the ballot.

18 **SECTION 23.** That a new section numbered KPB 4.90.015 is hereby added as follows:

19 **4.90.015. Preparation for counting ballots delivered by mail.**

20 A. Ballots may not be counted before 8:00 p.m., local time, on the day of the election.

21 B. Not sooner than the seventh day before the date of an election, in preparation for counting  
22 ballots delivered by mail, the election supervisor may:

- 23 1. begin opening return identification and secrecy envelopes of ballots delivered by mail and  
24 received; and

1        2. take any other actions that are necessary to allow the counting of ballots delivered by mail  
2            to begin at 8:00 p.m., local time, on election day.

3        **SECTION 24.** That KP.B 4.90.020 is hereby amended as follows:

4        **4.90.020. Canvass of returns.**

5        A. No later than the Monday following each election, the election canvass board shall meet in  
6            public session and canvass all election returns. In full view of those present, the election  
7            canvass board shall judge the applicability of by mail and absentee [AND QUESTIONED]  
8            ballots, shall open and tally those accepted, and shall compile the total votes cast in the  
9            election. [THE CANVASS OF THE BALLOT VOTE COUNTED BY THE PRECINCT ELECTION BOARDS  
10            SHALL BE ACCOMPLISHED BY REVIEWING THE TALLIES OF THE RECORDED VOTE TO CHECK FOR  
11            MATHEMATICAL ERROR BY COMPARING TOTALS WITH THE PRECINCT'S CERTIFICATE OF  
12            RESULTS. ALL OBVIOUS ERRORS FOUND BY THE ELECTION CANVASS IN THE TRANSFER OF  
13            TOTALS FROM THE PRECINCT TALLY SHEETS TO THE PRECINCT CERTIFICATE OF RESULTS SHALL  
14            BE CORRECTED BY THE CANVASS BOARD. A MISTAKE WHICH HAS BEEN MADE IN PRECINCT  
15            RETURNS THAT IS NOT CLEARLY AN ERROR IN THE TRANSFER OF THE RESULTS FROM THE  
16            TALLIES TO THE CERTIFICATE OF RESULTS EMPOWERS THE CANVASSING BOARD TO  
17            RECOMMEND A RECOUNT OF THE RESULTS OF THE PRECINCT OR PRECINCTS FOR THAT PORTION  
18            OF THE RETURNS IN QUESTION.]

19        B. Upon completion of the canvass, the canvassing board shall prepare a final certificate of the  
20            results of votes cast by absentee[, QUESTIONED AND CHALLENGED] ballot[s] and of votes cast  
21            by [REGULAR] by mail ballot, and shall prepare a written report of the results to be submitted  
22            to the assembly.

23        [C. IF ELECTION MATERIALS HAVE NOT BEEN RECEIVED FROM A PRECINCT PRIOR TO COMPLETION  
24            OF THE CANVASS, BUT ELECTION RESULTS HAVE BEEN TRANSMITTED BY TELEPHONE,  
25            TELEGRAM, RADIO OR ELECTRONIC TRANSMISSION, THE CANVASSING BOARD SHALL COUNT  
26            THE ELECTION RESULTS RECEIVED. IF THE BOROUGH CLERK HAS REASON TO BELIEVE THAT A  
27            MISSING PRECINCT CERTIFICATE, IF RECEIVED, WOULD AFFECT THE RESULT OF THE ELECTION,  
28            THE CLERK SHALL AWAIT THE RECEIPT OF THE CERTIFICATE UNTIL 2:00 P.M. ON THE TUESDAY

1 FOLLOWING THE ELECTION. IF THE CERTIFICATE IS NOT RECEIVED BY THE CLERK BY 2:00 P.M.,  
2 TUESDAY, THEN THE CERTIFICATE SHALL NOT BE COUNTED NOR INCLUDED IN THE FINAL  
3 CERTIFICATION OF THE CANVASSING BOARD.]

4 **SECTION 25.** That KPB 4.90.030 is hereby repealed.

5 **[4.90.030. Procedures for handling questioned ballots.**

6 THE CANVASSING BOARD BY MAJORITY VOTE MAY REFUSE TO ACCEPT THE QUESTION AND COUNT  
7 THE BALLOT OF A PERSON PROPERLY QUESTIONED. IF THE BALLOT IS REFUSED, THE CLERK SHALL  
8 RETURN A COPY OF THE STATEMENT QUESTIONING THE BALLOT TO THE VOTER, AND SHALL  
9 ENCLOSE ALL REJECTED BALLOTS IN A SEPARATE ENVELOPE WITH STATEMENTS OF THE BASIS FOR  
10 THE QUESTION. THE ENVELOPE SHALL BE LABELED WITH "REJECTED BALLOTS" AND SHALL BE  
11 PRESERVED WITH OTHER VOTED BALLOTS. IF THE BALLOT IS NOT REFUSED, THE LARGE ENVELOPE  
12 SHALL BE OPENED, THE SMALLER INNER ENVELOPE SHALL BE PLACED IN A CONTAINER AND MIXED  
13 WITH OTHER ABSENTEE BALLOT ENVELOPES OR, IN THE CASE OF COUNTING QUESTIONED BALLOTS,  
14 WITH OTHER QUESTIONED BALLOT ENVELOPES. THE MIXED SMALLER ENVELOPES SHALL BE DRAWN  
15 FROM THE CONTAINER AND OPENED, AND THE BALLOTS SHALL BE COUNTED ACCORDING TO THE  
16 RULES FOR DETERMINING PROPERLY MARKED BALLOTS.]

17 **SECTION 26.** That KPB 4.90.040 is hereby amended as follows:

18 **4.90.040. Voters not on official registration list.**

19 A person whose registration has been cancelled under AS 15.07.130(b) [AND WHO VOTES A  
20 QUESTIONED BALLOT] shall not have [THE] their ballot counted.

21 **SECTION 27.** That the title of KPB Chapter 4.120 is hereby amended as follows:

22 **CHAPTER 4.120. SPECIAL ELECTIONS BY MAIL**

23 **SECTION 28.** That this ordinance takes effect immediately upon its enactment.

1 ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \*  
2 DAY OF \* 2014.

---

Hal Smalley, Assembly President

ATTEST:

---

Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:

# KENAI PENINSULA BOROUGH

## Kenai Peninsula Borough Assembly


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

Hal Smalley, Assembly President  
Bill Smith, Vice President

---

### MEMORANDUM

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

**FROM:** Bill Smith, Assembly Vice President 

**DATE:** May 8, 2014

**RE:** Ordinance 2014-20: Amending Title 4 to require Borough Elections Be Held By Mail and Repealing KPB 4.10.110(B) Authorizing Statements Supporting or Opposing Propositions to be included in the Informational Brochure (Smith)

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The Kenai Peninsula Borough (KPB) has been successfully utilizing the absentee vote by mail process for over 10 years in several of its remote communities. This ordinance expands that process and makes all borough elections by mail.

Ballots will be mailed to every registered voter 15 days prior to the election allowing them the convenience of voting in their own home. Further, absentee voting stations will be open across the borough 15 days prior to the election for those voters who did not receive a ballot for one reason or another or who prefer to vote in person.

Municipalities and States that have moved to strictly by mail voting have experienced greater voter turnout because of the more efficient and convenient way of voting. The by mail process also makes the administration of elections more efficient and cost effective.

Provisions relating to questioned ballots are repealed because they only apply to in person precinct ballots, which will no longer exist if this is enacted. Questioned ballots exist where a person is not on the list of voters for a specific precinct.

The ordinance also modifies KPB 4.30.050 to delete the reference to the clerk holding hearings regarding candidacy disputes, as there is an election contest procedure at the assembly level.

In addition, this ordinance seeks to repeal KPB 4.10.110 regarding the inclusion of statements advocating for or against propositions appearing on the ballot. This section has been in effect for seven (7) years and in all those years only one proposition has had both a pro and con statement submitted for inclusion in the voter pamphlet. The administration of this code provision has proved to be difficult and an unnecessary point of contention in the public process, especially since it is possible for a proponent of one position to be involved in submitting statements on both sides in order to further their interest. In addition, there is concern about the use of public funds to advocate for or against any ballot proposition.

Your consideration is appreciated.



## **KENAI PENINSULA BOROUGH**

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the Borough: 1-800-478-4441 Ext. 2150

**PHONE:** (907) 714-2150 • **FAX:** (907) 714-2377

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

### **NOTICE OF APPOINTMENT KACHEMAK EMERGENCY SERVICE SERVICE AREA BOARD**

---

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

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

**DATE:** May 20, 2014

**SUBJECT:** Appointment Kachemak Emergency Service Area Board

---

Pursuant to KP.B 16.20.080 I hereby submit my recommendation for confirmation by the Assembly, of the following appointments to the Kachemak Emergency Service Area Board. The applicants are registered voters and reside within the service area to be represented. Attached for your review is the request for appointment.

