

KENAI PENINSULA BOROUGH

Assembly Meeting Packet



June 18, 2013
6:00 P.M.

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

June 2013

Monthly Planner

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday																																																																																				
<div style="display: flex; justify-content: space-around;"> <table border="1" style="background-color: #ffff00; border-collapse: collapse; text-align: center;"> <caption>May 2013</caption> <thead> <tr><th>S</th><th>M</th><th>T</th><th>W</th><th>T</th><th>F</th><th>S</th></tr> </thead> <tbody> <tr><td></td><td></td><td>1</td><td>2</td><td>3</td><td>4</td><td></td></tr> <tr><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td></tr> <tr><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td></tr> <tr><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td></tr> <tr><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td><td>31</td><td></td></tr> </tbody> </table> <table border="1" style="background-color: #ffff00; border-collapse: collapse; text-align: center;"> <caption>Jul 2013</caption> <thead> <tr><th>S</th><th>M</th><th>T</th><th>W</th><th>T</th><th>F</th><th>S</th></tr> </thead> <tbody> <tr><td></td><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td></tr> <tr><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td></tr> <tr><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td></tr> <tr><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td></tr> <tr><td>28</td><td>29</td><td>30</td><td>31</td><td></td><td></td><td></td></tr> </tbody> </table> </div>						S	M	T	W	T	F	S			1	2	3	4		5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		S	M	T	W	T	F	S		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31				1
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2	<p style="text-align: center; font-size: 2em;">3</p> <p>7:00 PM KP School Board</p> <p>7:00 PM SBCF SA</p>	<p style="text-align: center; font-size: 2em;">4</p> <div style="border: 1px solid red; padding: 5px; text-align: center; margin: 10px auto; width: 80%;"> <p>6:00 PM Assembly Meeting</p> </div>	<p style="text-align: center; font-size: 2em;">5</p> <p>5:00 PM Seldovia Recreational SA</p> <p>6:00 PM Cooper Landing APC</p> <div style="border: 1px solid red; padding: 2px; text-align: center; margin-top: 5px;"> <p>BOE Hearings</p> </div>	6	<p style="text-align: center; font-size: 2em;">7</p> <p>7:00 PM Hope/Sunrise APC</p>	8																																																																																				
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July 2013

Monthly Planner

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June 2013 - December 2013

Assembly Yearly Planner

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JUNE

- 4 Assembly Meeting
- 18 Assembly Meeting

JULY

- 2 Assembly Meeting
- 4 Borough Holiday: Independence Day

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AUGUST

- 6 Assembly Meeting
- 20 Assembly Meeting

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SEPTEMBER

- 2 Borough Holiday: Labor Day
- 3 Assembly Meeting
- 17 Assembly Meeting (Homer)

Sep 2013						
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OCTOBER

- 8 Assembly Meeting
- 22 Assembly Meeting
- 5 Assembly Meeting
- 11 Borough Holiday: Veterans Day

Oct 2013						
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NOVEMBER

- 5 Assembly Meeting
- 11 Borough Holiday: Veterans Day
- 18 11/18-11/22 AML Annual Conf. (Anch.)
- 28 Borough Holiday: Thanksgiving
- 29 Borough Holiday: Thanksgiving

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DECEMBER

- 3 Assembly Meeting
- 24 Borough Holiday: Christmas Eve

- 25 Borough Holiday: Christmas

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Assembly Meeting Schedule

TUESDAY, JUNE 18, 2013

- 3:00 PM Finance Committee**
- 3:30 PM Lands Committee**
- 4:30 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

June 18, 2013	3:00 PM	Assembly Chambers George A. Navarre Kenai Peninsula Borough Administration Building, Soldotna
Charlie Pierce, Chair	Bill Smith, Vice Chair	Kelly Wolf

AGENDA

M. PUBLIC HEARINGS ON ORDINANCES

- 1. Ordinance 2012-19-60: Appropriating \$310,000 for the Expansion of the Central Peninsula Hospital Parking Lot at the Binkley Professional Plaza (Mayor)39

- 3. Ordinance 2013-19-02: Accepting and Appropriating a Grant in the Amount of \$3,472,619 from the State of Alaska for the Purchase and Installation of a Thermal Leachate Evaporator Unit at the Central Peninsula Landfill (Mayor)58

O. NEW BUSINESS

- 1. Bid Awards
 - *a. Resolution 2013-055: Authorizing Road Service Area Capital Improvement Project: Green Timbers Road, Ridge Circle and Lookout Drive #S5GRE Contract Award and Allocation (Mayor)120

- 3. Ordinances
 - *a. Ordinance 2012-19-61: Authorizing the Transfer of \$146,913.17 from the Bond Funded Capital Project Fund to Various Capital Project Funds (Mayor) (Shortened Hearing on 07/02/13)130

 - *b. Ordinance 2012-19-62: Authorizing the Transfer of \$41,386.72 from Various Capital Project Funds to the General Fund (Mayor) (Shortened Hearing on 07/02/13)133

 - *e. Ordinance 2013-26: Amending The Application Date Of Ordinance 2013-14, Which Reduced The Interest Rate And Maximum Penalties Charged Sellers For Delinquent Sales Taxes To 10 Percent (Mayor) (Shortened Hearing on 07/02/13)156

4. Other

- *a. Approval of New Liquor License Application for Wolverine Leasing, LLC dba Redoubt Bay Lodge159

*Consent Agenda Items

June 18, 2013	3:30 PM	Assembly Chambers George A. Navarre Kenai Peninsula Borough Administration Building, Soldotna
Ray Tauriainen, Chair	Sue McClure, Vice Chair	Brent Johnson

AGENDA

M. PUBLIC HEARINGS ON ORDINANCES

- 2. Ordinance 2013-17: Authorizing a Negotiated Lease at Less than Fair Market Value of Certain Real Property to Peninsula Modelers, Inc. (Mayor)43
- 4. Ordinance 2013-12: Amending KPB Chapter 21.18 to Repeal the Provisions in KPB Ordinance 2011-12 Which Expanded the Scope of the Anadromous Streams Habitat Protection District to Include all Anadromous Waterbodies Listed in the “Atlas and Catalogue of Waters Important for Spawning, Rearing, or Migration of Anadromous Fish” and Make Associated Revisions (Wolf)64
- 5. Ordinance 2013-18: Repealing the Provisions of KPB Ordinance 2011-12 Which Required the Borough to Regulate all Waters in the “Atlas and Catalog of Waters Important for the Spawning, Rearing or Migration of Anadromous Fish” and Amending KPB Chapter 21.18 by Adopting an Appendix Identifying Regulated Anadromous Waters, Adopting Special Exceptions for Lake Front Properties, and Expanding Protections for Prior Existing Uses and Structures (Mayor, Smith)75

O. NEW BUSINESS

- 3. Ordinances
 - *d. Ordinance 2013-25: Authorizing Retention of Sale of Certain Real Property Obtained by the Kenai Peninsula Borough Through Tax Foreclosure Proceedings (Mayor) (Hearing on 08/06/13)145

*Consent Agenda Items

Kenai Peninsula Borough Assembly

Policies and Procedures Committee

June 18, 2013	4:30 PM	Assembly Chambers George A. Navarre Kenai Peninsula Borough Administration Building, Soldotna
Mako Haggerty, Chair	Brent Johnson, Vice Chair	Hal Smalley

AGENDA

K. MAYOR’S REPORT15

- 1. Assembly Requests/Responses – None.
- 2. Agreements and Contracts
 - a. Authorization to Award Contract for Nikiski North Star Elementary Parking Lot Repair to Alaska RoadBuilders, Soldotna, Alaska16
 - b. Authorization to Award Contract for ITB13-051 River Bank Restoration and Walk Way Maintenance to Youth Restoration Corps of Kenai Alaska..18
 - c. Authorization to Award Contract for ITB13-030 Emergency Response River Boat to Titan Inflatables Ltd., of British Columbia Canada20
 - d. Authorization to Award Contract for ITB13-050 Portable Generator to Collicutt Energy Services of Anchorage, Alaska22
- 3. Other
 - a. Land Management will give a Power Point Presentation for Resolution 2013-054 Supporting the Implementation of a Lands Local Importance Vision (ALLIV) for Finalization of the Kenai Peninsula Borough’s Municipal Entitlement Land Grant, Authorizing the Mayor to Execute All Documents Necessary to Fulfill the Borough’s Vested Municipal Entitlement.....24
 - b. Certification of the 2013 Main Roll Assessment.....38

O. NEW BUSINESS

2. Resolutions

- *a. Resolution 2013-056: Providing for an Advisory Vote on the Question of Whether the Borough Should Continue to Financially Support the Central Area Rural Transit System (CARTS) (Johnson)127

3. Ordinances

- *c. Ordinance 2013-24: Amending the Borough Code to Provide that Public Members of the Board of Equalization and Service Area Board Members Appointed to Fill Vacancies on the Service Area Board Shall be Appointed by the Mayor and Confirmed by the Assembly (Mayor) (Hearing on 08/06/13).....136

*Consent Agenda Items

Assembly Agenda

June 18, 2013 - 6:00 PM

Regular Meeting

Assembly Chambers, Soldotna, Alaska

Linda Murphy
Assembly President
Seat 4 - Soldotna
Term Expires 2013

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

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

Brent Johnson
Assembly Member
Seat 7 - Central
Term Expires 2013

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

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

Bill Smith
Assembly Member
Seat 8 - Homer
Term Expires 2014

Ray Tauriainen
Assembly Member
Seat 3 - Nikiski
Term Expires 2013

Kelly Wolf
Assembly Member
Seat 1 - Kalifornsky
Term Expires 2015

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. INVOCATION

D. ROLL CALL

E. COMMITTEE REPORTS

F. APPROVAL OF AGENDA AND CONSENT AGENDA

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

G. APPROVAL OF MINUTES

*1. June 4, 2013 Regular Assembly Meeting Minutes..... 1

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

I. PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

1. South Peninsula Hospital Quarterly Report (10 minutes)

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

K. MAYOR’S REPORT 15

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L. ITEMS NOT COMPLETED FROM PRIOR AGENDA – None.

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

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N. UNFINISHED BUSINESS – None.

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

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

- 1. July 2, 2013 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 2013-19-01: Accepting and Appropriating a Grant in the Amount of \$100,000 from the State of Alaska for Maintenance and Repair to Jacob’s Ladder Drive (Mayor) (Hearing on 07/02/13) (Referred to Finance Committee)
- 2. Ordinance 2013-19-03: Reducing Grant Funding Previously Provided to the Homer Landfill Transfer Station Project in the Amount of \$250,000 and Appropriating \$250,000 in Grant Funds to the Kachemak Emergency

Service Area for Construction of the Diamond Ridge Station (Mayor)
(Hearing on 07/02/13) (Referred to Finance Committee)

3. Ordinance 2013-20: Amending KPB 22.30.030, Terms of Office, to Repeal the Two Term Limit for Assembly Members (Smalley) (Hearing on 07/02/13) (Referred to Policies and Procedures Committee)
4. Ordinance 2013-21: Authorizing the Sale of Certain Parcels of Borough Land by Sealed Bid (Mayor) (Hearing on 07/02/13) (Referred to Lands Committee)
5. Ordinance 2013-22: Authorizing the Sale of Certain Parcels of Borough Land in Widgeon Woods Phase Two Subdivision in the Ciechanski Area by Sealed Bid (Mayor) (Hearing on 07/02/13) (Referred to Lands Committee)
6. Ordinance 2013-23: Transferring \$1,673.76 in Residual Fund Balance from the Former Lowell Point Fire Service Area to the Borough's General Fund (Mayor) (Hearing on 07/02/13) (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 July 2, 2013, 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 for copies of the agenda, meeting summaries, ordinances and resolutions.

Kenai Peninsula Borough

Assembly Meeting Minutes

June 4, 2013

Regular Meeting - Soldotna, Alaska

CALL TO ORDER

A Regular Meeting of the Kenai Peninsula Borough Assembly was held on June 4, 2013, in the Borough Assembly Chambers, Soldotna, Alaska. President Murphy 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 Alan Humphries from the Soldotna Church of God.

There were present:

Linda Murphy, Presiding
Mako Haggerty
Brent Johnson
Sue McClure
Charlie Pierce

Hal Smalley
Bill Smith
Ray Tauriainen
Kelly Wolf

comprising a quorum of the assembly.

Also in attendance were:

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

COMMITTEE REPORTS

Assembly Member Pierce said the Finance Committee met and discussed its agenda items. (06:01:45)

Assembly Member Tauriainen said the Lands Committee met and discussed its agenda item.

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

President Murphy said the Committee of the Whole met and discussed its agenda item.

MOTION:

Smalley moved to set the Borough Clerk's annual salary for the fiscal year 2014 to \$99,200.

UNAPPROVED

MOTION PASSED: Unanimous.

(06:13:17)

MOTION: Wolf moved to authorize Assembly Member Hal Smalley (AML NACo Representative), Assembly President Linda Murphy (NACo Public Lands Steering Committee Member) and Assembly Member Bill Smith (NACo Transportation Steering Committee Member) to attend the National Association of Counties Annual Conference and Exposition in Fort Worth, Texas, July 19-22, 2013.

MOTION PASSED: Unanimous.

APPROVAL OF THE AGENDA AND CONSENT AGENDA

(06:14:17)

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

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

The following item was removed from the consent agenda:

- Ordinance 2013-20: Amending KPB 22.30.030, Terms of Office, to Repeal the Two Term Limit for Assembly Members (Smalley) (Hearing on 07/02/13) (Referred to Policies and Procedures Committee)

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

- May 21, 2013 Regular Assembly Meeting Minutes
- Resolution 2013-053: Setting the Rate of Levy for Real and Personal Property Taxes for the Kenai Peninsula Borough and For Service Areas Within the Borough for Fiscal Year 2014, Tax Year 2013 (Mayor) (Referred to Finance Committee)
- Ordinance 2013-19-01: Accepting and Appropriating a Grant in the Amount of \$100,000 from the State of Alaska for Maintenance and Repair to Jacob's Ladder Drive (Mayor) (Hearing on 07/02/13) (Referred to Finance Committee)
- Ordinance 2013-19-02: Accepting and Appropriating a Grant in the Amount of \$3,472,619 from the State of Alaska for the Purchase and Installation of a Thermal Leachate Evaporator Unit at the Central Peninsula (Mayor) (Hearing on 06/18/13) (Referred to Finance Committee)

UNAPPROVED

[Clerk's Note: The public hearing date of Ordinance 2013-19-02 was amended to a shortened hearing on June 18, 2013.]

- Ordinance 2013-19-03: Reducing Grant Funding Previously Provided to the Homer Landfill Transfer Station Project in the Amount of \$250,000 and Appropriating \$250,000 in Grant Funds to the Kachemak Emergency Service Area for Construction of the Diamond Ridge Station (Mayor) (Hearing on 07/02/13) (Referred to Finance Committee)
- Ordinance 2013-21: Authorizing the Sale of Certain Parcels of Borough Land by Sealed Bid (Mayor) (Hearing on 07/02/13) (Referred to Lands Committee)
- Ordinance 2013-22: Authorizing the Sale of Certain Parcels of Borough Land in Widgeon Woods Phase Two Subdivision in the Ciechanski Area by Sealed Bid (Mayor) (Hearing on 07/02/13) (Referred to Lands Committee)
- Ordinance 2013-23: Transferring \$1,673.76 in Residual Fund Balance from the Former Lowell Point Fire Service Area to the Borough's General Fund (Mayor) (Hearing on 07/02/13) (Referred to Finance Committee)

President Murphy called for public comment with none being offered.

AGENDA APPROVED AS AMENDED: Unanimous.

COMMENDING RESOLUTIONS AND PROCLAMATIONS

(06:20:32)

Assembly Member Smalley presented a resolution commending Courtney Stroh for winning the President's Environmental Youth Award for Region 10.

PRESENTATIONS WITH PRIOR NOTICE

(06:23:33)

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

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

(06:32:50)

President Murphy called for public comment.

Fred Braun, Nikiski, addressed the Assembly regarding the enactment of Ordinance 2011-12, having served on the Anadromous Fish Habitat Task Force and the Citizens for Responsible Waterfront Land Use.

George Pierce, Kasilof, addressed the Assembly in opposition to enactment of Ordinance 2011-12.

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

MAYOR'S REPORT

(06:39:24)

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
 - a. Sole Source Authorization for Emergency Replacement of Filtration Tank at Nikiski Pool
 - b. Sole Source Sale of Kenai Peninsula Borough Owned Bridge Sections Located in Seward Alaska
 - c. Authorization to Award Contract for Central Peninsula Hospital Obstetrics, Infusion and Wound Care Department Renovations to Blazy Construction, Inc., Soldotna, Alaska
 - d. Authorization to Award Contract for Central Peninsula Landfill Leachate Evaporator System Professional Design Services to Larson Engineering & Design, PC
 - e. Authorization to Award Contract for Nanwalek School Propane Tank Farm Refurbishment Professional Design Services to Enterprise Engineering
 - f. Request for Waiver of Formal Bidding - Soldotna High School Gym Ductwork Contract Request to Be Awarded to Holden Company
3. Other
 - a. Kenai Peninsula Borough Municipal Entitlement
 - b. Investment Portfolio Report
 - c. Revenue-Expenditure Report - April 2013
 - d. Budget Revisions - April 2013
 - e. Award to the KPB, Certificate of Achievement for Excellence in Financial Reporting
 - f. Annual Siren Maintenance Update
 - g. Anadromous Fish Habitat Protection Task Force Final Report

(06:47:12)

[Clerk's Note: Anadromous Fish Habitat Protection Task force members Paul Ostrander and Stacy Oliva gave a presentation.]

ITEMS NOT COMPLETED FROM PRIOR AGENDA - None.

PUBLIC HEARING ON ORDINANCES

(07:11:10)

Ordinance 2012-19-55: Accepting and Appropriating Funds to be Received from the State of Alaska Division of Homeland Security and Emergency Management to Reimburse the Borough for Costs Incurred or to be Incurred in Responding to the September 2012 Flooding (Mayor) (Referred to Finance Committee)

MOTION: Pierce moved to enact Ordinance 2012-19-55.

President Murphy called for public comment with none being offered.

VOTE ON MOTION TO ENACT

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

(07:12:39)

Ordinance 2012-19-56: Accepting and Appropriating a Grant in the Amount of \$16,000 from the Rasmuson Foundation on Behalf of the Seldovia Recreational Service Area to Purchase Kitchen Equipment (Mayor) (Referred to Finance Committee)

MOTION: Pierce moved to enact Ordinance 2012-19-56.

President Murphy called for public comment with none being offered.

MOTION: Pierce moved to amend Ordinance 2012-19-56 as follows:

The sixth whereas to read, "at its regularly scheduled meeting held May 7, 2013, the SRSA Board recommended approval by unanimous consent;"

MOTION TO AMEND PASSED: Unanimous.

VOTE ON MOTION TO ENACT AS AMENDED:

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

Ordinance 2012-19-58: Accepting Emergency Response Equipment from the Southern Region Emergency Medical Services Council, Inc., and Appropriating Matching Funds in the Amount of \$1,327.60 on Behalf of Bear Creek Fire Service Area (Mayor) (Referred to Finance Committee)

MOTION: Pierce moved to enact Ordinance 2012-19-58.

President Murphy called for public comment with none being offered.

MOTION: Pierce moved to amend Ordinance 2012-19-58 as follows:

Title to read, “A Ordinance Accepting Emergency Response Equipment from the Southern Region Emergency Medical Services Council, Inc., and Appropriating Matching Funds in the Amount of \$[1,327.60] 1,585.60 on Behalf of Bear Creek Fire Service Area”

The fifth whereas to read, “BCFSA requests a supplemental appropriation in the amount of \$[1,327.60] 1,585.60 from its Operating Fund, fund balance to meet the required 10 percent local match and the increased cost to purchase the Stair Chair response equipment; and”

Section 2 to read, “That matching funds in the amount of \$[1,327.60] 1,585.60 are appropriated from the BCFSA operating fund balance to account 207.51210.13RES.49999.”

The sixth whereas to read, “at its regularly scheduled meeting of May 14, 2013, the BCFSA Board recommended approval by unanimous consent;”

MOTION TO AMEND PASSED: Unanimous.

VOTE ON MOTION TO ENACT AS AMENDED:

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

No: None

Absent: None

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

Ordinance 2012-19-59: Accepting Emergency Response Equipment from the Southern Region Emergency Medical Services Council, Inc., and Appropriating Matching Funds in the Amount of \$19,611.70 on Behalf of Nikiski Fire Service Area (Mayor) (Referred to Finance Committee)

MOTION: Pierce moved to enact Ordinance 2012-19-59.

President Murphy called for public comment with none being offered.

VOTE ON MOTION TO ENACT:

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

No: None

Absent: None

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

Ordinance 2013-15: Amending KPB 2.60.030 and 2.60.035 Authorizing an Increase in the E911 Surcharge from \$1.50 to \$1.80 per Month (Mayor) (Referred to Policies and Procedures Committee)

MOTION: Haggerty moved to enact Ordinance 2013-15.

President Murphy called for public comment.

Diane MacRea, Kasilof, spoke in opposition to Ordinance 2013-15.

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

Assembly Member Wolf spoke in support of Ordinance 2013-15.

VOTE ON MOTION TO ENACT:

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

No: None

Absent: None

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

Ordinance 2013-19: Appropriating Funds for Fiscal Year 2014 (Mayor) (Referred to Finance Committee)

MOTION: Pierce moved to enact Ordinance 2013-19.

President Murphy called for public comment.

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

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George Pierce, Kasilof
Diane MacRea, Kasilof

The following person spoke in support of Non-Departmental funding:

Jennifer Beckmann, Executive Director of CARTS

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

MOTION:

Pierce moved to amend Ordinance 2013-19 as follows:

Section 11 to read, "That appropriations for the Capital Projects Funds for the fiscal year beginning July 1, 2013 and ending June 30, 2014 are as follows:

School Revenue	\$1,675,000
Solid Waste	300,000
General Government	75,000
Service Areas:	
Nikiski Fire	300,000
Bear Creek Fire	60,000
Anchor Point Fire and Emergency	75,000
Central Emergency	130,000
Kachemak Emergency	[216,000] <u>116,000</u>
North Peninsula Recreation	115,000
South Kenai Peninsula Hospital	1,446,243"

Page 132, General Fund, increase line item 100.94910.00000.40311, "Elodea treatment for Daniels and Stormy Lake," \$40,000.

Page 229, Engineer's Estimate Fund, add line item 237.33950.00000.43011, "Contractual Services," \$30,000.

Page 103, Finance Sales Tax, increase line item 100.11441.00000.43011, "Software Licensing," \$44,653.

Page 321, School Revenue Capital Project Fund, add line item 400.73020.14SAF.49999, "Security/Asset Protection Upgrades at the Kenai Track Facility," \$50,000; decrease line item 400.78050.14856.4999, "Areawide Fire

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Marshal/Safety Upgrades,” \$50,000.

Page 161, Bear Creek Administration, increase line item 207.51210.00000.50442, “Bear Creek Capital Projects,” \$50,000.

Page 65, Records Management, Equipment Replacement Payment Schedule, remove Microimager, add Digital Scanner.

MOTION TO AMEND PASSED:

Unanimous.

MOTION:

Johnson moved to amend the FY2014 budget document as follows:

Page 368, Schedule of Rates, Charges and Fees, eliminate the fee amount for the, “Habitat protection conditional use permit (PC),” \$300.

MOTION TO AMEND PASSED:

Unanimous.

MOTION:

Smalley moved to amend the FY2014 budget document as follows: (07:54:34)

Page 132, Non Departmental, increase line item 100.94910.00000.43009, “Contractual Services-EDD,” \$25,000.

Assembly Member Haggerty spoke in opposition to the amendment.

VOTE ON MOTION TO AMEND:

Yes:

Johnson, Smalley, Murphy

No:

Haggerty, McClure, Pierce, Smith, Tauriainen, Wolf

Absent:

None

MOTION TO AMEND FAILED:

3 Yes, 6 No, 0 Absent

MOTION:

Haggerty moved to amend the FY2014 budget document as follows: (08:02:12)

Page 132, Non Departmental, reduce line item 100.94910.00000.43009, “Contractual Services-EDD,” \$40,000.

UNAPPROVED

VOTE ON MOTION TO AMEND:

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

(08:03:38)

MOTION:

Haggerty moved to amend the FY2014 budget document as follows:

Page 132, Non Departmental, increase line item 100.94910.00000.43010, "Contractual Services-CARTS," \$25,000.

VOTE ON MOTION TO AMEND:

Yes: Haggerty, Murphy
No: Johnson, McClure, Pierce, Smalley, Smith, Tauriainen, Wolf
Absent: None
MOTION TO AMEND FAILED: 2 Yes, 7 No, 0 Absent

VOTE ON MOTION TO ENACT AS AMENDED:

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

UNFINISHED BUSINESS

(08:04:55)

Resolution 2013-037: Establishing a Fiscal Note Policy (Murphy, Wolf) (Referred to Policies and Procedures Committee)

[Clerk's Note: The motion to adopt Resolution 2013-037 was on the floor from the April 16, 2013 meeting.]

President Murphy called for public comment with none being offered.

MOTION:

Murphy moved to amend Resolution 2013-037 as follows:

Section 1 to read, "There is established a fiscal note policy [and form,] a [COPIES] copy of which [ARE] is attached hereto."

MOTION TO AMEND PASSED:

Unanimous.

UNAPPROVED

MOTION: Murphy moved to amend Resolution 2013-037 as follows:

Section 3 to read, "That this resolution took effect immediately upon its adoption and shall automatically expire on June 30, 2014, unless the assembly by resolution, has altered or extended the date."

MOTION TO AMEND PASSED: Unanimous.

MOTION: Murphy moved to amend Resolution 2013-037 as follows:

The fiscal Note Policy and Procedure, paragraph I. Policy to read, "It is the policy of the Kenai Peninsula Borough that fiscal notes should be attached to all ordinances creating new programs or departments or implementing changes to existing programs or departments that fall outside the approved budget and that are expected to have a monetary impact on the Borough exceeding \$5,000 in any one fiscal year."

MOTION TO AMEND PASSED: Unanimous.

Assembly Member Johnson, Haggerty spoke in opposition to Resolution 2013-053.

Assembly Member Murphy, Tauriainen and McClure spoke in support of Resolution 2013-053.

VOTE ON MOTION TO ADOPT AS AMENDED:

Yes: McClure, Pierce, Smalley, Smith, Tauriainen, Wolf, Murphy
No: Haggerty, Johnson
Absent: None
MOTION TO ADOPT AS AMENDED PASSED: 7 Yes, 2 No, 0 Absent

NEW BUSINESS - None.

(08:18:41)

Ordinance 2013-20: Amending KP.B 22.30.030, Terms of Office, to Repeal the Two Term Limit for Assembly Members (Smalley) (Hearing on 07/02/13) (Referred to Policies and Procedures Committee)

MOTION: Haggerty moved to introduce Ordinance 2013-20 and set for public hearing on July 2, 2013.

UNAPPROVED

President Murphy called for public comment.

George Pierce, Kasilof, spoke in opposition to Ordinance 2013-20.

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

Assembly Member Wolf spoke in opposition to introduction of Ordinance 2013-20.

Assembly Member Smith, Pierce and Smalley spoke in support of introduction of Ordinance 2013-20.

VOTE ON MOTION TO INTRODUCE AND SET FOR PUBLIC HEARING:

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

MOTION TO INTRODUCE AND SET FOR PUBLIC HEARING PASSED:

8 Yes, 1 No, 0 Absent

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

(08:25:47)

President Murphy called for public comment.

Diane MacRea, Kasilof, spoke in opposition of the introduction of Ordinance 2013-20.

Fred Bruan, Kasilof, spoke in opposition to Ordinance 2013-19-01.

Wayne Ogle, Nikiski, spoke in support of Resolution 2013-037, in opposition to Ordinance 2013-20, and addressed the Anadromous Fish Habitat Protection Task Force presentation given by Chief of Staff Paul Ostrander.

George Pierce, Kasilof, spoke in opposition to Non-Department funding, and the recommendations of the Anadromous Fish Habitat Protection Task Force.

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

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

(08:37:03)

The next meeting of the Kenai Peninsula Borough Assembly was scheduled for June 18, 2013, at 6:00 p.m. in the Borough Assembly Chambers, Soldotna, Alaska.

ASSEMBLY COMMENTS

(08:37:24)

Assembly Member Johnson said good bye to Deputy Clerk Shellie Saner and noted that he would miss her, he commended Borough Clerk Johni Blankenship for her staff. He thanked Mayor Navarre

UNAPPROVED

for including funding in the budget for the Elodea invasive species control eradication. He said he had attended the School Board meeting on June 4, 2013 and noted that the School Board Members had a job very similar to the Assembly.

Assembly Member McClure noted that she would miss Deputy Clerk Shellie Saner, especially during the community meetings in the fall. She thanked everyone on the Assembly for their participation in discussions, and said that not everyone agreed, conclusions were still met. She thanked Mayor Navarre and staff for preparing the budget and said it was good to have it approved. She invited members of the Moose Pass and Cooper Landing communities to attend the Advisory Planning Commission meeting in Moose Pass on June 5, 2013 at 7:00 p.m. to discuss the Municipal Land Entitlement selection. She warned everyone to watch out for the bears and baby moose.

Assembly Member Haggerty said that he took exception to statements made during the meeting regarding term limits, stating that the assumption was that the current Assembly Members wanted to hold on to their seats forever; however, in his case that couldn't be farther from the truth, and that he did not believe in term limits. He said constituents had a right to pick who they want to have represent them, and having people from other areas within the borough deciding who they could vote for was undemocratic. He invited everyone to Homer for the Annual Trails Day, June 8, 2013, 7:30 a.m. at the Seafarer's Memorial on the Homer Spit. He noted he would miss Deputy Clerk Shellie Saner.

Assembly Member Smith said there was cool-hand Luke; but, the Assembly had cool-hand Shellie at least for another four days. He said the amendment coming forward to KPB 21.18 in the form of proposed Ordinance 2013-18 would generate significant improvements in favor of the property owners, and now with the appendix, specific lakes, streams and rivers could be addressed on an individual basis, rather than the overall blanket opposition. He said in regard to term limits, he had no plans to run for another term, so indications that he had a conflict with the issue were incorrect. He thanked Mayor Navarre for bringing forward a status quo budget and compliment the Mayor and staff.

Assembly Member Tauriainen complimented the Mayor and staff for keeping the budget status quo and maintaining a good fund balance. He said in regards to Ordinance 2013-19-01 he would like to see some consideration to the comments given by Mr. Braun, it appeared there might be another way to make the repairs.

Assembly Member Wolf said he did not feel that all members of the Assembly were listening to the wishes of the people regarding Ordinance 2011-12. He invited everyone to the softball fields in Kenai on June 22, 2013 to watch the World Series Softball Tournament, he noted that in 2012 there were over 100 athletes with disabilities who participated, and rumor had it that the Peninsula Oilers would be in attendance as well as some of the Brown Bears, he said it would be a lot of fun, there would be free food and was supported by the community. He noted that some of the youth from Kenai Peninsula Borough who were now serving in the military and were trying to figure out thunderstorms in Nebraska.

Assembly Member Pierce said the Sterling Community Center would be having an open house on Saturday, June 8, 2013 from 3:00 - 5:00 p.m. He thanked Deputy Clerk, Shellie Saner and noted her

UNAPPROVED

assistance during the community meetings, he said the borough was losing a very talented employee. He thanked Mayor Navarre for making the very good decisions he was making, and noted the talented employees working for the Kenai Peninsula Borough was apparent in the various awards won by the departments.

Vice President Smalley thanked Assembly Member Haggerty for the comments regarding assumptions being made on term limits, he was not sure there was anyone on the body who planned to run again; however, he did know people within his voting district that believed an election was the process used to determine the candidate who represented you. He thanked Mayor Navarre for bringing forward a status quo budget, and thanked Deputy Clerk Saner for all she had done over the years, and wished her well. He said a copy of his National Association of Counties Western Interstate Region report was available, and noted that he and his wife would be celebrating their 45th wedding anniversary on Saturday.

President Murphy said she was philosophically opposed to term limits, and felt it was up to the voters to decide whether you continue in office or not, and she had no intentions of serving more than two terms. She stated that if it were not for term limits she would not be an Assembly Member today, she felt that Pete Sprague had done a terrific job and noted that she missed the people who were termed out. She thanked Deputy Clerk Shellie Saner for her service, and wished her luck in her new job. She said she was glad to see the initiative petition that was filed in the Clerk’s Office recently regarding voting by mail and ranked voting was denied, and said that she had nothing against voting by mail, and felt it was a great idea, she would love to see the borough go to by mail voting if it were allowed by state law; however, the biggest issue that would stand in the way of by mail elections was having elected service area board members. She said elected service area board members further complicated who got what ballot. She thanked Finance Director Craig Chapman, finance staff and Mayor Navarre for putting together the budget, and noted it was the easiest budget she had seen. She thanked Chief of Staff Paul Ostrander and Anadromous Fish Habitat Protection Task Force Member Stacy Oliva for their presentations, and stated that the fishing industry was important to the borough. She complimented the work done by the task force. She replied to comments regarding the Assembly not listening to the voters and stated that the Assembly did listen; however, sometimes had to make decisions that were not popular.

ADJOURNMENT

With no further business to come before the assembly, President Murphy adjourned the meeting at 9:00 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of June 4, 2013.

Johni Blankenship, MMC, Borough Clerk

Approved by Assembly:_____



KENAI PENINSULA BOROUGH

144 North Binkley St. Soldotna, Alaska 99669-7520
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**MIKE NAVARRE
BOROUGH MAYOR**

MAYOR'S REPORT TO THE ASSEMBLY

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

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

DATE: June 18, 2013

Assembly Requests/ Response

None

Agreements and Contracts

- a. Authorization to Award Contract for Nikiski North Star Elementary Parking Lot Repair to Alaska RoadBuilders., Soldotna Alaska.
- b. Authorization to Award Contract for ITB13-051 River Bank Restoration and Walk Way Maintenance to Youth Restoration Corps of Kenai Alaska.
- c. Authorization to Award Contract for ITB13-030 Emergency Response River Boat to Titan Inflatables Ltd., of British Columbia Canada.
- d. Authorization to Award Contract for ITB13-050 Portable Generator to Collicutt Energy Services of Anchorage, Alaska.

Other

- a. Land Management will give a Power Point Presentation for Resolution 2013-054 Supporting the Implementation of a Lands Local Importance Vision (ALLIV) for Finalization of the Kenai Peninsula Borough's Municipal Entitlement Land Grant, Authorizing the Mayor to Execute All Documents Necessary to Fulfill the Borough's Vested Municipal Entitlement.
- b. Certification of the 2013 Main Roll Assessment



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 *SLN*
FROM: Kevin Lyon, Capital Projects Director *KL*
DATE: May 29, 2013
SUBJECT: Authorization to Award Contract for Nikiski North Star Elementary
Parking Lot Repair

The Purchasing and Contracting Office formally solicited and received bids for Nikiski North Star Elementary Parking Lot Repair. Bid packets were released on April 24, 2013 and the Invitation to Bid was advertised in the Peninsula Clarion and the Anchorage Daily News on April 24, 2013.

The project consists of construction of bus parking area, automobile parking lot consisting of 88 parking spaces, ADA parking area, drainage repair throughout.

On the due date of May 23, 2013 four (4) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$473,470.00 was submitted by Alaska RoadBuilders, Inc., Soldotna, Alaska.

Your approval for this bid award is hereby requested. Funding for this project is in account numbers 400.71081.11802.49101, 400.71081.12802.49101, and 400.71081.12PAV.49101.

Mike Navarre
Mike Navarre, Mayor

5/29/13
Date

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>400.71081.11802.49101</u>
Amount	<u>\$113,200.00</u>
Acct. No.	<u>400.71081.12802.49101</u>
Amount	<u>\$120,000.00</u>
Acct. No.	<u>400.71081.12PAV.49101</u>
Amount	<u>\$240,270.00</u>
By:	<i>pc [signature]</i> Date: <u>5/29/13</u>

**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB13-048 Nikiski North Star Elementary Parking Lot Repair

CONTRACTOR	BASE BID
NorthStar Paving	\$499,784.00
Foster Construction	\$479,700.00
D&L Construction	\$499,460.00
Alaska RoadBuilders	\$473,470.00

DUE DATE: May 23, 2013 @ 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 (800) 498-4441 • Fax (907) 714-2373
www.borough.kenai.ak.us/purchasing

**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

TO: Mike Navarre, Mayor

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

THRU: Gary Williams, River Center Manager *AS* *MR*

FROM: John Czarnezki, Resource Planner *JC*

DATE: May 28, 2013

SUBJECT: Authorization to Award Contract for ITB13-051 River Bank Restoration and Walk Way Maintenance

The Purchasing and Contracting Office formally solicited and received bids for the river bank restoration and walk way maintenance project. Bid packets were released on May 2, 2013 and the Invitation to Bid was advertised in the Peninsula Clarion on May 6, 2013.

The project consists of providing all equipment, materials and personnel to install 500 lineal feet of coir log, spruce tree revetment, alder plantings, seeding and temporary fencing along the Kenai River. Provide and install a 3' by 4' aluminum fish cleaning table and level and repair approximately 80' of ADA compliant elevated light penetrating walkway and the fishing platform at the end of the ADA walkway.

On the due date of May 16, 2013 four (4) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$24,900.00 was submitted by Youth Restoration Corps of Kenai Alaska.

Your approval for this bid award is hereby requested. Funding for this project is in account number 260.11251.13F37.43011.

Mike Navarre

Mike Navarre, Mayor

5/29/13

Date

Routed From
Mayor's Office to

0:9

Cherif _____

Assembly _____

Legal _____

Finance _____

Assessor _____

X

2-c

5-29-13

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. <u>260.11251.13F37.43011</u>	
Amount <u>\$24,900.00</u>	
By: <u>pc</u>	Date: <u>5/29/13</u>

**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB13-051 River Bank Restoration & Walkway Maintenance

CONTRACTOR	BASE BID	ADDITIVE ALTERNATE 1	ADDITIVE ALTERNATE 2	BASE BID
Youth Restoration Corps	\$ 23,900.00	\$ -	\$ 500.00	\$24,400.00
Alaska Enviroscap LLC	\$ 48,800.00	\$ 3,450.00	\$ 5,750.00	\$58,000.00
Endries Company	\$ 58,000.00	\$ 3,800.00	\$ 4,500.00	\$66,300.00
Moore's Landscaping	\$ 47,520.00	\$ 3,500.00	\$ 5,413.00	\$56,433.00

DUE DATE: May 16, 2013 @ 2:00 PM

KPB OFFICIAL:



Mark Fowler, Purchasing & Contracting Director



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**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

TO: Mike Navarre, Mayor
THRU: Mark Fowler, Purchasing & Contracting Director *[Signature]*
FROM: Chris Mokracek, Chief – Central Emergency Services *[Signature]*
DATE: May 24, 2013
SUBJECT: Authorization to Award Contract for ITB13-030 Emergency Response River Boat

The Purchasing and Contracting Office formally solicited and received bids for the purchase of an emergency response river boat. Bid packets were released on March 1, 2013 and the Invitation to Bid was advertised in the Peninsula Clarion on March 1, 2013.

On the due date of April 4, 2013 one (1) bid was received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$103,804.00 was submitted by Titan Inflatables Ltd. of British Columbia Canada.

Your approval for this bid award is hereby requested. Funding for this project is in account number 443.51610.13165.48514.

[Signature: Mike Navarre]

Mike Navarre, Mayor

[Date: 6/4/13]

Date

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. <u>443.51610.13165.48514</u>	
Amount <u>\$103,804.00</u>	
By: <u><i>[Signature]</i></u>	Date: <u>6/3/13</u>

Routed From
Mayor's Office to:

- Clerk Orig
- Assembly
- Legal
- Finance
- Assessing
- Planning
- Roads
- SBB
- Purchasing
- Other

Date: 6-4-13

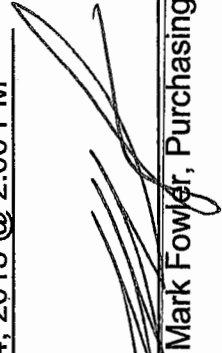
**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB13-030 Emergency Response River Boat

CONTRACTOR	BASE BID
Titan Inflatables	\$103,804.00

DUE DATE: April 4, 2013 @ 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 (800) 498-4441 • Fax (907) 714-2373
 www.borough.kenai.ak.us/purchasing

**MIKE NAVARRE
 BOROUGH MAYOR**

MEMORANDUM

TO: Mike Navarre, Mayor
THRU: Mark Fowler, Purchasing & Contracting Director *[Signature]*
FROM: Scott Walden, Director – Office of Emergency Management *[Signature]*
DATE: June 4, 2013
SUBJECT: Authorization to Award Contract for ITB13-050 Portable Generator

The Purchasing and Contracting Office formally solicited and received bids for the purchase of a portable generator. Bid packets were released on May 1, 2013 and the Invitation to Bid was advertised in the Peninsula Clarion on May 6, 2013.

On the due date of May 23, 2013 ten (10) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$37,566.00 was submitted by Collicutt Energy Services of Anchorage, Alaska.

Your approval for this bid award is hereby requested. Funding for this project is in account number 271.11250.34067.48311.

[Signature: Mike Navarre]

 Mike Navarre, Mayor

[Signature: 6/6/13]

 Date

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. <u>271.11250.34067.48311</u>	
Amount <u>\$37,566.00</u>	
By: <u><i>pc</i></u>	Date: <u>6/4/13</u>
<i>[Signature: C. Chapin]</i>	

Routed From
 Mayor's Office to:
 Clerk *Orig*
 Assembly _____
 Legal _____
 Finance *X*
 Assessing _____
 Planning _____
 Roads _____
 SBB _____
 Purchasing *X*
 Other *oem*
 Date: 6-6-13

**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR:

VENDOR	BASE BID
United Rentals	\$61,950.00
Totem Equipment	\$57,700.00
Alpine Power Systems	\$62,474.00
Bower's	\$45,566.53
Pacific Power Products	\$49,000.00
Peak Oilfield Service Company/Precision Power	\$63,955.00
Colorado Standby LLC	\$58,576.00
Alaska Diesel Electric	\$70,926.00
Cummins NW	\$40,904.54
Collicutt Energy Services	\$37,566.00

DUE DATE: May 23, 2013 @ 2:00 PM



KPB OFFICIAL:

Mark Fowler, Purchasing & Contracting Director



KENAI PENINSULA BOROUGH

Planning Department • Land Management Division
144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2200 • **FAX:** (907) 714-2378

Toll-free within the Borough: 1-800-478-4441, Ext. 2200

www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

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

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

FROM: *MA* Marcus A. Mueller, Land Management Officer
John Mohorcich, Municipal Entitlement Project Manager
Jennifer Domke, Municipal Entitlement Project Admin

DATE: May 30, 2013

SUBJECT: Resolution 2013-054 Supporting the Implementation of a Lands of Local Importance Vision (ALLIV) for Finalization of the Kenai Peninsula Borough's Municipal Entitlement Land Grant, Authorizing the Mayor to Execute All Documents Necessary to Fulfill the Borough's Vested Municipal Entitlement

Standing on a strong and healthy public process, supported by clear objectives, and working within the framework provided by the State, this resolution is presented as a vehicle to attain the vision that has been set forth for our municipal land, one that has come to be called A Lands of Local Importance Vision.

A tremendous process to identify lands of local importance has taken place over the last year involving broad participation from the residents of the Kenai Peninsula, local, state federal agencies, and other community representation. A large number of interest groups have stepped forward to voice the importance of public lands for a wide variety of uses, and many have articulated the characteristics of public land management that they desire, value and expect from municipal public lands.

As the Kenai Peninsula Borough is entrusted to provide stewardship of municipal public lands to serve long-term local interests, it is vitally important that borough is both concise and considerate in its application of the finite land grant that it received under the Mandatory Borough Act some 45 years ago. Best efforts of many have gone into presenting this proposal to appropriately finalize the Kenai Peninsula Borough's Municipal Entitlement land grant.

Your consideration of this resolution is appreciated.



Kenai Peninsula Borough Alaska

Land Management Division

144 North Binkley Street, Soldotna, Alaska 99669 · (907) 714-2205 · (907) 714-2378 Fax

KENAI PENINSULA BOROUGH

RESOLUTION 2013-054

Attachment 'A'

AN OUTLINE OF COMMUNITY OUTREACH, PLANNING, AND DISCOVERY THAT COMPILED TOGETHER CREATED THE "A LANDS OF LOCAL IMPORTANCE VISION" (ALLIV) FOR FINALIZATION OF THE KENAI PENINSULA BOROUGH'S MUNICIPAL ENTITLEMENT LAND GRANT

03.13.2012	Lands Committee	03.01.2013	Next Phase Planning
		03.11.2013	Strategic Outline Jam Session
11.19.2012	Mayoral Presentation		
11.27.2012	Mayoral Presentation	04.08.2013	Mayoral Team Meeting
		04.30.2013	Alaska Dept of Forestry (Soldotna)
12.04.2012	Assembly Lands Committee		
12.06.2012	Alaska State Parks	05.01.2013	State of Alaska South Central Region (Anchorage)
12.10.2012	DNR RADS		
12.10.2012	KPB Planning Commission	05.01.2013	Alaska Dept. of Fish and Game (Anchorage)
12.14.2012	KPB Solid Waste		
12.18.2012	Refuge	05.01.2013	Alaska Dept. of Transportation (Anchorage)
12.19.2012	Alaska Dept of Forestry		
12.19.2012	KPB School District	05.02.2013	Hope/Sunrise APC Meeting
		05.08.2013	Cooper Landing APC Meeting
01.09.2013	US Forestry Service	05.10.2013	Moose Pass APC Meeting
01.16.2013	Moose Pass APC Meeting	05.14.2013	Anchor Point APC Meeting
01.22.2013	Land Committee	05.20.2013	Alaska Dept. of Transportation (Soldotna)
01.29.2013	Hope/Sunrise APC Meeting		
01.30.2013	Cooper Landing APC Meeting	05.22.2013	Mayoral Presentation
01.31.2013	DNR RADS	05.22.2013	Alaska State Parks (Soldotna)
01.31.2013	Alaska State Parks (Soldotna)	05.23.2013	Alaska Dept of Fish and Game Anchorage)
01.31.2013	DNR Iditarod Trail Section		
		05.23.2013	Dept of Natural Resources Meeting (Anchorage)
02.07.2013	Mayoral Presentation		
02.12.2013	Anchor Point APC Meeting	05.24.2013	Resolution Meeting
02.13.2013	Open House Soldotna	05.10.2013	Moose Pass APC
02.14.2013	KRSMA Meeting	05.14.2013	Anchor Point APC
02.19.2013	Assembly Joint Workshop	05.17.2013	Mayoral Presentation
02.25.2012	Moose Pass USFS Planning Meeting	05.31.2013	Hope/Sunrise APC Meeting
02.27.2013	Team Strategic Planning	06.05.2013	Cooper Landing APC Meeting
		06.05.2013	Moose Pass APC Meeting

Introduced by:

Mayor

Date:

07/02/13

Action:

Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2013-054**

A RESOLUTION SUPPORTING THE IMPLEMENTATION OF "A LANDS OF LOCAL IMPORTANCE VISION" (ALLIV) FOR FINALIZATION OF THE KENAI PENINSULA BOROUGH'S MUNICIPAL ENTITLEMENT LAND GRANT AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO FULFILL THE BOROUGH'S VESTED MUNICIPAL ENTITLEMENT

WHEREAS, Chapter (Ch) 52 Session Laws of Alaska (SLA) 1963 allowed boroughs to select ten percent of the "vacant unappropriated, unreserved state lands" within their boundaries; and

WHEREAS, Ch 118 SLA 1972 established a state policy making "available to cities and boroughs the maximum land area from which to make selections;" and

WHEREAS, Section 1 Ch 180 SLA 1978 amended the existing act for the purpose of providing "for an immediate, final determination and settlement of municipal land entitlement;" and

WHEREAS, the 1978 amendments provided that the Kenai Peninsula Borough (KPB) was entitled to select 155,780 acres of land as a vested property right; and

WHEREAS, KPB as of this date has a remaining entitlement to fulfill of approximately 27,000 acres; and

WHEREAS, KPB's Planning Department, Division of Land Management (LMD) has spent the last year in meetings, work sessions, and presentations with Alaska Department of Natural Resources (DNR), state agencies including fish and game, parks, Department of Transportation, and forestry, federal agencies, cities, KPB advisory planning commissions, the KPB Planning Commission, KPB Assembly, special interest groups and the public identifying land of local importance to communities throughout the borough; and

WHEREAS, a comprehensive Geographic Information System (GIS) mapping survey was developed and used for an interactive web survey in early 2013 which encouraged feedback on what lands the borough should select and the appropriate uses for the land and was highly successful in engaging public input; and

WHEREAS, 1,172 separate surveys were submitted suggesting 4,398 appropriate land uses on 381 parcels of state land within the borough; and

- WHEREAS**, through the comprehensive public process KPB has identified 27,000 acres to fulfill and finalize the KPB municipal entitlement for planning commission review and assembly approval as required by KPB 17.10. 030-040; and
- WHEREAS**, KPB's existing selections are from 1968, 1971, 1974, 1978, 1991, 1999, and 2000 and comprise approximately 50,000 acres; and
- WHEREAS**, comprehensive review and analysis indicates many of the existing selections are inconsistent with the KPB's basic purposes in receiving municipal entitlement lands; and
- WHEREAS**, many existing selections which are important to KPB are classified under the State of Alaska's Kenai Area Plan with non-conveyable classifications that would lead to unfavorable rejection by DNR of those selections; and
- WHEREAS**, many existing selections which are not consistent with municipal entitlement purposes are classified under the Kenai Area Plan with conveyable classifications that would lead to unfavorable approval by DNR of those selections; and
- WHEREAS**, based on 2012 written correspondence, DNR has suspended adjudicating KPB's existing selections pending the results and recommendations of KPB's municipal entitlement finalization process, herein referred to as "A Lands of Local Importance Vision" (ALLIV); and
- WHEREAS**, DNR has communicated its intent to adjudicate the 50,000 acres of existing selections prior to considering any new selections from the KPB; and
- WHEREAS**, certain processes exist through which lands are determined by the state to become eligible or ineligible for conveyance under municipal entitlement; and
- WHEREAS**, through certain processes KPB has the opportunity to work with the DNR to amend the Kenai Area Plan in order that DNR can adjudicate the KPB entitlement favorably; and
- WHEREAS**, appropriate Kenai Area Plan classifications of the KPB's selected lands and identified future new selections would allow the selected lands of local importance to be eligible for conveyance to the KPB to fulfill the entitlement; and
- WHEREAS**, upon adoption and submission of ALLIV, DNR will adjudicate each selection and make a recommendation to approve, reject or conditionally approve the selection by issuing a Preliminary Decision, which may be accompanied by a proposed amendment to the Kenai Area Plan, that invites public comment; and

WHEREAS, after a public process and comment period DNR will issue a Final Finding and Decision approving or rejecting the KPB's selections, and adopting Kenai Area Plan classification amendments where applicable; and

WHEREAS, once KPB receives the land it will be able to pursue its own classification process under KPB Chapter 17.10, including the public process set forth in that ordinance to determine the most appropriate classification and use of the land for the borough and its communities; and

WHEREAS, the KPB land use planning process will continue to rely on the valued input and support of the many individuals and representatives from local Advisory Planning Commissions, Planning Commission, local, state and federal agencies, user groups, and the public that supplied information through the collective efforts that have resulted in a focused vision for the borough; and

WHEREAS, the Moose Pass Advisory Planning Commission at its meeting of June 5, 2013 recommended _____; and

WHEREAS, the Cooper Landing Advisory Planning Commission at its meeting of June 5, 2013 recommended _____; and

WHEREAS, the Hope/Sunrise Advisory Planning Commission at its meeting of May 31, 2013 recommended _____; and

WHEREAS, the KPB Planning Commission at its meeting of _____ recommended _____;

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

SECTION 1. That the "A Lands of Local Importance Vision" (ALLIV), attached as Exhibit A and incorporated herein, which identifies approximately 27,000 acres from a combination of existing selections and new selections for finalization and fulfillment of the Kenai Peninsula Borough's municipal entitlement is approved.

SECTION 2. That the KPB shall pursue municipal entitlement land for the purpose of community expansion & development, to provide government & public services, to secure economic natural resources, to sustain communities with recreational lands, and to protect ecological values to be balanced through appropriate local land use planning efforts.

SECTION 3. That the mayor is authorized to submit an application pursuant to AS 29.65.010 to the State of Alaska Department of Natural Resources for any parcels of land identified under the "A Lands of Local Importance Vision" (ALLIV) that will require application for a new selection in order to be adjudicated.

SECTION 4. That the appropriate classification(s) of the lands acquired through municipal entitlement under the "A Lands of Local Importance Vision" (ALLIV) shall be determined through the local land use planning process pursuant to KPB 17.10.080.

SECTION 5. That the mayor is authorized to execute all documents necessary including but not limited to those related to relinquishment, selection, and Kenai Area Plan amendment in order to fulfill the vested borough's municipal entitlement consistent with "A Lands of Local Importance Vision" (ALLIV) and this resolution.

SECTION 6. That this resolution does not preclude future selection should the Kenai Peninsula Borough's municipal entitlement not be fulfilled and finalized by the lands contained herein.

SECTION 7. That this resolution takes effect immediately upon its adoption.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS *
DAY OF * 2013.**

Linda Murphy, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

A Lands of Local Importance Vision (ALLIV) of 27,000 Acres to Finalize and Fulfill KPB's Municipal Entitlement

Exhibit A

Prince William Sound Area Plan

Day Harbor Blying Sound

PWS REGION	PWS Unit	ACRES REQUESTED	KPB MAP ID (KPLM_ID)	PWS UNIT NAME	APPROXIMATE LOCATION TOWNSHIP/RANGE/SECTION (SEE ALLIV MAP)	Community Expansion	Public Services	Natural Resources	Recreation	Ecological Resource Management	SELECTION ACTION	PWS AREA PLAN CLASSIFICATION ACTION
0	15b PWSAP	389.7	391	Day Harbor Blying Sound	Portions of T2SR2E56 NE1/4, W1/2SE1/4; T1SR2S533 N1/2SW1/4; T2SR2E525 N1/2SW1/4SW1/4, NW1/4SE1/4SW1/4, W1/2SE1/4SE1/4SW1/4; T2SR1E513 NE1/4NE1/4NE1/4NW1/4	High	Low	Low	High	High	Apply New	

Kenai Area Plan Region 1

Hope (including Sunrise and Turnagain Pass)

KAP REGION	KAP Unit	ACRES REQUESTED	KPLM_ID	KAP UNIT NAME	TOWNSHIP/RANGE/SECTION	Community Expansion	Public Services	Natural Resources	Recreation	Ecological Resource Management	SELECTION ACTION	KENAI AREA PLAN CLASSIFICATION ACTION
1	287B	13.7	513	West of Resurrection Creek Rd.	T10NR2WS33 SW1/4SE1/4	High	Low	Low	Med	High	Pursue Existing	Support Existing
1	287A	273.7	516	East of Resurrection Creek Rd.	T9NR2WS3 E1/2SW1/4, SW1/4SW1/4; T9NR2WS10 NW1/4; T9NR2WS9 E1/2SE1/4NE1/4	High	High	High	High	Med	Pursue Existing	Support Existing
1	286	123.0	517	Lands surrounding Clear Lake Home site	T10NR2WS27 S1/2SE1/4, NW1/4SE1/4	High	High	High	High	High	Pursue Existing	Support Existing
1	461	210.8		Knee Deep Knob at MP 70 on Seward Hwy	T9NR2E523; T9NR2E527	Med	High	High	High	High	Apply New	Justify New

Kenai Area Plan Region 2

Seward Highway from the Hope "Y" to the South End of Kenai Lake

KAP REGION	KAP Unit	ACRES REQUESTED	KPLM_ID	KAP UNIT NAME	TOWNSHIP/RANGE/SECTION	Community Expansion	Public Services	Natural Resources	Recreation	Ecological Resource Management	SELECTION ACTION	KENAI AREA PLAN CLASSIFICATION ACTION
2	380I	322.8	154	Lawing and Ptarmigan Creeks	T4NR1WS19 W1/2NW1/4,W1/2SW1/4; T4NR1S24 N1/2NE1/4,SE1/4SE1/4; T4NR1WS30 NW1/4NW1/4; T4NR1WS25 NE1/4NE1/4,W1/2NW1/4,NW1/4NW1/4SE1/4,SW1/4NE1/4SE1/4	High	High	High	High	High	Pursue Existing	Support Existing
2	380C	34.8	165	Subdivision and surrounding lands S of Lower Trail Lake	T4NR1WS13 S1/2SE1/4	High	High	High	High	Med	Pursue Existing	Support Existing
2	409B	279.1	458	Seward Highway MP 44	T6NR2WS24 NE1/4, NW1/4SE1/4, NE1/4SE1/4, SE1/4SE1/4	High	Low	High	High	Low	Pursue Existing	Support Existing
2	281D	110.5	507	Mid Terrain at Hope "Y" (available under Scenic Byway Guidelines)	T8NR1WS15 SW1/4SE1/4; T8NR1WS22 NE1/4NE1/4, NE1/4NW1/4NE1/4, SE1/4NW1/4NE1/4, SW1/4NW1/4NE1/4	High	Med	High	High	High	Pursue Existing	Support Existing
2	410F	6.9	531	MP 46, Upper Summit Lake	T7NR1WS32 SE1/4SE1/4SW1/4	High	Med	Med	High	High	Pursue Existing	Support Existing
2	410C	100.6	538	Lower Summit Lake MP 47 Seward Hwy 15 miles SE of Moose Pass	T7NR1WS28 W1/2SW1/4; T7NR1WS29 NE1/4SE1/4, NW1/4SE1/4SE1/4, SW1/4SE1/4SE1/4	High	Med	Med	High	High	Pursue Existing	Support Existing
2	281B	45.0	541	Seward Hwy N of Hope "Y"	T8NR1WS15 NW1/4NE1/4	High	Med	Low	High	High	Pursue Existing	Support Existing
2	410E	114.4	547	Manitoba Mountain	T7NR1WS28 N1/2NW1/4; T7NR1WS29 NW1/4NE1/4, SW1/2NE1/4, SE1/4NE1/4	High	Med	Med	High	High	Pursue Existing	Support Existing
2	410D	115.5	548	Fresno Creek USFS cabin permit area	T7NR1WS28 S1/2NW1/4, N1/2NW1/4SW1/4; T7R1WS29 E1/2SE1/4NE1/4, NE1/4NE1/4SE1/4	High	Med	Med	High	High	Pursue Existing	Support Existing
2	400	135.7	563	W side of Trail Lake	T4NR1WS24 W1/2NW1/4, NW1/4SW1/4; T4NR1WS13 S1/2SW1/4SW1/4	Med	Low	High	High	Med	Pursue Existing	Support Existing
2	381	56.2	612	West Shore Grant Lake (HEA proposed Grant Lake Hydro Intake)	T4NR1E56						Pursue Existing	Support Existing
2	401B	136.7	632	E of Lawing	T4NR1E530 SW1/4	High	Med	High	High	Med	Pursue Existing	Support Existing
2	380J	51.5	634	Trail River corridor and Kenai Lake shore between USFS work center and Lower Trail Lake	T4NR1WS24 E1/2SE1/4SW1/4, E1/2NE1/4SW1/4; T5R1WS25 NE1/4NE1/4NW1/4	High	Med	High	High	High	Pursue Existing	Support Existing
2	380J	99.3	635	Trail River corridor and Kenai Lake shore between USFS work center and Lower Trail Lake	T4NR1WS24 E1/2NW1/4, NW1/4NE1/4SW1/4; T4NR1WS13 S1/2SE1/4SW1/4	High	Med	High	High	High	Pursue Existing	Support Existing
2	380J	3.4	636	Trail River corridor and Kenai Lake shore between USFS work center and Lower Trail Lake	T4NR1WS13 E1/2SE1/4SW1/4, E1/2NE1/4SW1/4	High	Med	High	High	High	Pursue Existing	Support Existing
2	380J	7.4	637	USFS work center and Lower Trail Lake	T4NR1WS13 W1/2SE1/4SW1/4, W1/2NE1/4SW1/4	High	Med	High	High	High	Pursue Existing	Support Existing
2	382C	497	649	Tower, Madsen, and Towson timber sales, forestlands west of Lower Trail Lake	T4NR1WS1,12,13	Med	Med	High	High	Med	Pursue Existing	Support Existing
2	382I	19.1	659	S of Seward Hwy at Moose Pass	T5NR1WS24 SW1/4SE1/4SW1/4, SE1/4SW1/4SW1/4	High	Low	High	Med	Med	Pursue Existing	Support Existing
2	380K	7.5	146	Kenai Lake Shore, S of USFS work center	T4NR1WS25 SW1/4SW1/4SE1/4	High	High	Low	High	High	Pursue Existing	Justify New
2	380B	44.4	160	N end Lawing Airstrip	T4NR1WS24 SE1/4	High	High	High	High	Med	Pursue Existing	Justify New

2	380G	438.2	166	Lower and Upper Trail Lakes shorelines	T4NR1ES7 N1/2NW1/4, SW1/4NW1/4, W1/2SW1/4, NW1/4NE1/4; T4NR1ES18 W1/2NW1/4, NW1/4SW1/4; T4NR1WS12 E1/2, T4NR1WS13 NE1/4, N1/2SE1/4	High	High	High	High	High	Pursue Existing	Justify New
2	409A	48.7	465	Upper Quartz Creek	T6NR2WS24 SW1/4SE1/4; T6NR2WS25 NE1/4NE1/4NW1/4	High	Low	High	Med	Low	Pursue Existing	Justify New
2	410G	198.0	532	Colorado and Butcher Creeks	T6NR1WS5 NW1/4, NW1/4NW1/4SW1/4, SW1/4NE1/4, NW1/4SE1/4	High	High	High	High	High	Pursue Existing	Justify New
2	401A	507.7	555	Upper Ptarmigan Creek	T4NR1ES19 E1/2, E1/2NW1/4, E1/2SW1/4; T4NR1ES30 N1/2NE1/4, SW1/4NE1/4, E1/2NW1/4, SW1/4NW1/4	High	Low	High	High	High	Pursue Existing	Justify New
2	380H	228.6	584	Crown Point to Vagt Lake including Falls Creek	T4NR1ES18 NE1/4, N1/2SE1/4, E1/2NW1/4, NE1/4SW1/4, N1/2SE1/4SW1/4, N1/2SW1/4SW1/4; T4NR1ES7 SE1/4, E1/2SW1/4, SE1/4NW1/4, S1/2NE1/4, NE1/4NE1/4NE1/4, S1/2NE1/4NE1/4	High	High	High	High	High	Pursue Existing	Justify New
2	382H	131.6	642	Lands W of Lower Trail Lake outlet	T4NR1WS13W1/2SW1/4, NE1/4SW1/4, W1/2SE1/4SW1/4	High	Low	High	High	High	Pursue Existing	Justify New
2	281D	535.5	509	Mid Terrain at Hope 'Y' (available under Scenic Byway Guidelines)	T8NR1WS22 S1/2NE1/4, N1/2SE1/4, SW1/4SE1/4, NE1/4SW1/4, SE1/4SW1/4, SW1/4SW1/4; T8NR1WS27 N1/2NW1/4; T8NR1WS23 W1/2NW1/4, NW1/4SW1/4	High	Med	High	High	High	Apply New	Support Existing
2	410E	360.8	522	Manitoba Mountain	T7NR1WS21 W1/2; T7NR1WS20 E1/2SE1/4NE1/4, E1/2NE1/4NE1/4NE1/4, E1/2NE1/4NE1/4SE1/4, E1/2SE1/4NE1/4SE1/4	High	Med	Med	High	High	Apply New	Support Existing
2	NULL	26.5	153	Upper Trail Lakes Shoreline	T4NR1WS1	High	High	High	High	High	Apply New	Justify New
2	NULL	5.4	172	Upper Trail Lakes Shoreline	T4NR1WS1	High	High	High	High	High	Apply New	Justify New
2	281A	210.2	511	Seward Hwy MP 54-55	T8NR1WS21 NE1/4, N1/2NE1/4SE1/4, N1/2NW1/4SE1/4	High	Low	High	High	Med	Apply New	Justify New
2	281C	59.1	512	East Fork Six mile Creek	T8NR1WS1SE1/4SE1/4, NW1/4SE1/4	High	Med	Med	High	High	Apply New	Justify New
2	383B	559.3	601	Upper slopes Schilter Creek near Crown Point and Moose Pass	T4NR1WS22 N1/2SE1/4; T4NR1WS23 N1/2, N1/2SW1/4, N1/2SE1/4	Med	Low	High	High	High	Apply New	Justify New
2	384	50		Moose Creek and Upper Trail Lake wayside	T4NR1WS1; T4NR1WS12; T4NR1WS13	Med	High	Med	High	High	Apply New	Justify New

Kenai Area Plan Region 3
Seward and Resurrection Bay

KAP REGION	KAP Unit	ACRES REQUESTED	KPLUM_ID	KAP UNIT NAME	TOWNSHIP/RANGE/SECTION	Community Expansion	Public Services	Natural Resources	Recreation	Ecological Resource Management	SELECTION ACTION	KENAI AREA PLAN CLASSIFICATION ACTION
3	368	331.0	409	Bear Lake, SE	T1NR1ES7 N1/2SW1/4, SE1/4NW1/4, S1/2SW1/4NE1/4; T1NR1WS13 E1/2 SW1/4, SE1/4NW1/4, S1/2NE1/4	High	Med	High	High	High	Pursue Existing	Support Existing
3	371B	528.0	673	Lands W and NW of Bear Lake	T2NR1ES31 W1/2NW1/4, NW1/4SW1/4; T1NR1ES6 W1/2NW1/4; T2NR1WS36 E1/2SE1/4; T1NR1WS1 E1/2NE1/4, SE1/4; T1NR1WS12 NW1/4NW1/4SE1/4, NE1/4NW1/4NE1/4, W1/2NW1/4NE1/4, W1/2SW1/4NE1/4	High	High	High	High	Low	Pursue Existing	Support Existing
3	371A	37.1	675	Bear Lake and Lands N and E of the lake	T2NR1ES31 SW1/4SW1/4	High	Med	High	High	Low	Pursue Existing	Justify New
3	359B	15.9	408	N of Resurrection River Rd.	T1NR1WS21 SE1/4SW1/4	Low	Low	High	Low	High	Apply New	Support Existing

3	1	2,165.2	424	Land between Bear Mountain and Callisto Head	T2SR1WS30 SE1/4SE1/4SE1/4; T2SR1WS31 NW1/4, SW1/4, NW1/4SE1/4, SW1/4SE1/4, SE1/4SE1/4, NW1/4NE1/4, SW1/4NE1/4, NE1/4NE1/4; T3SR1WS6; T3SR1WS5 NW1/4; T3SR1WS7 N1/2, SW1/4; T3SR1WS8 NW1/4, W1/2NE1/4, S1/2SW1/4SW1/4SW1/4, S1/2SE1/4SW1/4SW1/4, S1/2SW1/4SE1/4SW1/4, S1/2SE1/4SE1/4SW1/4	Med	Low	Med	High	High	Apply New	Justify New
3	371A	31.6	440	Bear Lake and Lands N and E of the lake	T1NR1E57 NW1/4NE1/4	High	Low	High	High	Med	Apply New	Justify New
3	599	2.3	680	North Thumb Cove	T2SR1E58 NW1/4SE1/4SE1/4	High	Low	Low	High	High	Apply New	Justify New

Kenai Area Plan Region 4

Cooper Landing

KAP REGION	KAP Unit	ACRES REQUESTED	KPLM_ID	KAP UNIT NAME	TOWNSHIP/RANGE/SECTION	Community Expansion	Public Services	Natural Resources	Recreation	Ecological Resource Management	SELECTION ACTION	KENAI AREA PLAN CLASSIFICATION ACTION
4	395	1,079.7	196	Bench W of Juneau Creek	T5NR4WS27 N1/2,N1/2SW1/4,N1/2SE1/4; T5NR4WS26 N1/2,N1/2SW1/4,N1/2SE1/4; T5NR4WS25 W1/2NW1/4,NE1/4SW1/4	High	Low	High	High	Med	Pursue Existing	Support Existing
4	389	1,599.5	492	High elevations W of Kenai Lake	T4NR3WS13 SW1/2S/E1/4, T4NR3WS24 E1/2, T4NR2WS19 NW1/4SW1/4, SW1/4SW1/4, SE1/4SW1/4, T4NR2WS25 E1/2, E1/NW1/4, E1/2SW1/4, T4NR2WS30 W1/2, W1/2SE1/4, T4NR2WS31 W1/2	High	Low	High	High	Low	Pursue Existing	Support Existing
4	408C	280.0	496	Sterling-Seward Hwy Jct Quarts Creek and Jerome Lake	T5NR2WS10 NE1/4; T5NR2WS15 NW1/4NW1/4; T5NR2WS11 W1/2NW1/4	High	Low	High	High	Low	Pursue Existing	Support Existing
4	391D	43.8	472	S of Bean Creek mouth	T5NR3WS29 N1/2 SE1/4SW1/4, N1/2SW1/4SE1/4	High	High	High	High	High	Apply New	Justify New
4	391B	74.2	473	NE of Juneau Creek mouth	T5NR3WS30 S1/2SE1/4, N1/2SE1/4SW1/4	High	High	Med	High	High	Apply New	Justify New
4	388	867.3	484	Cooper Lake, SE end	T4NR2WS31 W1/2NE1/4, W1/2SE1/4; T3NR2WS6 N1/2, N1/2SE1/4, N1/2SW1/4; T3NR3WS1 NE1/4, N1/2SE1/4	High	Med	High	High	High	Apply New	Justify New

Kenai Area Plan Region 5

Coastal Plain from Point Possession to Kenai River

KAP REGION	KAP Unit	ACRES REQUESTED	KPLM_ID	KAP UNIT NAME	TOWNSHIP/RANGE/SECTION	Community Expansion	Public Services	Natural Resources	Recreation	Ecological Resource Management	SELECTION ACTION	KENAI AREA PLAN CLASSIFICATION ACTION
5	194	120.0	137	Nikiska Bay	T8NR11WS20 S1/2NE1/4,SE1/4NW1/4	High	Low	Med	Med	Low	Pursue Existing	Support Existing
5	493	3.2	138	Small subdivision off N Kenai Rd.	T6NR12WS23 NE1/4NE1/4NE1/4SW1/4	High	Low	Low	Med	Med	Pursue Existing	Support Existing