<u>Appointment</u>	<u>Board Seat</u>	<u>Term Expires</u>
David Bachrach	B	October, 2014
Buck Jones	D	October, 2014

Attachments: Application of Request for Appointment  
Verification of Voter Registration

# KENAI PENINSULA BOROUGH

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

Johni Blankenship, MMC  
Borough Clerk

<mailto:jblankenship@borough.kenai.ak.us>

---

## MEMORANDUM

TO: Mike Navarre, Borough Mayor

FROM: Johni Blankenship, Borough Clerk (JB)

DATE: May 9, 2014

RE: Appointments to the Kachemak Emergency Service Area Board

---

At the Kachemak Emergency Service Area board meeting on May 8, 2014, the board considered and recommended the following eligible applicants:

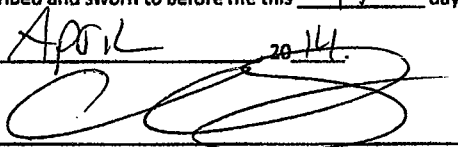

David Bachrach	Seat B	Term to Expire: October, 2014
Buck Jones	Seat D	Term to Expire: October, 2014

The applications are attached for your review and consideration.

Once your appointment has been determined it will need to be confirmed by the Assembly.  
(KPB 16.20.080)

**KENAI PENINSULA BOROUGH  
APPLICATION FOR APPOINTMENT - SERVICE AREA**

This form must be completed in its entirety or the application will not be validated. Corrections must be initialed.

GENERAL INFORMATION <small>(Please Print or Type)</small>			
I, <u>David Bachrach</u> , am a qualified voter and declare myself to be a resident and applicant for nomination to the office of:			
<u>Kachemak Emergency Services</u>		<u>SERVICE AREA</u>	<u>SEAT B</u>
RESIDENCY INFORMATION			
My current physical residence address is: <u>40945 Solstice Drive</u>			
I have been a resident of the Kenai Peninsula Borough since: <u>2002</u>			
and a resident of the service area in which I am seeking office since: <u>2002</u>			
My full mailing address is: <u>P.O. Box 2828, Homer, AK 99603</u>			
CERTIFICATION			
I, the undersigned, certify that the information in this Application for Appointment is true and complete and that I meet the specific residency and citizenship requirements of this office. I further certify that I shall meet the age requirements upon taking the oath of office, if appointed.			
Subscribed and sworn to before me this <u>17</u> day of <u>April</u> , 20 <u>14</u> .  Signature of Notary Public My commission expires: <u>3/21/16</u>	 CANDIDATE'S SIGNATURE (907) 299-1282 - (907) 235-1805 -(907)235-1886 HOME PHONE - WORK PHONE - FAX NO. In order to verify your voter registration status, please provide one of the following identifiers: Social Security No. _____ Voter No. _____ Email: (Optional) <u>goseebears@gmail.com</u>		
FOR OFFICE USE ONLY			
RECEIVED IN KPB CLERK'S OFFICE:	DATE: <u>4/18/14</u>	TIME: <u>12:00pm</u>	BY: <u>Kling</u>
VERIFIED: <u>4/21/14</u>	D/P: <u>31-310</u>	APPLICATION FORWARDED TO: <input checked="" type="checkbox"/> MAYOR'S OFFICE <u>4/21/14</u> <input checked="" type="checkbox"/> SERVICE AREA BOARD	
SERVICE AREA BOARD: <u>5-8-14</u>	MAYOR: _____	CONFIRMED BY ASSEMBLY: _____	
<input checked="" type="checkbox"/> RECOMMENDED APPOINTMENT <input type="checkbox"/> NOT RECOMMENDED	<input type="checkbox"/> RECOMMENDED APPOINTMENT <input type="checkbox"/> NOT RECOMMENDED	<input type="checkbox"/> LETTER MAILED TO APPLICANT: _____	

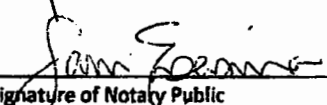
Return completed application to one of the following locations:

- Office of the Borough Clerk, 144 N. Binkley Street, Soldotna, AK 99669
- KPB Homer Annex Office, 206 E. Pioneer Street, Homer, AK 99603
- KPB Seward Annex Office, 302 Railway Ave., Suite 122, Seward, AK 99664



**KENAI PENINSULA BOROUGH  
APPLICATION FOR APPOINTMENT - SERVICE AREA**

This form must be completed in its entirety or the application will not be validated. Corrections must be initialed.

<b>GENERAL INFORMATION</b> <small>(Please Print or Type)</small>			
I, <u>Buck Jones</u> , am a qualified voter and declare myself to be a resident and applicant for nomination to the office of:			
<u>Kachemak Emergency</u>		<b>SERVICE AREA</b>	<b>SEAT</b> <u>D</u>
<b>RESIDENCY INFORMATION</b>			
My current physical residence address is: <del>55205</del> <u>33785 Jones Dr., Homer 99603</u>			
I have been a resident of the Kenai Peninsula Borough since: <u>1976</u>			
and a resident of the service area in which I am seeking office since: <u>1976</u>			
My full mailing address is: <u>33785 Jones Dr., Homer, AK. 99603</u>			
<b>CERTIFICATION</b>			
I, the undersigned, certify that the information in this Application for Appointment is true and complete and that I meet the specific residency and citizenship requirements of the office. I further certify that I shall meet the age requirements upon taking the oath of office if appointed.			
Subscribed and sworn to before me this <u>19</u> day of <u>April</u> , 20 <u>14</u> .   Signature of Notary Public  My commission expires: <u>07/18/14</u>	X <u>Buck Jones</u> CANDIDATE'S SIGNATURE  <u>235-4138, 299-1857, 235-9072</u> HOME PHONE - WORK PHONE - FAX NO.  In order to verify your voter registration status, please provide one of the following identifiers: Social Security No. _____ Voter No. _____ Email (Optional) <u>eastrdsv@hotmail.com</u>		
<b>FOR OFFICE USE ONLY</b>			
RECEIVED IN KPB CLERK'S OFFICE:	DATE: <u>4/24/14</u>	TIME: <u>9am</u>	BY: <u>KPung</u>
VERIFIED: <u>4/24/14</u>	O/P: <u>31-320</u>	APPLICATION FORWARDED TO: <input checked="" type="checkbox"/> MAYOR'S OFFICE <u>4/24/14</u> <input checked="" type="checkbox"/> SERVICE AREA BOARD	
SERVICE AREA BOARD: <u>5-8-14</u>	MAYOR: _____	CONFIRMED BY ASSEMBLY: _____	
<input checked="" type="checkbox"/> RECOMMENDED APPOINTMENT <input type="checkbox"/> NOT RECOMMENDED	<input type="checkbox"/> RECOMMENDED APPOINTMENT <input type="checkbox"/> NOT RECOMMENDED	<input type="checkbox"/> LETTER MAILED TO APPLICANT: _____	



Return completed application to one of the following locations:

- Office of the Borough Clerk, 144 N. Binkley Street, Soldotna, AK 99669
- KPB Homer Annex Office, 206 E. Pioneer Street, Homer, AK 99603
- KPB Seward Annex Office, 302 Railway Ave., Suite 122, Seward, AK 99664

## Kenai Peninsula Borough Assembly Committees 2013 – 2014

### ASSEMBLY COMMITTEES

- **Finance Committee**  
Brent Johnson, Chair  
Charlie Pierce, Vice Chair  
Wayne Ogle
- **Lands Committee**  
Dale Bagley, Chair  
Kelly Wolf, Vice Chair  
Bill Smith
- **Policies & Procedures Committee**  
Sue McClure, Chair  
Wayne Ogle, Vice Chair  
Charlie Pierce
- **Legislative Committee**  
Mako Haggerty, Chair  
Bill Smith, Vice Chair  
Kelly Wolf
- **President Pro Tem**  
Brent Johnson

### OTHER BOROUGH COMMITTEES

- **School Board**  
Brent Johnson

### SERVICE AREA BOARD LIAISONS

- **Anchor Point Fire & EMS** - Mako Haggerty
- **Bear Creek Fire** - Sue McClure
- **CES/CPEMS** – Kelly Wolf
- **Central Kenai Peninsula Hospital** -  
Charlie Pierce, Dale Bagley
- **Kachemak Emergency Service Area** -  
Mako Haggerty
- **KPB Roads** - Charlie Pierce, Dale Bagley
- **Nikiski Seniors** - Wayne Ogle
- **Nikiski Fire** - Wayne Ogle
- **North Peninsula Recreation** - Wayne Ogle
- **Seldovia Recreational** - Mako Haggerty
- **Seward/Bear Creek Flood** - Sue McClure
- **South Kenai Peninsula Hospital** -  
Bill Smith, Mako Haggerty

### NON-BOROUGH COMMITTEES

- **Cook Inlet Aquaculture**  
Brent Johnson  
Dale Bagley, Alternate
- **Cook Inlet R.C.A.C.** -  
Grace Merkes, Term Expires April 2017  
Wayne Ogle, Alternate Term Expires April 2017
- **Economic Development District** -  
Hal Smalley, Term Expires 12/31/14  
Sue McClure, Term Expires 12/31/15
- **Kenai Peninsula College Council** -  
Hal Smalley, Term Expires October 2014
- **Kenai River Special Management Area  
Advisory Board** - Brent Johnson
- **Prince William Sound R.C.A.C.** -  
Blake Johnson, Term Expires May, 2015