5 165A	145.7	270	North of Upper Salmo Lake, Cook Inlet Bluff	T8NR10WS2 N1/2SW1/4,S1/2NW1/4,SE1/4NE1/4NW1/4	High	Med	Med	High	Low	Pursue Existing	Support Existing
5 165B	62.0	273	Upper and Lower Salmo Lakes, East border of Capt Cook State Rec Area	T8NR10WS2 S1/2SW1/4	High	Low	High	High	Med	Pursue Existing	Justify New
5 273C	23.2	103	Bishop Creek, Lamplight Rd, W of Nikiski	T7NR11WS8 E1/2SW1/4NW1/4NW1/4,SE1/4NW1/4NW1/4,SW1/4NE1/4NW1/4	High	Low	Low	High	Med	Apply New	Support Existing
5 478	40.0	325	Kalifonsky Beach Rd.	T5NR11WS19 SE1/4NE1/4	High	High	High	Med	Low	Apply New	Support Existing
5 145	8.2	104	Wik Lake, 1 mile south of N Kenal Spur Rd.	T7NR11WS5 SW1/4SW1/4SW1/4	High	Low	Low	High	Med	Apply New	Justify New
5 300	10.1	106	Cook Inlet bluff MP16 N Kenal Hwy	T6NR12WS23 NW1/2,W1/2NE1/4NE1/4NW1/4	High	High	Low	High	Med	Apply New	Justify New
5 132A	7.1	110	Mackey and Union Lakes	T5NR10WS11 S1/2NE1/4SW1/4	High	High	Med	High	High	Apply New	Justify New

Kenal Area Plan Region 6
Kasilof River Drainage

KAP REGION	KAP Unit	ACRES REQUESTED	KPLM_ID	KAP UNIT NAME	TOWNSHIP/RANGE/SECTION	Community Expansion	Public Services	Natural Resources	Recreation	Ecological Resource Management	SELECTION ACTION	KENAL AREA PLAN CLASSIFICATION ACTION
6 107		240.2	181	Cohoe	T2NR12WS3 NE1/4,SW1/4NW1/4,NW1/4SW1/4	High	Low	Med	Med	Med	Pursue Existing	Support Existing
6 95		21.3	251	MP 5.5 Cohoe Loop Road	T3NR12WS21 E1/2SW1/4SW1/4	High	High	Low	High	High	Pursue Existing	Support Existing
6 103		20.0	258	East side of Lower Pollard Lake	T3NR11WS29 E1/2NW1/4SE1/4	High	Low	High	Med	Med	Pursue Existing	Support Existing
6 97B		40.3	259	Small parcel S of headwaters of Coal Creek	T3NR11WS21 SE1/4SE1/4	High	Low	Med	Low	Low	Pursue Existing	Support Existing
6 61		160.1	260	W Sterling Hwy at MP 104, NW Kasilof	T3NR11WS5 E1/2SE1/4; T3NR11WS4 W1/2SW1/4	High	Low	Med	Med	Med	Pursue Existing	Support Existing
6 73		159.9	262	Slikok Creek riparian area	T4NR11WS13 SE1/4	High	Low	High	Med	Med	Pursue Existing	Support Existing
6 71		240.4	263	Slikok Creek	T4NR11WS24 E1/2NW1/4,W1/2NE1/4,NE1/4SW1/4,NW1/4SE1/4	High	Low	High	Med	Med	Pursue Existing	Support Existing
6 106A		60.6	266	West of winter trail near Centennial Lake State Rec Site	T2NR11WS5 NE1/4SW1/4,W1/2SE1/4SW1/4	High	Low	Med	High	High	Pursue Existing	Support Existing
6 94A		35.8	253	E side of W Cohoe loop rd. at MP 6	T3NR12WS21 NE1/4NW1/4	High	High	High	Low	Low	Pursue Existing	Justify New
6 89		40.0	261	Coal Creek E of Sterling Hwy MP 104	T3NR11WS3 SE1/4NE1/4	High	Low	High	Med	Med	Pursue Existing	Justify New
6 89		40.0	322	Coal Creek E of Sterling Hwy MP 105	T3NR11WS2 SW1/4NW1/4	High	Low	High	Med	Med	Pursue Existing	Justify New
6 106		80.3	265	Kasilof River parcel	T2NR11WS5 W1/2NE1/4	High	Low	Med	High	High	Apply New	Justify New
6 106B		242.9	267	Kasilof River State Rec Area	T2NR11WS5 E1/2 NE1/4,SE1/4; T2NR11WS8 E1/2NE1/4,NE1/4SE1/4	High	Low	High	High	High	Apply New	Justify New
6 106I		169.7	268	North of Centennial Lakes State Rec Site	T2NR11WS8 W1/2NE1/4,W1/2 SE1/4,SE1/4SE1/4	High	Low	Med	High	High	Apply New	Justify New
6 106H		240.2	269	North of Centennial Lakes State Rec Site	T2NR11WS17 NE1/4, N1/2SE1/4	High	Low	High	High	High	Apply New	Justify New

Resolution 2013-054
Exhibit A

6	106J	19.6	441	East of winter trail near Centennial Lake	T2NR11WS5 SE1/4SE1/4SW1/4	High	Low	Med	High	High	Apply New	Justify New
6	68	189.8	445	Moosehead Rapids, Kaslof River	T3NR11WS32 S1/2SW1/4, NW1/4SW1/4, S1/2SE1/4	High	Low	Med	High	High	Apply New	Justify New

Kenai Area Plan Region 7

Homer (Including Ninilchik River, Deep Creek, and Anchor River drainages)

KAP REGION	KAP Unit	ACRES REQUESTED	KPLM_ID	KAP UNIT NAME	TOWNSHIP/RANGE/SECTION	Community Expansion	Public Services	Natural Resources	Recreation	Ecological Resource Management	SELECTION ACTION	KENAI AREA PLAN CLASSIFICATION ACTION
7	333C	99.9	218	Lichen Street off North Fork Anchor River rd.	T4SR14WS31 SE1/4NW1/4, N1/2SW1/4NE1/4, W1/2SW1/4SW1/4; T5SR15WS1 E1/2NW1/4NW1/4	High	Med	High	Med	Low	Pursue Existing	Support Existing
7	321A	120.5	221	Upper Stariski Creek, west	T3SR14WS19 NE1/4NE1/4, SE1/4NE1/4, SW1/4NE1/4	High	Low	High	Med	Low	Pursue Existing	Support Existing
7	458	73.0	254	Upper Bridge Creek, just below Homer reservoir	T6SR13WS6 S1/2SW1/4	High	Low	High	Med	High	Pursue Existing	Support Existing
7	214A	39.9	255	Kachemak Bay Shore at James (Maria) Rd, N parcel	T5SR12WS24 NE1/4SE1/4	High	Low	Low	Med	Med	Pursue Existing	Support Existing
7	337A	2.5	314	Lot adj to Marysville subdivisions in Anchor Point	T5SR15WS4 SE1/4NE1/4SE1/4NW1/4	High	Med	Med	High	Med	Pursue Existing	Support Existing
7	62	40.2	226	Wetlands E of Sterling Hwy, N of Ninilchik	T1SR13WS7 N1/2SE1/4SE1/4	High	Low	High	High	Med	Pursue Existing	Justify New
7	60	80.0	227	Sterling Highway lot between Ninilchik River and Clam Gulch	T1NR13WS34 E1/2SE1/4	High	Low	High	Med	Low	Pursue Existing	Justify New
7	48A	2,352.9	376	Upper Ninilchik River (Timberlands)	T1NR12WS27 N1/2SE1/4; T1NR12WS28 SE1/4NE1/4, E1/2SE1/4; T1NR12WS34 E1/2NW1/4, SW1/4NE1/4, NW1/4SE1/4; T1NR12WS27 SW1/4, NW1/4, NE1/4, E1/2SE1/4; T1NR12WS22 N1/2NW1/4, N1/2NE1/4, S1/2SW1/4, S1/2SE1/4, T1NR12WS23 SW1/4, E1/2SE1/4, N1/2NW1/4, T1NR12WS14 SE1/4NW1/4, E1/2SW1/4, T1NR12WS24 SW1/4, S1/2SE1/4, T1NR12WS19 SW1/4SW1/4, E1/2NW1/4, NW1/4NE1/4, T1NR12WS18 NE1/4, N1/2SE1/4, SW1/4SE1/4	High	High	High	High	Med	Pursue Existing	Justify New
7	337B	2.5	384	North Bank of Anchor River	T5SR15WS4 SW1/4SE1/4NW1/4	High	Med	Med	High	High	Pursue Existing	Justify New
7	330	60.3	222	Pioneer Land, 2 miles N of Anchor Point	T7NR11WS9 SW1/4NE1/4	High	Low	Low	Med	Med	Apply New	Support Existing
7	320B	160.1	223	Upper Happy Creek E, 9 miles S of Ninilchik	T2SR14WS33 S1/2SE1/4, NE1/4NW1/4SE1/4, NW1/4NE1/4SE1/4, W1/2SE1/4NE1/4, E1/2SW1/4NE1/4, NW1/4SW1/4NE1/4, NE1/4SE1/4NW1/4	High	Low	High	Med	Med	Apply New	Support Existing
7	313	1.0	317	Stariski Creek State Rec Site camp ground and day use	T4SR15WS11 SE1/4SE1/4NE1/4SW1/4	High	High	Low	Med	Low	Apply New	Justify New
7	315	24.3	319	3 miles S of Ninilchik, E of Sterling Hwy	T2SR14S17 E1/2SW1/4NE1/4	High	Med	High	High	Med	Apply New	Justify New

7 48A	2,043.8	350	Upper Ninilchik River (Timberlands)	T1NR12WS31 S1/2SE1/4, NE1/4SE1/4; T1NR12WS32 W1/2SW1/4, W1/2NW1/4; T1NR12WS29 NE1/4, E1/2SW1/4, N1/2SE1/4; T1NR12WS28 W1/2NW1/4, W1/2SE1/4, NE1/4NE1/4; T1NR12WS33 NW1/4, W1/2NE1/4, SE1/4NE1/4, T1NR12WS34 NW1/4NW1/4, E1/2SW1/4, S1/2SE1/4, T1NR12WS21 SE1/4, T1NR12WS22 NW1/4SW1/4, SW1/4NW1/4, T1NR12WS14 NE1/4NW1/4, NW1/4NE1/4, T1NR12WS13 SW1/4NW1/4, W1/2SW1/4, T1NR12WS24 N1/2NW1/4, N1/2NE1/4, T1NR12WS23 E1/2NE1/4, T1NR12WS19 NW1/4NW1/4, N1/2SW1/4, SE1/4SW1/4	High	High	High	High	Med	Apply New	Justify New
7 48A	958.9	671	Upper Ninilchik River (Timberlands)	T1NR11WS29 ALL; T1NR11WS30 E1/2	High	High	High	High	Med	Apply New	Justify New

Kenai Area Plan Region 8
Upper Kachemak Bay and Fox River Flats

KAP REGION	KAP Unit	ACRES REQUESTED	KPLM_ID	KAP UNIT NAME	TOWNSHIP/RANGE/SECTION	Community Expansion	Public Services	Natural Resources	Recreation	Ecological Resource Management	SELECTION ACTION	KENAI AREA PLAN CLASSIFICATION ACTION
8 198	48.2	335	Kachemak Bay Shore, 1.5 m NE of Bear Cove	T5SR10WS17 S1/2SE1/4NW1/4, N1/2NE1/4SW1/4	High	Low	Med	High	Low	Pursue Existing	Support Existing	
8 197A	123.1	661	Mariners Walk/Bear Cove Subdivisions	T5SR10WS19 N1/2NE1/4NE1/4SE1/4; T5SR10WS20 E1/2NW1/4; T5SR10WS29 SW1/4NE1/4; T5SR10WS28 SW1/4NW1/4SW1/4	High	Low	Med	High	Med	Pursue Existing	Support Existing	
8 197A	60.9	667	Mariners Walk/Bear Cove Subdivisions	T5SR10WS17 NE1/4NE1/4, E1/2NW1/4NE1/4	High	Low	Med	High	Med	Pursue Existing	Support Existing	
8 270B	134.9	256	MP 18 N and S of East End Road	T4SR11WS33 SE1/4NE1/4, E1/2SE1/4, N1/2SW1/4SE1/4, SW1/4SW1/4SE1/4	High	High	Low	Low	Low	Apply New	Support Existing	
8 197A	664.7	668	Mariners Walk/Bear Cove Subdivisions	T5SR10WS17 S1/2NE1/4, N1/2SE1/4; TRSR10WS20 SW1/4NE1/4, N1/2SE1/4, SE1/4SE1/4; TRSR10WS29 NE1/4NE1/4, SE1/4SW1/4, SW1/4SE1/4, W1/2NW1/4SE1/4; TRSR10WS21 W1/2SW1/4, SE1/4SW1/4	High	Low	Med	High	Med	Apply New	Support Existing	
8 260B	173.0	284	Caribou Lake access, wetlands, and subdivision	T4SR11S13 NW1/4SW1/4, NW1/4NE1/4SW1/4, NW1/4SW1/4SW1/4, E1/2NW1/4, SE1/4NW1/4NW1/4, E1/2SW1/4NW1/4, W1/2SE1/4NW1/4	High	Low	Med	Med	Med	Apply New	Justify New	
8 270E	24.8	313	N of MP 16 East End Road; previous homestead offering	T4SR11WS33 SW1/4SE1/4	High	Med	High	Med	Low	Apply New	Justify New	
8 199	316.3	345	Martin River and west	T5SR10WS21 NE1/4SW1/4; T5SR10WS28 N1/2NW1/4, SE1/4NW1/4, S1/2SW1/4, NE1/4SW1/4, NE1/4NW1/4SW1/4, NE1/4SW1/4NW1/4	High	Low	Med	High	Med	Apply New	Justify New	

Kenai Area Plan Region 9

South Side Kachemak Bay and Chugach Islands

KAP REGION	KAP Unit	ACRES REQUESTED	KPLM_ID	KAP UNIT NAME	TOWNSHIP/RANGE/SECTION	Community Expansion	Public Services	Natural Resources	Recreation	Ecological Resource Management	SELECTION ACTION	KENAI AREA PLAN CLASSIFICATION ACTION
9	472	2.5	195	North shore Ismailof Island, Halibut Cove	T75R11WS6NE1/4 NE1/4SW1/4NW1/4	High	Low	Low	High	Med	Pursue Existing	Support Existing
9	181	72.2	285	Elizabeth Island	T125R15WS10 NW1/4NW1/4; T125R15WS9 NE1/4NE1/4	High	Low	High	High	High	Apply New	Support Existing
9	null	17.1	119	Tutka Bay	T85R13WS22 SE1/4NW1/4	High	Low	Low	High	Med	Apply New	Justify New
9	null	52.0	446	Seldovia Point	T85R14WS20 NE1/4SE1/4, SE1/4NE1/4	High	Med	Low	High	Med	Apply New	Justify New
9	184B	119.5	447	Seldovia Upper Watershed	T85R14WS32 NW1/4SE1/4, NE1/4SE1/4, SE1/4SE1/4	Low	High	Low	Med	High	Apply New	Justify New

Kenai Area Plan Region 11

West side of Cook Inlet North of Redoubt Bay

KAP REGION	KAP Unit	ACRES REQUESTED	KPLM_ID	KAP UNIT NAME	TOWNSHIP/RANGE/SECTION	Community Expansion	Public Services	Natural Resources	Recreation	Ecological Resource Management	SELECTION ACTION	KENAI AREA PLAN CLASSIFICATION ACTION
11	177	1,279.7	127	Upper Chuitna River Coal Lease	T13NR11WS22; T13NR11WS23	Med	Med	High	Med	Low	Apply New	Justify New
11	303	2,240.4	272	Upper Nikolai and Stedatna Creeks	T11NR13WS1; T11NR13WS2; T11NR13WS11 N1/2,SE1/4; T11NR13WS3 N1/2,SE1/4	Med	Low	High	High	Low	Apply New	Justify New

27,423.5 TOTAL ACRES IDENTIFIED



KENAI PENINSULA BOROUGH

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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Mike Navarre, Borough Mayor
FROM: Tom Anderson, Director of Assessing *TCA*
DATE: May 31, 2013
SUBJECT: Certification of the 2013 Main Roll Assessment

The undersigned, duly qualified and appointed Assessor of the Kenai Peninsula Borough, does hereby certify that the following is the total valuation contained in the 2013 Main Assessment Roll as of May 31, 2013.

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

PERSONAL PROP.	REAL PROPERTY	OIL PROPERTY	TOTAL PROPERTY
\$281,593,873	\$15,800,136,700	\$989,766,390	\$17,071,496,963

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

PERSONAL PROP.	REAL PROPERTY	OIL PROPERTY	TOTAL PROPERTY
\$248,845,891	\$5,703,040,449	\$989,766,390	\$6,941,652,730

Tom Anderson
Director of Assessing

Introduced by: Mayor
Date: 05/21/13
Hearing: 06/18/13
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-19-60**

**AN ORDINANCE APPROPRIATING \$310,000 FOR THE EXPANSION OF THE
CENTRAL PENINSULA HOSPITAL PARKING LOT AT THE BINKLEY
PROFESSIONAL PLAZA**

1 **WHEREAS**, Central Peninsula General Hospital, Inc. (CPGH, Inc.) operates Central Peninsula
2 Hospital (CPH) and other medical facilities on behalf of the Kenai Peninsula
3 Borough pursuant to a lease and operating agreement effective January 1, 2008
4 (L&O Agreement); and

5 **WHEREAS**, pursuant to the L&O Agreement CPGH, Inc. operates CPH Physical
6 Rehabilitation, Serenity House Behavioral Health, Pediatrics, and Family Practice
7 which are all housed in the Binkley Professional Plaza; and

8 **WHEREAS**, CPGH, Inc. is experiencing parking issues for both the patients and the employees
9 who work and/or receive services at this location; and

10 **WHEREAS**, the CPGH, Inc. board of directors approved CPGH, Inc. Resolution 2013-40
11 authorizing the expansion of this parking lot for a total price of \$430,000 with
12 \$310,000 to be paid from the CPH Plant Replacement and Expansion fund for this
13 project; and

14 **WHEREAS**, this expansion will resolve parking lot drainage issues, provide lighting, plugs for
15 block engine heaters, and add 40 new parking spaces; and

1 **WHEREAS**, the L&O Agreement requires assembly approval for any capital improvement
2 project expected to cost in excess of \$250,000 where the funds have not
3 previously been appropriated for this purpose; and

4 **WHEREAS**, the Central Kenai Peninsula Hospital Service Area board of directors at its
5 meeting of _____ recommended _____;

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

8 **SECTION 1.** The assembly hereby approves the proposed improvement and expansion of the
9 Central Peninsula Hospital parking lot at the Binkley Professional Plaza.

10 **SECTION 2.** That the sum of \$310,000 is hereby appropriated from the CPH Plant
11 Replacement and Expansion fund to account 490.00000.00000.20602 for the
12 purpose of funding the improvement and expansion of the CPH parking lot at
13 Binkley Professional Plaza.

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

15 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
16 **DAY OF * 2013.**

Linda Murphy, 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

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**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

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

FROM: Mike Navarre, Mayor *MN*

DATE: May 9, 2013

SUBJECT: Ordinance 2012-19-*hD*, Appropriating \$310,000 for the Expansion of the Central Peninsula Hospital Parking Lot at the Binkley Professional Plaza

Central Peninsula General Hospital, Inc. (CPGH, Inc.) has opened new offices at the recently renovated Binkley Professional Plaza including physical rehabilitation, behavioral health, pediatrics, and family practice. These services have resulted in a need for improvements to the parking lot and additional parking spaces.

The CPGH, Inc. board of directors recently adopted resolution 2013-40 which approves the improvement and expansion of the Central Peninsula Hospital (CPH) parking lot at the Binkley Professional Plaza and authorizes the expenditure of \$430,000 with \$310,000 from the Plant Expansion and Replacement fund for this project. This ordinance would provide the funding needed to pay for the proposed parking lot improvements and expansion. Your favorable consideration would be appreciated.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. _____	490.00000.00000.20602
Amount _____	\$310,000.00
By: _____	Date: 5/9/13

C. Chavez

RESOLUTION 2013-40

**A RESOLUTION APPROVING THE EXPANSION OF THE
CENTRAL PENINSULA HOSPITAL PARKING LOT AT THE BINKLEY PROFESSIONAL PLAZA**


1. WHEREAS, CPH Physical Rehabilitation, Serenity House Behavioral Health, CPH Pediatrics, and Family Practice are all housed in the Binkley Professional Plaza; and
2. WHEREAS, we are experiencing parking issues for both the patients and the employees who work and/or receive services at this location; and
3. WHEREAS, this project will resolve drainage issues, provide lighting, plugs for block engine heaters, and 40 additional parking spaces; and
4. WHEREAS, there is an approved amount of \$120,000 in the FY 2013 capital budget for this project; and
5. WHEREAS, this project is expected to cost \$430,000, the Administration is requesting Board approval of the additional funds for this project; and
6. WHEREAS, this project is expected to go before the Borough Assembly at its May 21, 2013 for introduction and June 18, 2013 meeting for approval; and
7. WHEREAS, we expect this project will be managed by the Borough and completed in August 2013; and

NOW, THEREFORE, BE IT RESOLVED BY THE CPGH, INC. BOARD OF DIRECTORS, AN ALASKA NON-PROFIT CORPORATION, THE

1. The CPGH, Inc. Board of Directors authorizes the expansion of the Binkley Professional Plaza parking lot at a total price of \$430,000 with the additional funds of \$310,000 to be paid from the CPH Plant Replacement and Expansion Fund; and that the expenditure of these funds for this purpose is subject to the approval of the Kenai Peninsula Borough Assembly, and is further subject to the Borough's appropriation of funds for payment from the Plant Replacement and Expansion Fund.

I certify that the foregoing Resolution was approved by vote of the Board of Directors of Central Peninsula General Hospital, Inc. at the 04/25/13 Board Meeting.

Dated: 04/25/13



Irving Carlisle, Secretary/Treasurer,
CPGH, Inc. Board of Directors

Introduced by: Mayor
Date: 05/21/13
Hearing: 06/18/13
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2013-17**

**AN ORDINANCE AUTHORIZING A NEGOTIATED LEASE AT LESS THAN FAIR
MARKET VALUE OF CERTAIN REAL PROPERTY TO
PENINSULA MODELERS, INC.**

- 1 **WHEREAS,** the Kenai Peninsula Borough (KPB) owns the property described in Section 1 of
2 this ordinance encompassing an area previously known as the Kenai Landfill; and
- 3 **WHEREAS,** Ordinance 91-30, enacted July 23, 1991, authorized the lease of borough lands to
4 Peninsula Modelers Association now known as Peninsula Modelers Inc. for a term of
5 ten years with an option to renew for two successive five year terms; and
- 6 **WHEREAS,** the final five year lease option has been exercised as of June 1, 2008 and expires on
7 May 31, 2013; and
- 8 **WHEREAS,** Peninsula Modelers Inc. has submitted application for negotiated lease at less than
9 fair market value of 31.07 acres; and
- 10 **WHEREAS,** the assessed value of the parcel is \$177,200 and Peninsula Modelers Inc. has received
11 a community purpose exemption from the borough assessor; and
- 12 **WHEREAS,** the subject land is classified as Recreational pursuant to KPB Resolution 96-057; and
- 13 **WHEREAS,** the subject land is within the City of Kenai and is zoned as Recreation; and
- 14 **WHEREAS,** Peninsula Modelers Inc. offers flight training to civil air patrol cadets and other
15 community youth; and

1 **WHEREAS**, entering into a negotiated lease of the property to the Peninsula Modelers Inc. for
2 recreational remote control aircraft purposes provides for the continuation of a
3 facility that is beneficial to the public; and

4 **WHEREAS**, the KPB Planning Commission at its regularly scheduled meeting of May 28, 2013
5 recommended _____;

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

8 **SECTION 1.** That leasing 31.07 acres, described as: Tract A2, Jettison Junction Subdivision,
9 according to plat #92-59, Kenai Recording District, Third Judicial District, State of
10 Alaska, to the Peninsula Modelers Inc. at other than fair market value, pursuant to
11 KPB 17.10.100 (I) and 17.10.120 (D) is in the best interest of the borough based on
12 the following findings of facts:

13 A. The Peninsula Modelers Inc. and its predecessors have made improvements and
14 investments into the property which receive public enjoyment.

15 B. The continuation of the organized, maintained, recreational remote control
16 aircraft facilities on the Central Peninsula benefits the health and safety of area
17 residents as it provides a safe open area for operation of radio controlled aircrafts
18 where they won't conflict with other users.

19 C. The Peninsula Modelers, Inc. provide training to civil air patrol cadets and other
20 youth.

21 D. The Peninsula Modelers, Inc. must abide by the American Modelers Association
22 Safety Code.

1 E. The Peninsula Modelers, Inc. has been a good steward of the vacant landfill site
2 maintaining a responsible presence and conducting site cleanup necessitated by
3 the borough's adjacent solid waste transfer site.

4 **SECTION 2.** The Assembly additionally makes an exception to KPB 17.10.110 (notice of
5 disposition). This exception is based on the following findings of facts pursuant to
6 KPB 17.10.230:

7 1. Special circumstances or conditions exist.

8 A. The purpose of the KPB 17.10.110 advertising requirement is to notify the
9 public of an opportunity to purchase or lease KPB land, and advertising this
10 negotiated lease to the Peninsula Modelers Inc. will not serve a useful
11 purpose.

12 2. That the exception is necessary for the preservation and enjoyment of a
13 substantial property right and is the most practical manner of complying with the
14 intent of this chapter.

15 A. This exception to the notice requirement is not necessary to preserve a
16 substantial property right, and the assembly hereby authorizes exception to
17 that finding requirement. For this negotiated lease, the notice requirement is
18 impractical, and compliance is not in the best interests of the borough due to
19 the delay and unnecessary expense it would cause.

20 3. That the granting of the exception will not be detrimental to the public welfare or
21 injurious to other property in the area.

1 A. The planned use as a recreational remote control aircraft facility has been
2 demonstrated since 1991 to be compatible with the site and other surrounding
3 uses.

4 B. The proposed disposition is advertised by publication of the ordinance in
5 newspapers of general circulation and on the borough's web site. Notice of
6 the proposed disposition is also published by the planning commission
7 agenda in newspapers of general circulation, and a public hearing is held at
8 the planning commission level. Additional notice is not necessary to comply
9 with the intent of KPB 17.10 or to protect the public welfare.

10 **SECTION 3.** Based on the foregoing, the mayor is hereby authorized, pursuant to KPB 17.10.100

11 (I) to lease the land described in Section 1 above to the Peninsula Modelers Inc. for a
12 period of 10-years with two successive five year renewals at a rental rate of \$1.00
13 (One Dollar) per year subject to the terms and conditions of this ordinance and
14 subject to the terms and conditions substantially similar to those contained in the
15 lease accompanying this ordinance. The authorization is for lease solely to the
16 Peninsula Modelers Inc. and it may not assign any rights to negotiate or enter an
17 agreement for lease to any other person or entity.

18 All other applicable terms and conditions of KPB Chapter 17.10 shall apply to this
19 lease unless inconsistent with this ordinance.

20 **SECTION 4.** The mayor is authorized to sign any documents necessary to effectuate this
21 ordinance.

22 **SECTION 5.** The Peninsula Modelers Inc. shall have until 180 days after enactment of this
23 ordinance to accept the mayor's offer by execution of a lease substantially in the form
24 of the lease accompanying this ordinance.

25 **SECTION 6.** That this ordinance shall take effect immediately upon its enactment.

1 ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY
2 OF * 2013.

Linda Murphy, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2200 • **FAX:** (907) 714-2378

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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

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

THRU: Mike Navarre, Borough Mayor *MN*

FROM: Max Best, Planning Director *MB*

DATE: May 30, 2013

SUBJECT: Ordinance 2013-17; An ordinance authorizing a negotiated lease at less than fair market value of certain real property to Peninsula Modelers, Inc.

The Planning Commission reviewed the subject ordinance during their regularly scheduled May 28, 2013 meeting. A motion passed by unanimous consent to recommend approval of the ordinance.

In the ordinance, please make the following amendment to the last WHEREAS:

WHEREAS, the KPB Planning Commission at its regularly scheduled meeting of May 28, 2013 recommended adoption by unanimous consent.

Attached are the unapproved minutes of the subject portion of the meeting.

AGENDA ITEM F. PUBLIC HEARINGS

- 2. Ordinance 2013-___; An ordinance authorizing a negotiated lease at less than fair market value of certain real property to Peninsula Modelers, Inc.

Staff Report given by Marcus Mueller

PC Meeting: 5/28/13

Since 1991 the site formerly known as the Kenai Landfill containing approximately 31 acres has been leased to the Peninsula Modelers Inc. (PMI) previously known as the Peninsula Modelers Association. The original lease was for ten years with two five year extensions authorized by Ordinance 91-30. May 31, 2013 will conclude the final renewal option. This proposal is a new lease which would replace the expiring lease to the PMI of an area in the City of Kenai that was the former landfill cap.

PMI has submitted an application for a new negotiated lease with the same terms as the original lease. The annual lease rental is \$1.00 per year for the term of the lease.

Solid Waste was consulted regarding the issuing of a new lease to PMI and expressed no objection, stating PMI has proven to be good stewards of the subject property. Peninsula Modelers consist of remote control airplanes and cars. Their activity is of a nature that is low impact that helps to maintain and monitor the landfill.

There is a hatched area on the aerial photo which was the Kenai Firewise Slash Disposal area which is not open any longer. The PMI have been very cooperative in working through issues with the firewise site. When it was active, their presence helped to make that site better tended.

Consideration of the ordinance is appreciated which would authorize the negotiated lease of 31 acres of borough land to PMI.

END OF MEMORANDUM AND STAFF REPORT

Vice Chairman Martin opened the meeting for public comment. Seeing and hearing no one wishing to speak, Vice Chairman Martin closed the public comment period and opened discussion among the Commission.

MOTION: Commissioner Ruffner moved, seconded by Commissioner Collins to recommend adoption of Ordinance 2013-___; an ordinance authorizing a negotiated lease at less than fair market value of certain real property to Peninsula Modelers.

Commissioner Ruffner asked if the previous lease term for 10 years. Mr. Mueller replied that the previous lease term was 10 years plus two 5 year extensions. Commissioner Ruffner asked if the new lease would be for the same lease term. Mr. Mueller replied yes.

VOTE: The motion passed by unanimous consent.

BRYSON ABSENT	CARLUCCIO YES	COLLINS YES	ECKLUND YES	FOSTER YES	GROSS YES	HOLSTEN ABSENT
ISHAM YES	LOCKWOOD ABSENT	MARTIN YES	RUFFNER YES	TAURIAINEN ABSENT	WHITNEY YES	9 YES 4 ABSENT

AGENDA ITEM F. PUBLIC HEARINGS

- 3. Ordinance 2013-12; Amending KPB Chapter 21.18 to repeal the provisions in KPB Ordinance 2011-12 which expanded the scope of the Anadromous Streams Habitat Protection District to include all Anadromous waterbodies listed in the "Atlas and Catalogue of Waters Important for Spawning, Rearing and Migration of Anadromous Fish" and make associated revisions.

Staff Report given by Max Best

PC Meeting: 5/28/13



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
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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

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

THRU: Mike Navarre, Mayor *MN*
Max Best, Planning Director *MB*
Marcus Mueller, Land Management Officer *mm*

FROM: Keith Snarey, Land Management Agent *KS*

DATE: May 9, 2013

SUBJECT: Ordinance 2013-17, Authorizing the Negotiated Lease at Less Than Fair Market Value of Certain Real Property Containing Approximately 31 Acres to the Peninsula Modelers Inc.

Since 1991 the site formerly known as the Kenai Landfill containing approximately 31 acres has been leased to the Peninsula Modelers Inc. (PMI) previously known as the Peninsula Modelers Association. The original lease was for ten years with two five year extensions authorized by ordinance 91-30. May 31, 2013 will conclude the final renewal option.

PMI has submitted an application for a new negotiated lease with the same terms as the original lease. The annual lease rental is \$1.00 per year for the term of the lease.

Solid Waste was consulted regarding the issuing of a new lease to PMI and expressed no objection, stating PMI has proven to be good stewards of the subject property.

Attached for your consideration is an ordinance authorizing the negotiated lease of 31 acres of borough land to PMI. The lease will be provided in the public hearing packet.

Encl:
Ordinance
Development Plan
Application

**KENAI PENINSULA BOROUGH
RESOURCE PLANNING DEPARTMENT
LAND MANAGEMENT DIVISION**

144 North Binkley Street
Soldotna, Alaska 99669
(907) 714-2200

**APPLICATION TO REQUEST THE NEGOTIATED SALE, LEASE, OR EXCHANGE OF
BOROUGH OWNED LAND**

A \$500 FEE MUST BE SUBMITTED WITH THIS APPLICATION. THE \$500 IS NOT APPLIED TO THE PURCHASE PRICE AND IS REFUNDED ONLY IF THE APPLICATION IS NOT FOUND TO BE IN THE PUBLIC'S BEST INTEREST. IF APPROVED BY THE BOROUGH ASSEMBLY, A \$1,000 EARNEST MONEY PAYMENT MUST BE SUBMITTED WITHIN SEVEN DAYS OF AFFIRMATIVE ASSEMBLY ACTION.

THIS FORM IS TO BE COMPLETED BY INDIVIDUAL(S) OR ORGANIZATION'S WISHING TO PURCHASE, LEASE OR EXCHANGE BOROUGH LAND PURSUANT TO KP.B 17.10.100(C) or (I). IT IS TO BE COMPLETED, IN FULL, TO THE BEST OF KNOWLEDGE OF THE INDIVIDUAL OR AUTHORIZED REPRESENTATIVE. IF REQUESTED, PROPRIETARY AND FINANCIAL INFORMATION OF APPLICANTS THAT IS SO MARKED, WILL BE KEPT CONFIDENTIAL. THE ASSEMBLY MUST APPROVE, BY ORDINANCE, ANY DISPOSITION OF BOROUGH LAND.

ATTACH SEPARATE SHEETS IF MORE SPACE IS NEEDED FOR EXPLANATION. IF A SECTION (or, portion thereof) IS NOT APPLICABLE, MARK WITH THE ABBREVIATION "N/A". ASK KP.B LAND MANAGEMENT STAFF IF YOU HAVE ANY QUESTIONS ABOUT THE INFORMATION REQUESTED. PLEASE TYPE OR PRINT.

1. NAME OF INDIVIDUAL COMPLETING APPLICATION FORM:

Name SID MORRIS Phone # (907) 398-5166

Mailing Address 419 FRONTAGE RD KENAI, AK. 99601

Physical Address SAME AS MAILING

2. OTHER INDIVIDUAL(S) OR ORGANIZATION(S) PARTY TO THIS APPLICATION:

a) Name _____ Phone # () _____

Mailing Address _____

Physical Address _____

Relationship to applicant(s) _____

b) Organization name PENINSULA MODELERS INC.

Mailing Address POB 659 KENAI, AK. 99611

Physical Address SAME

Primary Contact: SID MORRIS Title: Sec - TREASURER

Phone # 907 398-5166

3. TYPE OF ORGANIZATION: (CHECK ONE)

- Individual _____
- Sole Proprietorship _____
- General Partnership _____
- Non-Profit Corporation
- Limited Partnership _____
- Non-Profit Association _____
- Other _____
- Corporation _____

Note: Please submit, as appropriate, the following items with this application: 1) current Alaska business license; 2) designation of signatory authority to act for organization or individuals. If non-profit, has IRS Tax Exempt Status been obtained? Yes ___ No ___ If yes, attach letter of determination. If no, please attach certificate, articles of incorporation, by-laws, or other appropriate documentation.

4. LEGAL DESCRIPTION:

Township 6 North, Range 12 West, Section 36, Seward Meridian

Lot/Block/Subdivision Tract A2, Jettison Junction Subdivision

Plat Number 92-59 Recording District Kenai _____

Assessors Parcel Number(s) 043-010-36 Size/Acreage 31.071 Acres

Other description Former Kenai Landfill

5. THIS APPLICATION IS BEING MADE FOR THE FOLLOWING: (CIRCLE ONE)

Purchase Lease Exchange

Other (specify): _____

6. PROPOSAL:

a) Purchase Price: _____

b) Down Payment Amount (Minimum 10% of Purchase Price): _____

c) Payment Terms (Maximum 10 years; except for agricultural land where maximum is 20 years):

d) Interest Rate (Minimum: prime plus 2%): _____

OTHER TERMS AND CONDITIONS: _____

ARE THERE ANY CONTINGENCIES TO THIS TRANSACTION: YES _____ NO _____ IF YES, LIST:

7. PLEASE DESCRIBE ALL SPECIAL CIRCUMSTANCES AND ANY OTHER REASONS YOU BELIEVE THE BOROUGH SHOULD SELL THIS LAND TO YOU ON YOUR PROPOSED TERMS. BE SPECIFIC.

8. IF PROPOSAL IS OTHER THAN FAIR MARKET VALUE, PLEASE STATE WHY IT WOULD BE IN THE "BEST PUBLIC INTEREST" TO APPROVE THIS PROPOSAL. INCLUDE ALL SUPPORTING FACTS AND DOCUMENTS.

9. LAND STATUS: DESCRIBE ANY EXISTING IMPROVEMENTS; PROVIDE PHOTOGRAPHS IF AVAILABLE.

10. ATTACH SITE PLAN DEPICTING THE PROPOSED USE OF THE PROPERTY.

11. LIST THREE (3) CREDIT REFERENCES. IN ADDITION, AN ACTUAL CREDIT REPORT FROM A LOCAL PROVIDER IS REQUESTED IF BALANCE TO BE FINANCED BY THE BOROUGH EXCEEDS \$50,000.

NAME	ADDRESS	PHONE #
_____	_____	() _____
_____	_____	() _____
_____	_____	() _____

12. HAS APPLICANT OR AFFILIATED ENTITY PREVIOUSLY PURCHASED OR LEASED BOROUGH OWNED LAND OR RESOURCES ? ___ YES ___ NO IF YES, PROVIDE LEGAL DESCRIPTION; TYPE OF PURCHASE OR LEASE; AND CURRENT STATUS:

13. HAS APPLICANT, OR AFFILIATED ENTITY, EVER FILED A PETITION FOR BANKRUPTCY, BEEN ADJUDGED BANKRUPT OR MADE AN ASSIGNMENT FOR THE BENEFIT OF CREDITORS ? ___ YES ___ NO IF YES , EXPLAIN, INCLUDING DATES:

14. IS APPLICANT, OR AFFILIATED ENTITY, NOW IN DEFAULT ON ANY OBLIGATION TO, OR SUBJECT TO ANY UNSATISFIED JUDGEMENT OR LIEN ? ___ YES ___ NO IF YES EXPLAIN:

15. COMPLETE THE FOLLOWING APPLICANT QUALIFICATION STATEMENT FOR EACH INDIVIDUAL APPLICANT OR ORGANIZATION. ATTACH ADDITIONAL STATEMENTS AS NECESSARY.

APPLICANT/BIDDER QUALIFICATION STATEMENT

I SID MORRIS
(printed name)
of 419 FRONTAGE RD
(address)
KENAI, AK. 99601
(city, state)

do hereby swear and affirm

I am eighteen years of age or older; and

I am a citizen of the United States; a permanent resident; or a representative of a group, association or corporation which is authorized to conduct business under the laws of Alaska; and

I am not delinquent on any deposit or payment of any obligation to the Borough; and

I am not in breach or default on any contract or lease involving land in which the Borough has an interest; and

I have not failed to perform under a contract or lease involving Borough land in the previous five years and the Borough has not acted to terminate the contract or lease or to initiate legal action.

Unless agreed otherwise in writing and signed by the Borough Mayor, I agree to pay recording fees, closing fees, escrow setup fees, annual escrow fees, collection fees, surveying fees, and acquisition of title insurance. If my proposal is to lease the land, I agree to provide a performance bond, general liability insurance, provide a damage deposit, and pay for remote site inspection, if applicable.

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SID MORRIS
Print Name

Sid Morris 3-12-13
Applicant Signature /Date

PENINSULA MODELERS INC

FLYING SITE DEVELOPMENT PLAN

May 1, 2013

The PMI flying site has been leased from the Kenai Peninsula Borough for the past 20 years.

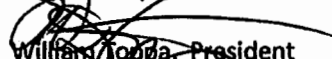
It is also the site of the Kenai refuse land fill. Dumping was halted in approximately 1994 and the refuse was covered with a layer of soil approximately two feet thick. It is obvious that any development is severely restricted due to environmental concerns. The PMI has graded and seeded two grass runways approximately 50 ft. X 400 ft. One north – south and the other east – west. We also have a connex storage unit 7 ft. X 30 ft. on the property. This is used to store lawn mowers, landscaping tools and some model planes and supplies.

PMI plans to continue maintaining the grass runways with water, fertilizer and mowing as necessary. The rest of the property will be left natural except to trim any foliage that reaches more than 6 feet high. This to provide a clear zone for the model planes to maneuver clear of obstacles.

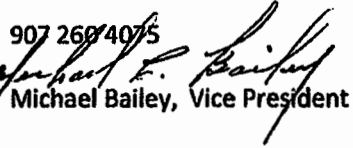
The facility is available to club members and guests for model flying activities. We also offer flight training to Civil Air Patrol Cadets and other youth in the community to encourage interest in aviation. We have hosted flying competition events, inviting model clubs from Anchorage to come to Kenai for week end activities.

There has been some interest expressed in building a track for Radio Control model cars/trucks. If enough interest develops that could occur in the next year or two. That would entail clearing an oval about 80 X 200 ft. and grading a serpentine track for the cars to run on. This would be located toward the SE corner of the property. There would be minimal modification to the existing contour of the surface.

Respectively submitted,


William Joppa, President

907 260 4075


Michael Bailey, Vice President

907 262 6375

Development Plan Peninsula Modelers Inc.



5/2/13

Introduced by: Mayor
Date: 06/04/13
Shortened Hearing: 06/18/13
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2013-19-02**

**AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT
OF \$3,472,619 FROM THE STATE OF ALASKA FOR THE PURCHASE AND
INSTALLATION OF A THERMAL LEACHATE EVAPORATOR UNIT AT THE
CENTRAL PENINSULA LANDFILL**

1 **WHEREAS**, the borough requested funding from the State of Alaska for the purchase and
2 installation of a thermal leachate evaporator unit at the Central Peninsula Landfill;
3 and

4 **WHEREAS**, Senate Bill 18, which appropriated funding to the borough for the equipment, was
5 passed by the State Legislature and signed by the Governor on May 21, 2013, and

6 **WHEREAS**, the State of Alaska Department of Commerce, Community and Economic
7 Development (DCCED) will provide a grant award in the amount of \$3,472,619
8 to the borough;

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

11 **SECTION 1.** That the Mayor is authorized to accept a grant from the State of Alaska
12 Department of Commerce, Community and Economic Development in the
13 amount of \$3,472,619 for the purchase and installation of a thermal leachate
14 evaporator unit at the Central Peninsula Landfill, and is authorized to execute a
15 grant agreement and any other documents deemed necessary to accept and expend
16 the grant and to fulfill the intent and purposes of this ordinance.

1 **SECTION 2.** That funds in the amount of \$3,472,619 are appropriated to
2 411.32122.14EVA.49999.

3 **SECTION 3.** That the appropriations made in this ordinance are of a project length nature and
4 as such do not lapse at the end of any particular fiscal year.

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

6 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
7 **DAY OF * 2013.**

Linda Murphy, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520
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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

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

THRU: Mike Navarre, Mayor *MN*

FROM: Craig Chapman, Finance Director *C Chapman*
Brenda Ahlberg, Community and Fiscal Projects Manager *B Ahlberg*

DATE: May 22, 2013

SUBJECT: Ordinance 2013-19-02, accepting and appropriating a grant in the amount of \$3,472,619 from the State of Alaska for the purchase and installation of a Leachate Thermal Evaporation Unit

The borough submitted a request for legislative grant funding for a leachate thermal evaporation unit in the FY14 State of Alaska Capital Budget. Senate Bill 18, which appropriated funding to the borough for the equipment, was passed by the State Legislature and signed by Governor Parnell on May 21, 2013.

The leachate thermal evaporation unit will provide a long term solution for managing leachate at the Central Peninsula Landfill. The Central Peninsula Landfill is designated as the Kenai Peninsula Borough regional landfill, providing services to all municipalities and unincorporated communities located on the borough road system and manages 98 percent of the municipal solid waste generated in the borough.

The Alaska Department of Commerce, Community and Economic Development will provide the grant award. The borough's capital project department will provide grant oversight and project management.

FINANCE DEPARTMENT ACCOUNT / FUNDS VERIFIED	
Acct. No.	<u>411.32122.14EVA.49999</u>
Amount	<u>N/A</u>
By:	<u>pc</u> Date: <u>5/22/13</u>

Kenai Areawide (HD 28-30) Only

Impact House District Detail

HD Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 28-30)						
Commerce	Alaska SeaLife Center - Critical Building and Equipment Repairs, Upgrades and Replacements	450,000	0	0	0	450,000
Commerce	Cooper Landing Emergency Services - Fire Tanker	340,000	0	0	0	340,000
Labor	Deferred Maintenance, Renewal, Repair and Equipment - AVTEC	968,000	0	0	0	968,000
Trans	Fritz Creek - Greer Road Upgrade	400,000	0	0	0	400,000
Commerce	Funny River - Natural Gas Pipeline	1,300,000	0	0	0	1,300,000
Labor	Heavy Equipment Shop/Diesel Shop/Pipe Welding Relocation - Phase 1 of 3	6,000,000	0	0	0	6,000,000
Trans	Homer - Beluga Lake Float Plane Base Planning Study	0	0	0	250,000	250,000
Trans	Homer - East End Road Rehabilitation - Milepost 3.7 to 12.2	0	0	0	850,000	850,000
Trans	Homer - Homer Harbor	4,206,000	0	0	0	4,206,000
Trans	Homer - Lake Street Rehabilitation	0	0	0	5,000,000	5,000,000
Commerce	Homer Electric Association, Inc. - Replacement of Seidovia Emergency Generators	0	250,000	0	0	250,000
Commerce	Homer Society of Natural History dba Pratt Museum - Museum Building Construction	250,000	0	0	0	250,000
Commerce	Hospice of the Central Peninsula - Replacement of Durable Medical Equipment for the Community Loan Closet	10,000	0	0	0	10,000
Courts	Kenai - Courthouse Deferred Maintenance	200,000	0	0	0	200,000
Commerce	Kenai - Fire/Rescue Boat	90,000	0	0	0	90,000
Commerce	Kenai - Public Safety Building Upgrades	110,000	0	0	0	110,000
Commerce	Kenai - State Personal Use Fishery Capital Improvements	150,000	0	0	0	150,000
Commerce	Kenai - Water Storage Reservoir Construction	0	2,500,000	0	0	2,500,000
M&VA	Kenai Armory Deferred Maintenance	125,000	0	0	125,000	250,000
Commerce	Kenai Peninsula Borough - Anchor Point Fire and Emergency Medical Service Area Sewer System Replacement	50,000	0	0	0	50,000
Commerce	Kenai Peninsula Borough - Central Peninsula Landfill Leachate Thermal Evaporation Unit	3,472,619	0	0	0	3,472,619
Commerce	Kenai Peninsula Borough - Road Projects	2,000,000	0	0	0	2,000,000
Commerce	Kenai Peninsula Borough - Seward Bear Creek Flood Mitigation	1,000,000	0	0	0	1,000,000
Commerce	Kenai Peninsula Borough - Soldotna High Schools Artificial Turf Field	500,000	1,000,000	0	0	1,500,000
Commerce	Kenai Peninsula Fair Association - Weatherization, Renovation and Facility Upgrades	100,000	0	0	0	100,000
Commerce	Kenai Peninsula Opportunities, Inc. - Facility Upgrade and Repairs	100,000	0	0	0	100,000
Commerce	Ninilchik - Completion of Ninilchik Emergency Services Fire Station	225,000	0	0	0	225,000
Trans	Ninilchik - Village Bridge Replacement	0	0	0	500,000	500,000
NatRes	Parks and Outdoor Recreation Deferred Maintenance - Kenai Region	513,000	0	0	0	513,000
NatRes	Public Access and User Facilities Improvements at the Mouth of the Kaslof River Phase One	1,400,000	0	0	0	1,400,000
NatRes	River Bank Stabilization and Improvements at Bing's Landing (Kenai River Special Management Area)	2,000,000	0	0	0	2,000,000
Commerce	Russian Orthodox Sacred Sites of Alaska, Inc. - Preservation of the Holy Assumption Russian Orthodox Church in Kenai	230,000	0	0	0	230,000

Kenai Areawide (HD 28-30) Only

Impact House District Detail

HD	Dept	Project Title	Unrestricted GF Amount	Designated GF Amount	Other Amount	Federal Amount	Total
Kenai Areawide (HD 28-30)							
Commerce		Seward - Lowell Canyon Water Tank Refurbishment	575,000	0	0	0	575,000
Commerce		Seward - Seward Marine Industrial Center Development/Homeport Coastal Villages Region Fund's Fleet to Alaska Project	0	10,000,000	0	0	10,000,000
Correct		Seward - Spring Creek Correctional Center Deferred Maintenance	1,525,000	0	0	0	1,525,000
Trans		Seward Highway - Avalanche Detection Project	0	0	0	400,000	400,000
Trans		Soldotna - Kalifornsky Beach Road - Milepost 16 to 22.2 - Paving Rehabilitation and Signalization	0	0	0	4,000,000	4,000,000
Commerce		Soldotna - Water Reservoir Reconstruction, Infrastructure Improvements, and Equipment	2,500,000	0	0	0	2,500,000
Commerce		Soldotna Area Senior Citizens, Inc. - Backup Emergency Generator	58,000	0	0	0	58,000
Commerce		Soldotna Area Senior Citizens, Inc. - Remodel and Upgrade Bathrooms to ADA Compliancy	15,417	0	0	0	15,417
Commerce		Soldotna Little League - Replacement of Field Maintenance Equipment	45,000	0	0	0	45,000
Trans		Sterling Highway - Milepost 150 to 157 Erosion Response	0	0	0	4,000,000	4,000,000
Commerce		Voznesenka Community Council, Inc. - Voznesenka Loop Improvements	100,000	0	0	0	100,000
Kenai Areawide (HD 28-30) total:			31,008,036	13,750,000	0	15,125,000	59,883,036
Report total:			31,008,036	13,750,000	0	15,125,000	59,883,036

1	2	Appropriation		General	Other
		Allocations	Items	Funds	Funds
3	(HD 28-30)				
4	Kenai - Public Safety		110,000	110,000	
5	Building Upgrades (HD				
6	28-30)				
7	Kenai - State Personal Use		150,000	150,000	
8	Fishery Capital				
9	Improvements (HD 28-30)				
10	Kenai - Water Storage		2,500,000	2,500,000	
11	Reservoir Construction (HD				
12	28-30)				
13	Kenai Peninsula Borough -		50,000	50,000	
14	Anchor Point Fire and				
15	Emergency Medical Service				
16	Area Sewer System				
17	Replacement (HD 28-30)				
18	Kenai Peninsula Borough -		(3,472,619)	(3,472,619)	
19	Central Peninsula Landfill				
20	Leachate Thermal				
21	Evaporation Unit (HD				
22	28-30)				
23	Kenai Peninsula Borough -		2,000,000	2,000,000	
24	Road Projects (HD 28-30)				
25	Kenai Peninsula Borough -		1,000,000	1,000,000	
26	Seward Bear Creek Flood				
27	Mitigation (HD 28-30)				
28	Kenai Peninsula Borough -		1,500,000	1,500,000	
29	Soldotna High Schools				
30	Artificial Turf Field (HD				
31	28-30)				
32	Ketchikan - Medical Center		15,000,000	15,000,000	
33	Addition and Alterations				

Introduced by: Wolf
Date: 04/02/13
Action: Introduced and Set for
Public Hearing on 06/18/13
Date: 06/18/13
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2013-12**

**AN ORDINANCE AMENDING KPB CHAPTER 21.18. TO REPEAL THE PROVISIONS
IN KPB ORDINANCE 2011-12 WHICH EXPANDED THE SCOPE OF THE
ANADROMOUS STREAMS HABITAT PROTECTION DISTRICT TO INCLUDE ALL
ANADROMOUS WATERBODIES LISTED IN THE "ATLAS AND CATALOGUE OF
WATERS IMPORTANT FOR SPAWNING, REARING, OR MIGRATION OF
ANADROMOUS FISH" AND MAKE ASSOCIATED REVISIONS**

1 **WHEREAS**, in 1996 the Kenai Peninsula Borough Assembly enacted KPB Chapter 21.18
2 which established land use regulations for anadromous habitat protection
3 purposes within the Kenai River watershed; and

4 **WHEREAS**, since enactment of that ordinance the Kenai Peninsula Borough has had one
5 violation which resulted in the issuance of a citation; and

6 **WHEREAS**, on June 21, 2011, the Assembly passed Ordinance 2011-12 which added all
7 anadromous waterbodies listed in the "Atlas and Catalogue of Waters Important for
8 Spawning, Rearing, or Migration of Anadromous Fish" to the Anadromous Streams
9 Habitat Protection chapter of the code without direct public notice to the effected
10 residents other than by standard public advertising; and

11 **WHEREAS**, the Kenai Peninsula Borough does not have adequate manpower or financial
12 resources, which are dependent upon the taxpayers, to proactively police this
13 restrictive zoning ordinance across approximately 15 million acres; and

1 **WHEREAS,** no habitat studies have been performed on the Kenai Peninsula to demonstrate private
2 landowners are having a negative impact on lakes or secondary anadromous
3 tributaries and feeder streams; and

4 **WHEREAS,** on March 4, 2013, a task force member attempted to make comparisons of habitat
5 studies completed on the Columbia River in Washington State to habitat of the Kenai
6 Peninsula lakes and secondary anadromous tributaries and feeder streams and its
7 public usage; and

8 **WHEREAS,** the only habitat studies conducted on the Kenai Peninsula were conducted in part by
9 the Alaska Department of Fish and Game (ADF&G), and were only on the Kenai
10 River, and later disputed by ADF&G as being incomplete; and

11 **WHEREAS,** when passing KPB Ordinance 2011-12 the borough failed to take into
12 consideration the taxpayer expense and potential liability it was placing on the
13 borough residents by enacting this zoning ordinance; and

14 **WHEREAS,** since June 21, 2011, the number of residents who have expressed their opposition
15 to the enactment of this ordinance and this opposition has continued to grow,
16 creating an increasing public outcry towards the assembly and mayor of the Kenai
17 Peninsula Borough; and

18 **WHEREAS,** an increasing number of the public has continued to ask for this ordinance to be
19 repealed in its entirety and to open public discussion of how to protect the valuable
20 anadromous habitat on the Kenai Peninsula; and

21 **WHEREAS,** creating a more open process that allows for an anadromous habitat protection
22 ordinance to fulfill its purpose under authority granted to the assembly would best
23 serve the public interest;

24 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
25 **PENINSULA BOROUGH:**

1 **SECTION 1.** That KPB 21.18.025 is hereby amended as follows:

2 **21.18.025. Application.**

3 [A.] The following anadromous streams, as identified in the "Atlas and
4 Catalogue of Waters Important for Spawning, Rearing, or Migration of
5 Anadromous Fish" published by the Alaska Department of Fish and Game, are
6 subject to this chapter:

7 Within the east side of Cook Inlet as follows:

- 8 1. Kenai River, Stream No. 244-30-10010, and its following tributaries:
- 9 (a) Beaver Creek, Stream No. 24430-10010-2025
- 10 (b) Slikok Creek, Stream No. 24430-10010-2030
- 11 (c) Soldotna Creek, Stream No. 24430-10010-2039
- 12 (d) Funny River, Stream No. 24430-10010-2050
- 13 (e) Moose River, Stream No. 24430-10010-2063
- 14 (f) Killey River, Stream No. 24430-10010-2076
- 15 (g) Upper Killey River, Stream No. 24430-10010-2110
- 16 (h) Russian River, Stream No. 24430-10010-2158
- 17 (i) Quartz River, Stream No. 24430-10010-2177
- 18 (j) Trail River, Stream No. 24430-10010-2225
- 19 2. Swanson River, Stream No. 247-90-10020
- 20 3. Kasilof River, Stream No. 244-30-10050
- 21 4. Ninilchik River, Stream No. 244-20-10090
- 22 5. Deep Creek, Stream No. 244-20-10100
- 23 6. Stariski Creek, Stream No. 244-10-10050
- 24 7. Anchor River, Stream No. 244-10-10010
- 25 8. Fox River, Stream No. 241-14-10645
- 26 9. Seldovia River, Stream No. 241-11-10730
- 27 10. English Bay River, Stream No. 241-30-10500
- 28 11. Bradley River, Stream No. 241-1410625-2010

12. Bishop Creek, Stream No. 246-90-10030
13. Chickaloon Creek, Stream No. 247-60-10110
14. North Fork of Anchor River, Stream No. 24410-10010-2011
15. Seven Egg Creek, Stream No. 24780-10010

[B. IN ADDITION TO THE WATER BODIES LISTED IN 21.18.025(A), ALL ANADROMOUS WATERBODIES WITHIN THE MUNICIPAL BOUNDARIES OF THE KENAI PENINSULA BOROUGH WHICH ARE LISTED IN THE "ATLAS AND CATALOGUE OF WATERS IMPORTANT FOR SPAWNING, REARING, OR MIGRATION OF ANADROMOUS FISH" AS PERIODICALLY UPDATED AND PUBLISHED BY THE ALASKA DEPARTMENT OF FISH AND GAME ARE SUBJECT TO THIS CHAPTER AS OF JANUARY 1, 2012, EXCLUDING THE FOLLOWING:

1. ALL PORTIONS OF WATERWAYS FOUND WITHIN THE SEWARD-BEAR CREEK FLOOD SERVICE AREA ARE EXEMPT FROM KPB 21.18.
2. BRAIDED CHANNELS, TIDE DOMINATED DELTAS, ESTUARIES AND LAGOONS WHICH ARE PRIMARILY SEAWATER AND ARE IDENTIFIED AS ANADROMOUS IN THE STATE OF ALASKA ATLAS AND CATALOGUE OF WATERS IMPORTANT FOR SPAWNING, REARING, OR MIGRATION OF ANADROMOUS FISH ARE EXEMPT FROM KPB 21.18.

C. THE ADDITIONAL ANADROMOUS STREAMS SET FORTH IN KPB 21.18.025 (B) ARE SUBJECT TO KPB 21.18.025 GOVERNING PRIOR EXISTING USES AND STRUCTURES, AS OF JANUARY 1, 2012, UNLESS THE ANADROMOUS STREAM IS NOT PUBLISHED IN THE "ATLAS AND CATALOGUE OF WATERS IMPORTANT FOR SPAWNING, REARING, OR MIGRATION OF ANADROMOUS FISH" UNTIL A LATER DATE. THE DATA THAT AN ANADROMOUS STREAM IS ADDED TO THE ATLAS WILL BE THE DATE THAT KPB 21.18.090 IS EFFECTIVE FOR THAT STREAM."]

1 **SECTION 2.** That KPB 21.18.140 is hereby amended by deleting the following definitions:

2 [AG. "ESTUARY" MEANS A SEMI-ENCLOSED COASTAL BODY OF WATER WITH A
3 FREE CONNECTION TO THE SEA AND IN WHICH SEA WATER IS MEASURABLY
4 DILUTED WITH FRESHWATER DERIVED FROM LAND DRAINAGE.

5 AH. "BRAIDED CHANNELS" MEANS THE INTERTWINED BRANCHES OR SECONDARY
6 CHANNELS OF A RIVER OR STREAM AND CHARACTERIZED BY THE
7 SEPARATION AND REJOINING OF TWO OR MORE CHANNELS SEPARATED BY
8 BARS OR ISLANDS.

9 AI. "LAGOON" MEANS RELATIVELY SHALLOW BODIES OF WATER, MOSTLY-
10 ENCLOSED, WITH AN OCEANIC SOURCE, SEPARATED BY A LOW-LYING
11 SWATCH OF LAND, SUCH AS A SPIT OR BARRIER ISLAND. THIS OCEANIC
12 SOURCE MAY BE CONTINUAL OR EPISODIC, SUCH AS STORM-INDUCED
13 OVERWASH, AND GENERALLY HAS A DIFFERENT SALINITY AS A RESULT OF
14 ITS RESTRICTED ACCESS.

15 AJ. "TIDE DOMINATED DELTA " MEANS A RIVER DELTA SUBJECT TO TIDAL
16 INUNDATION AS WELL AS TIDAL AND STORM EROSION WHICH MAY BE
17 MAINLY SUBMARINE WITH PROMINENT BARS OR RIDGES.]

18 **SECTION 3.** That Section 3 of KPB Ordinance 2011-12 authorizing the implementation of that
19 ordinance in phases is hereby repealed.

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

1 ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS *
2 DAY OF * 2013.

Linda Murphy, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

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

THRU: Mike Navarre, Borough Mayor *MN*

FROM: Max Best, Planning Director *MB*

DATE: May 30, 2013

SUBJECT: Ordinance 2013-12; Amending KPB Chapter 21.18 to repeal the provisions in KPB Ordinance 2011-12 which expanded the scope of the Anadromous Streams Habitat Protection District to include all Anadromous waterbodies listed in the "Atlas and Catalogue of Waters Important for Spawning, Rearing and Migration of Anadromous Fish" and make associated revisions.

The Planning Commission reviewed the subject ordinance during their regularly scheduled May 28, 2013 meeting. A motion to recommend approval of Ordinance 2013-12 failed by majority consent. (*Bryson, Absent; Carluccio, No; Collins, No; Ecklund, No; Foster, No; Gross, Yes; Holsten, Absent; Isham, No; Lockwood, Absent; Martin, No; Ruffner, No; Tauriainen, Absent; Whitney, No*)

Please make the following change to the ordinance.

- Add a new last WHEREAS to read as follows:

WHEREAS, the KPB Planning Commission at its regularly scheduled meeting of May 28, 2013 failed to recommend approval by majority consent.

Attached are the unapproved minutes of the subject portion of the meeting.

AGENDA ITEM F. PUBLIC HEARINGS

3. Ordinance 2013-12; Amending KPB Chapter 21.18 to repeal the provisions in KPB Ordinance 2011-12 which expanded the scope of the Anadromous Streams Habitat Protection District to include all Anadromous waterbodies listed in the "Atlas and Catalogue of Waters Important for Spawning, Rearing and Migration of Anadromous Fish" and make associated revisions.

Staff Report given by Max Best

PC Meeting: 5/28/13

The ordinance would repeal Ordinance 2011-12 which expanded the waterbodies subject to critical habitat protection regulations. The ordinance was introduced by Assembly member Wolf.

The approval of this ordinance would take the KPB 21.18, Habitat Protection ordinance back to the regulations that was in existence prior to the additional streams being added.

END OF STAFF REPORT

Vice Chairman Martin read the rules by which public hearings were conducted.

Vice Chairman Martin opened the meeting for public comment.

1. Stacy Oliva, Mile 30½, Kenai Spur Highway
Ms. Oliva definitely supports repealing Ordinance 2011-12 based on it being a very broad based encompassing body. It took so much land not based on high use or as needed basis as in the past where the Kenai River, Ninilchik River, etc. were brought into the Habitat Protection District based on certain criteria. She felt it would be in the best interest of the public and the landowners to repeal Ordinance 2011-12.

Vice Chairman Martin asked if there were questions for Ms. Oliva.

Commissioner Foster asked if she lived along a lake or pond. Ms. Oliva replied yes. Commissioner Foster asked if she was knowledgeable about the importance of ponds and lakes as an integral part of the system for anadromous fish. Ms. Oliva replied yes, she felt education was important and likes what happens with the Kenai River Festival every year. She promotes the education portion to the landowners and found it to be quite useful versus a real prescriptive regulation. Ms. Oliva knows how important it is to get a higher participation by the landowners. It may have been less offensive to landowners if landowners were invited into an incentive program or a voluntary program. She felt that the landowners' private property rights would remain intact without government taking that sovereign piece away.

There being no further comments or questions, the public hearing continued.

2. Jim Harpring, 35001 Waterfront Way
Mr. Harpring stated that his property is on the Kenai River. He has followed this particular ordinance from its initial conception under the Carey administration. What he hopefully brought to the Administration was to provide input to this to make it more pliable and applicable because he has been under this since 1996.

Mr. Harpring stated he has looked back to see what actually functions, works and what should not have been part of this in the first ordinance because it isn't applicable. It could have been improved upon to the point that there would have been less resistance and push back from the landowners.

Mr. Harpring looked at the original document to see how many individuals were impacted on the first ordinance prior to the current administration. There were 2,979 parcels impacted under the previous ordinance and 4,229 parcels under the new ordinance which is almost double the number of parcels that will be impacted. He felt some of these parcels will suffer immensely under this particular ordinance especially parcels on lakes.

Mr. Harpring stated that someone could only remove 25% of vegetation or only 500 square feet under the ordinance. He asked the commission to envision buying a parcel on a lake in Alaska with the intention of building a retirement dream home on it but then finds out that only a certain amount of vegetation can be removed.

There are other things in this particular ordinance that need to be relooked at or reprocessed as far as an applicability standard. Mr. Harpring questioned why there are certain areas not covered in the ordinance like the Seward / Bear Creek area. The Seward / Bear Creek mitigation plan was just voted on for approval. The plan dated 2010 identifies numerous streams in the Seward Bear Creek area that have salmon rearing and salmon migration but it is completely exempted. Going from a GIS perspective where there is not supremacy clause in the current ordinance and if it's exempt from the State and Federal requirements of it, this is theoretical because it is not in there then basically 1/6 of the entire Borough has been exempted. The math doesn't really function here. He questioned what constitutes significant in this particular ordinance since significant was used 13 times through this ordinance which is not quantifiable.

Mr. Harpring agrees that there needs to be something but felt this ordinance was a little bit challenging in many aspects. He stated there are many things in this ordinance that may have wanted to be addressed from the previous ordinance that was in existence for 16 years however it just isn't there.

After the appointment letter from Mayor Carey, Mr. Harpring only attended two of the meetings when this was being put together. Everyone was focused that this was something that they wanted. He wondered where the people were who had been under the previous ordinance. There was a bunch of well-meaning people who had no stake in the game or owned any property. Of the 2,979 parcels that were impacted, he couldn't represent all the landowners.

Mr. Harpring stated he received notice that the previous ordinance was going to be rescinded and be rolled into a new ordinance. After he received the notice his phone didn't stop ringing. They are within 60 days of the Assembly passing the new ordinance. He stated that Assembly member Pierce had stated that this was the most studied ordinance in the Borough's history. It has been studied for about 14 months. There are a lot of things in the ordinance that can be improved on.

Mr. Harpring thanked the commission for their understanding and for allowing him to speak at the meeting.

Vice Chairman Martin asked if there were questions for Mr. Harpring.

Commissioner Ruffner asked if he brought his specific concerns to the Taskforce. Mr. Harpring replied that he testified at each meeting and has worked with the Borough Chief of Staff and the Mayor identifying his concerns. He stated that if a damaged tree was removed from someone's property then they would have to replace it with a tree that was 4 feet, 6 inches tall at a 1 inch diameter. When he researched this he questioned why there would be something like this in the ordinance. Mr. Harpring found out that was how nurseries buy trees. He stated that he has been able to get some of these concerns changed so administration has listened however there are things that need to be reconsidered in the ordinance like the Firewise program.

After the 2009 fires up Funny River Road, he became very concerned for his property. Mr. Harpring and his wife wanted to make certain that they were right with their insurance company so they had Department of Natural Resources come out who identified things they would have to do to be part of the Firewise program so that the Department of Forestry would protect them. They immediately came into a conflict of issues. The Big Lake Fire Department Chief was the person who did the evaluation on his property and gave him good ratings until they got to the river. Since they couldn't cut the brush because it was within 50 feet of the river then they couldn't be passed for this particular program. They couldn't have it both ways. The Firewise program was not adjusted and since it is not addressed in the current ordinance staff was determining administration to administration how the Firewise program would work. Mr. Harpring doesn't have any neighbors for about 7.5 miles down the river. It is all State Parks, so if fire starts there then his home would be where they first set the

brake to protect the rest of the Funny River community. He doesn't want the fire to go around his house on the riverbank and keep going. They understood that the Firewise program conflicts with this particular ordinance. There are things in the ordinance that could be improved, if they would just be considered. He applauded Mr. Ostrander, Chief of Staff who has been more than gracious to work with him.

Mr. Harpring gave a personal example of a tree on his property within the 50 foot zone of the river that fell on one of his homes. It was Friday night and he needed a permit but couldn't get one until Monday. He was honest with his insurance company who told him to wait until Monday to obtain a permit. He didn't want the rain inundate his entire quarters so he called his attorney who also told him that he needed a permit. Mr. Harpring told his neighbors to cut the tree and put tarps over that part of the roof. Now trees that have fallen can be removed without needing a permit. The tree should be removed if it is diseased or damaged.

Mr. Harpring stated that those are the types of things when there are personal experiences under the previous ordinance that can be addressed in the new ordinance. Some of them are and some of them aren't.

Seeing and hearing no one else wishing to speak, Vice Chairman Martin closed the public comment period and opened discussion among the Commission.

MOTION: Commissioner Isham moved, seconded by Commissioner Gross to approve Ordinance 2013-12, amending KPB Chapter 21.18, which would repeal the provisions in KPB Ordinance 2011-12.

Commissioner Ruffner stated they previously heard arguments for and against adding streams, lakes and other water bodies that could be or should be afforded some additional protection. Some of the reasons for that was that shoreline erosion was a factor on moving water in streams and rivers, adjacent bank line provides nutrients for fish, it helps filter water quality, etc. The taskforce spent a tremendous amount of additional time delving into those issues. He stated he would be the first to admit that the ordinance that was previously passed that brought up this controversy was probably not vetted as well as it should have been. Having said that, he stated that he couldn't go as far as repealing the whole thing knowing that the taskforce has worked so long but he hoped they have heard the concerns. Commissioner Ruffner felt it was not the right thing to repeal the whole ordinance given the economic and cultural value and what they know about what riparian buffers do to help maintain salmon habitat. For that reason, he would not support the motion to repeal Ordinance 2011-12.

Commissioner Foster agreed with Commissioner Ruffner except that he would have had more to say about certain things. He sympathized with Mr. Harpring's concerns in that one size doesn't fit all. It doesn't make sense by not addressing all the issues that can happen in a pond or lake system that is connected to anadromous streams. With that being said he stated he would not support the motion.

Commissioner Isham stated that this was a campaign issue for Assembly member Wolf. He felt the ordinance was not based on good science so he was not going to support the ordinance. The ordinance they have now is not perfect but felt that it could be made better. It was not the way to go to repeal and start over.

Hearing and seeing no further comments or questions, Vice Chairman Martin called for a roll call vote.

VOTE: The motion failed by majority consent.