**KENAI PENINSULA BOROUGH**  
 144 North Binkley Street • Soldotna, Alaska 99669-7599  
 PHONE: (907) 714-2153 • FAX: (907) 714-2377  
 EMAIL: bahlberg@borough.kenai.ak.us

FROM: Kenai Watershed Forum  
 KPB ACCOUNT: 251.21135.20121.43011

Award Amount: \$179,290  
 Ending: 30 June 2014

**Financial / Progress Report**

**Submit Report To:**

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

Date: 5/12/14  
 Report No.: 18 \*Financial Report Only  
 To-From: 9/1/2010 - 3/31/2014  
 Project Name: KPB Adopt-a-Stream Education Program

**FINANCIAL REPORT:**

Cost Category	Authorized Budget	Expenditures from Last Report	Expenditures This Period	Total Expenditures to Date	Balance of Funds
Personnel	\$ 169,290.00	132,918.37		132,918.37	\$ 36,371.63
Travel			14,579.49	14,579.49	\$ (14,579.49)
Contractual	\$ 10,000.00	7,862.00	-	7,862.00	\$ 2,138.00
Supplies			1,552.11	1,552.11	\$ (1,552.11)
Indirect			26,612.05	26,612.05	\$ (26,612.05)
			-	-	\$ -
<b>TOTALS</b>	<b>\$ 179,290.00</b>	<b>140,780.37</b>	<b>\$ 42,743.65</b>	<b>\$ 183,524.02</b>	<b>\$ (4,234.02)</b>

Reimbursement Request 42,743.65

**PROGRESS REPORT:** Describe activities that have occurred during this reporting period. Describe any challenges you may have experienced, any foreseen problems, and/or any special requests. Attach additional pages.

\*This report for is for the purpose of billing retroactive direct program costs to the program that were not captured in prior reports. Please see the attachment for a detailed breakdown of expense calculations. All expenses have source documents kept on file for audit and or tax purposes.  
 \*A \$3.00 correction was made to "Personnel - Expenditures from Last Report" to accommodate for error in prior reporting periods that was carried over.

**Grantee Certification:** I certify that the above information is true and correct, and that expenditures have been made for the purpose of, and in accordance with, applicable grant agreement terms and conditions.

Signature: Rhonda McCormick Date: 5/12/14

Printed Name and Title: Rhonda McCormick, Accounting Manager

Agenda Item M.1  
 Committee Finance  
 Page Number 68

**KPB Adopt-a-Stream Education Program**

	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u> thru 3/31/14	
<b>Phone</b>	85.12	342.64				427.76 Total Phone Expenses
<b>Supplies</b>		185.15	309.08	630.12		1124.35 Total Supplies Expenses
<b>*Mileage</b>						
10/19/10 - 5/24/11		8,161.00				
8/23/11 - 3/19/12			5,899.00			
8/28/12 - 5/3/13				7,810.00		
9/12/13 - 12/25/13				3,964.00		
12/25/13 - 2/26/14					877.00	
IRS Mileage Rate		0.51	0.56	0.57	0.56	
<b>Mileage Expense:</b>		<u>4,162.11</u>	<u>3,273.95</u>	<u>6,652.31</u>	<u>491.12</u>	14579.49 Total Mileage Expenses
<b>Retroactive Expenses</b>						
<b>Total (above)</b>	85.12	4,689.90	3,583.03	7,282.43	491.12	
<hr/>						
<b>Previously Reported Expenses</b>						
Contractual				7,862.00		7862.00 Total Contractual Expenses
Personnel	12,120.99	37,324.27	26,133.80	46,396.48	10,942.83	132918.37 Total Personnel Expenses
<hr/>						
<b>Total Direct Expense</b>	12,206.11	42,014.17	29,716.83	61,540.91	11,433.95	
<b>Indirect Rates</b>	0.19	0.17	0.17	0.17	0.17	
	final	final	final	provisional	provisional	
<hr/>						
<b>Indirect Costs</b>	2,369.21	6,940.74	5,152.90	10,166.56	1,982.65	26612.05 Total Indirect Expenses
<hr/>						
<b>Total Program Expenses</b> thru 3/31/14	<u>14,575.32</u>	<u>48,954.91</u>	<u>34,869.73</u>	<u>71,707.47</u>	<u>13,416.60</u>	<b>183,524.02 Grand Total Program Expenses as of 3/31/14:</b>
						129,837.54 KPB Paid as of 3/31/14
						10,942.83 KPB Payment in Progress
						<b>42,743.65 Retroactive Expense Reimbursement Outstanding</b>
						179,290.00 Grant Amount
						183,524.02 Grant Total Program Expenses as of 3/31/14
						<b>(4,234.02) Available balance to grant end date of 6/30/14</b>

\*Mileage is reported in the calendar year with the lesser IRS mileage reimbursement rate when school year mileage extends into 2 calendar years

# KENAI PENINSULA BOROUGH

## Office of the Borough Clerk

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

Johni Blankenship, MMC  
Borough Clerk

---

### MEMORANDUM

**To:** Hal Smalley, Assembly President  
Members, Kenai Peninsula Borough Assembly

**Thru:** Johni Blankenship, Borough Clerk (JB)

**From:** Michele Turner, Deputy Borough Clerk (MT)

**Date:** May 20, 2014

**RE:** Resolution 2014-034: Approving a Cooperative Fire Suppression Agreement and Operations Plan Between the Kenai Peninsula Borough on Behalf of Bear Creek Fire Service Area and the United States Department of Agriculture Forest Service Chugach National Forest (Mayor)

---

The Bear Creek Fire Service Area (BCFSA) board reviewed the subject matter at their last meeting. Please amend Resolution 2014-034 as follows:

The final Whereas to read:

**WHEREAS,** at its meeting of May 13, 2014 the BCFSA board recommended approval;

Thank you.

Agenda Item O.I.C.  
Committee PEP  
Page Number 100

# KENAI PENINSULA BOROUGH

## Office of the Borough Clerk

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

Johni Blankenship, MMC  
Borough Clerk

---

### MEMORANDUM

**To:** Hal Smalley, Assembly President  
Members of the Assembly

**Thru:** Johni Blankenship, Borough Clerk (JB)

**From:** Katie Ring, Borough Clerk Secretary (KR)

**Date:** May 20, 2014

**RE:** New Liquor License & Restaurant Designation Permit –  
The Flats, Inc. / The Flats Bistro

# LAYDOWN

---

Kenai Peninsula Borough Code 7.10.010 provides for mandatory Assembly review of all applications for new liquor licenses and restaurant designation permits located within the Borough. Accordingly, the attached applications filed by The Flats, Inc. dba The Flats Bistro are being submitted to you for review and action.

The Borough Finance Department has reviewed the application and has no objection to the new license based on unpaid taxes. The Planning Department has reviewed the application for proximity to churches and/or schools and has no objection to the new license based on location.

The granting of a restaurant designation permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and personal under age of 20 for employment.

---

**RECOMMENDATION:**

That the Assembly authorize a letter of non-objection to the issuance of the new liquor license and approves the restaurant designation permit as requested by **The Flats, Inc. dba The Flats Bistro.**

cc: The Flats, Inc.

RECEIVED

State of Alaska  
Alcoholic Beverage Control Board

MAY 08 2014

Borough Clerk's Office  
Kenai Peninsula Borough

Date of Notice: May 8, 2014

Application Type: NEW *X*

TRANSFER  
Ownership  
Location  
Name Change

Received

MAY 08 14

Governing Body: **Kenai Peninsula Borough**  
Community Councils: None

License #: 5318  
License Type: Restaurant / Eating Place  
D.B.A.: The Flats Bistro  
Licensee/Applicant: The Flats, Inc.  
Physical Location: 39847 Kalifornsky Beach Road, Kenai, AK 99611  
Mail Address: PO Box 1927, Kenai, AK 99611  
Telephone #: 907-252-9419  
EIN: 46-3514660

K.P.B. - DAC	
Liquor License Application Review	
TO:	<input checked="" type="checkbox"/> Delinquent Accounts
	<input type="checkbox"/> Planning Department
DATE:	<u>5-8-14</u>
Review and return to Borough Clerk with comments by: <u>6-5-14</u>	
For Assembly Meeting of <u>6-17-14</u>	
The <u>Finance</u> Department has no objection to the issuance of this license.	
Date: <u>5/9/14</u>	By: <i>[Signature]</i>

Corp/LLC Agent	Address	Phone	Date and State of Incorporation	Good standing?
The Flats, Inc.	PO Box 1927 Kenai, AK 99611	907-252-9419	12/26/2013 Alaska	Yes

*Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.*

Member/Officer/Director:	DOB	Address	Phone	Title/Shares (%)
Lucas E. Thibodeau President	02/08/1977	PO Box 1927 Kenai, AK 99611	907-252-9419	100%

If transfer application, current license information:

License #:  
Current D.B.A.:  
Current License:  
Current Location:

Additional comments: Restaurant Designation Permit application attached.