BRYSON ABSENT	CARLUCCIO NO	COLLINS NO	ECKLUND NO	FOSTER NO	GROSS YES	HOLSTEN ABSENT
ISHAM NO	LOCKWOOD ABSENT	MARTIN NO	RUFFNER NO	TAURIAINEN ABSENT	WHITNEY NO	1 YES 8 NO 4 ABSENT

Vice Chairman Martin called a recess at 8:12 p.m. Vice Chairman Martin reconvened the meeting at 8:23 p.m.

Vice Chairman Martin suspended the rules and moved Public Hearing 4. Ordinance 2013-18 to after Agenda H.1. Vacations not requiring a Public Hearing and Agenda I.1. Special Considerations.

KENAI PENINSULA BOROUGH

Kenai Peninsula Borough Assembly

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

Linda Murphy, Assembly President
Hal Smalley, Vice President

MEMORANDUM

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

FROM: Kelly Wolf, Assembly Member *KW*

DATE: April 2, 2013

RE: Ordinance 2013-12, Repealing Ordinance 2011-12, Expanding the Waterbodies
Subject to the Critical Habitat Protection Regulations

Since June 21, 2011, a growing number of residents have expressed their opposition to the enactment of KPB ordinance 2011-12 and public opposition to this ordinance has continued to grow. Its passage and the requested actions that this body is not taking have created distrust towards government and this assembly. During the assembly meeting of March 19, 2013 public testimony was given which raised the question of outside influences of groups like the UN's International Council of Local Environmental Initiatives (ICLEI) a lobbying and policy consultant specifically designed to influence and CHANGE governmental policies on a local level related to all aspects of human life that private property restrictions,

“When people fear their government, there is Tyranny; when the government fears the people, there is liberty” Thomas Jefferson

Are we so stuck on one piece of legislation in our own minds that when “the people” we are entrusted to represent ask us to reconsider the previous actions of this body we ignore them?

Are the members of this body not willing to listen to the will of the people?

The people of the Kenai Peninsula Borough are asking for a repeal of KPB 2011-12, and they are asking for commitment to start over with a new open process, with clarity that the borough residents deserve and our founding fathers would be proud of! This ordinance is a first step to allow for that to take place.

Introduced by: Mayor, Smith
Date: 05/21/13
Action: Introduced and Set for
Public Hearing on 06/18/13
Date: 06/18/13
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2013-18**

AN ORDINANCE REPEALING THE PROVISIONS OF KPB ORDINANCE 2011-12 WHICH REQUIRED THE BOROUGH TO REGULATE ALL WATERS IN THE “ATLAS AND CATALOG OF WATERS IMPORTANT FOR THE SPAWNING, REARING OR MIGRATION OF ANADROMOUS FISH” AND AMENDING KPB CHAPTER 21.18 BY ADOPTING AN APPENDIX IDENTIFYING REGULATED ANADROMOUS WATERS, ADOPTING SPECIAL EXCEPTIONS FOR LAKE FRONT PROPERTIES, AND EXPANDING PROTECTIONS FOR PRIOR EXISTING USES AND STRUCTURES

1 **WHEREAS**, Goal 7-2, Objective 2 implementation actions (E) and (F) of the KPB
2 Comprehensive Plan includes expanding the protection of KPB Chapter 21.18;
3 and

4 **WHEREAS**, the mayor appointed an anadromous fish habitat protection task force (Task
5 Force) to evaluate ordinance 2011-12 which extended KPB Chapter 21.18 to most
6 anadromous waters in the KPB; and

7 **WHEREAS**, the Task Force spent nine months and held eleven meetings hearing and
8 reviewing expert and public testimony; and

9 **WHEREAS**, evidence presented to the Task Force indicated the importance of protecting
10 habitat adjacent to anadromous waters; and

11 **WHEREAS**, a number of the public comments related to the application of KPB Chapter 21.18
12 to anadromous lakefront property; and

1 **WHEREAS**, lake front and river front uses differ justifying special exceptions for lakefront
2 properties which still allow for habitat protection; and

3 **WHEREAS**, the Alaska Department of Fish and Game (ADF&G) has jurisdiction over
4 anadromous water and maintains the “Atlas and Catalog of Waters Important for the
5 Spawning, Rearing, or Migration of Anadromous Fish” (Catalog); and

6 **WHEREAS**, certain waters in the Catalog do not have sufficient ADF&G documentation to verify
7 their anadromous status and should not be regulated by KPB Chapter 21.18; and

8 **WHEREAS**, there have been misunderstandings regarding vegetation maintenance in the
9 habitat protection district requiring clarification of the regulations; and

10 **WHEREAS**, the prior existing use provisions are overly restrictive and habitat can still be
11 protected by prohibiting prior existing structures that present a safety or health
12 hazard but allow for responsible rebuilding or renovation or repair; and

13 **WHEREAS**, direct mail notice of this ordinance as required by KPB 21.04.020 was sent to
14 impacted property owners; and

15 **WHEREAS**, the planning commission reviewed this ordinance at its _____
16 meeting and recommended _____;

17 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
18 **PENINSULA BOROUGH:**

19 **SECTION 1.** That the title of KPB Chapter 21.18 is hereby amended as follows:

20 **CHAPTER 21.18. ANADROMOUS [STREAMS] WATERS HABITAT PROTECTION**

1 **SECTION 2.** That KPB 21.18.010 is hereby amended as follows:

2 **21.18.010. Findings.**

3 A. In enacting this ordinance the assembly finds numerous factors affect the
4 habitat of the anadromous [STREAMS] waters within the Kenai Peninsula
5 Borough. These include removal of near shore native vegetation, bank erosion,
6 bank trampling, pollution, inadequate tourism infrastructure, unsuccessful
7 attempts to remedy bank erosion or protect and restore habitat, inconsistent
8 regulations and enforcement, logging, grazing, mining, wetland fill and
9 drainage, excavation and fill of property, dredging, inappropriately installed
10 culverts, fuel storage, and maintenance of existing structures.

11 [B. THE ASSEMBLY FINDS THAT THE SENSITIVITY OF THE RIVER AREA REQUIRES
12 GENERAL PROHIBITION ON ACTIVITIES WITHIN AN AREA IMMEDIATELY ADJACENT
13 TO ANADROMOUS STREAMS, AND ONLY ACTIVITIES WHICH DO NOT DAMAGE THE
14 HABITAT SHOULD BE ALLOWED.]

15 B[C]. The assembly finds that fuel storage and significant removal of
16 vegetation within the 100-year floodplain along the anadromous [STREAMS]
17 waters require regulation to protect the salmon habitat.

18 C[D]. The assembly finds that the uncontrolled use and pollution of
19 shoreland and riparian areas adversely affects the prosperity of the Kenai
20 Peninsula Borough, the public health, safety, convenience, and general welfare,
21 and impairs the tax base.

22 D[E]. The assembly finds that the legislature of Alaska authorizes the
23 borough to provide for planning, platting, and land use regulation. AS
24 29.40.010, Planning, platting, and land use regulation, states in subsection (a)
25 that "[a] first or second class borough shall provide for planning, platting, and
26 land use regulation on an areawide basis."

27 E[F]. The assembly finds that the riparian ecosystem includes stream bank
28 and floodplain areas and recognizes that impacts to anadromous [STREAMS]

1 waters may be due to activities and uses within the greater watershed.

2 F[G]. The assembly finds that the 1997 update of the Alaska Department of
3 Natural Resources Kenai River comprehensive management plan recognized
4 the increased use of the Kenai River resource and its associated impacts and
5 recognized the deterioration of nearshore habitat for juvenile salmon and stated
6 in section 2.2 that "[t]he importance of riparian (stream bank) vegetation to fish
7 and wildlife values cannot be overestimated."

8 G[H]. The assembly finds that it is in the public interest to further public
9 knowledge of, and the maintenance of safe and healthful conditions; prevent
10 and control water pollution; protect anadromous fish spawning grounds,
11 rearing waters, and migration corridors and aquatic life; control building sites,
12 placement of structures, and land uses; and to preserve native shore cover and
13 natural beauty. These responsibilities are hereby recognized by the Kenai
14 Peninsula Borough.

15 **SECTION 3.** That KPB 21.18.020 is hereby amended as follows:

16 **21.18.020. Purpose.**

17 For the purpose of promoting the public prosperity, public awareness, public
18 health, safety, and welfare, this chapter has been established to:

19 A. Protect and preserve the stability of anadromous fish [AND WILDLIFE AND
20 OTHER NATURAL RESOURCES] through:

- 21 1. Controlling shoreline alterations and disturbances;
- 22 2. Preserving nearshore habitat and restricting the removal of natural riparian
23 vegetation;
- 24 3. Controlling pollution sources; and
- 25 4. Prohibiting certain uses and structures detrimental to anadromous
26 [STREAMS] waters and habitat.

1 5. Decreasing significant erosion, sedimentation, damage to the habitat
2 protection district, ground or surface water pollution, and damage to riparian
3 wetlands and riparian ecosystems.

4 B. Provide a guide for growth and development along anadromous
5 [STREAMS] waters in accordance with the Kenai Peninsula Borough
6 Comprehensive Plan and through:

7 1. Minimizing the number and impacts of structures within the habitat
8 protection district;

9 2. Regulating improved access to and within the habitat protection district;

10 3. Establishing minimum lot sizes and widths to provide adequate area for
11 private sewage treatment and to control density;

12 4. Regulating building setbacks from waterways and steep slopes;

13 5. Separating conflicting land uses; and

14 6. Prohibiting certain uses and structures detrimental to the shoreland area.

15 7. Providing educational materials to the public outlining best management
16 practices.

17 C. Achieve the goals and implement the policies of the Kenai Peninsula
18 Borough Comprehensive Plan.

19 D. Protect and enhance real property values.

20 E. Continuing to enjoy the prosperity and abundance provided by
21 anadromous fish to the citizens of the Kenai Peninsula Borough.

22 **SECTION 4.** That KPB 21.18.025 is hereby amended as follows:

23 **21.18.025. Application.**

1 A. The following anadromous [STREAMS] waters, as identified in the "Atlas
2 and Catalog[UE] of Waters Important for Spawning, Rearing, or Migration of
3 Anadromous Fish" published by the Alaska Department of Fish and Game
4 (ADF&G) and listed in the KPB 21.18 Appendix adopted by the assembly and
5 incorporated herein by reference, are subject to this chapter:

6 1. Kenai River District anadromous waters made subject to this chapter on
7 May 15, 1996.

8 2. Major Waters District anadromous waters made subject to this chapter on
9 May 16, 2000.

10 [WITHIN THE EAST SIDE OF COOK INLET AS FOLLOWS:

11 1. KENAI RIVER, STREAM NO. 244-30-10010, AND ITS FOLLOWING
12 TRIBUTARIES:

13 (A) BEAVER CREEK, STREAM NO. 24430-10010-2025

14 (B) SLIKOK CREEK, STREAM NO. 24430-10010-2030

15 (C) SOLDOTNA CREEK, STREAM NO. 24430-10010-2039

16 (D) FUNNY RIVER, STREAM NO. 24430-10010-2050

17 (E) MOOSE RIVER, STREAM NO. 24430-10010-2063

18 (F) KILLEY RIVER, STREAM NO. 24430-10010-2076

19 (G) UPPER KILLEY RIVER, STREAM NO. 24430-10010-2110

20 (H) RUSSIAN RIVER, STREAM NO. 24430-10010-2158

21 (I) QUARTZ RIVER, STREAM NO. 24430-10010-2177

22 (J) TRAIL RIVER, STREAM NO. 24430-10010-2225

23 2. SWANSON RIVER, STREAM NO. 247-90-10020

- 1 3. KASILOF RIVER, STREAM NO. 244-30-10050
- 2 4. NINILCHIK RIVER, STREAM NO. 244-20-10090
- 3 5. DEEP CREEK, STREAM NO. 244-20-10100
- 4 6. STARISKI CREEK, STREAM NO. 244-10-10050
- 5 7. ANCHOR RIVER, STREAM NO. 244-10-10010
- 6 8. FOX RIVER, STREAM NO. 241-14-10645
- 7 9. SELDOVIA RIVER, STREAM NO. 241-11-10730
- 8 10. ENGLISH BAY RIVER, STREAM NO. 241-30-10500
- 9 11. BRADLEY RIVER, STREAM NO. 241-1410625-2010
- 10 12. BISHOP CREEK, STREAM NO. 246-90-10030
- 11 13. CHICKALON CREEK, STREAM NO. 247-60-10110
- 12 14. NORTH FORK OF ANCHOR RIVER, STREAM NO. 24410-10010-2011
- 13 15. SEVEN EGG CREEK, STREAM NO. 24780-10010]

14 [B. IN ADDITION TO THE WATER BODIES LISTED IN 21.18.025(A), ALL
15 ANADROMOUS WATER_BODIES WITHIN THE MUNICIPAL BOUNDARIES OF THE
16 KENAI PENINSULA BOROUGH WHICH ARE LISTED IN THE "ATLAS AND CATALOGUE
17 OF WATERS IMPORTANT FOR SPAWNING, REARING, OR MIGRATION OF
18 ANADROMOUS FISH" AS PERIODICALLY UPDATED AND PUBLISHED BY THE
19 ADF&G ARE SUBJECT TO THIS CHAPTER AS OF JANUARY 1, 2012, EXCLUDING
20 THE FOLLOWING:

- 21 1. ALL PORTIONS OF WATERWAYS FOUND WITHIN THE SEWARD-BEAR CREEK
22 FLOOD SERVICE AREA ARE EXEMPT FROM KPB 21.18
- 23 2. BRAIDED CHANNELS, TIDE DOMINATED DELTAS, ESTUARIES AND LAGOONS
24 WHICH ARE PRIMARILY SEAWATER AND ARE IDENTIFIED AS ANADROMOUS IN THE

1 STATE OF ALASKA ATLAS AND CATALOGUE OF WATERS IMPORTANT FOR
2 SPAWNING, REARING, OR MIGRATION OF ANADROMOUS FISH ARE EXEMPT FROM
3 KPB 21.18]

4 [C. ADDITIONAL ANADROMOUS STREAMS SET FORTH IN KPB 21.18.025 (B) ARE
5 SUBJECT TO KPB 21.18.090 GOVERNING PRIOR EXISTING USES AND STRUCTURES,
6 AS OF THE DATE JANUARY 1, 2012, UNLESS THE ANADROMOUS STREAM IS NOT
7 PUBLISHED IN THE "ATLAS AND CATALOGUE OF WATERS IMPORTANT FOR
8 SPAWNING, REARING, OR MIGRATION OF ANADROMOUS FISH" UNTIL A LATER
9 DATE. THE DATE THAT AN ANADROMOUS STREAM IS ADDED TO THE ATLAS WILL
10 BE THE DATE THAT KPB 21.18.090 IS EFFECTIVE FOR THAT STREAM.]

11 3. West District anadromous waters.

12 4. North District anadromous waters made subject to this Chapter beginning
13 January 1, 2014.

14 5. South District anadromous waters made subject to this Chapter beginning
15 January 1, 2014.

16 B. The reach of streams subject to this Chapter shall be defined by the
17 beginning points and end points of the anadromous waters as identified in the
18 Catalog, unless otherwise specified in KPB 21.18.

19 C. The following waters are excluded from regulation by KPB 21.18:

20 1. All portions of waterways found within the Seward-Bear Creek Flood
21 Service Area are exempt from KPB 21.18

22 2. Braided Channels, Tide Dominated Deltas, Estuaries and Lagoons which
23 are primarily seawater and are identified as anadromous in the State of Alaska
24 Atlas and Catalog of Waters Important for Spawning, Rearing, or Migration of
25 Anadromous Fish are exempt from KPB 21.18

26 D. Lands within the habitat protection district adjacent to the anadromous
27 waters set forth in KPB 21.28.025(A) and the KPB 21.18 Appendix are subject

1 to KPB 21.18.090 governing prior existing uses and structures, as of the date
2 the land becomes subject to this chapter.

3 E. The KPB 21.18 Appendix shall be available at the clerk's office, on the
4 borough web page, and other locations as determined by the mayor for ease of
5 access by the public.

6 **SECTION 5.** That KPB 21.18.027 is added as follows:

7 **21.18.027. Updates to the Atlas and Catalog of Waters Important for**
8 **Spawning, Rearing, or Migration of Anadromous Fish.**

9 The State of Alaska Department of Fish and Game has jurisdiction over
10 anadromous fish and pursuant to AS 16.05.871 and 5 AAC 95.011 maintains
11 and updates the "Atlas and Catalog of Waters Important for Spawning,
12 Rearing, or Migration of Anadromous Fish". Updates to the "Atlas and
13 Catalog of Waters Important for Spawning, Rearing, or Migration of
14 Anadromous Fish" may be made on a nomination form provided by the Alaska
15 Department of Fish and Game and made available on the Alaska Fish and
16 Game website. Updates that may be nominated include adding new waters,
17 adding species to a cataloged water, extending species distribution in cataloged
18 waters, deleting waters or parts of them, updating survey data on cataloged
19 streams, or revising stream channels, labeling errors, or identifying barriers to
20 fish movement.

21 **SECTION 6.** That KPB 21.18.030 is hereby amended by adding new subsection (D) as
22 follows:

23 **21.18.030. Periodic review.**

24 ...

25 D. State of Alaska additions and deletions to the 2011 "Atlas and Catalog of
26 Waters Important for Spawning, Rearing, or Migration of Anadromous Fish"
27 shall be reviewed by the Planning Department River Center Division every

1 three years and the additions and deletions to the catalog shall be presented to
2 the Planning Commission and Assembly as proposed amendments to KPB
3 21.18. Any proposed additions to the KPB 21.18 Appendix shall be supported
4 by data from the ADF&G nomination form including species and other
5 available data such as life stage. ADF&G approved delisting from the
6 “Catalog” shall be presented to the Planning Commission and Assembly as
7 they occur.

8 **SECTION 7.** That KPB 21.18.040 is hereby amended as follows:

9 **21.18.040. Habitat protection district established.**

10 There is established an anadromous [STREAM] waters habitat protection district
11 (habitat protection district). Except as otherwise provided in this section, this
12 district includes all lands within 50 horizontal feet of the [STREAMS] waters set
13 forth in KPB 21.18.025. This shall be measured from the ordinary high water
14 mark or mean high water line in tidal areas. Where the banks within this 50-
15 foot district consist of a 60 degree or more cut bank the habitat protection
16 district shall consist of the greater of 50 feet from the river or to a point 25 feet
17 back from the top of the cut bank.

18 **SECTION 8.** That KPB 21.18.065 is hereby amended as follows:

19 **21.18.065. Activities not requiring a permit.**

20 A. The permit required by this chapter is [ARE] not required for
21 noncommercial recreational and other non-intrusive activities which do not
22 involve construction, excavation, or fill of land and do not result in significant
23 erosion, sedimentation, damage to the habitat protection district, an [OR]
24 increase in ground or surface water pollution, and damage to the riparian
25 wetlands and riparian ecosystems.

1 Natural vegetation on land abutting lakes and streams protects scenic beauty,
2 controls erosion, provides fish and wildlife habitat, moderates temperature,
3 stabilizes the banks, and reduces the flow of effluents and nutrients from the
4 shoreland into the water. Vegetation removal and land disturbing activities
5 within the habitat protection district are prohibited, with the following
6 exceptions which do not require a permit:

7 1. Routine maintenance of existing legally established landscaping and
8 landscape features developed prior to regulation by KPB 21.18, in the habitat
9 protection district, may be continued without a permit. To be considered
10 routine maintenance, activities must have been consistently carried out so that
11 lawns or ornamental plants predominate over native or invasive species.
12 Maintenance is performed with hand tools or light equipment only. Tree
13 removal is not included. "Routine maintenance" activities include mowing;
14 pruning; weeding; planting annuals, perennials, fruits and vegetables; and other
15 activities associated with an ornamental landscape.

16 2. Pruning of trees and woody shrubs for the health and/or renewal of
17 vegetation shall not result in removal of more than 25% of the living crown of
18 a tree, nor jeopardize the health and natural shape of a tree or shrub.

19 3. The removal of downed trees by force of nature or in accord with KPB
20 21.18.071(A)(1).

21 4. The planting of native vegetation does not require a permit provided
22 runoff and erosion are controlled and do not enter the water body.

23 **SECTION 9.** That KPB 21.18.071(A)(1) and (A)(2)(c) are hereby amended as follows:

24 **21.18.071. Staff permits.**

1 A. An application for a permit shall be made and a permit issued before
2 commencement of certain activities, uses, and structures set forth in this
3 section if they do not result in erosion, damage within the habitat protection
4 district, or an increase in ground or water pollution. An application for a permit
5 shall be made to the Kenai Peninsula Borough planning department central
6 office or at the river center. Upon determination that the submitted information
7 of record supporting the permit application meets the requirements of this
8 section, staff shall issue a permit for the following activities, uses, and
9 structures in the habitat protection district:

10 1. [MINOR VEGETATION MANAGEMENT (TRIMMING, PRUNING, OR REMOVAL OF
11 HAZARDOUS TREES)] Tree Management

12 a. A tree, or portion thereof, may be removed for one or more of the
13 following reasons:

14 (i) The tree, or portion thereof, is dead.

15 (ii) The tree is a safety hazard to persons or property.

16 (iii) The tree removal is for the purpose of preventing the spread of disease to
17 other trees.

18 Whenever a tree is removed, it shall be replaced with two saplings of a species
19 native to the region.

20 2. ...

21 c. For elevated light penetrating structures under KP.B 21.18.071(a) and (b),
22 the total length of all elevated light penetrating structures that run along or
23 parallel to the banks of the [STREAMS] waters shall be limited in length to no
24 more than one-third of the total lineal water [RIVER] frontage of the parcel on
25 which it is constructed.

26 ...

1 5. Within the habitat protection district adjacent to a lake, impervious
2 coverage is allowed up to 10% of the habitat protection district, not to exceed a
3 total of 500 square feet, provided that within 10' of the shoreline, no more than
4 25% of native vegetation is removed.

5 Allowable uses include structures for temporary use such as gazebos,
6 barbecues, walkways, fire pits, decks and saunas.

7 Mitigation measures shall be provided to help offset the loss of vegetation.
8 Mitigation measures include, but are not limited to, reserving uplands for
9 native vegetation, or other measures which compensate by reserving equivalent
10 footage of riparian area vegetation.

11 **SECTION 10.** That KPB 21.18.072 is hereby amended as follows:

12 **21.18.072. Limited commercial activity within habitat protection area.**

13 The planning commission may issue a permit for activities to be conducted
14 within or using the habitat protection area as provided in this section. Permits
15 are required for commercial activities of the same nature as those allowed
16 under KPB 21.18.065 [21.18.070 B.] for private non-commercial use upon
17 conditions that the activity is limited to pedestrian use over boardwalks, stair
18 and docks necessary to alleviate the increased levels of activity attendant to the
19 commercial activity. A permit may not be issued unless the planning
20 commission determines the activity will be conducted in a manner that does
21 not result in significant erosion, sedimentation, damage to the habitat
22 protection district, an increase in ground or surface water pollution, and
23 damage to riparian wetlands and riparian ecosystems. [DESTRUCTION OR
24 WETLANDS OR RIPARIAN HABITAT, OR RESULT IN OR INCREASE GROUND OR
25 WATER POLLUTION. PERMITS ARE CONDITIONED UPON COMPLIANCE WITH ALL
26 APPLICABLE FEDERAL, STATE AND LOCAL LAWS AND REGULATIONS.] In granting
27 a permit, the planning commission may establish such conditions on the

1 development, use or operation of the activity or facility for which the
2 conditional use permit is granted as it determines necessary to prevent
3 significant erosion, sedimentation, damage to the habitat protection district, an
4 increase in ground or surface water pollution, and damage to riparian wetlands
5 and riparian ecosystems. [EROSION, DESTRUCTION OF WETLANDS OR RIPARIAN
6 HABITAT OR RESULT IN OR INCREASE GROUND OR WATER POLLUTION.] The
7 activity must be conducted on a portion of property adjacent to the property
8 within the habitat protection area for which the permit is sought.

9 **SECTION 11.** That KPB 21.18.075 is hereby amended as follows:

10 Any use or structure not permitted in KPB 21.18.065, KPB 21.18.071 or
11 21.18.081 is prohibited.

12 **SECTION 12.** That KPB 21.18.081(B)(9)(a) is hereby amended as follows:

13 **21.18.081. Conditional use permit.**

14 B. Conditional uses and structures. The following conditional uses and
15 structures may be approved in the habitat protection district:

16 ...

17 9. Private boat launches and related facilities that are established to serve the
18 public provided the following standards are met:

19 a. A plan of operation is submitted that includes hours of operation, seasons of
20 operation, daily boat launch capacity, parking plan, types of boats and clients
21 to be served, fees charged, location of other public boat launches on the
22 anadromous [STREAM] waters; ancillary facilities including but not limited to
23 restrooms, storage sheds, waiting platforms or areas, a statement of need that
24 the facility will serve, and other information requested to aid in the
25 determination of habitat protection measures.

26 ...

1 **SECTION 13.** That KPB 21.18.081 is hereby amended by adding new subsections (B)(11)
2 and (B)(12) as follows:

3 **21.18.081. Conditional use permit.**

4 ...

5 B. Conditional uses and structures. The following conditional uses and
6 structures may be approved in the habitat protection district:

7 ...

8 11. Water dependent lakeshore related uses or structures specified in KPB
9 21.18.081(B)(11)(b) may be permitted within the habitat protection district.

10 a. In addition to meeting the general standards set forth in KPB 21.18.081(D)
11 the permit shall be subject to the following conditions:

12 1. Vegetation removal does not exceed the minimum required for the use or
13 structure, and does not exceed 25 percent of the total parcel lakeshore frontage.

14 2. Fifty (50) feet of native vegetative habitat buffer upland of the disturbed
15 area or a mitigation plan consistent with KPB 21.50.091 approved by the
16 planning commission.

17 3. The planning commission may place additional conditions on the permit to
18 protect and preserve the habitat protection district consistent with KPB
19 21.18.081(E).

20 b. The following uses or structures may be permitted in the anadromous habitat
21 protection district if consistent with the criteria set forth in KPB
22 21.18.081(B)(11)(a):

23 1. Watercraft landings

24 2. Floatplane landings and haul-outs. Floatplane landings and haul outs may
25 also be used as water craft landings and haul outs.

1 12. Boat launches restricted to private use may be permitted on anadromous
2 lakes that have no public boat launch if the application meets the general
3 standards set forth in KPB 21.18.081(D). The permit shall be subject to the
4 following conditions:

5 a. Properties may not qualify for both a lakeshore activity or structure under
6 KPB 21.18.081(B)(11) and a private use boat launch under this KPB
7 21.18.081(B)(12).

8 b. The launch approach may not exceed 12 feet in width.

9 c. Erosion and sediment control measures must be specified in the permit
10 application and implemented both during construction and operation.

11 d. The launch is used solely for the purpose of launching a boat. Vehicle
12 parking and other uses that may have a detrimental impact on the habitat
13 protection district are not allowed.

14 e. The planning commission may place additional conditions on the permit to
15 preserve and protect the habitat protection district consistent with KPB
16 21.18.081(E).

17 **SECTION 14.** That KPB 21.18.081(D)(1) is hereby amended as follows:

18
19 D. General standards. All of the following standards shall be met before
20 conditional use approval may be granted.

21 1. The use or structure will not cause significant erosion, sedimentation,
22 damage to [WITHIN] the habitat protection district, [OR] an increase in ground
23 or surface water pollution, and damage to riparian wetlands and riparian
24 ecosystems;

25 **SECTION 15.** That KPB 21.18.090 is hereby amended as follows:

1 **21.18.090. Prior existing uses and structures.**

2 A. Intent. There are uses which were conducted, and structures which were
3 under construction, or exist and were in use before the enactment of this
4 ordinance which would be prohibited or restricted under the terms of this
5 ordinance or future amendments. It is the intent of this section to allow
6 [PERMIT] these prior existing uses or structures to continue but not be
7 increased, expanded, or intensified. Any prior existing uses or structures must
8 still comply with other applicable laws.

9 B. The burden of proof is on the applicant to show that a prior existing use or
10 structure existed, when the use or structure was established, and the size,
11 location, and level of use.

12 C. Structures. Structures which were under construction or in use before the
13 effective date of any provision of this chapter, but that would be prohibited or
14 restricted under the terms of this chapter, shall be allowed to continue,
15 provided that a structure under construction must have been substantially
16 completed by April 16, 1998 for the anadromous waters set forth in KPB 21.18
17 Appendix Kenai River District, May 16, 2002, for the anadromous [STREAMS]
18 waters set forth in KPB 21.18 Appendix Major Waters District, January 1,
19 2014 for the anadromous waters set forth in KPB 21.18 Appendix West
20 District, and January 1, 2016 for the anadromous waters set forth in KPB 21.18
21 Appendix South District and North District.

22 1. Upon application and approval of a prior-existing structure/use permit by
23 planning department staff principal structures may be replaced, repaired or
24 reconstructed within three [TWO] years after [ACCIDENTAL] damage or
25 destruction. [BY FIRE, EXPLOSION, NATURAL DISASTER, FLOOD, OR OTHER
26 CASUALTY, FORCE OF NATURE, OR OTHER FORCE OR ACT BEYOND THE OWNER'S
27 CONTROL AND NOT INTENTIONALLY CAUSED BY THE OWNER.] If a principal
28 structure is not substantially damaged and only a portion of the structure has
29 been damaged or destroyed, only that portion may be repaired or replaced. The
30 height of an original principal structure and area encompassed by the original

1 footprint cannot be increased. The structure must be similar in size and use to
2 the structure being repaired or replaced. Repair, replacement, or reconstruction
3 may only encompass the same square footage that the structure occupied prior
4 to damage or destruction, and the structure must be more compliant with this
5 chapter which shall be determined by application of mitigation measures set
6 forth in KPB 21.18.091 to the maximum extent practicable. Staff will
7 determine the mitigation measures to be used consistent with the following
8 conditions:

9 a. The structure will not increase [CAUSE] significant erosion, sedimentation,
10 damage to [WITHIN] the habitat protection district, [OR] an increase in ground
11 or surface water pollution, and damage to riparian wetlands and riparian
12 ecosystems;

13 b. Permitting repair, reconstruction, or replacement shall be consistent with
14 the purposes of this chapter as set forth in KPB 21.18.020, the borough
15 comprehensive plan, another applicable chapters of the borough code, and
16 other applicable planning documents adopted by the borough;

17 c. The reconstruction, replacement, or repair will not physically damage the
18 adjoining property;

19 d. Removal of materials or debris remaining from the damage or destruction;
20 and

21 e. Owner's compliance with other borough permits and ordinance
22 requirements.

23 2. The right to reconstruct in nonconformity with the chapter is forever lost if

24 a. the application for reconstruction or repair is not made within 24 months
25 [SIX MONTHS] after of the date of accidental damage[,] or destruction or within
26 6 months prior to the owner's intentional damage or destruction or

1 b. the application is approved but the structure is not substantially
2 reconstructed within 36 months [24 MONTHS] of the date of the approval of the
3 application for reconstruction.

4 (i) For reasonable and sufficient cause shown for the delay, the director of
5 planning may authorize an extension not to exceed 12 months to complete
6 reconstruction.

7 (ii) To obtain an extension of time an applicant shall submit a written request
8 for an extension to the planning department prior to the expiration of the 36
9 months [24 MONTH] reconstruction period. The applicant must show reasonable
10 and sufficient cause for the extension.

11 3. Nothing in this section prohibits reconstruction at any time in compliance
12 with this chapter.

13 4. The provisions applicable to principal prior existing structures set forth in
14 KPB 21.18.090(C)(1)(2)(3) also apply to the replacement, repair or
15 reconstruction of accessory structures within the habitat protection district. In
16 addition to those provisions the following rules apply to accessory structures:

17 a. Accessory structures may be replaced or reconstructed outside of the
18 habitat protection district without a KPB 21.18 permit.

19 b. Notwithstanding subsection a. above, accessory structures may not be
20 replaced or reconstructed in KPB 21.06 mapped floodplains or floodways.

21 c. The applicant must document the specific circumstances that would
22 prevent the accessory structure from being located outside of the habitat
23 protection district in order to be permitted to [REPAIR,] replace, or reconstruct
24 the accessory structure within the habitat protection district.

25
26 5. Any prior existing structure which has been declared a public nuisance,
27 health or fire hazard pursuant to KPB 21.16.010 shall thereafter not be
28 conducted, used or occupied except in conformity with the provisions of this

1 chapter. The Planning Department may require removal of structures which
2 have been declared a public nuisance, health or fire hazard pursuant to KPB
3 21.16.010.

4 D. Uses. This chapter shall not prohibit or restrict uses which were legally
5 conducted before the effective date of this section, provided that, after the
6 effective date, such uses are conducted in the same location and are not
7 enlarged to include a greater number of participants or to occupy a greater area
8 of land. Any prior existing use which has ceased to be used, for forty eight
9 consecutive months or more, shall be considered abandoned and thereafter not
10 be conducted, used or occupied except in conformity with the provisions of this
11 chapter. Upon application and approval of a prior existing structure/use permit
12 by planning department staff a change to the prior existing use may be allowed.
13 No change shall be granted unless the change reduces the noncompliance, by
14 use of mitigation procedures set forth in KPB 21.18.091, to the maximum
15 extent practicable. Staff will determine the mitigation measures to be used
16 consistent with the following conditions:

17 1. The use will not increase [CAUSE] significant erosion, sedimentation,
18 damage to [WITHIN] the habitat protection district, [OR] an increase in ground
19 or surface water pollution, and damage to riparian wetlands and riparian
20 ecosystems;

21 2. Permitting the use shall be consistent with the purposes of this chapter as
22 set forth in KPB 21.18.020, the borough comprehensive plan, another
23 applicable chapters of the borough code, and other applicable planning
24 documents adopted by the borough;

25 3. The use will not physically damage the adjoining property;

26 4. Removal of materials or debris resulting from the prior-existing use; and

27 5. Owner's compliance with other borough permits and ordinance
28 requirements.

1 [E. OTHER PROVISIONS.

2 [1. ANY PRIOR EXISTING USE OR STRUCTURE WHICH IS ABANDONED FOR TWO
3 YEARS OR MORE SHALL THEREAFTER NOT BE CONDUCTED, USED OR OCCUPIED
4 EXCEPT IN CONFORMITY WITH THE PROVISIONS OF THIS CHAPTER.

5 2. THE DELIBERATE DESTRUCTION OF A PRIOR EXISTING STRUCTURE BY THE
6 OWNER TERMINATES THE PRIOR EXISTING STATUS.

7 3. THE PLANNING DEPARTMENT MAY REQUIRE REMOVAL OR CESSATION OF
8 ABANDONED USES OR STRUCTURES.

9 4. NOTHING IN THIS CHAPTER SHALL PREVENT ANY CHANGE OF TENANCY,
10 OWNERSHIP OR MANAGEMENT OF ANY PRIOR EXISTING STRUCTURE.]

11 E.[F.] Impervious materials placed in the habitat protection district which are
12 not structures are not allowed as either prior existing uses or prior existing
13 structures. The planning department may require removal of these materials.

14 F.[G.] Planning department determinations regarding prior existing structures
15 and prior existing uses may be appealed to the planning commission.

16 G.[H.] Nothing in this chapter shall prevent any change of tenancy, ownership
17 or management of any prior existing structure.

18 **SECTION 16. That KPB 21.18.140 is hereby amended as follows:**

19 **21.18.140. Definitions.**

20 As used in this chapter:

1 [Y.] "Abandoned" means to cease a use for a specified time period, whether the
2 cessation of use is intentional or unintentional, and whether or not the use is
3 seasonal.