## **KENAI PENINSULA BOROUGH**

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

**PHONE:** (907) 714-2200 • **FAX:** (907) 714-2378

Toll-free within the Borough: 1-800-478-4441, Ext. 2200

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

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

### MEMORANDUM

**TO:** Johni Blankenship, Borough Clerk

**FROM:** Max Best, Planning Director *MB*

**THRU:** Maria Sweppy, Platting Specialist *Maria*

**RE:** The Flats Bistro Liquor License Application

**DATE:** May 12, 2014

As requested, the Planning Department reviewed The Flats Bistro new liquor license application to determine if churches or schools are within 500 feet (KPB 7.10.020). A 500-foot radius search was done for KPB Parcel 055-500-13, 39847 Kalifornsky Beach Road.

Churches and schools are shown as institutional on the land use map.

Kenai Peninsula Borough records show no schools or churches within the 500-foot buffer.

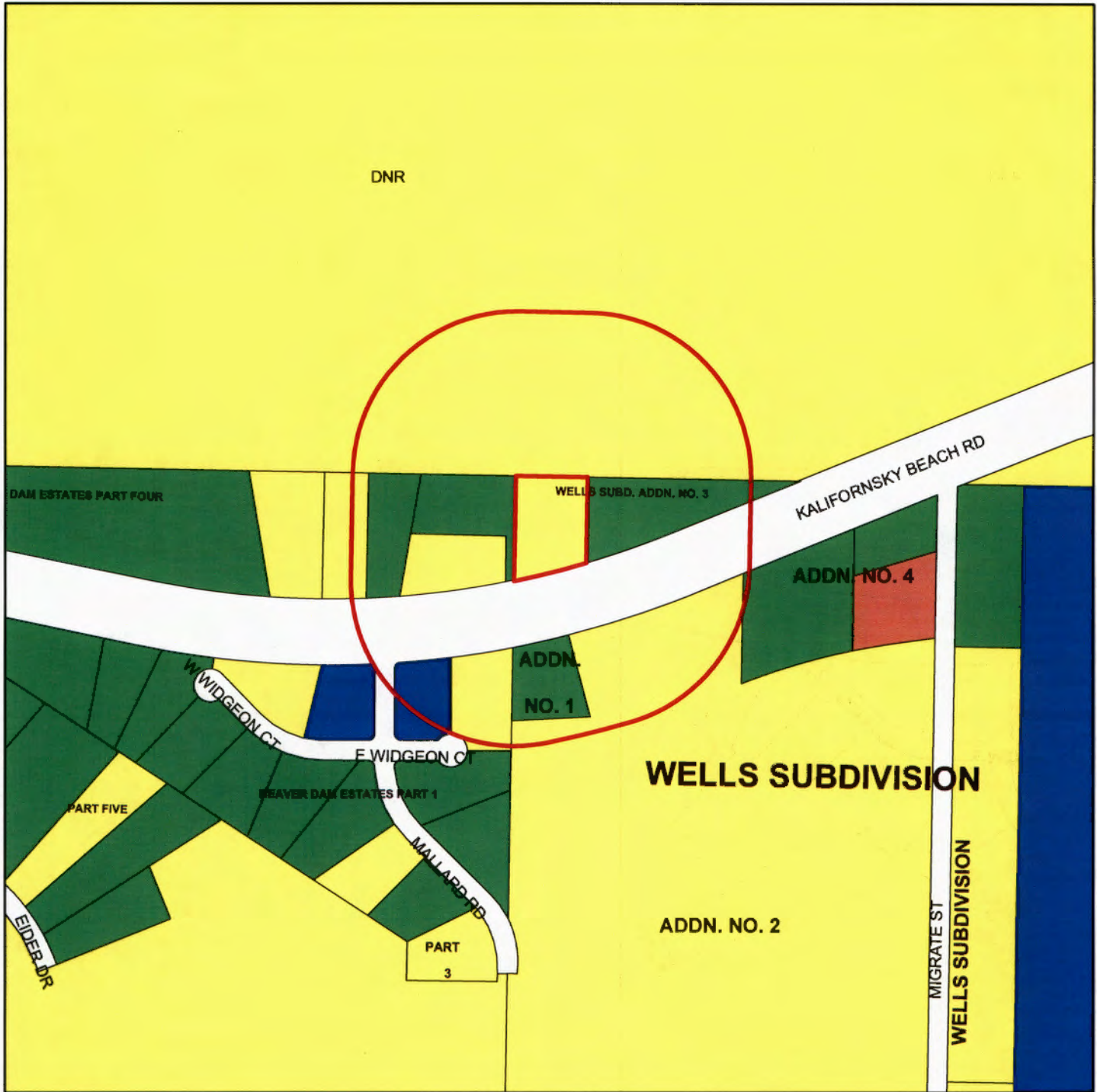
Maps and land status information are attached.





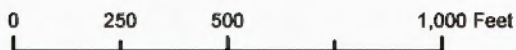
## New Liquor License Application The Flats Bistro

PARCEL ID	OWNER	USAGE	ADDRESS	CITY, STATE, ZIP CODE	ACREAGE
04910016	ALASKA STATE D N R	Residential Vacant	550 W 7TH AVE STE 650	ANCHORAGE, AK 99501	317.05
05535016	ROHLOFF JAY	Residential Vacant	205 RIVER WATCH DR	SOLDOTNA, AK 99669	1.26
05535017	JAY & PAULA ROHLOFF LLC	General Commercial	205 RIVER WATCH DR	SOLDOTNA, AK 99669	0.95
05535034	THIBODEAU J EMERY & ANNE M	Residential Dwellings	PO BOX 2026	KENAI, AK 99611	1.39
05535035	THIBODEAU ANNE W	Residential Vacant	PO BOX 2026	KENAI, AK 99611	1.33
05535036	THIBODEAU THOMAS M	Residential Dwelling	PO BOX 362	KENAI, AK 99611	1.18
05535037	THIBODEAU THOMAS M	Residential Vacant	PO BOX 362	KENAI, AK 99611	1.19
05550008	CORAY ELIJAH E	Residential Dwelling	PO BOX 3303	SOLDOTNA, AK 99669	1.14
05550012	WELLS KERRY DAVID	Residential Improved Land	PO BOX 2071	KENAI, AK 99611	63.07
05550013	THIBODEAU LUCAS EMERY	General Commercial	PO BOX 1927	KENAI, AK 99611	1.48
05550014	WELLS CRAIG R	Residential Dwelling	PO BOX 2072	SOLDOTNA, AK 99669	2.03
05550017	WELLS KERRY DAVID	Residential Dwelling	PO BOX 2071	KENAI, AK 99611	2.69



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

The Flats Bistro  
 New Liquor License Application  
 Land Use within 500 Feet



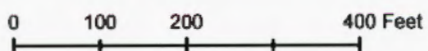
**LAND USE**

- Accessory Building
- Commercial
- Industrial
- Institutional
- Residential
- Timber/Farm
- Vacant

Date: 5/12/2014



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



Date: 5/12/2014

Created by M. Sweppy



STATE OF ALASKA  
ALCOHOLIC BEVERAGE CONTROL BOARD  
APPLICATION FOR RESTAURANT DESIGNATION PERMIT - AS 04.16.049 & 13 AAC 104.715-794  
FEE: \$50.00

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons under the age of 20 for employment. If for employment, please state in detail, how the person will be employed, duties, etc.

This application is for designation of premises where: (please mark desired items).

- 1  Under 13 AAC 104.305 Bona fide restaurant/eating place.
- 2  Persons age 16 to 20 may dine unaccompanied.
- 3  Persons under 16 may dine accompanied by a person 21 years or older.
- 4  Persons between 16 and 20 years of age may be employed. \*(See note below).

License Number 5318

LICENSEE: The Flats, Inc.

D/B/A: The Flats Bistro

ADDRESS: 39847 Kalifornsky Beach Rd, Kenai, AK 99611

1. Hours of Operation: 11am to 10pm Telephone # 907-252-9419

2. Have police ever been called to your premises by you or anyone else for any reason:  Yes  No  
If yes, date(s) and explanation(s).

3. \* Duties of employment: dishwasher, bussing, host

4. Are video games available to the public on your premises? No

5. Do you provide entertainment:  Yes  No If yes, describe. Occasional live music

6. How is food served?  Table Service  Buffet Service  Counter Service  Other\*

7. Is the owner, manager, or assistant manager always present during business hours?  Yes  No

\*\*\* A MENU AND A DETAILED LICENSED PREMISE DIAGRAM MUST ACCOMPANY THIS APPLICATION \*\*\*

I have read and am familiar with Title 4 of the Alaska statutes and its regulations.

[Signature]  
Applicant signature

Local Governing Body Approval

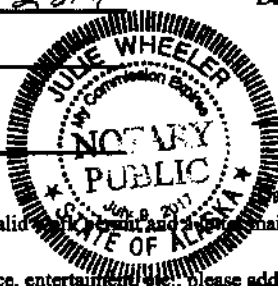
Subscribed and sworn to before me this

24th day of MARCH 2014

Date: \_\_\_\_\_

[Signature]  
Notary Public in and for Alaska

My Commission expires 7-9-17



Director, ABC Board

\*Employees 16 and 17 years of age must have a valid work permit and it must be maintained in your files from a parent or guardian authorizing employment at your establishment.