4 [W.] "Accessory structure" means a use or structure that is subordinate in size
5 or purpose to the principal structure or use of the same lot or parcel of ground
6 and serving a purpose customarily incidental to the use of the principal
7 structure or use of land.

8 "Anadromous Waters" as used within KPB 21.18 means those fresh or
9 predominately fresh waters of the Kenai Peninsula Borough which have been
10 listed by the State of Alaska Department of Fish & Game in the "Atlas and
11 Catalog of Waters Important for Spawning, Rearing or Migration of
12 Anadromous Fish" and also listed within KPB 21.18 and the KPB 21.18
13 Appendix.

14 [R.] "Best management practices" means that combination of conservation
15 measures, structures, or management practices that reduces or avoids adverse
16 impacts of development on land, water or waterways, and water bodies.

17 [AH.] "Braided Channels" means the intertwined branches or secondary
18 channels of a river or stream and characterized by the separation and rejoining
19 of two or more channels separated by bars or islands.

20 [A.] "Commercial use" shall mean an occupation, employment, or enterprise
21 that is carried on for sale of goods or services or for profit.

22 [B.] "Conditional use" shall mean a use that would not be appropriate without
23 restrictions throughout the habitat protection area but which, if controlled as to
24 number, area, location, relation to the habitat or method of operation, would
25 not cause or lead to significant erosion, [DESTRUCTION OF WETLANDS OR
26 RIPARIAN HABITAT, OR RESULT IN OR INCREASE GROUND OR WATER POLLUTION.]

1 sedimentation, damage to the habitat protection district, an increase in ground
2 or surface pollution and damage to riparian wetlands and riparian ecosystems.

3 [U. "CONDITIONAL USE" MEANS A USE OR ASSOCIATED STRUCTURE WHICH,
4 OWING TO SOME SPECIAL CHARACTERISTICS ATTENDANT TO ITS OPERATION OR
5 INSTALLATION, IS PERMITTED IN A DISTRICT SUBJECT TO SPECIAL STANDARDS
6 AND CONDITIONS IN ADDITION TO THE USUAL REQUIREMENTS FOR THE DISTRICT
7 IN WHICH THE CONDITIONAL USE MAY BE LOCATED.]

8 [C.] "Cut bank" shall mean banks of anadromous [STREAMS] waters with
9 exposed soil surface that have occurred from natural or manmade causes
10 whether the exposed surface extends to the high water mark or not.

11 [S.] "Emergency" means a sudden unexpected occurrence, either the result of
12 human or natural forces, necessitating immediate action to prevent or mitigate
13 significant loss or damage to life, health, property, essential public services, or
14 the environment.

15 [D.] "Erosion" shall mean significant sloughing, washout, or discharge of soil
16 arising from manmade sources or causes.

17 [AG.] "Estuary" means a semi-enclosed coastal body of water with a free
18 connection to the sea and in which seawater is measurably diluted with
19 freshwater derived from land drainage.

20 [E.] "Fuel storage tank" shall mean any vessel for the storage of petroleum
21 based fuels including gasoline, diesel, kerosene and heating oil having a liquid
22 volume of 200 gallons or more.

23 [O.] "Gratewalks" shall mean elevated light penetrating (ELP) walkways
24 utilizing some variety of open grate material as a surface.

1 [F.] "Ground or water pollution" shall mean the discharge; application, spread
2 or release of chemicals, toxic materials, fuels, pesticides, petroleum based fuels
3 on or into the soil and waters within the habitat protection area.

4 [AD.] "Higher high water" The higher of the two high waters of a tidal day
5 where the tide is of the semidiurnal or mixed type. The single high water
6 occurring daily during periods when the tide is diurnal is considered to be
7 higher high water.

8 [AC.] "Impervious Coverage" means an area of ground that, by reason of its
9 physical characteristics or the characteristics of materials covering it, does not
10 absorb rain or surface water. All parking areas, driveways, roads, sidewalks
11 and walkways, whether paved or not, and any areas covered by buildings,
12 structures, or water shedding material such as, but not limited to, concrete,
13 asphalt, brick, stone, wood, ceramic tile, plastic sheeting or metal shall be
14 considered to be or have impervious coverage. Elevated light penetrating
15 structures meeting the requirements of KPB 21.18.071 A.2 shall not be counted
16 as impervious coverage.

17 [G.] "Kenai River" shall mean the main stem of the river from and including
18 Kenai Lake to the mouth including Skilak Lake. The main stem shall include
19 all sloughs, channels, boat basins, distributaries, and lagoons. For the purpose
20 of this chapter, the mouth shall be described as the western most section line
21 common to Section 5 and Section 8, T5N, R11W, Seward Meridian.

22 [AI.] "Lagoon" means relatively shallow bodies of water, mostly-enclosed,
23 with an oceanic source, separated by a low-lying swatch of land, such as a spit
24 or barrier island. This oceanic source may be continual or episodic, such as
25 storm-induced overwash, and generally has a different salinity as a result of its
26 restricted access.

1 [V.] "Lift" means a structure which elevates and lowers boats, floatplanes,
2 people, and cargo to and from the river or adjacent shoreland.

3 [H.] "Logging" shall mean removal or cutting down more than 50 trees per acre
4 that have a breast diameter height of 6" or more.

5 [AE.] "Mean Higher High Water" A tidal datum. The average of all the daily
6 higher high water recorded over a 19-year period or a computed equivalent
7 period.

8 [I.] "Mean high water line" or "ordinary high water line" shall have the
9 definition given in 11 AAC 53.900(15) as it currently exists or as it may be
10 renumbered or revised.

11 [AF.] "Mile Zero" The downstream beginning point of the anadromous waters
12 identified in 21.18, and the riparian zone defined as the habitat protection
13 district. On riverine systems subject to tidal inundation, Mile Zero begins at the
14 elevation of mean high tide, where not otherwise designated by KPB code or
15 prior designations.

16 [AB.] "Native vegetation" means native plant communities that are undisturbed
17 or mimicked.

18 [J.] "Ordinary high water mark" shall have the definition given in 11 AAC
19 53.900(23) as it currently exists or as it may be renumbered or revised.

20 [X.] "Principal structure" means a structure in which is conducted the principal
21 use of the lot on which it is located.

1 “Public launch” means a facility accessible to the general public used to launch
2 and retrieve trailered boats and is capable of launching such boats with a
3 passenger vehicle and trailer in a safe manner.

4 [K.] “Riparian habitat” shall mean the areas within and adjacent to [THE RIVER]
5 anadromous waters containing spawning and rearing habitat for salmon or that
6 provide immediate cover or stability for salmon and eggs at all stages of
7 development.

8 [Q.] "River center" shall mean the Kenai Peninsula Borough Donald E. Gilman
9 River Center.

10 [L.] "Soil erosion" shall mean the increased movement of soils that occurs as a
11 result of human activities or development.

12 [M.] "Structure" shall mean anything which is constructed, erected or moved to
13 or from any premises and which is located above, on, or below the ground,
14 including buildings, roads, signs, billboards, satellite antennas and other
15 communication structures, fences, and mobile homes. Building materials
16 including but not limited to doors, windows, carpet, roofing, posts, and beams
17 which have not been assembled, incorporated, or erected into a structure do not
18 alone or collectively constitute structures.

19 [P.] "Substantially complete" shall mean essentially completed and available
20 for the owner's beneficial use for the purpose and in the manner intended for
21 the structure.

22 [Z.] "Substantially damaged" shall mean that the cost to repair the damage
23 equals or exceeds 50% of the structures' assessed value prior to the damage.

24 [AA.] "Substantially reconstructed" shall mean completed to a point where the
25 structure is available for the owner's beneficial use or occupancy.

1 [AJ.] "Tide Dominated Delta" means a river delta subject to tidal inundation as
2 well as tidal and storm erosion which may be mainly submarine with
3 prominent bars or ridges.

4 [T.] "Watershed" means a land area, also known as a drainage area, which
5 collects precipitation and contributes runoff to a receiving body of water or
6 point along a watercourse.

7 [N.] "Wetlands" shall have the meaning given in 16 USC § 1302 as applied to
8 land within the habitat protection area.

9 **SECTION 17.** That Section 3 of KPB Ordinance 2011-12 authorizing the implementation of
10 that ordinance in phases is hereby repealed.

11 **SECTION 18.** That this ordinance shall take effect immediately upon its enactment.

12 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
13 **DAY OF * 2013.**

Linda Murphy, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

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**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

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

FROM: Mike Navarre, Borough Mayor *MN*

DATE: June 7, 2013

SUBJECT: Ordinance 2013-18 Appendix

The Appendix that is incorporated into Ordinance 2013-18 by reference is still under review and being finalized by Kenai River Center staff. It is anticipated that a finalized version of the Appendix will be completed sometime the week of June 10. Once completed, the Appendix will be made available to the Assembly.



KENAI PENINSULA BOROUGH

Legal Department

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**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

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

THRU: Mike Navarre, Borough Mayor *MN*

FROM: *HBM* Holly B. Montague, Deputy Borough Attorney

COPY: Paul Ostrander, Chief of Staff
Max Best, Director of Planning

DATE: June 4, 2013

SUBJECT: Ordinance 2013-18, repealing certain provisions of KPB Ordinance 2011-12 regarding anadromous waters

Please find following a sectional analysis summarizing and explaining the revisions to KPB 21.18 that resulted from the completed anadromous task force process.

Several changes occur throughout the ordinance.

First, throughout the ordinance the reference to streams or waterbodies has been changed to waters. There were concerns raised in public commentary that streams were not understood to include lakes in ordinance 2011-12. Lakes have been specifically included in KPB 21.18 since it was first adopted in 1996 when the only waters covered were Kenai Lake, Skilak Lake, and the Kenai River. The 2000 amendment also added lakes to the regulation. However, the term waters is more inclusive and clarifies that various types of waterbodies are covered by the ordinance. The term "waters" is also the term used by the state in the "Atlas and Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fish" (Catalog). The waters regulated by KPB 21.18 are drawn from this Catalog.

Second, throughout the ordinance the following standard appears: "Decreasing significant erosion, sedimentation, damage to the habitat protection district, ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems." This terminology was not always consistently stated in the current code.

KPB 21.18.010 - Findings.

Section (B) is deleted. The section raised concerns that it would authorize overreaching enforcement of regulations. Additionally, there are allowed activities within the habitat protection district, not a blanket prohibition on all activities.

Section (D) is amended by adding a reference to the ‘prosperity’ of the Kenai Peninsula Borough as anadromous fish are an integral part of the borough’s economy.

Section (H) is amended to clarify the educational purposes of KPB 21.18 and to specifically delineate the purpose of the chapter as protecting anadromous fish rearing and migration waters as well as spawning grounds, as all parts of the life cycle of the fish are necessary to adequately protect the resource.

KPB 21.18.020 - Purpose.

The purpose clause is amended to again reference the public education and prosperity aspects of KPB 21.18.

Additionally, the reference to protecting and preserving wildlife and other natural resources in Section (A) is deleted as that is not a purpose of KPB 21.18 and both wildlife and natural resources are predominantly regulated by the state.

Subsection (A)(5) is added to include the standard that the code endeavors to meet: Decreasing significant erosion, sedimentation, damage to the habitat protection district, ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems.

Subsection (B)(2) is amended to add a paragraph 7 providing that educating the public as to best management practices is a purpose of the code.

Section (E) is added to reference the contribution of anadromous fish to the prosperity of the borough and that a stated purpose of the code is the continued abundance of anadromous fish.

KPB 21.18.025 – Application.

Section (A) repeals the verbiage adopted in 2011-12 which extended the application of 21.18 to most of the anadromous waters in the borough. The section also adopts an appendix setting forth the anadromous waters regulated by KPB 21.18. The regulated waters are only those that staff has verified have been documented as anadromous; therefor, this list is smaller than the catalog. The exemptions for anadromous waters in the Seward-Bear Creek Flood Service Area and tidally influenced areas adopted by ordinance 2012-06 are retained. The regulated waters are divided into five districts: the Kenai River District consisting of the waters regulated by the 1996 ordinance, the Major Waters District regulated by the 2000 amendments, the West district which waters are currently regulated; the north district slated for implementation January 1, 2014, and the South district slated for implementation on January 1, 2014.

Section (D) grants prior existing use and structure status to properties within the district as of the date of implementation. This means that uses and structures that existed prior to the

implementation date that may be in violation of the newly implemented regulations will be allowed to continue as provided in KPB 21.18.090.

Section (E) makes the public aware of how to obtain the Appendix.

KPB 21.18.027 - Updates to the Atlas and Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fish.

This new section refers the public to the state process for updating the Catalog.

KPB 21.18.030 – Periodic review.

Provides that additions to the Catalog will be reviewed for inclusion in the borough's appendix every three years. Deletions will be reviewed as they occur. This will assist in ensuring that all anadromous waters in a district are regulated, and those which are not anadromous are not regulated.

KPB 21.18.040 - Habitat protection district established.

This section adds an abbreviation for anadromous waters habitat protection district, i.e., habitat protection district.

KPB 21.18.065 - Activities not requiring a permit.

Section (A) is amended to declare the advantages of maintaining natural vegetation on lands abutting anadromous waters. The extent of vegetation management allowed in the habitat protection district has long been misunderstood. This section clarifies what is allowed by defining the routine maintenance that is allowed. It further clarifies how much vegetation may be removed and under what conditions downed trees may be removed. The section specifically allows for the planting of native vegetation without a permit as long as runoff and erosion are controlled.

KPB 21.18.071 - Staff permits.

Section (A) is amended to provide a staff permit for tree removal when the tree is dead, a safety hazard, or diseased.

Subsection (A)(5) allows certain impervious coverage for lakefront lots to allow for structures such as gazebos, barbecues, walkways, fire pits, decks and saunas. The section also provides for mitigation measures to be part of the permit process to offset the loss of vegetation resulting from the permitted structure.

KPB 21.18.081 - Conditional use permit.

Section (B) is amended to allow certain structures common to lakefront ownership through the conditional use permit process, specifically watercraft landings and float plane landings and haulouts. Boat launches are also allowed where no public boat launch exists on a lake subject to the conditions stated in the ordinance. The planning commission may place additional conditions on the permit to preserve and protect the habitat protection district consistent with 21.18.081(E).

KPB 21.18.090 - Prior existing uses and structures.

This section is revised to allow someone to intentionally destroy or damage a structure and still rebuild it within the habitat protection district. Formerly, only accidentally destroyed or damaged structures could be repaired or reconstructed. It also lengthens the time to 24 months from 6 months to apply for the permit to accommodate for seasonal use of many of the water-abutting properties. The timeframe to complete a project under a permit is also extended from 2 years to 3 years. If a structure has been declared a public nuisance, health or fire hazard under the borough's condemnation procedures set forth in KPB 21.16.010 then the right to the prior existing structure is lost.

Under section (D) a prior existing use that has not been used for 48 consecutive months is considered abandoned and must be used in conformity with the chapter.

Section (G) clarifies that the right to a prior existing structure does not cease with a change of ownership.

KPB 21.18.140 - Definitions.

Definitions of anadromous water, public launch are added as new terms used in this ordinance. The definitions are also alphabetized for ease of reference.



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

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

THRU: Mike Navarre, Borough Mayor *MN*

FROM: Max Best, Planning Director *MB*

DATE: May 30, 2013

SUBJECT: Ordinance 2013-18, Repealing the Provisions of KPB Ordinance 2011-12 Which Required the Borough to Regulate All Waters in the "Atlas and Catalogue of Waters Important for Spawning, Rearing, or Migration of Anadromous Fish" and Amending KPB Chapter 21.18 by Adopting an Appendix Identifying Regulated Anadromous Waters, Adopting Special Exceptions for Lake Front Properties, and Expanding Protections for Prior Existing Uses and Structures.

The Planning Commission reviewed the subject ordinance during their regularly scheduled May 28, 2013 meeting. A motion to recommend adoption of Ordinance 2013-18 passed by unanimous consent.

In the ordinance, please make the following amendment to the last WHEREAS:

WHEREAS, the planning commission reviewed this ordinance at its May 28, 2013 meeting and recommended adoption by unanimous consent.

Attached are the unapproved minutes of the subject portion of the meeting.

AGENDA ITEM F. PUBLIC HEARINGS

4. Ordinance 2013-18, Repealing the Provisions of KPB Ordinance 2011-12 Which Required the Borough to Regulate All Waters in the "Atlas and Catalogue of Waters Important for Spawning, Rearing, or Migration of Anadromous Fish" and Amending KPB Chapter 21.18 by Adopting an Appendix Identifying Regulated Anadromous Waters, Adopting Special Exceptions for Lake Front Properties, and Expanding Protections for Prior Existing Uses and Structures.

Staff Report given by Paul Ostrander

PC Meeting: 5/28/13

The first meeting of the Task Force was on August 9, 2012. Over the last 8 months, the task force looked at all aspects of KPB 21.18. Specifically, they looked at Ordinance 2011-12 which was passed in June 2011 which expanded the anadromous ordinance and was the ordinance that brought this to the forefront.

At the April 29, 2013 task force meeting approved an amendment of KPB 21.18 which came as a recommendation to the Administration and the Assembly. The amendment was passed by a vote of 5 to 3.

Ordinance 2013-18 is a very complex ordinance. The Mayor is now the sponsor of the ordinance that will be voted on by the commission at this meeting. This ordinance is essentially the same as the task force recommended ordinance. There are three small differences which are as follows:

1. The following standard appears throughout the ordinance: "... *that does not result in significant erosion, sedimentation, damage to the habitat protection district, an increase in ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems.*" The ordinance adds the word "riparian" before ecosystems as ecosystems without a modifier is a very broad term beyond the scope of KPB Chapter 21.18.
2. The reference to "density of fish" as a standard for modifying the anadromous waters appendix is deleted from KPB 21.18.030(0). The density standard is not identified by any number or range of number of anadromous fish; nor is density part of the criteria being applied in the ongoing staff verification of anadromous waters for the appendix.
3. The replacement requirement for tree removal in KPB 21.18.071(A)(1) is revised to delete the requirement that the replacement tree have a one-inch diameter at 4.5 feet above the ground in favor of replacement with two native saplings because the impact to the habitat may be less by planting two saplings.

One item that has been changed throughout the ordinance is with the word stream which has been changed to water. The word stream in the ordinance has caused a lot of misunderstanding over the years primarily because people assume that it only regulated streams. Since 1996, the ordinance has not only regulated rivers but also lakes.

The second global change had to do with a standard that was added that was meant to protect the Habitat Protection District. It reads as: "*Decreasing significant erosion, sedimentation, damage to the habitat protection district, ground or surface water pollution and damage to riparian wetlands and riparian ecosystems.*" It was included as a synopsis of what they are trying to do in protecting the Habitat Protection District. The word riparian was added in front of ecosystems just to make sure that they understood that they weren't just talking about ecosystems as a whole. Riparian ecosystems are ecosystems that are directly adjacent to these waterbodies.

Distinct districts have been developed. There are five districts which are as follows:

1. Kenai River District - includes the waters that were regulated in the 1996 ordinance.
2. Major Waters District – includes the waters that were regulated in 2000.

The three areas that were regulated under 2011-12 have been broken down to three distinct districts.

3. West District – covers the west side of the Inlet.
4. North District – covers the east side of the Inlet.
5. South District – covers the east side of the Inlet.

All these districts were incorporated into an Appendix which is incorporated with the ordinance.

Following are the specific additions or changes that were made to the ordinance.

The following subsection was added:

That KPB 21.18.030 is hereby amended by adding new subsection (D) as follows:

21.18.030. Periodic review.

D. State of Alaska additions and deletions to the 2011 "Atlas and Catalog of Waters important for Spawning, Rearing, or Migration of Anadromous Fish" shall be reviewed by the Planning Department River Center Division every three years and the additions and deletions to the catalog shall be presented to the Planning Commission and Assembly as proposed amendments to KPB 21.18. Any proposed additions to the KPB 21.18 Appendix shall be supported by data from the ADF&G nomination form including species and other available data such as life stage. ADF&G approved delisting from the "Catalog" shall be presented to the Planning Commission and Assembly as they occur.

This is in regards to additions to the Appendix. The State's catalog is continuously being updated. Every year there is an update that goes to the Lieutenant Governor who signs it in. Those waters are added to the catalog. Occasionally, there are deletions to the catalog that go through the same process. This ordinance would handle all those additions. Every three years the Planning Department would review all additions to the catalog and compile the waters that they think are appropriate to include under regulation and send those to the Planning Commission and Assembly for their consideration. If there are deletions from the catalog in any year then those will be taken directly to the Planning Commission and Assembly as they occur.

A new section was added which is as follows:

Section 5. That KPB 21.18.027 is added as follows:

21.18.027. Updates to the Atlas and Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fish.

The State of Alaska Department of Fish and Game has jurisdiction over anadromous fish and pursuant to AS 16.05.871 and 5 AAC 95.011 maintains and updates the "Atlas and Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fish". Updates to the "Atlas and Catalog of Waters Important for Spawning, Rearing or Migration of Anadromous Fish" may be made on a nomination form provided by the Alaska Department of Fish and Game and made available on the Alaska Fish and Game website. Updates that may be nominated include adding new waters, adding species to a cataloged water, extending species distribution in cataloged waters, deleting waters or parts of them, updating survey data on cataloged streams, or revising stream channels, labeling errors, or identifying barriers to fish movement.

This explains the process where a process form can be filled out and either get a water added or deleted from the State's catalog.

The section of the code, KPB 21.18.065 Activities not requiring a permit has been clarified and expanded. There was a lot of discussion throughout the public meetings that the task force had about what exactly this entailed, like with routine maintenance. Questions came up if someone was still allowed to maintain a lawn, shrubs, garden, etc. if it existed prior to the ordinance. This portion of the ordinance clarifies that and those

activities are allowed under prior existing use and no permit is required. It also adds some additional things like removing downed trees by a force of nature. In those cases, permits are not required to remove downed trees under this ordinance.

There is a new paragraph added under Staff Permits. It allows certain activities on lakefront properties. This section covers activities that are allowed on lakefront properties. Lakefront properties are inherently different than those that are along streams and rivers. There are certain activities that are allowed on lakefront properties that are not allowed on rivers but specifically to lakes.

There is also a section of staff permits that is amended to better define allowable tree management within the Habitat Protection District. This section talks about the removal of trees and if there is a removal of a tree, instead of having to replace it with a tree that is 1 inch in diameter, 4½ feet up the tree, it now can be replaced with two saplings that are native to the region.

Commissioner Isham asked if that was added because Mr. Harpring brought it to the attention of the taskforce. Mr. Ostrander believed that Mr. Harpring brought it to River Center's attention who then brought it to his attention. Commissioner Isham's point was that the task force did listen.

Section 21.18.081, Conditional use permit section has been modified to allow a permit for certain water dependent lakeshore activities. These are activities that occur on lakes that don't necessarily occur on streams or rivers. These activities that are allowed under the conditional use permit include watercraft landings and floatplane landings and haul-outs. The conditional use permit section also was amended to allow for the construction of boat launches on lakefront properties. If someone has lakefront property and the lake does not have a public boat launch, this will allow a private boat launch to be built.

Another section that was modified significantly was the prior existing use section. The ordinance attempts to modify this prior existing use so that the burden on the landowners is less than what it was previously. It allows the landowners additional time to apply for permits for prior existing use structures. It also gives additional time to construct those structures. If a structure is destroyed in a flood then the owners have more time to apply for the permit to rebuild it. There is also additional time above what the existing ordinance has to allow a structure to be built in the same location. There is also an additional provision which allows an individual to plan and demolish their own prior existing structure within the Habitat Protection District and then reconstruct it in the same location. Under the current code, someone cannot intentionally destroy a structure and rebuild it in the same location.

There are also definitions added. Public Launch and Anadromous Waters were added because there are new terms in the ordinance.

There are several sections of texts that were removed. It appeared to expand the scope of the ordinance beyond what it really was intended to do. The following section was removed from the ordinance:

- B. *The Assembly finds that the sensitivity of the river area requires general prohibition on activities within an area immediately adjacent to anadromous streams, and only activities which do not damage the habitat should be allowed.*

It wasn't felt that this finding was necessary for the ordinance itself. There were plenty of findings to justify the regulation of this Habitat Protection District. This finding had people concerned because residents of the Borough were asking if they could walk or fish on their property which was clearly not the intent. Removing this helped alleviate some of the concerns people had.

Another change was changing the following statement to read:

- A. *Protect and preserve the stability of anadromous fish through:* The words "and Wildlife and other natural resources" was removed.

It was felt that the intent of this ordinance was to protect anadromous fish. In a vegetated state there are

benefits to wildlife and other natural resources however this ordinance specifically is intended to protect anadromous fish. Again, to alleviate concerns they looked to increase the scope of the ordinance; they deleted the wildlife and other natural resources portion and just included anadromous fish.

The taskforce also made two recommendations that are outside this ordinance. The first one they recommended that the \$50 permit fee and the \$300 conditional use permit fee be waived. The Administration was intending to include that in this budget document so that there will be no staff permit or conditional use permit fees. The taskforce heard comments that the fees were above what they felt were appropriate. The taskforce felt the fees should be waived just for the fact that the Borough was asking them to do certain things on their property.

The second recommendation that the taskforce had was that they recommended that the River Center staff conduct a complete review of the State's Anadromous catalog to confirm that there was sufficient documentation on all these water bodies to justify inclusion in the Appendix. The River Center has completed the review where they review approximately 1,200 water bodies. Out of those they found 37 that should be deleted from the Appendix and found that 6 should be added into the Appendix.

The question is what all of this accomplished. There were hours and hours of public testimony that was heard. All of it was considered and much was addressed through these recommendations. Initially, all water bodies that were added to the State's catalog were automatically brought into the Borough and were going to be regulated. That provision was deleted and no longer was there an automatic inclusion of waters.

The prior existing use provisions were modified so that landowners could more easily maintain and manage structures that were grandfathered in. There were special provisions that were included for lakefront owners in recognition of the uniqueness of that ownership.

The removal of permit fees made the process friendly and less of a burden on landowners subject to the ordinance.

The Borough review of the catalog verified that all waters that were to be included for regulation were truly anadromous.

Ultimately, the recommendations of the task force result in a habitat protection ordinance that has struck a much better balance between private property rights and the protection of anadromous fish. The anadromous fish are a resource that is owned by all residents of the Borough. The members of the task force that voted for this ordinance really felt that this struck a much better balance than the original ordinance.

END OF STAFF REPORT

Vice Chairman Martin asked if there were questions for Mr. Ostrander.

Commissioner Foster appreciates the hard work that was put into this ordinance. As a scientist, he had a problem with seeing the word "significant" being thrown around without a definition of what that meant. Even with the term "damage" without a definition of how that was going to set. He appreciated the look at the uniqueness of the lakes but he was flabbergasted when he asked how they were handling eutrophication and the human cause nitrification of the lake systems with the adding of nutrients either through sewage or fertilizing lawn. This is the major concern in the lake systems that are different from the riverine systems. He stated he was working on this in the late 1970's and 1980's. Commissioner Foster owns property in Lake Tahoe where his property is considered non-buildable because the lot next to his home is a stream environment zone. He feels for the people when they lose their property rights. When the Tahoe Regional Planning Plan came before the public, all the public and lawyers came out and said they had this property that was owned by Mr. & Mrs. Smith who have been holding onto this for their whole life and they want to build and can't. There were all these aging people that were concerned. He has gone through this process and heard that and can appreciate the hard work that has gone into this ordinance. As recently as 2003, there was an assessment on coastal hypoxia and eutrophication in US waterways and a whole description of the importance of keeping this man caused nutrients primarily nitrogen and phosphorous getting into the lake

system and causing the increased aging. Commissioner Foster expressed concern that there was not a word about that as a concern or even part of the purpose. One great thing the Borough has is the 50 foot buffer zone. If the 50 foot buffer zone hasn't been impacted was going to be a great system as it is working into the wetland. There is not a mention of identifying nutrients as a pollutant even under the pollution section. He asked that it mentioned to not put grass cuttings, etc. into the lake.

Commissioner Foster also stated that drainage is an essential problem. He felt there should be some form of best management practice of running water so that it works through the filtering system anytime a structure would be built and make the soil impervious to penetration and thus filtering on its way to the lake or to the pond. Commissioner Foster realized that a lot of these could be very expensive and these were the requirements that even non-lakefront property owners within the Tahoe basin are required to do. There it is for water quality and not for maintaining anadromous fish. He asked if it was more of a political concern that eutrophication and nitrification was ignored.

Mr. Ostrander thought it wasn't a political concern but it was not something that was discussed at the task force level. They brought in multiple experts that talked about lakes and their significance in the lifecycle of anadromous fish but those items did not come up. The way he addressed that was that this ordinance is a living document and will not be perfect. He stated there will be additional amendments at the Assembly hearing date. If those are things that are critical to the health of those waters then at some point there should be consideration for that type of protections to be included.

Commissioner Ecklund asked where and how would they provide best practice education materials out to the public. Mr. Ostrander replied that it is important that the public be educated on what best management practices are along these water bodies. The specifics on how that will go forward in addition to what the River Center already does he could not speak to that. He stated that the River Center publishes two publications entitled "On the Coast" and "On the River" which are educational booklets that cover best management practices along those water bodies. In addition, they send out monthly newsletters that discusses topics about the rivers, streams and lakes in the area. It was recognized through this process that they needed to improve on the outreach to the public and get more educational materials out.

Commissioner Ecklund asked how they would address the Alaska Department Fish & Game Atlas and Catalog of the waters. The explanation given helped her understand how they would address the document as it changes.

Commissioner Ecklund referred to the following statements and recommended that the specific ordinance that adopted these districts be listed. "*Kenai River District anadromous waters made subject to this chapter on May 15, 1996.*" and "*Major Waters District anadromous waters made subject to this chapter on May 16, 2000.*"

Commissioner Ecklund also recommended that the appendix be noted in the sections that speak about the districts that were created so that people can find what is in those specific districts.

Commissioner Ecklund asked for clarification regarding the following: "*Within the habitat protection district adjacent to a lake, impervious coverage is allowed up to 10% of the habitat protection district, not to exceed a total of 500 square feet, provided that within 10' of the shoreline, no more than 25% of native vegetation is removed.*" Mr. Ostrander replied that impervious coverage is allowed up to 10% of the Habitat Protection District however that number cannot exceed 500 square feet. Commissioner Ecklund asked if it was impervious like pavement. Mr. Ostrander replied yes, or put a gazebo, sauna or something like that. He stated they could go up to 10% but not to exceed 500 square feet. In addition to that, within 10 feet of the shoreline, no more than 25% of the native vegetation can be removed. Commissioner Ecklund asked if it was 25%, 10 feet from the shoreline or 25% of the whole property. Mr. Ostrander replied that it was 25% within 10 feet of the shoreline.

Commissioner Ruffner referred to the prior existing use section and referred to the River Quest development. He asked how they would address a case like the River Quest development of tearing down a structure and rebuilding it. Mr. Ostrander replied that was also a concern to him. One of things that alleviated his concerns

was that there was a provision in the ordinance that does not allow the height of the replacement structure to be any more than the one that is taken down. The net impact to the river, the view scape is going to be zero because the structure will be not only the same footprint but no higher than it was previously. Commissioner Ruffner stated that the commission tries to bring landowners closer to compliance.

Commissioner Carluccio thought there was a requirement on the river to build up so water could go underneath the dwelling as opposed to through it. She asked if a structure has to be built up because of the floodplain say 6 feet so does the roof house have to be 6 feet shorter. Mr. Ostrander replied that if a structure is within the floodplain or floodway and the previous structure was not elevated and it needs to be built above base flood elevation with a certain amount then there might be some impact there. The Code specifically states that if it was one floor then it can't be extended to two. If the structure needs to be elevated because it needs to be above base flood elevation then there might be an increase in the height but in most cases it may be fairly insignificant.

Commissioner Carluccio felt the proposed ordinance was a significant improvement although it doesn't answer all the questions. She appreciated all the work that has been put into this.

Commissioner Foster asked what impact height had on the river water quality. Mr. Ostrander replied that the impact to the Habitat Protection District by an increase in height is fairly insignificant.

There being no further questions, Vice Chairman Martin opened the meeting for public comment.

1. Wayne Ogle, Mile 24, Kenai Spur Highway

Mr. Ogle stated that Ordinance 2011-12 was passed in June 2011. This particular body looked at it and passed it with unanimous consent. Then it went to the Assembly who had two descending votes. Almost immediately after the 2011-12 was enacted, it was discovered by Planning Commission and Assembly members that lakes were included in the ordinance which was a surprise to them. A couple of them stated that they wouldn't have voted for it if they had known that. He stated that the process got off to a pretty rocky start. Then the mailings went out to the landowners and they saw all the restrictions that they suddenly had that they didn't know about. That caused a lot of people to get involved which created the formation of the task force. Mr. Ogle stated he had problems with how the task force was set up. He predicted when it got started that at the end of the process it would have a vote of 5 to 3 and that is exactly what it was. He also stated that the notice was an onerous thing so the Assembly changed the landowner notification process with Ordinance 2012-39.

Mr. Ogle felt the catalog became problematic. These are things that the task force ferreted out in their deliberations. The catalog was never meant by the State to be used as an enforcement body by this Borough. It was meant for biological purposes and as the process went on it was realized there were problems with the catalog or at least how the Borough wanted to use it. Fortunately, the task force realized that and the catalog eliminated as being the, be all to end all and they created their own appendix. The task force recommended that all the water bodies be looked at. He stated that the problem was that there haven't been any defined criteria as to what are reasonable backup documents to be listed in the catalog. There needs to be criteria that everyone understands.

Mr. Ogle stated that there the Borough held three public hearings. The group that he has been involved with has been overwhelming against approving this ordinance. He suggested that they not get the idea that they are voting on something that is popular and wants to be done.

The terminology in this ordinance is broad based, ill-defined and vague. Some of the words that are not well defined are "significant", "migration corridors", "near shore", "riparian ecosystems", "public prosperity", "uncontrolled use", and "regulating improved access to and within the Habitat Protection District". Mr. Ogle used to write and enforce regulation and felt the broader they were then the easier they were to enforce. He believed it will create confusion for the public as well as making equitable enforcement impossible.

Mr. Ogle commented that the Planning Commission will gain a little bit more responsibility according

to KPB 21.18.081(E). They may place additional conditions on the permit to preserve and protect the Habitat Protection District to be consistent with that part of the ordinance. He expressed concern of having unelected officials gaining more power.

Mr. Ogle questioned what the financial analysis would be and what it would take to implement this ordinance. He wasn't in favor of a big program unless there are some numbers attached to it.

Mr. Ogle mentioned that there were five new Habitat Protection Districts. He worries that there will be one district that would be treated differently because of a habitat or ecosystem situation.

Mr. Ogle stated that the Seward Bear Creek area was exempt from the ordinance. He thought it was a major problem to have a large district within anadromous fish in it, braided streams or otherwise to be exempted. He questioned why on particular area have exemptions when there are other braided streams that do not have that particular protection. He wants to know why that is and why the Planning Commission would allow that to happen.

Mr. Ogle also mentioned that there was no supremacy clause which could be corrected. It means that the PAC RIM people could say that the Borough is not going to be stepping on their toes because State and Federal law will have supremacy over the Borough ordinance. That has been taken out of Ordinance 2013-18 but was in Ordinance 2011-12.