\*\* If more space is required, to explain food service, entertainment, etc., please add on back or attach additional page(s).



## Appetizers

Fried Pickles <i>house-made pickles** with aioli</i>	\$8
Pickled Vegetables <i>carrots, red onion, cauliflower, beets, etc</i>	\$8
Seasonal Tart <i>mushroom, pastry, cheese</i>	\$8
Oysters <i>Fresh Kachemak Bay oysters apple mignonette</i>	\$8
Crab cakes <i>Alaskan crab, breaded and pan-seared white wine beurre blanc</i>	\$8
Salmon Plate <i>assorted types of salmon fruit and toast points**</i>	\$8
Chicken Wings <i>Peanut, BBQ or sweet and spicy</i>	\$8
Fish & Chips <i>beer battered** Alaskan cod parm-garlic french fries</i>	\$8
Macaroni & Cheese <i>house-smoked cheeses, elbow noodles**</i>	\$8
Bacon-Wrapped dates <i>chevre and maple syrup</i>	\$8
Rockfish Tacos <i>cabbage, cilantro, flour tortillas**, homemade aioli, pico de gallo</i>	\$8
Burger <i>Options: portobello or beef, egg, caramelized onions, pickles, sauteed mushrooms, bacon, toasted bun**</i>	\$8
Brats <i>housemade beer brats, Flats' sauerkraut, whole grain mustard, toasted bun**</i>	\$8
Bacon & Egg Sandwich <i>bacon, egg, cheese, aioli, english muffin**</i>	\$8



\*Vegetarian options  
\*\*Gluten-free options

## Entrées

Pork Tenderloin <i>Crispy bacon-wrapped pork tenderloin Smoked summer succotash Seasonal vegetables</i>	\$16
Alaskan Salmon <i>Seasonal sautéed vegetables Tomato and onion confit Wild rice</i>	\$16
Brick Chicken <i>Country-style mashed potatoes Seasonal vegetables Pan sauce</i>	\$16
Vegetable Wellington <i>Butternut squash, mushrooms Creamy, crumbled goat cheese Puffy pastry blanket</i>	\$16

## Pasta

Lamb Papperdelle <i>braised leg of lamb roasted vegetables hand-cut papperdelle</i>	\$16
Ravioli <i>filled with ricotta, mushrooms, chili &amp; peppers in a parmesan and onion broth</i>	\$16

## Salads

Garden Salad <i>mixed green lettuce, pickled red onions, marinated mushrooms, radishes, cucumbers, cherry tomatoes, parsnip crisps, lemongrass vinaigrette</i>	\$12
House Salad <i>chopped romaine, salami, pepperoncini, dried cherries, hard-boiled egg, Gouda, champagne vinaigrette</i>	\$12
Caesar Salad <i>grilled romaine, parmesan, croutons, pumpkin seeds, homemade dressing</i>	\$12
Duck Confit <i>shredded lettuce, toasted pine nuts, red onions, sliced apple, dried cranberries, balsamic gastrique</i>	\$12

**IMPORTANT WARNING:** Consuming raw or uncooked meats, poultry, seafood, shellfish, or eggs may increase your risk of food-borne illness, especially if you have a medical condition.



# CPGH, Inc. Quarterly Report

Prepared for

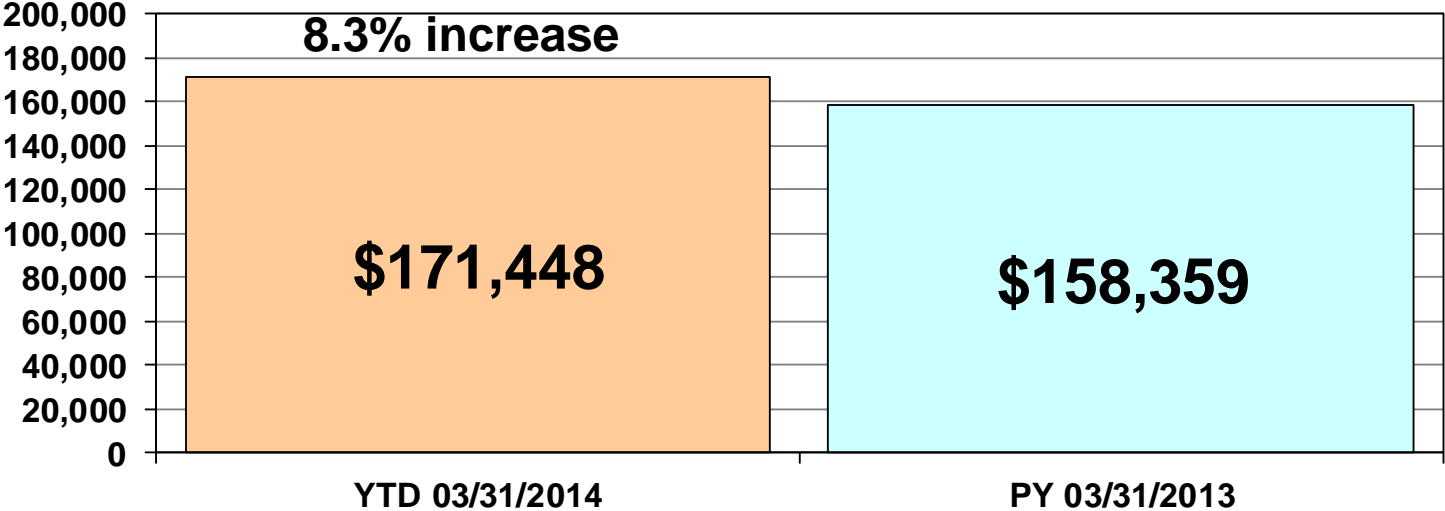
The Kenai Peninsula Borough  
Assembly and Administration

May 20, 2014



# Gross Patient Revenue – FY2014

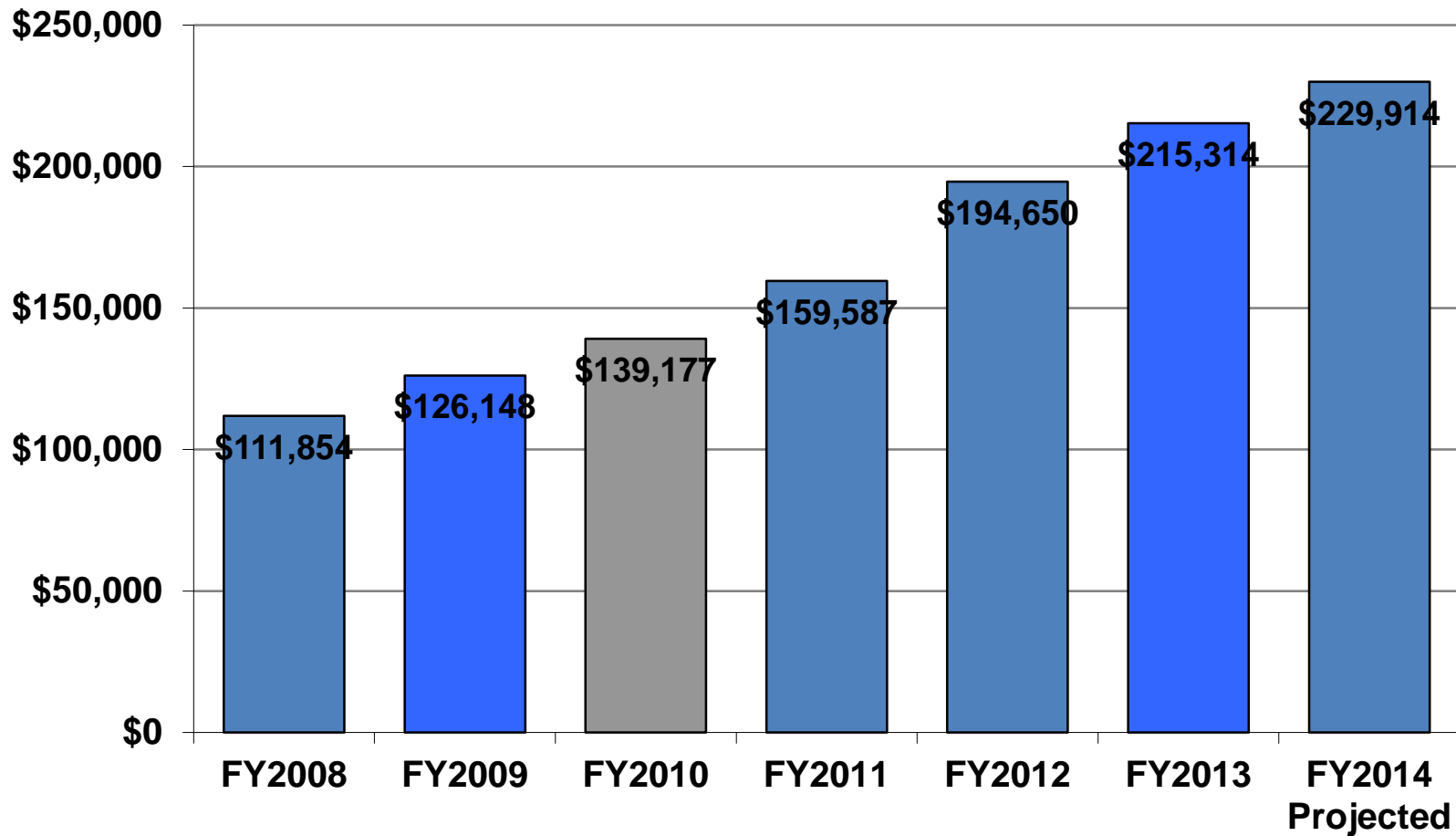
(in thousands)





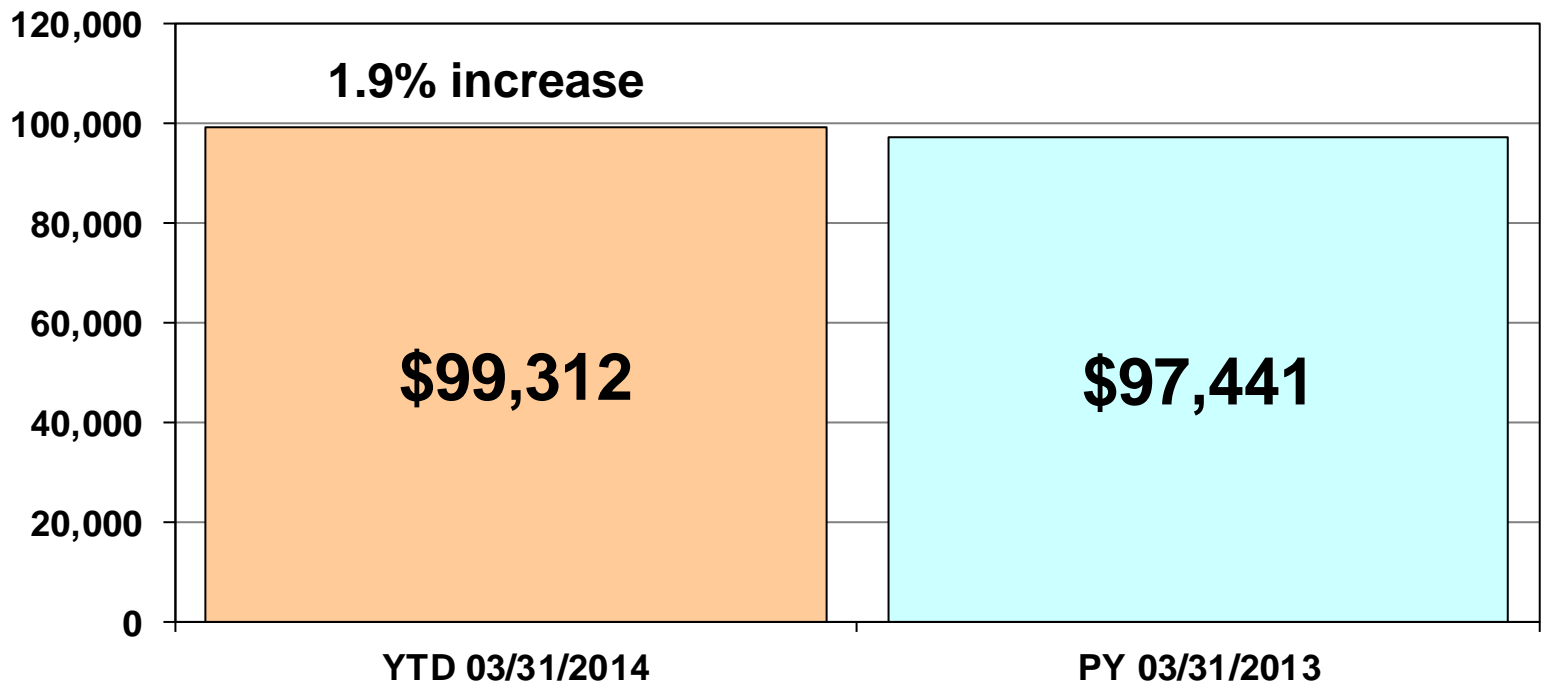
# Gross Patient Revenue Trend

(in the thousands)



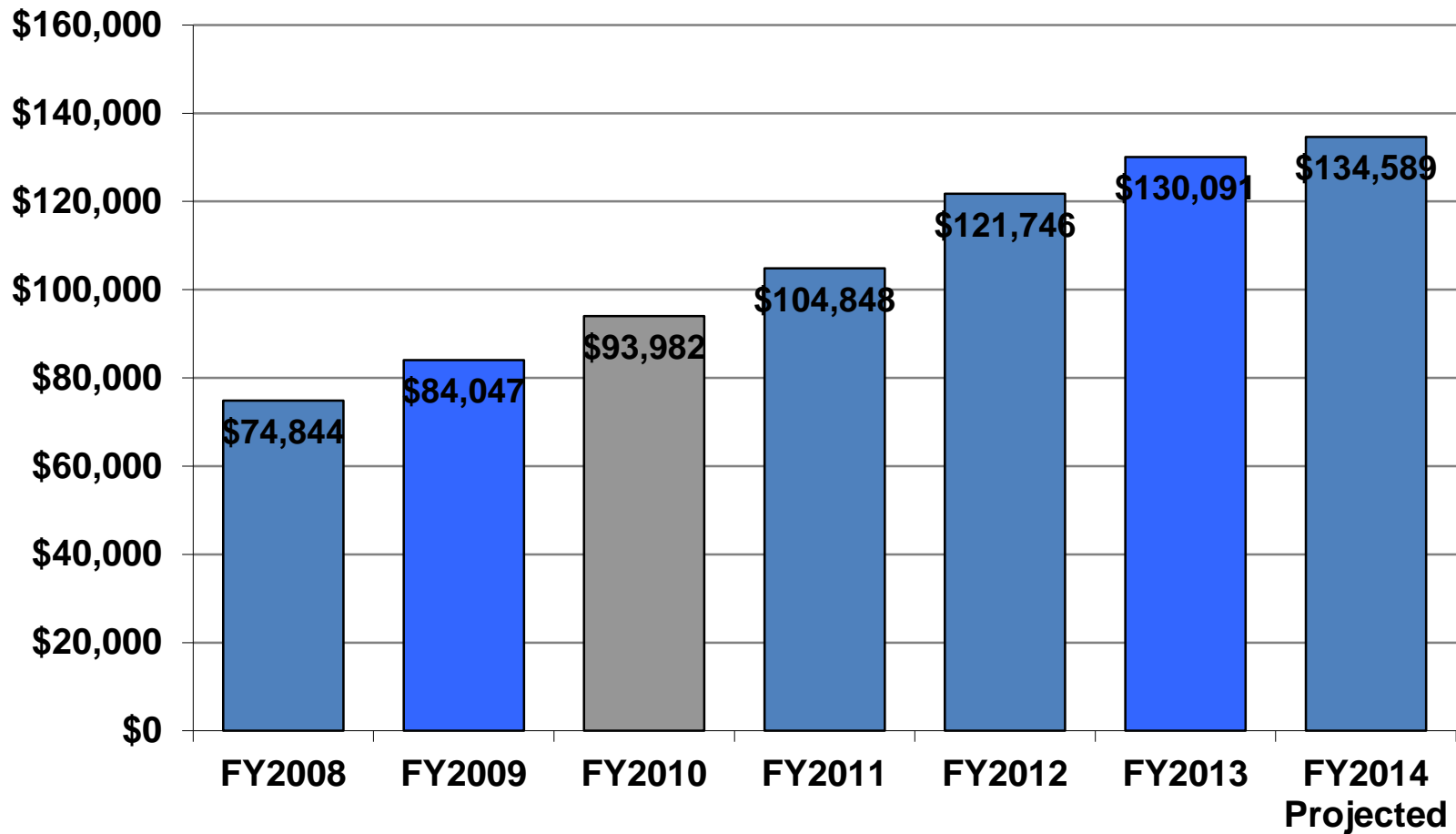
# Net Patient Revenue – FY2014

(in thousands)