Mr. Ogle would like to have had scientific studies presented that were relevant and specific to Kenai Peninsula water bodies showing harm or potential harm that would justify the need for habitat protection to the extent that this ordinance requires. Sadly, that has not been brought forth. They are now facing a crisis with the King Salmon not reappearing in the most regulated body of water probably this side of California. He questioned if they need to have more Habitat Protection Districts to justify that. Mr. Ogle was disappointed in the fact that science was not at the basis of this.

In conclusion, Mr. Ogle felt that a lot of progress was made with the task force but felt there were unintended consequences primarily with notification. Ordinance 2013-18 was another bite of the apple. He thought it was not ready for primetime, it needs more work. Having habitat protection is important for a high use area but he doesn't believe that every stream within the Borough needs to have protection done at this time. The Planning Department needs to have a more sophisticated approach to ascertain whether they are starting to get into a high use area.

Vice Chairman Martin asked if there were questions for Mr. Ogle.

Commissioner Ecklund asked what the name of his group was that he met with. Mr. Ogle replied that it was C4CWLU – Citizens for Concerned Waterfront Land Use.

There being no further comments or questions, the public hearing continued.

2. Jim Harpring, 35001 Waterfront Way, Soldotna

Mr. Harpring explained his position on the square footage on lakefront property. He gave the example of someone having a thousand running feet on a lake with a home on a 6 degree grade; then do the mitigation for the habitat and what vegetation can be removed. In trying to put this in a perspective of actually drawing it out finds it quite concerning.

Mr. Harpring made comments regarding the timeframe of when he received notice of the hearing and that there was going to be a change. He received his notice this last Saturday with a hearing being scheduled at the June 18 Assembly meeting. The only reason he knew about it was because he has followed this issue from the very beginning. There is very little time to reconsider their position if they were one of the 3,000 people receiving notices.

Mr. Harpring felt it couldn't be that difficult for staff to identify in the definition element of this ordinance what some of the terms mean. For example, "migration corridors" is mentioned in the

ordinance however it is not defined. In the ordinance there is also a mention of migration of salmon so he wondered if the two were connected. He asked if there was a feasibility study that he could research to link these two together legally and operationally. Migration corridors could be animals. It wouldn't be that difficult for staff to go back and identify it.

Mr. Harpring referred to the following statement in the ordinance. *"Notwithstanding subsection a. above, accessory structures may not be replaced or reconstructed in KPB 21.06 mapped floodplains or floodways."* He understood that he could not rebuild a structure if he has a building that is within this mitigation plan and it is taken out by a fire because it supersedes a floodplain and floodway mitigation plan. If this is the case, Mr. Harpring wondered why he was paying premium insurance on these buildings when they can't be rebuilt.

Mr. Harpring stressed that he was not opposed to the ordinance because he felt it was not ready to implement. The Chief of Staff and the Mayor have been very gracious in listening to him.

Vice Chairman Martin asked if there were questions for Mr. Harpring.

Commissioner Isham asked what he felt was an appropriate notice time. Mr. Harpring felt that the notice should have gone out August 9, 2012 before the first task force meeting. It should have identified that a task force was being formed, that they welcomed comments and that this ordinance would have an impact on the 3,000 landowners. He felt that would have given everybody due opportunity to comments.

Commissioner Isham again asked what period of time he would have liked to have been given. Mr. Harpring thought that the current notice factor from the Borough ordinance needs to be adjusted to accommodate the need. There are some needs that can be considered very quickly. He felt notice should be handled on a case by case basis.

There being no further comments or questions, the public hearing continued.

Seeing and hearing no one else wishing to speak, Vice Chairman Martin closed the public comment period and opened discussion among the Commission.

MOTION: Commissioner Ruffner moved, seconded by Commissioner Isham to recommend adoption of Ordinance 2013-18.

Commissioner Isham stated that this ordinance is not perfect but it is better than what they have. He felt that it was based on best practices and good science so he decided to support the motion.

Commissioner Foster will also be supporting the ordinance. He expressed concerns about the lack of information regarding the eutrophication of the ponds and the lakes. Commissioner Foster recommended doing some baseline assessment in order to define what the significance of whether it may be damage or erosion. There are ways of identifying signs and levels of eutrophication. There are definitely ways to determine the amount of dissolved oxygen and the type of nutrients that are in and actually determining what might be limiting factor in each of these lakes which would perhaps affect the fish. He felt that at this point in time, this is a much better ordinance than what they had previous. When these things start getting changed it is good by looking at the role that a 50 foot buffer plays on a lake system and what the role it plays in a river system and the kind of activities that go on there. He felt they were very much close to it on the river system component but it was lacking on the lake system component which can be improved upon with less restrictions than what people could find. The people will take it on as they heard the need for education which is part of this plan and he welcomes the landowners to help with this process.

Commissioner Ruffner stated that he too was supporting the motion. One thing he doesn't like is having to deal with any unnecessary or extra regulations. Also he doesn't like the conflict that the community has perceived over this ordinance. One of the tasks of the Planning Commission is public welfare. It is important to have good strong wild salmon runs and everything they can understand about them lends them to know that they have to take care of the shoreline too. Here it's the quality of their life and is also several

hundred million dollars a year of easily renewable resource that has predated history. Commissioner Ruffner will do anything in his role to help make that for future generations so he supports the motion.

Commissioner Collins stated that she too will be supporting the motion. It is not perfect but there's nothing saying that they can't continue working on it and fixing what they think is wrong in the future. She felt it was a great improvement over what they have.

There being no further comments or questions, Vice Chairman Martin called for a roll call vote.

VOTE: The motion passed by unanimous consent.

BRYSON ABSENT	CARLUCCIO YES	COLLINS YES	ECKLUND YES	FOSTER YES	GROSS YES	HOLSTEN ABSENT
ISHAM YES	LOCKWOOD ABSENT	MARTIN YES	RUFFNER YES	TAURIAINEN ABSENT	WHITNEY YES	9 YES 4 ABSENT

AGENDA ITEM J. SUBDIVISION PLAT PUBLIC HEARINGS

Chairman Ruffner reported that the Plat Committee reviewed and conditionally approved 11 preliminary plats. He stated that there was a brief presentation about the Borough's wetland maps and how those get included on some of the plats. It was brought to their attention that the plat notes are not always tying back to a source. It was some information on how they have wetland information that is being used by surveyors.

AGENDA ITEM K. OTHER/NEW BUSINESS

AGENDA ITEM L. ASSEMBLY COMMENTS

AGENDA ITEM M. LEGAL REPRESENTATIVE COMMENTS

AGENDA ITEM N. DIRECTOR'S COMMENTS

Mr. Best thanked all the participation that was included in the Subdivision code rewrite work session. There is one more work session planned.

AGENDA ITEM O. COMMISSIONER COMMENTS

Commissioner Ruffner stated that he completed his spring ritual of taking the kids out and catching hooligans.

Commissioner Whitney asked for an excused absence on June 10, 2013.

AGENDA ITEM P. PENDING ITEMS FOR FUTURE ACTION

AGENDA ITEM Q. ADJOURNMENT

MOTION: Commissioner Ecklund moved, seconded by Commissioner Carluccio to adjourn the meeting at 9:38 p.m. Seeing and hearing no discussion or objection, the motion passed by unanimous consent.

Patti Hartley



KENAI PENINSULA BOROUGH

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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

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

THRU: Mike Navarre, Mayor *MN*

FROM: Paul Ostrander, Chief of Staff *P.O.*

DATE: June 6, 2013

SUBJECT: Amendment to Ordinance 2013-18, repealing provisions of Ordinance 2011-12 regarding anadromous waters

The administration requests the following changes to this ordinance.

- Change Section 6 as shown in **bold** below:

SECTION 6. That KPB 21.18.030 is hereby amended by adding new subsection (D) as follows:

21.18.030. Periodic review.

...

D. State of Alaska additions and deletions to the 2011 "Atlas and Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fish" shall be reviewed by the Planning Department River Center Division every three years and the additions [AND DELETIONS] to the catalog shall be presented to the Planning Commission and Assembly as proposed amendments to KPB 21.18. Any proposed additions to the KPB 21.18 Appendix shall be supported by data from the ADF&G nomination form including species and other available data such as life stage. ADF&G approved delisting from the "Catalog" shall be presented to the Planning Commission and Assembly as they occur.

- Change 21.18.065(A)(3) in Section 8 as shown in **bold** below:

3. The removal of [DOWNED] trees **downed** by force of nature [OR IN ACCORD WITH KPB 21.18.071(A)(1)].

- Change 21.18.071(A) in Section 9 as shown in **bold** below:

21.18.071. Staff permits.

A. An application for a permit shall be made and a permit issued before commencement of certain activities, uses, and structures set forth in this section if they do not result in **significant erosion, sedimentation, damage to the habitat protection district, an increase in ground or surface water pollution, and damage to the riparian wetlands and riparian ecosystems** [EROSION, DAMAGE WITHIN THE HABITAT PROTECTION DISTRICT, OR AN INCREASE IN GROUND OR WATER POLLUTION]. An application for a permit shall be made to the Kenai Peninsula Borough planning department central office or at the river center. Upon determination that the submitted information of record supporting the permit application meets the requirements of this section, staff shall issue a permit for the following activities, uses, and structures in the habitat protection district:

...

- Change 21.18.071(A)(1)(a) in Section 9 as shown in **bold** below:

- a. A tree, or portion thereof, may be removed for one or more of the following reasons:
- (i) The tree, or portion thereof, is dead.
 - (ii) The tree is a safety hazard to persons or property.
 - (iii) The tree removal is for the purpose of preventing the spread of disease to other trees.

Whenever a tree is removed, it shall be replaced with two **seedlings less than 5.5 feet tall** [SAPLINGS] of a species native to the region.

- Change 21.18.081(B)(11)(a)(1) in Section 13 as shown in **bold** below:

- B. Conditional uses and structures. The following conditional uses and structures may be approved in the habitat protection district:

...

11. Water dependent lakeshore related uses or structures specified in KPB 21.18.081(B)(11)(b) may be permitted within the habitat protection district.

a. In addition to meeting the general standards set forth in KPB 21.18.081(D) the permit shall be subject to the following conditions:

- 1. Vegetation removal does not exceed the minimum required for the use or structure, and does not exceed 25 percent of the total parcel lakeshore frontage. **For purposes of this section frontage means the horizontal distance between side lot lines along ordinary high water.**

- Change 21.18.090(C)(1) in Section 15 as shown in **bold** below:

C. Structures. Structures which were under construction or in use before the effective date of any provision of this chapter, but that would be prohibited or restricted under the terms of this chapter, shall be allowed to continue, provided that a structure under construction must have been substantially completed by April 16, 1998 for the anadromous waters set forth in KPB 21.18 Appendix Kenai River District, May 16, 2002, for the anadromous [STREAMS] waters set forth in KPB 21.18 Appendix Major Waters District, January 1, 2014 for the anadromous waters set forth in KPB 21.18 Appendix West District, and January 1, 2016 for the anadromous waters set forth in KPB 21.18 Appendix South District and North District.

1. Upon application and approval of a prior-existing structure/use permit by planning department staff principal structures may be replaced, repaired or reconstructed within three [TWO] years after [ACCIDENTAL] damage or destruction. [BY FIRE, EXPLOSION, NATURAL DISASTER, FLOOD, OR OTHER CASUALTY, FORCE OF NATURE, OR OTHER FORCE OR ACT BEYOND THE OWNER'S CONTROL AND NOT INTENTIONALLY CAUSED BY THE OWNER.] If a principal structure is not substantially damaged and only a portion of the structure has been damaged or destroyed, only that portion may be repaired or replaced. The height of an original principal structure and area encompassed by the original footprint cannot be increased, **unless necessary to comply with the requirements of KPB 21.06.** The structure must be similar in size and use to the structure being repaired or replaced. Repair, replacement, or reconstruction may only encompass the same square footage that the structure occupied prior to damage or destruction, and the structure must be more compliant with this chapter which shall be determined by application of mitigation measures set forth in KPB 21.18.091 to the maximum extent practicable. Staff will determine the mitigation measures to be used consistent with the following conditions:

- a. The structure will not increase [CAUSE] significant erosion, sedimentation, damage to [WITHIN] the habitat protection district, [OR] an increase in ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems;
- b. Permitting repair, reconstruction, or replacement shall be consistent with the purposes of this chapter as set forth in KPB 21.18.020, the borough comprehensive plan, another applicable chapters of the borough code, and other applicable planning documents adopted by the borough;
- c. The reconstruction, replacement, or repair will not physically damage the adjoining property;
- d. Removal of materials or debris remaining from the damage or destruction; and
- e. Owner's compliance with other borough permits and ordinance requirements.

Introduced by:

Mayor

Date:

06/18/13

Action:

Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2013-055**

**A RESOLUTION AUTHORIZING ROAD SERVICE AREA CAPITAL
IMPROVEMENT PROJECT: GREEN TIMBERS ROAD, RIDGE CIRCLE AND
LOOKOUT DRIVE #S5GRE CONTRACT AWARD AND ALLOCATION**

1 **WHEREAS**, the Kenai Peninsula Borough Road Service Area (RSA) annually prioritizes a list
2 of capital improvement projects that includes the estimated total cost for each
3 project; and

4 **WHEREAS**, the total project cost including design services, contract services, inter-
5 departmental charges, and contingencies is to be allocated to the project; and

6 **WHEREAS**, at its regular meeting of September 13, 2011, the Road Service Area Board
7 recommended by unanimous vote approval of Road Service Area Resolution
8 2011-15, Approving Road Projects Be Included As Fiscal Year 2012 Capital
9 Improvement Projects; and

10 **WHEREAS**, total project cost funds are available from the following:

- 11 • 434.33950.11252.49999
- 12 • 434.33950.12383.49999

13 **WHEREAS**, the RSA has solicited and received three (3) bids for the RSA Capital
14 Improvement Project: Green Timbers Road, Ridge Circle and Lookout Drive
15 #S5GRE; and

16 **WHEREAS**, the bids have been reviewed by the RSA and the low responsive bid was
17 submitted by J. C. Johnson and Son;

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

3 **SECTION 1.** That the mayor is authorized to award a contract to J. C. Johnson and Son to
4 perform the work for RSA Capital Improvement Project: Green Timbers Road,
5 Ridge Circle and Lookout Drive #S5GRE for the bid amount of \$446,674.50.

6 **SECTION 2.** That the mayor is authorized to allocate project cost, \$585,477.00 to account
7 number 434.33950.S5GRE.49999.

8 **SECTION 3.** That the mayor is authorized to execute all documents and make all agreements
9 deemed necessary to complete this project in accordance with this resolution and
10 contract documents.

11 **SECTION 4.** That this resolution shall take effect immediately upon its adoption.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS
18TH DAY OF JUNE, 2013.**

Linda Murphy, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

Road Service Area

47140 E. Poppy Lane • Soldotna, Alaska 99669

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www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

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

THRU: Mike Navarre, Kenai Peninsula Borough Mayor *MN*
Craig Chapman, Director of Finance *CC*
Mark Fowler, Purchasing & Contracting Director *MF*

FROM: Pat Malone, Road Service Area Director *PM*

DATE: June 6, 2013

SUBJECT: Resolution 2013-055, Road Service Area Capital Improvement Project: Green Timbers Road, Ridge Circle and Lookout Drive #S5GRE Contract Award and Allocation

On May 21, 2013 the Kenai Peninsula Borough Road Service Area formally solicited bids for Green Timbers Road, Ridge Circle and Lookout Drive Capital Improvement Project #S5GRE for completion in summer 2013. The invitation to bid was advertised in the Peninsula Clarion on May 21, 24 & 26, 2013, and in the Homer News on May 23 & 30, 2013.

On the due date of June 6, 2013 three (3) bids were received and reviewed to ensure that all the specifications and delivery schedules were met. Attached is a copy of the bid tabulation sheet.

The low responsive bid was received from J. C. Johnson and Son in the amount of \$446,674.50. The total costs for this project are \$585,477.00 which includes design services, contract services, inter-departmental charges, and contingencies.

The project award is submitted to the assembly for approval because the funds for CIPs have only been appropriated by the assembly but not yet allocated. This project has been approved through Road Service Area Resolution 2011-15, Approving Road Projects Be Included as Fiscal Year 2012 Capital Improvement Projects.

This resolution authorizes the project to proceed, allocates funds to the project, and awards the project to the lowest, qualified, responsive, and responsible contractor.

FINANCE DEPARTMENT FUNDS	
VERIFIED	
434.33950.11252.49999	
Acct. #434.33950.12383.49999 Amount \$585,477.00	
By: <u>pc</u>	Date: <u>6/6/13</u>

**KENAI PENINSULA BOROUGH
PURCHASING & CONTRACTING**

BID TAB FOR: ITB13-057 RSA 2013 CIP Green Timbers Road, Ridge Circle & Lookout Drive #S5GRE

CONTRACTOR	BASE BID
JC Johnson & Sons	\$446,674.50
East Road Services	\$505,615.65
Arno Construction	\$549,262.00
Engineers Estimate	\$452,577.00

DUE DATE: June 6, 2013 @ 2:00 PM

KPB OFFICIAL: 
Mark Fowler, Purchasing & Contracting Director



**GREEN TIMBERS RD, RIDGE CIR & LOOKOUT DR
WALTER THOMAS RD APPROACH**



Homer

**KENAI PENINSULA BOROUGH ROAD SERVICE AREA
RESOLUTION 2011-15**

**A RESOLUTION APPROVING ROAD PROJECTS BE INCLUDED AS FY 2012
CAPITAL IMPROVEMENT PROJECTS**

- WHEREAS,** the Road Service Area Board has annually established a list of roads to be included in the RSA Capital Improvement Program (CIP); and
- WHEREAS,** the Road Service Area developed a CIP Tier road list that includes roads that are impassible during spring or require major upgrades; and
- WHEREAS,** from the CIP Tier road list the Road Service Area prioritizes roads to be considered for Capital Improvement Projects; and
- WHEREAS,** the KPB Borough received \$5.0 million DOTPF grant KPB road projects for work to be completed by June 30, 2015; and
- WHEREAS,** the KPB Borough received \$4.5 million DCCED grant KPB road projects for work to be completed by June 30, 2017; and
- WHEREAS,** the following projects are anticipated to be engineered over the next two years with construction completed by October 2014.

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

SECTION 1. That the Road Service Area Board recommends the following projects included in the KPB FY12 RSA Budget be included in the capital improvement project program:

Project #	Project Roads	Region
N2GEM	Gemstone Street	North
W1RUF	Ruffed Grouse Road	West
C3GOO	Goose Berry, Ansel Street Approaches	Central
N5RAM	Ramona Road, Sondra Road	North
S5GRE	Green Timbers, Lookout, Ridge Circle	South
W6REN	Renssaelaer, Jefferson	West
W6POP	Poppy Wood Street	West
C3GLA	Glacier Blue, Riverwind, Vienna, Legends, Crampon	Central
N2SPR	Spruce Haven St. North	North

SECTION 2. That the Road Service Area Board recommends the following project listed on the 2011-12 RSA-Unfunded Road Paving Projects that accompanies KPB Assembly Ordinance 2011-19-09 Accepting and Appropriating \$4.5m from the State of AK to the Borough RSA for CIP be included in the Tier CIP list and in the capital improvement project program:

N4MAR	Marhenke Street – Upgrade and Pave	North
-------	------------------------------------	-------

SECTION 3. A copy of this resolution shall be forwarded to the mayor and the assembly.

RESOLVED BY THE KENAI PENINSULA ROAD SERVICE AREA BOARD THIS 13th DAY OF SEPTEMBER 2011.



Sam McLane, Acting Road Service Area Board Chair

ATTEST:



Doug Schoessler, Road Service Area Director

Introduced by: Johnson
Date: 06/18/13
Action:
Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2013-056**

**A RESOLUTION PROVIDING FOR AN ADVISORY VOTE ON THE QUESTION OF
WHETHER THE BOROUGH SHOULD CONTINUE TO FINANCIALLY SUPPORT
THE CENTRAL AREA RURAL TRANSIT SYSTEM (CARTS)**

1 **WHEREAS**, the Kenai Peninsula Borough began supporting the Central Area Rural Transit
2 System (CARTS) in 2001; and

3 **WHEREAS**, some people use CARTS for transportation to work and health services; and

4 **WHEREAS**, the borough is authorized by AS 29.35.210 to provide transportation systems,
5 which includes providing financial support of CARTS; and

6 **WHEREAS**, CARTS is attempting to include transportation in Seward and Homer, but its
7 primary focus is the central peninsula area; and

8 **WHEREAS**, CARTS is a public transportation system with an annual budget of over a million
9 dollars which has come from borough, state, and federal grants, as well as rider
10 fees; and

11 **WHEREAS**, opposition to financially supporting CARTS has appeared annually in recent
12 years; and

13 **WHEREAS**, the borough might benefit from knowing if the general public favors the borough
14 financially supporting CARTS by placing a question on the ballot; and

15 **WHEREAS**, as the assembly by law has final authority to appropriate funds, this question is
16 advisory;

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

3 **SECTION 1.** That a ballot proposition shall be placed on the ballot in the next regular borough
4 election, to be held October 1, 2013, which shall read as follows:

5 Shall the Kenai Peninsula Borough continue providing financial support for
6 CARTS? *[This is an advisory question only.]*

7 Yes _____ No _____

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

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS
18TH DAY OF JUNE, 2013.**

Linda Murphy, 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

Linda Murphy, Assembly President
Hal Smalley, Vice President

MEMORANDUM

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

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

DATE: June 6, 2013

RE: Resolution 2013-056: Providing for an Advisory Vote on the Question of Whether the Borough Should Continue to Financially Support the Central Area Rural Transit System (CARTS)

CARTS is the only public transit system available to Kenai Peninsula residents. It is both praised and criticized. Currently, borough support for CARTS provides about 2.5% of its budget. That money is useful in "leveraging" additional funds and I think it would be fair to say that if CARTS lost borough funding altogether, that would be a substantial blow to CARTS' public relations and ultimately to its survival.

While the Kenai Peninsula Borough has legal authority to provide public transportation systems pursuant to Alaska Statute 29.35.210, it seems appropriate to me to ask the voters if they want the borough to continue supporting CARTS. This resolution would place a proposition on the next regular election ballot asking the voters this question. As the assembly has the power to appropriate funding for this purpose without voter approval, and has the final authority to appropriate funds, this is an advisory question only.

Your consideration is appreciated.

Introduced by: Mayor
Date: 06/18/13
Shortened Hearing: 07/02/13
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-19-61**

**AN ORDINANCE AUTHORIZING THE TRANSFER OF \$146,913.17 FROM THE
BOND FUNDED CAPITAL PROJECT FUND TO VARIOUS CAPITAL PROJECT
FUNDS**

1 **WHEREAS**, between 2000 and 2011, the borough issued debt for the construction and
2 maintenance of various schools, hospitals, solid waste facilities and emergency
3 response facilities; and

4 **WHEREAS**, most of these projects have been completed and residual balances remain from
5 interest earnings and local contributions; and

6 **WHEREAS**, the residual amount is \$2,610.31 for Central Emergency Services (CES), \$718.00
7 for Central Kenai Peninsula Hospital Service Area (CKPHSA), and \$143,584.86
8 for South Kenai Peninsula Hospital Service Area (SKPHSA); and

9 **WHEREAS**, with the completions of these projects, it is appropriate to transfer the residual
10 amounts to the respective capital project fund of each entity for which the debt
11 was issued;

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

14 **SECTION 1.** That \$146,913.17 is appropriated from Bond Funded Capital Projects fund
15 balance account 401.00000.00000.27910 to:

16 1. Account 401.94910.00000.50443, transfer to CES in the amount of \$2,610.31;

- 1 2. Account 401.94910.00000.50490, transfer to CKPHSA in the amount of
2 \$718.00; and
3 3. Account 401.94910.00000.50491, transfer to SKPHSA in the amount of
4 \$143,584.86.

5 **SECTION 2.** That this ordinance takes effect retroactively on June 30, 2013.

6 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
7 **DAY OF *, 2013.**

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

THRU: Mike Navarre, Mayor *MN*

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

DATE: June 5, 2013

SUBJECT: Ordinance 2012-19-61, authorizing the transfer of \$146,913.17 from the bond funded capital project fund to various capital project funds

This is a housekeeping ordinance. Between 2000 and 2011, the borough issued debt for construction and maintenance of various schools, hospitals, solid waste facilities and emergency response facilities. Most of these projects have been completed. Residual balances remain from interest earnings and local contributions. This ordinance would transfer the residual amounts for Central Emergency Services, Central Kenai Peninsula Hospital Service Area, and South Kenai Peninsula Hospital Service Area back to each respective entity for which the debt was issued.

Shortened hearing is requested to coincide with the end of FY2013.

FINANCE DEPARTMENT ACCOUNT / FUNDS VERIFIED	
Acct. No.	401.00000.00000.27910
Amount	\$146,913.17
By:	<i>pc</i> Date: <i>6/4/13</i>

Introduced by: Mayor
Date: 06/18/13
Shortened Hearing: 07/02/13
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-19-62**

**AN ORDINANCE AUTHORIZING THE TRANSFER OF \$41,386.72 FROM
VARIOUS CAPITAL PROJECT FUNDS TO THE GENERAL FUND**

1 **WHEREAS**, between 2000 and 2012, the borough provided funding for capital projects at the
2 911 emergency response center; and

3 **WHEREAS**, these projects have been completed and a residual balance of \$3,255.14 remains
4 from contributions made by the borough's General Fund; and

5 **WHEREAS**, between 2000 and 2011, the borough provided funding for resource management
6 (planning) capital projects; and

7 **WHEREAS**, these projects have been completed and a residual balance of \$38,131.58 remains
8 from contributions made by the borough's General Fund; and

9 **WHEREAS**, with the completion of these projects it is appropriate to transfer the residual
10 amounts back to the borough's General Fund;

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

13 **SECTION 1.** That \$3,255.14 is appropriated from the Communication Center Capital Projects
14 Fund, fund balance, account 455.00000.00000.27910 to Account
15 455.94910.00000.50100, transfer to the General Fund.

1 **SECTION 2.** That \$38,131.58 is appropriated from the Resource Management Capital Projects
2 Fund, fund balance, account 409.00000.00000.27910 to Account
3 409.94910.00000.50100, transfer to the General Fund.

4 **SECTION 3.** That this ordinance takes effect retroactively on June 30, 2013.

5 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS ***
6 **DAY OF *, 2013.**

Linda Murphy, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

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**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

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

THRU: Mike Navarre, Mayor *MN*

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

DATE: June 5, 2013

SUBJECT: Ordinance 2012-19-*62* transferring \$41,386.72 from various capital project funds to the General Fund

This is a housekeeping ordinance. Between 2000 and 2012, the borough provided funding for capital projects for the 911 emergency response center and Resource Management (planning). These projects are now complete and residual balances remain including \$3,255.14 in the 911 Capital Project Fund and \$38,131.58 in the Resource Management (Planning) Capital Project Fund. This ordinance would transfer the residual amounts in these funds back to the General Fund.

Shortened hearing is requested to coincide with the end of FY2013.

FINANCE DEPARTMENT ACCOUNT / FUNDS VERIFIED	
Acct. No. _____	455.00000.00000.27910
Amount _____	\$3,255.14
Acct. No. _____	409.00000.00000.27910
Amount _____	\$38,131.58
By: _____	<i>pc</i> Date: <u>6/4/13</u>

Introduced by: Mayor
Date: 06/18/13
Hearing: 08/06/13
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2013-24**

AN ORDINANCE AMENDING THE BOROUGH CODE TO PROVIDE THAT PUBLIC MEMBERS OF THE BOARD OF EQUALIZATION AND SERVICE AREA BOARD MEMBERS APPOINTED TO FILL VACANCIES ON THE SERVICE AREA BOARD SHALL BE APPOINTED BY THE MAYOR AND CONFIRMED BY THE ASSEMBLY

1 **WHEREAS**, Alaska Statute 29.20.320 provides that members of boards and commissions
2 except for members of the board of adjustment and assembly members serving on
3 the board of equalization are appointed by the mayor and confirmed by the
4 governing body; and

5 **WHEREAS**, the borough code currently provides that public members of the board of
6 equalization are appointed by the assembly and persons filling vacancies on
7 service area boards are appointed by the remaining members of the service area
8 board; and

9 **WHEREAS**, these provisions must be changed to comply with state law; and

10 **WHEREAS**, the following service area boards had the following recommendations regarding
11 this ordinance:

12 Central Kenai Peninsula Hospital Service Area: _____

13 Nikiski Fire Service Area: _____

14 North Peninsula Recreation Service Area: _____

15 Kachemak Emergency Service Area: _____

16 South Kenai Peninsula Hospital Service Area: _____

17 Bear Creek Fire Service Area: _____

1 Central Emergency Service Area: _____
2 Seward-Bear Creek Flood Service Area: _____
3 Seldovia Recreational Service Area: _____
4 Anchor Point Fire and Emergency Medical Service Area: _____
5 Nikiski Senior Service Area: _____;

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

8 **SECTION 1.** That KPB 5.12.052(A) and (E) are hereby amended as follows:

9 5.12.052. Board of equalization.

10 A. The board of equalization is established with five regular members selected from the
11 public. It shall also include two alternate members who shall meet the same qualifications
12 as a regular board member. Members of the public shall be appointed by the mayor and
13 confirmed by the assembly on the basis of their expertise in real and personal property
14 appraisal, the real estate market, the personal property market, and other fields related to
15 their functions as board members. Additionally, each member shall be a resident of the
16 Kenai Peninsula Borough. Assembly members may serve as members of the board of
17 equalization, subject to appointment by the Assembly.

18 ...

19 E. A vacancy on the board shall be filled by [ASSEMBLY] appointment as described in
20 paragraph A of this section [OF A PERSON QUALIFIED TO SERVE UNDER THIS SECTION] for
21 the unexpired term, or for a three-year term if no unexpired term remains.

22 **SECTION 2.** That KPB 16.04.065, relating to all service areas, is hereby amended as follows:

23 16.04.065. Election of board members.

1 Vacancies for service area boards requiring elected boards shall be filled by the candidate
2 receiving the highest number of the votes cast for that seat. In the event that no candidate files
3 for election to a seat which is to be filled at said election, then no election shall be conducted for
4 that particular seat, and the seat shall be filled by appointment by the mayor and confirmed by
5 the assembly [A MAJORITY VOTE OF THE REMAINING BOARD] following certification of the
6 election and in accordance with applicable provisions of title 16 governing filling vacancies.

7 **SECTION 3.** That KPB 16.08.070, relating to Central Kenai Peninsula Hospital Service Area,
8 is hereby amended as follows:

9 16.08.070. Board—Vacancies—Filling.

10 Vacancies on the board shall be filled by appointment by the mayor and confirmed by the
11 assembly [MAJORITY VOTE OF THE REMAINING BOARD] until the next regular election of the
12 borough at which time a new member shall be elected to fill the unexpired term or for a full term
13 if no unexpired term remains. The clerk shall provide at least twenty-one days' advance public
14 notice before filling the vacancy. Public notice may be provided by publication through print or
15 broadcast media, posting at the primary service area office or at the borough administration
16 building, and such other publication as the service area board deems appropriate.

17 **SECTION 4.** That KPB 16.12.070, relating to Nikiski Fire Service Area, is hereby amended as
18 follows:

19 16.12.070. Board vacancies—Filling.

20 Vacancies on the board shall be filled by appointment by the mayor and confirmed by the
21 assembly [MAJORITY VOTE OF THE REMAINING BOARD] until the next regular election of the
22 borough at which time a new member shall be elected to fill the unexpired term or for a 3-year
23 term if no unexpired term remains. The clerk shall provide at least twenty-one days' advance
24 public notice before filling the vacancy. Public notice may be provided by publication through

1 print or broadcast media, posting at the primary service area office or at the borough
2 administration building, and such other publication as the service area board deems appropriate.

3 **SECTION 5.** That KPB 16.16.070, relating to North Peninsula Recreation Service Area, is
4 hereby amended as follows:

5 16.16.070. Board—Vacancies—Filling.

6 Vacancies on the board shall be filled by appointment by the mayor and confirmed by the
7 assembly [MAJORITY VOTE OF THE REMAINING BOARD] until the next regular election of the
8 borough at which time a new member shall be elected to fill the unexpired term or for a 3-year
9 term if no unexpired term remains. The clerk shall provide at least twenty-one days' advance
10 public notice before filling the vacancy. Public notice may be provided by publication through
11 print or broadcast media, posting at the primary service area office or at the borough
12 administration building, and such other publication as the service area board deems appropriate.

13 **SECTION 6.** That KPB 16.20.080, relating to Kachemak Emergency Service Area, is hereby
14 amended as follows:

15 16.20.080. Board—Vacancies—Filling.

16 Vacancies on the board shall be filled by appointment by the mayor and confirmed by the
17 assembly [MAJORITY VOTE OF THE REMAINING BOARD] until the next regular election of the
18 borough at which time a new member shall be elected to fill the unexpired term or for a three-
19 year term if no unexpired term remains. The clerk shall provide at least twenty-one days' advance
20 public notice before filling the vacancy. Public notice may be provided by publication through
21 print or broadcast media, posting at the primary service area office or at the borough
22 administration building, and such other publication as the service area board deems appropriate.

23 **SECTION 7.** That KPB 16.24.070, relating to South Kenai Peninsula Hospital Service Area, is
24 hereby amended as follows:

1 16.24.070. Board—Vacancies—Filling.

2 Vacancies on the board shall be filled by appointment by the mayor and confirmed by the
3 assembly [MAJORITY VOTE OF THE REMAINING BOARD] until the next regular election of the
4 borough at which time a new member shall be elected to fill the unexpired term or for a three-
5 year term if no unexpired term remains. The clerk shall provide at least twenty-one days' advance
6 public notice before filling the vacancy. Public notice may be provided by publication through
7 print or broadcast media, posting at the primary service area office or at the borough
8 administration building, and such other publication as the service area board deems appropriate.

9 **SECTION 8.** That KPB 16.28.070, relating to Bear Creek Fire Service Area, is hereby amended
10 as follows:

11 16.28.070. Board—Vacancies—Filling.

12 Vacancies on the board shall be filled by appointment by the mayor and confirmed by the
13 assembly [MAJORITY VOTE OF THE REMAINING BOARD] until the next regular election of the
14 borough at which time a new member shall be elected to fill the unexpired term or for a three-
15 year term if no unexpired term remains. The clerk shall provide at least twenty-one days' advance
16 public notice before filling the vacancy. Public notice may be provided by publication through
17 print or broadcast media, posting at the primary service area office or at the borough
18 administration building, and such other publication as the service area board deems appropriate.

19 **SECTION 9.** That KPB 16.30.080, relating to Central Emergency Service Area, is hereby
20 amended as follows:

21 16.30.080. Board—Vacancies—Filling.

22 Vacancies on the board shall be filled by appointment by the mayor and confirmed by the
23 assembly [MAJORITY VOTE OF THE REMAINING BOARD] until the next election of the borough at
24 which time a new member shall be elected to fill the unexpired term or for a three-year term if no

1 unexpired term remains. The clerk shall provide at least twenty-one days' advance public notice
2 before filling the vacancy. Public notice may be provided by publication through print or
3 broadcast media, posting at the primary service area office or at the borough administration
4 building, and such other publication as the service area board deems appropriate.

5 **SECTION 10.** That KPB 16.50.080, relating to Seward-Bear Creek Flood Service Area, is
6 hereby amended as follows:

7 16.50.080. Board—Vacancies—Filling.