# Net Patient Revenue Trend

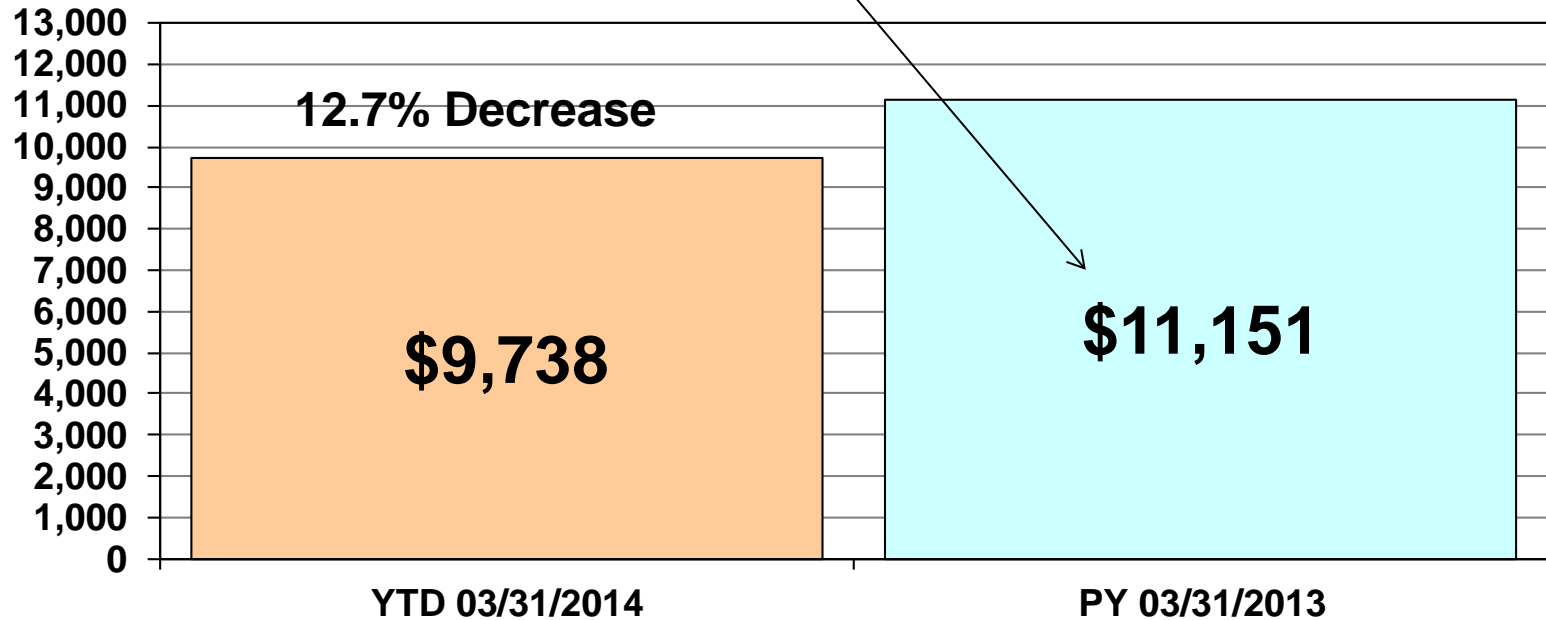
(in the thousands)



# Net Income – FY2014

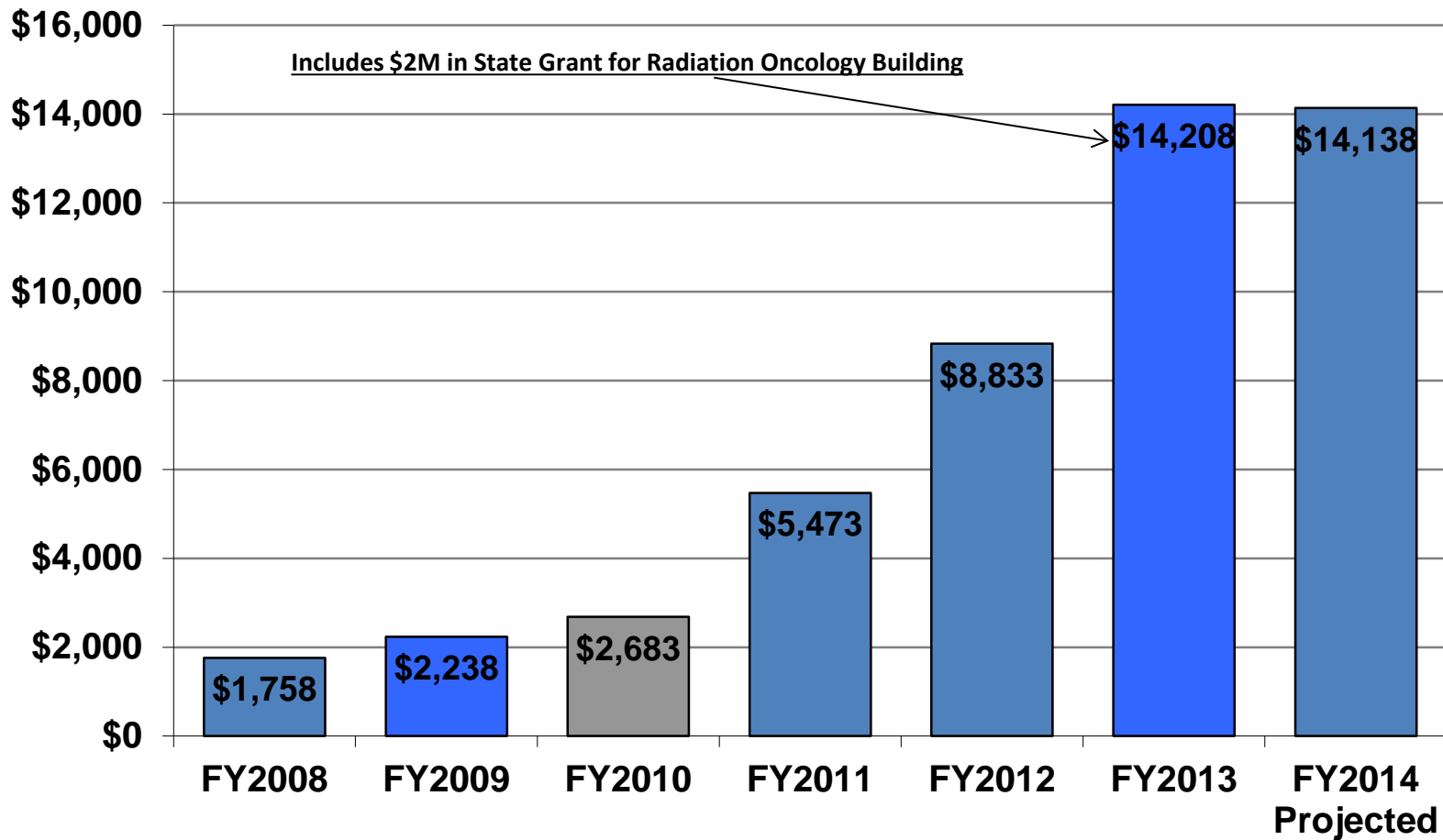
(in thousands)

Note: \$11,151,226 in Net Income for included \$2,000,000 in State Grant for the Radiation Oncology Building.



# Net Income Trend

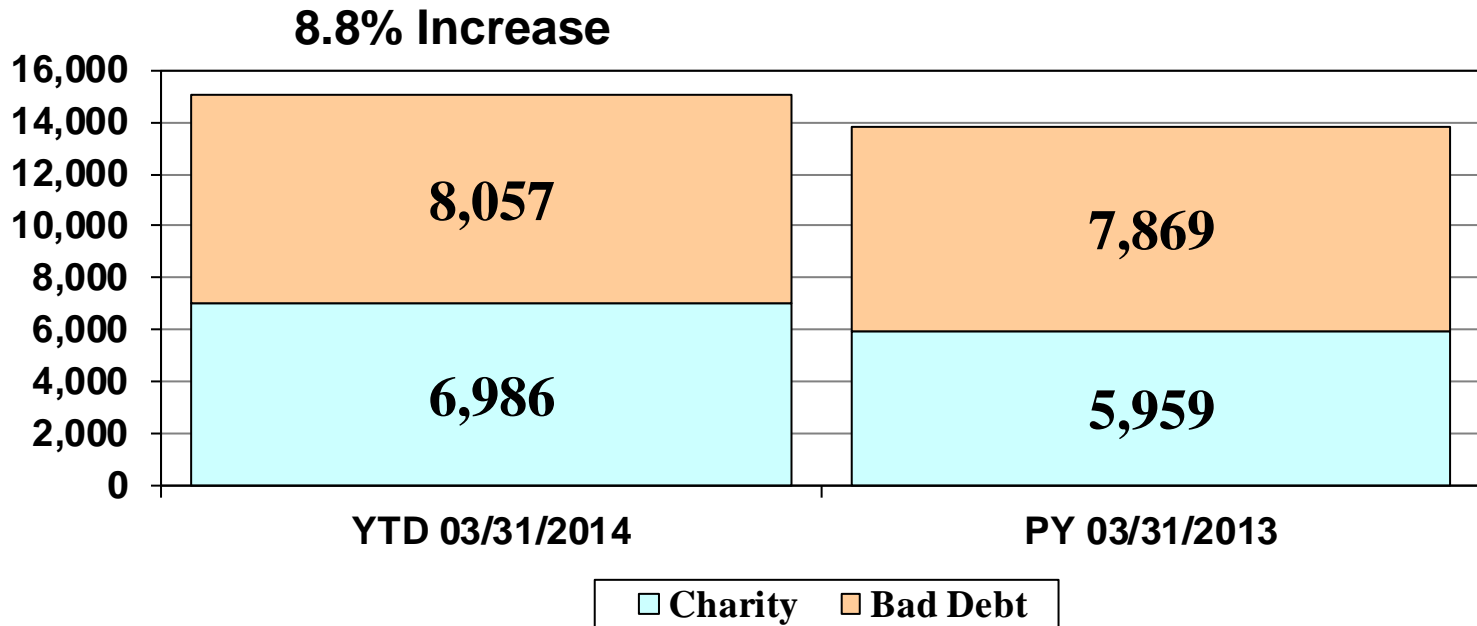
(in the thousands)



# Charity Care & Bad Debt

## FY2014

(in thousands)

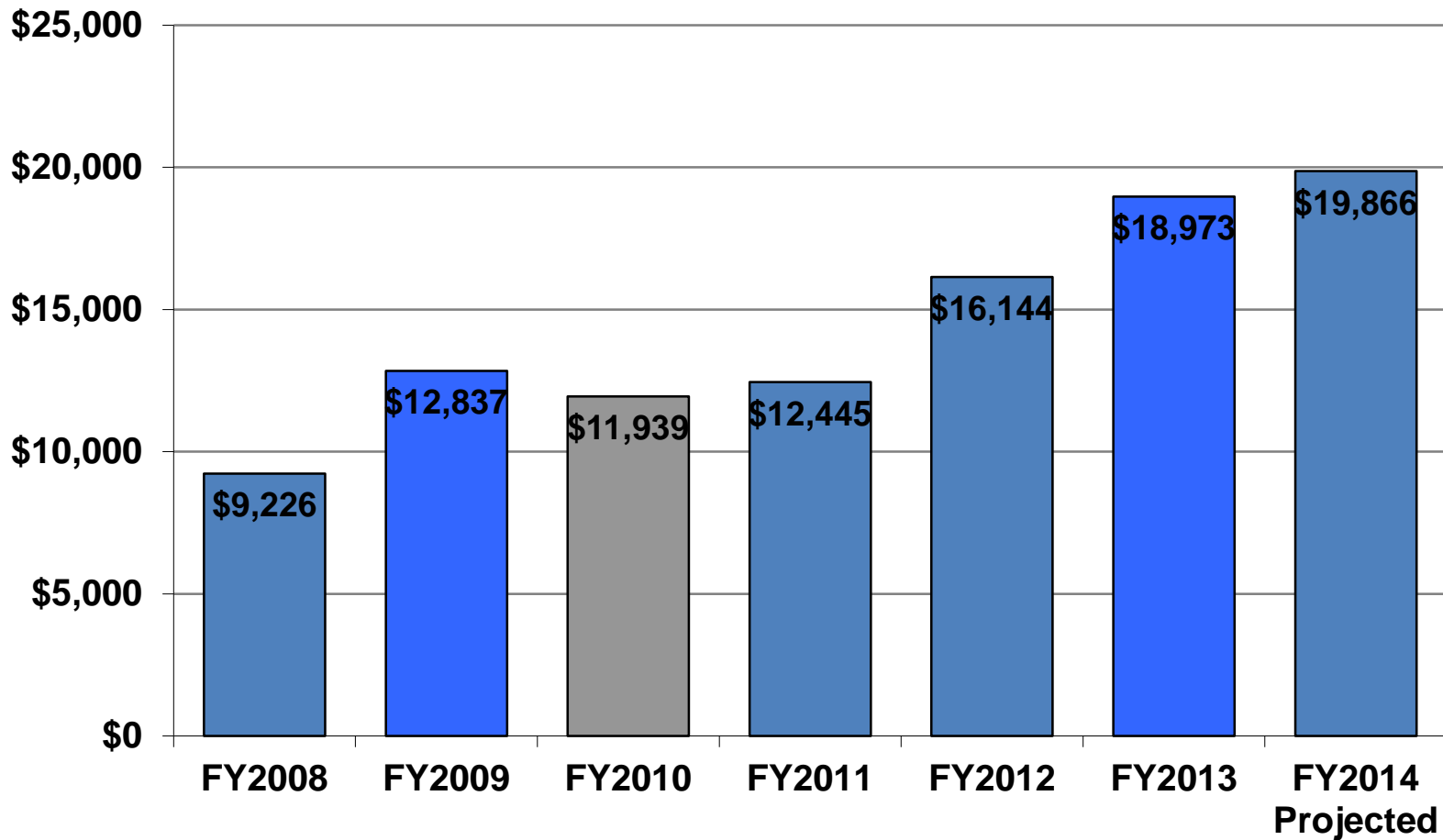


### Community Benefit



# Uncompensated Care Trend

(Charity and Bad Debt in the thousands)



# Charity Care & Bad Debt

## FY 2014 3rd Quarter

- \$15.0 Million uncompensated care provided to community members
- Financial Assistance Program Brochure available at the following website
  - <http://www.cpgh.org/workfiles/CPH%20FinancialAssistBrochure-12-10lr.pdf>

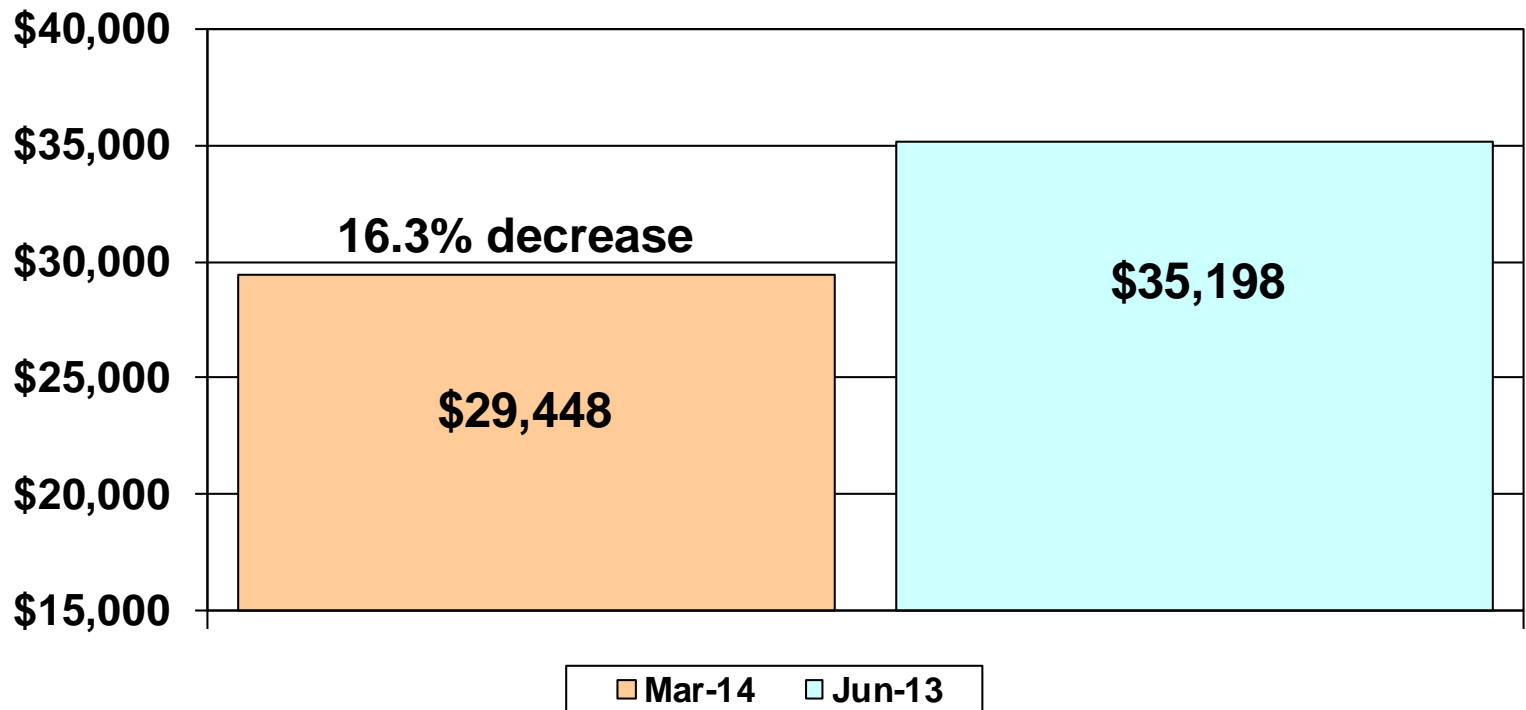




# Cash & CDs

## FY2014

(in thousands)



**Note: Total of \$14M transferred out of Operating beyond normal business. This includes:**

- \$6.9M transfer into PREF YTD – An additional \$731,876 will be transferred this quarter
- \$3.6M in 2003/2011 Series Bond Pymts
- \$3.4M in 2014 Series Bond/Escrow Pymts – Paid in Current Reporting Quarter



# Transfers to Plant Replacement & Expansion Fund\*

- PREF Acct. Balance at 03/31/2014: \$15,680,592
- Days Operating Cash on Hand at 03/31/2014 – 92.55 days
- Amount to Transfer – 3<sup>rd</sup> Quarter FY2014 – \$731,876
- Transfer to Plant Replacement FY2014:
  - September 2013 - \$4,970,902
  - December 2013 - \$2,027,358
  - April 2014 - \$731,876

**Totaling \$7,730,136**

\*reinvest for facility maintenance, purchase of replacement equipment and development of new services