8 Vacancies on the board shall be filled by appointment by the mayor and confirmed by the
9 assembly [MAJORITY VOTE OF THE REMAINING BOARD] until the next regular election of the
10 borough at which time a new member shall be elected to fill the unexpired term or for a three-
11 year term if no unexpired term remains. The clerk shall provide at least twenty-one days' advance
12 public notice before filling the vacancy. Public notice may be provided by publication through
13 print or broadcast media, posting at the primary service area office or at the borough
14 administration building, and such other publication as the service area board deems appropriate.

15 **SECTION 11.** That KPB 16.55.080, relating to Seldovia Recreational Service Area, is hereby
16 amended as follows:

17 16.55.080. Board—Vacancies—Filling.

18 Vacancies on the board shall be filled by appointment by the mayor and confirmed by the
19 assembly [MAJORITY VOTE OF THE REMAINING BOARD] until the next regular election of the
20 borough at which time a new member shall be elected to fill the unexpired term or for a three-
21 year term if no unexpired term remains. The clerk shall provide at least twenty-one days' advance
22 public notice before filling the vacancy. Public notice may be provided by publication through
23 print or broadcast media, posting at the primary service area office or at the borough
24 administration building, and such other publication as the service area board deems appropriate.

1 **SECTION 12.** That KPB 16.60.060(B), relating to Anchor Point Fire and Emergency Medical
2 Service Area, is hereby amended as follows:

3 16.60.060. Board—Vacancies.

4 ...

5 B. Vacancies on the board shall be filled by appointment by the mayor and confirmed by the
6 assembly [A MAJORITY VOTE OF THE REMAINING BOARD MEMBERS] until the next regular
7 election of the borough, at which time a new member shall be elected to fill the unexpired
8 term or for a three-year term if no unexpired term remains. The clerk shall provide at
9 least twenty-one days' advance public notice before filling the vacancy. Public notice
10 may be provided by publication through print or broadcast media, posting at the primary
11 service area office or at the borough administration building, and such other publication
12 as the service area board deems appropriate.

13 **SECTION 13.** That KPB 16.70.070(B), relating to Nikiski Senior Service Area, is hereby
14 amended as follows:

15 16.70.070. Board—Vacancies created when—Filling vacancies.

16 ...

17 B. Vacancies on the board shall be filled by appointment by the mayor and confirmed by the
18 assembly [MAJORITY VOTE OF THE REMAINING BOARD] until the next regular election of the
19 borough at which time a new member shall be elected to fill the unexpired term or for a three-
20 year term if no unexpired term remains. The clerk shall provide at least twenty-one days' advance
21 public notice before filling the vacancy. Public notice may be provided by publication through
22 print or broadcast media, posting at the primary service area office or at the borough
23 administration building, and such other publication as the service area board deems appropriate.

24 **SECTION 14.** That this ordinance takes effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS *
DAY OF * 2013.**

Linda Murphy, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

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**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

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

THRU: Mike Navarre, Mayor *MN*

FROM: Colette G. Thompson, Borough Attorney *CGT*

DATE: June 6, 2013

SUBJECT: Ordinance 2013-24, amending the borough code to provide that public members of the board of equalization and service area board members appointed to fill vacancies on the service area shall be appointed by the mayor and confirmed by the assembly

It recently came to our attention that the process used to appoint members of the public to the board of equalization and fill vacancies on service area boards is at odds with AS 29.20.320 which requires that such positions be filled by appointment by the mayor and confirmation by the assembly. This ordinance would correct those errors in the borough code. Your consideration and approval are respectfully requested.

Introduced by: Mayor
Date: 06/18/13
Hearing: 08/06/13
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2013-25**

**AN ORDINANCE AUTHORIZING RETENTION OR SALE OF CERTAIN REAL
PROPERTY OBTAINED BY THE KENAI PENINSULA BOROUGH THROUGH TAX
FORECLOSURE PROCEEDINGS**

1 **WHEREAS**, certain real property has been deeded to the borough through tax foreclosure
2 proceedings pursuant to AS 29.45.290 et seq. for delinquent payment of taxes; and

3 **WHEREAS**, the Kenai Peninsula Borough has received Judgment of Decree and Foreclosure for
4 the real property listed in this ordinance; and

5 **WHEREAS**, the Kenai Peninsula Borough has requested Clerk's Deeds be issued by the court; and

6 **WHEREAS**, these parcels have been reviewed by the Kenai Peninsula Borough School District, all
7 Kenai Peninsula Borough administrative departments, service areas, cities, and the
8 Kenai Peninsula Borough Planning Commission; and

9 **WHEREAS**, the administration recommends certain parcels be retained for the public purpose
10 noted; and

11 **WHEREAS**, notice of hearing of this ordinance has been sent by certified mail to the former
12 owners of record of the real properties which are subject to this ordinance; and

13 **WHEREAS**, notice has been mailed within five (5) days of the first publication of the hearing on

1 this ordinance and is sufficient if mailed to the former real property owner(s) as the
2 name(s) appear on the borough assessment records; and

3 **WHEREAS**, the Planning Commission conducted a public hearing on July 15, 2013, and
4 recommended _____;

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

7 **SECTION 1.** That the following real property as shown in EXHIBIT A is designated as foreclosed
8 parcels retained for a public purpose with a recommended applicable classification,
9 pursuant to KPB 5.12.310.

10 **SECTION 2.** It is hereby determined that a public need for the real properties listed in EXHIBIT B
11 does not exist and they are hereby designated as foreclosed parcels for sale and may
12 be sold by outcry auction.

13 **SECTION 3.** That the mayor is hereby authorized to sell the real property designated as foreclosed
14 parcels for sale for an amount not less than the judgment amount for taxes, plus
15 penalties, interest and other related costs as certified by the finance department, for
16 cash at a public outcry auction. All real property to be sold is subject to any and all
17 restrictions of record, zoning ordinances, and any and all plat requirements and
18 covenants.

19 **SECTION 4.** In the event that any of the parcels are sold for more than the amount of taxes,
20 penalties, interest and other related costs, the borough Finance Director shall provide
21 written notice to the former record owner of the real property advising of the amount
22 of excess and the manner in which a claim for the balance of the proceeds may be
23 submitted. Notice is sufficient if mailed to the former record owner at his/her last
24 address of record. Upon presentation of a proper claim, the borough shall remit the

1 excess to the former owner of record. A claim for the excess, which is filed after six
2 (6) months of the date of the sale, is forever barred.

3 **SECTION 5.** That the Assembly authorizes the mayor to conduct an outcry auction of the tax
4 foreclosed real property listed in Exhibit B to be held on October 19, 2013, in the
5 Soldotna High School Auditorium, Soldotna, Alaska, and to cause a public notice to
6 be published in a newspaper of general circulation in the borough not less than thirty
7 (30) days before the date of the sale and posted within that time in at least three
8 public places in the borough.

9 **SECTION 6.** That the mayor will execute and deliver to the buyer of any of the sale parcels a tax
10 foreclosure deed without warranty or representation, which will convey any and all
11 interest the borough might have in the real property. Prospective buyers shall be put
12 on notice by this ordinance and by other means of publication in the public notice of
13 the sale that the borough does not vouch for its rights, title or interest in any of the
14 properties to be sold, and the prospective buyers are put on notice that the borough
15 shall be held harmless from any and all claims regarding title or possession to any of
16 the properties on the list of real property to be sold. The prospective buyers shall also
17 be advised in the public notice that the borough reserves the right to withdraw any or
18 all of the parcels listed for sale and that, pursuant to law, any or all of the real
19 property listed for sale may be repurchased by the record owners, or their assigns or
20 heirs, at any time before the sale.

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

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY
OF *, 2013.**

Linda Murphy, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:

**EXHIBIT A
PROPERTIES TO BE RETAINED FOR A PUBLIC PURPOSE**

Parcel	Legal Description	General Location	Acres	Last Owner of Record	Reason for Retention	Recommended Applicable Classification
01316211	Lake and Reserved Use Area, Georgine Lake Subdivision Add'n No. 1, as shown on Plat No. 75-81, Kenai Recording District	Nikiski	1.46	Georgine Steib	This parcel would provide access to Barr Lake for recreational purposes. This parcel is subject to Plat note #2 as follows: "Lake and Reserved Use Areas are reserved for the exclusive use of the lot owners within this subdivision."	Government
01409015	Lot 8, Block 6, Marion Subdivision Amended, as shown on Plat No. 74-108, Kenai Recording District	Nikiski	0.85	Tucker Lillian in Trust for Darrell Tucker	It would not be practical to have this parcel in private ownership, and once retained it would be open to the public. Less than 40,000 s.f.	Government
01512006	Lot 6, Block 1, Sprucewood Manor Subdivision, as shown on Plat No. 1606, Kenai Recording District	Nikiski	0.28	M & H Enterprises Inc	Less than 40,000 s.f.	Government

Parcel	Legal Description	General Location	Acres	Last Owner of Record	Reason for Retention	Recommended Applicable Classification
01512007	Lot 7, Block 1, Sprucewood Manor Subdivision, as shown on Plat No. 1606, Kenai Recording District	Nikiski	0.28	M & H Enterprises Inc	Less than 40,000 s.f.	Government
19209106	Lot 2C, Block 39 East Addition, Seldovia Townsite, as shown on Plat No. 66-28, Seldovia Recording District	Seldovia	0.25	Bowers Regina & Frank Bowers	Less than 40,000 s.f.	Government
19209108	Lot T35, Alaska Tidelands Survey 219, as shown on Plat No. 64-13, Seldovia Recording District	Seldovia	0.03	Bowers Regina & Frank Bowers	Less than 40,000 s.f.	Government

EXHIBIT B
PROPERTIES TO BE SOLD BY OUTCRY AUCTION

Parcel	Legal Description	General Location	Acres	Last Owner of Record
01306031	Lot 8-B, Wik Lake Addition Resub Lot 8, as shown on Plat No. 75-96, Kenai Recording District	Nikiski	2.00	Wik Jordan B & Lori A
01714031	Government Lot 48, T6N, R12W, Section 14, Seward Meridian, Alaska	Salamatof	1.90	Carle Edgar Eugene
02535008	Lot 253, Gray Cliff Subdivision, as shown on Plat No. 82-80, Kenai Recording District	Gray Cliff	5.16	Cheer Michael Q Iii & Irene
02543419	Lot 51, Moose Point Subdivision, as shown on Plat No. 84-65, Kenai Recording District	Moose Point	9.63	Dake William A
05527026	Lot 26, Block 1, Diamond Willow Estates Subdivision, Part 5, as shown on Plat No. 81-100, Kenai Recording District	Kalifonsky	1.38	Gibbs James & Patricia
05532048	Lot 1, Block 4, Farr Subdivision, as shown on Plat No. 78-64, Kenai Recording District	Kalifonsky	2.08	Mershon Edmond O
05542101	Lot 1, J & P Subdivision, as shown on Plat No. 82-96, Kenai Recording District	Kalifonsky	1.48	Gibbs James E & Patricia
05542229	Lot 1, J and P Subdivision, Aurora Addition, as shown on Plat No. 2001-21, Kenai Recording District	Kalifonsky	0.97	Gibbs James E & Patricia
05542230	Lot 2, J and P Subdivision, Aurora Addition, as shown on Plat No. 2001	Kalifonsky	0.95	Gibbs James E & Patricia
05542231	Lot 3, J and P Subdivision, Aurora Addition, as shown on Plat No. 2001	Kalifonsky	0.92	Gibbs James E & Patricia
05542232	Lot 4, J and P Subdivision, Aurora Addition, as shown on Plat No. 2001	Kalifonsky	0.92	Gibbs James E & Patricia
05542233	Lot 5, J and P Subdivision, Aurora Addition, as shown on Plat No. 2001	Kalifonsky	0.92	Gibbs James E & Patricia
05542234	Lot 6, J and P Subdivision, Aurora Addition, as shown on Plat No. 2001	Kalifonsky	0.92	Gibbs James E & Patricia
05542235	Lot 7, J and P Subdivision, Aurora Addition, as shown on Plat No. 2001	Kalifonsky	0.99	Gibbs James E & Patricia
06301729	Lot 15, Block 3, Sterling Crystal Estates Subdivision, as shown on Plat No. 86-40, Kenai Recording District	Sterling	0.93	Julsen Douglas & Deborah
06545005	Lot 5, Block 2, East Sterling Park Subdivision, as shown on Plat No. 76-51, Kenai Recording District	Sterling	1.21	Nichol Gregory T
06545007	Lot 2, Block 1, East Sterling Park Subdivision, as shown on 76-51, Kenai Recording District	Sterling	1.12	Nichol Gregory T
06639016	Lot 4, Kennedy Subdivision No. 2, as shown on Plat No. 86-161, Kenai Recording District	Funny River	1.27	King John L & Debra K
13303126	SE¼SE¼, Section 6, T3N, R11W, Seward Meridian, Alaska	Kalifonsky	40.00	Smyth Sharon Croskey
13340004	Lot 4, Block 1, Beaver Brook Estates Subdivision, as shown on Plat No. 78-29, Kenai Recording District	Kasilof	2.19	Smyth Sharon Croskey
13340028	Lot 2A, Beaver Brook Estates #2, as shown on Plat No. 2000-3, Kenai Recording District	Kasilof	3.24	Smyth Sharon Croskey

Parcel	Legal Description	General Location	Acres	Last Owner of Record
13727101	Lot 1, North Ridge Estates Subdivision, as shown on Plat No. 86-133, Kenai Recording District	Cohoe	1.34	Gonzalez Ismael
14417042	Lot 12, Block 2, Camelot By the Sea Subdivision, as shown on Plat No. 76, Seward Recording District	Seward	1.95	Capitol Developments Co
14523042	Lot 3, Block 6, Woodland Hills Estates Subdivision, Part 4, as shown on Plat No. 80-08, Seward Recording District	Seward	0.69	Sczawinski Timothy M.
15703023	NE¼SE¼, T1S, R14W, Section 23, Seward Meridian, Alaska	Ninilchik	40.00	Gibbs James E & Patricia E
15703024	NW¼SW¼, T1S, R14W, Section 24, Seward Meridian, Alaska	Ninilchik	40.00	Gibbs James E & Patricia E
15931011	Lot C-1B, J. Booth Recreational Subdivision Parcels C-1A & C-1B, as shown on Plat No. 76-67, Homer Recording District	Happy Valley	2.46	Smith William D Estate Of
15942026	Lot 1, Block 4, Deep Creek Estates Subdivision, as shown on Plat No. 76-84, Homer Recording District	Ninilchik	1.75	Nicholson Daniel A
16548003	Lot 22, Block 1, Starichkof Cape Estates Subdivision, as shown on Plat No.77-28, Homer Recording District	Anchor Point	9.35	Kendall Margaret & Duff Ruth M Family Trust & Childers Susan & Franconi Judy & Kendall Larry
16548014	Lot 4, Block 1, Starichkof Cape Estates Subdivision, as shown on Plat No. 77-28, Homer Recording District	Anchor Point	6.46	Kendall Margaret & Duff Ruth M Family Trust & Childers Susan & Franconi Judy & Kendall Larry
16548042	Lot 1, Block 2, Starichkof Cape Estates Subdivision, as shown on Plat No. 77-28, Homer Recording District	Anchor Point	7.83	Kendall Margaret & Duff Ruth M Family Trust & Childers Susan & Franconi Judy & Kendall Larry
16548051	Lot 1, Evergreen Meadows Subdivision, as shown on Plat No. 2002-39, Homer Recording District	Anchor Point	13.12	Solomon Mia J
16564022	Lot 29, Nikolaevsk Village Subdivision No 4, as shown on Plat No. 80-33, Homer Recording District	Nikolaevsk	1.46	Stafford Ronald E
16569011	Lot 7, Chakok River Homesites Unit 2, as shown on Plat No. 98-38, Homer Recording District	Anchor Point	9.49	Basargin Isak & Basargin Irena
16569012	Lot 8, Chakok River Homesites Unit 2, as shown on Plat No. 98-38, Homer Recording District	Anchor Point	11.80	Basargin Isak & Basargin Irena
16569024	Lot 20, Chakok River Homesites Unit 2, as shown on Plat No. 98-38, Homer Recording District	Nikolaevsk	9.49	Basargin Isak & Basargin Irena
16921026	Lot 11, Block 3, Cranberry Hills Subdivision, as shown on Plat No. 77-58, Homer Recording District	Anchor Point	1.47	Christensen Philip
17102126	NE¼ of Lot 14, Anchor River Ranchos Subdivision, as shown on Plat No. 72-328, Homer Recording District	Anchor Point	9.35	Porter Lance N
17210405	Lot 5, World View Subdivision, as shown on Plat No. 64-75, Homer Recording District	Fritz Creek	1.10	Johnstone Christine Elisabeth

Parcel	Legal Description	General Location	Acres	Last Owner of Record
17305226	Tract 2, McDonald's Subdivision, as shown on Plat No. 76-48, Homer Recording District	Diamond Ridge	9.07	McDonald B M & Margaret J Co-Trst
17305227	Tract 3, McDonald's Subdivision, as shown on Plat No. 76-48, Homer Recording District	Diamond Ridge	8.49	McDonald B M & Margaret J Co-Trst
17305228	Tract 5, McDonald's Subdivision, as shown on Plat No. 76-48, Homer Recording District	Diamond Ridge	8.22	McDonald B M & Margaret J Co-Trst
17305229	Tract 4, McDonald's Subdivision, as shown on Plat No. 76-48, Homer Recording District	Diamond Ridge	8.68	McDonald B M & Margaret J Co-Trst
17350024	Lot 42, Bay Ridge Estates Subdivision, Unit 2, as shown on Plat No. 75-44, Homer Recording District	Diamond Ridge	2.16	Upstrem Enterprises, LLC
17352003	Lot 3, Block 1, Sunny Slope Subdivision, Unit 1, as shown on Plat No. 75-33, Homer Recording District	Diamond Ridge	1.87	Trophy Fishing & Hunting Lodge Inc
17369010	Lot 4, Eagle View Subdivision, Amended, as shown on Plat No. 84-4, Homer Recording District	Diamond Ridge	2.39	Setters Douglas & Jennifer Setters
19134022	Lot 12, Block 6, Barabara Heights Subdivision, as shown on Plat No. 79-6, Seldovia Recording District	Seldovia Village	3.07	Saccheus Michelle L Meehan



KENAI PENINSULA BOROUGH

Planning Department • Land Management Division
144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2200 • **FAX:** (907) 714-2378

Toll-free within the Borough: 1-800-478-4441, Ext. 2200

www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

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

THRU: Mike Navarre, Kenai Peninsula Borough Mayor *MN*
Craig Chapman, Finance Director *BCJ scccc*
Max Best, Planning Director *MB*
Marcus Mueller, Land Management Officer *MM*

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

DATE: June 6, 2013

SUBJECT: Ordinance 2013-*25* Authorizing Retention or Sale of Certain Real Property Obtained by the Kenai Peninsula Borough Through Tax Foreclosure Proceedings

Pursuant to KPB 17.10.100(A) and tax foreclosure proceedings pursuant to AS 29.45.290 et seq. the borough has requested Clerk's Deeds be issued by the court to the KPB for the real property listed in the subject ordinance. Notice of the sale is sent to the last owner(s) of record by certified mail within five days after the first publication of the hearing on the ordinance as per AS 29.45.460(c).

A preliminary list of parcels proposed for the 2013 auction was sent for review and comment to the KPB School District, all KPB administrative departments, cities, and KPB Service Areas. The subject ordinance authorizes 47 parcels to be sold by public outcry auction as shown on Exhibit B. The number of parcels to be sold or retained will change if taxes are paid.

Six parcels are proposed for retention for a public purpose with recommended classifications as shown on Exhibit A. These parcels include the following:

- Five parcels are less than 40,000 s.f. Pursuant to KPB 20.20.190 lots shall meet minimum acreage to provide for well and septic. Parcels less than 40,000 s.f. are generally considered to be "substandard" as they are not large enough to provide for both well and septic. These parcels could

be proposed for a borough Substandard Lot Sale in the future and offered to the adjacent property owners who wish to combine it with their land.

- Parcel 01316211 would provide access to Barr Lake for recreational purposes. This parcel is subject to Plat note #2 as follows: "Lake and Reserved Use Areas are reserved for the exclusive use of the lot owners within this subdivision." It would not be practical to have this parcel in private ownership, and once retained it would be open to the public.

Please reference the attached maps / aerial photos of the parcels listed in the ordinance.

The tax foreclosure auction is scheduled for Saturday October 19, 2013 in the Soldotna High School Auditorium. The KPB Planning Commission will consider this ordinance at its regularly scheduled meeting of July 15, 2013 and the action taken will be reported to the Assembly.

Introduced by: Mayor
Date: 06/18/13
Shortened Hearing: 07/02/13
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2013-26**

**AN ORDINANCE AMENDING THE APPLICATION DATE OF ORDINANCE 2013-14,
WHICH REDUCED THE INTEREST RATE AND MAXIMUM PENALTIES CHARGED
SELLERS FOR DELINQUENT SALES TAXES TO 10 PERCENT**

1 **WHEREAS**, the Kenai Peninsula Borough sales tax code was amended by ordinance 2013-14
2 to reduce the rate of interest charged sellers for delinquent sales taxes to 10
3 percent and the maximum late payment penalty from 25 percent to 10 percent to
4 help enable sellers to pay off delinquent sales tax debts sooner, to reduce
5 administrative costs of collection, and improve collection efforts; and

6 **WHEREAS**, section 3 of ordinance 2013-14 provided that it shall apply to sales tax reporting
7 periods starting after June 30, 2013; and

8 **WHEREAS**, the administration intended that these reduced interest and penalty rates would
9 apply to sales taxes due as of and after July 1, 2013; and

10 **WHEREAS**, the administration has also determined that the sales tax software cannot
11 recognize more than one interest rate for delinquent sales taxes and requests
12 authority to apply the 10 percent interest rate to all delinquent sales taxes,
13 beginning July 1, 2013, including those that became delinquent before July 1,
14 2013, for ease of administration;

15 **NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI**
16 **PENINSULA BOROUGH:**

1 **SECTION 1.** That section 3 of ordinance 2013-14 is hereby amended to read as follows:

2 That this ordinance shall apply to all sales taxes unpaid and due as of or after July
3 1, 2013 [SALES TAX REPORTING PERIODS STARTING AFTER JUNE 30, 2013].

4 **SECTION 2.** That this ordinance takes effect retroactively on July 1, 2013.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS *
DAY OF * 2013.**

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

THRU: Mike Navarre, Mayor *MN*

FROM: Craig Chapman, Director of Finance *CC*

DATE: June 6, 2013

SUBJECT: Ordinance 2013-*26*, amending the application date of ordinance 2013-14, which reduced the interest rate and maximum penalties charged sellers for delinquent sales taxes

The finance department is in the process of upgrading its sales tax reporting and collection software. Ordinance 2013-14, which reduced the maximum penalties and annual interest on delinquent sales taxes to 10 percent, stated that it would apply to sales tax reporting periods starting after June 30, 2013. Following enactment of ordinance 2013-14 it was determined that applying the new maximum rates of interest and penalties just to those reporting periods would mean that the first large group to which this would apply would be those quarterly sales tax returns due October 31, 2013. It was intended that the reduced rates go into effect immediately in the new fiscal year.

Additionally it appears that neither our existing nor our new software will be able to recognize two different interest rates for outstanding unpaid sales taxes. If we do not apply this ordinance to existing outstanding unpaid sales taxes that are currently accruing interest at 15 percent we anticipate having significant trouble implementing the ordinance as written. Accordingly we request that the administration be given the authority to reduce the interest rate and maximum penalty percentages for all outstanding delinquent unpaid sales taxes as of July 1, 2013. Thus the same rate of interest, 10 percent, would apply to the remaining balances on all delinquent sales tax cases.

Shortened hearing is requested in order that this may be implemented promptly after the effective date of ordinance 2013-14, which is July 1, 2013. Your favorable consideration would be appreciated.

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: Linda Murphy, Assembly President
Members of the Assembly

Thru: Johni Blankenship, Borough Clerk (JB)

From: Katie Ring, Borough Clerk Secretary KR

Date: June 18, 2013

RE: New Liquor License – Redoubt Bay Lodge

Kenai Peninsula Borough Code 7.10.010 provides for mandatory Assembly review of all applications for new liquor licenses located within the Borough. Accordingly, the attached application filed by Wolverine Leasing LLC dba Redoubt Bay Lodge is 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.

RECOMMENDATION:

That the Assembly authorizes a letter of non-objection to the issuance of the new liquor license as requested by **Wolverine Leasing LLC dba Redoubt Bay Lodge.**

cc: Wolverine Leasing LLC



THE STATE
of ALASKA

GOVERNOR SEAN PARNELL

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive
Anchorage, Alaska 99501
Main: 907.263.5900
TDD: 907.465.5437
Fax: 907.263.5930

May 20, 2013

Kenai Peninsula Borough

Attn: Borough Clerks

VIA Email: joanne@borough.kenai.ak.us
jblankenship@borough.kenai.ak.us
kting@borough.kenai.ak.us

Wolverine Leasing, LLC – Lodge License #5242 DBA Redoubt Bay Lodge

- New Application
- Transfer of Ownership
- Transfer of Location
- Restaurant Designation Permit
- DBA Name Change

We have received an application for the above listed licenses (see attached application documents) within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 3 AAC 304.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 3 AAC 304.335(a)(3), AS 04.11.090(e), and 3 AAC 304.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. COTÉ

Director



Sarah D. Oates

Business Registration Examiner

sarah.oates@alaska.gov

(907)263-5921

State of Alaska
Alcoholic Beverage Control Board

RECEIVED

MAY 20 2013

Date of Notice: May 20, 2013

Borough Clerk's Office
Kenai Peninsula Borough

Application Type: NEW X

- TRANSFER
- Ownership
- Location
- Name Change

Governing Body: **Kenai Peninsula Borough**
Community Councils: None

License #: 5242
License Type: Lodge
D.B.A.: Redoubt Bay Lodge
Licensee/Applicant: Wolverine Leasing, LLC
Physical Location: ASLS 77-49, Plat 78-52 (26 miles west of Kenai)
Mail Address: PO Box 1508, Kenai, AK 99611
Telephone #: 907-776-5147
EIN: 45-5344946

Corp/LLC Agent:	Address	Phone	Date and State of Incorporation	Good standing?
Wolverine Leasing, LLC	PO Box 8223 Nikiski, AK 99635	907-776-3320	04/26/2012 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 (%)
Danny E. Brewer, Jr. Member	06/21/1961	53080 Tenakee Loop Nikiski, AK 99635	907-252-7616	50%
Douglas A. Brewer Member	07/23/1964	52538 Suzanne Avenue Nikiski, AK 99635	907-776-5147	50%

If **transfer** application, current license information:

License #:
Current D.B.A.:
Current Licensee:
Current Location:

Additional comments:

Liquor License Application Review

TO: Delinquent Accounts
 Planning Department

DATE: May 20, 2013

Review and return to Borough Clerk with comments by: 6-6-13
For Assembly Meeting of 6-18-13

The Finance Department has no objection to the issuance of this license.
Date: 5/20/13 By: Joanne Rodgers

LODGE
Liquor License

This application is for:

- Seasonal - Two 6-month periods in each year of the biennial period beginning 5/1 and ending 11/1
 Full 2-year period
- Mo/Day Mo/Day

SECTION A. LICENSE INFORMATION. Must be completed.		FEEES
License Number: <i>(Please leave License # blank)</i> <u>5242</u>	License Year: <u>2013/2014</u>	License Fee: \$1250.00 <u>625.-</u>
Statute Reference: Sec. 04.11.225	Federal EIN or SSN: <u>45-5344946</u>	Filing Fee: \$100.00
		Fingerprint Fee: (\$51.50 per person) <u>103.-</u>
		Total Submitted: \$ <u>828.-</u>

City/Borough/Location information:

City: N/A Borough: Kenai Peninsula Borough

If you are outside an organized city or borough, you must provide the following:

Nearest City or Borough: Kenai Peninsula Borough

Distance (in miles) from nearest city or borough: 26 miles west of Kenai

Latitude/Longitude (if known): _____

Please provide the address or a detailed graphic description of your premise location:

US Survey 77-49 ASLS 77-49 Kenai Alaska

Name of Licensee (Corp/LLC/LP/LLP/Individual): <u>Wolverine Leasing, LLC</u>	Doing Business As (Business Name): <u>Redoubt Bay Lodge</u>	Business Telephone Number: <u>907-776-5147</u>
Mailing Address: <u>PO Box 1508</u>	Street Address or Location of Premise: <u>US Survey 77-49</u> <u>ASLS-77-49 Kenai</u> <u>AK</u>	Fax Number: <u>907-776-5623</u>
City, State, Zip: <u>Kenai AK 99611</u>		Email Address: <u>dbrewer@acsalaska.net</u>

SECTION C. Individual, corporate officer, director, limited liability organization member, manager or partner background.

Does any individual, corporate officer, director, shareholder, limited liability organization member, manager, or any partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state? List below:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
<u>Name - State</u>	<u>Name - State</u>	
Has any person named in this application been convicted of a felony, AS 04 violation, or convicted as licensee/manager of any other licensed premise in another state under the liquor laws of that state? Please attach written explanation.	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO

* All employees will receive alcohol server training prior to the lodge opening in late May/early June.

LODGE
Liquor License

Corporations, LLCs, LLPs and LLPs must be registered with the Dept. of Community and Economic Development.

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership) <i>Wolverine Leasing LLC</i>		Telephone Number <i>907-776-3320</i>	Fax Number <i>907-776-5623</i>
Corporate Mailing Address: <i>PO Box 8223</i>	City <i>Niukski</i>	State <i>AK</i>	Zip Code <i>99635</i>
Name, Mailing Address and Telephone Number of Registered Agent <i>Danny Brewer Jr PO Box 8223 Niukski AK 99635</i>		Date of Incorporation OR Certification with DCED <i>907-776-3320</i>	State of Incorporation <i>Alaska</i>
Is the Entity in compliance with the reporting requirements of Title 10 of the Alaska Statutes? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity must be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.			

Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)					
Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
<i>Danny E Brewer Jr</i>	<i>Member</i>	<i>50</i>	<i>53080 Tenakee Lp. Niukski AK</i>	<i>252-7616</i>	<i>6-21-1961</i>
<i>Douglas A Brewer</i>	<i>Member</i>	<i>50</i>	<i>52538 Suzanne Ave Niukski AK</i>	<i>776-5147</i>	<i>7-23-1964</i>

NOTE: On a separate sheet provide information on ownership other organized entities that are shareholders of the licensee.

Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse of a licensee. Each Affiliate must be listed.)			
Name: <i>Danny E Brewer Jr</i> Address: <i>53080 Tenakee Lp Niukski, AK 99635</i> Home Phone: Work Phone: <i>907-252-7616</i>	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>	Name: <i>Douglas A Brewer</i> Address: <i>52538 Suzanne Ave Niukski AK 99635</i> Home Phone: Work Phone: <i>907-776-5147</i>	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>
Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>

Declaration

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the corporation, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

Signature of Licensee(s)	
Signature <i>Danny E Brewer Jr</i>	Signature <i>Douglas A Brewer</i>
Name & Title (Please Print) <i>Danny E. Brewer Jr</i>	Name & Title (Please Print) <i>Douglas A. Brewer</i>
Subscribed and sworn to before me this <i>7</i> day of <i>Nov</i> , <i>2012</i>	Subscribed and sworn to before me this <i>7</i> day of <i>Nov</i> , <i>2012</i>
Notary Public in and for the State of Alaska	Notary Public in and for the State of Alaska
My commission expires: <i>10-2-14</i>	My commission expires: <i>10-2-14</i>

STATE OF ALASKA
ALCOHOL BEVERAGE CONTROL BOARD
Licensed Premises Diagram

INSTRUCTIONS: Draw a detailed floor plan of your present or proposed licensed premises on the graph below; show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coolers, stages, etc.

DBA: Redoubt Bay Lodge

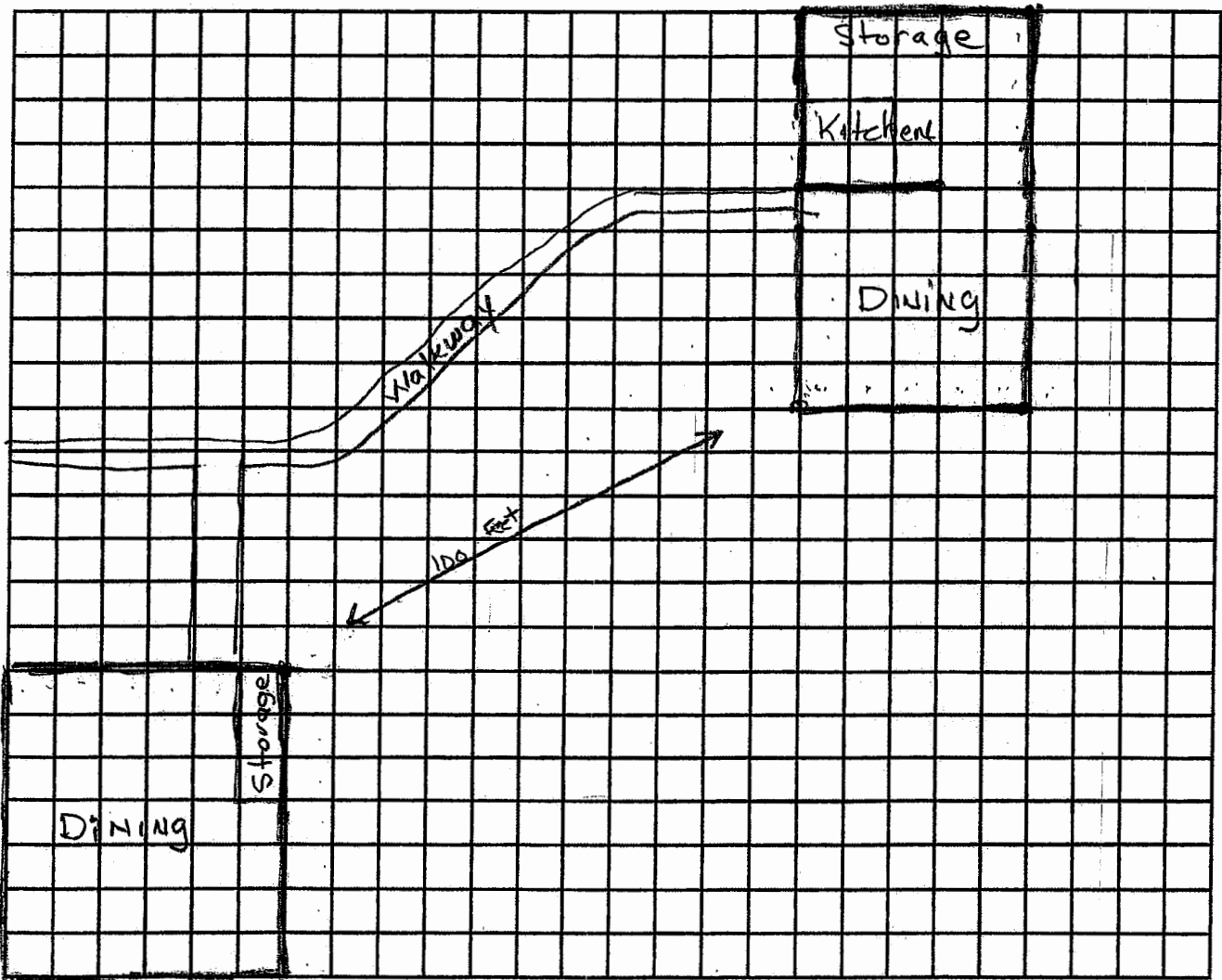
PREMISES LOCATION: Big River Lakes

Indicate scale by x after appropriate statement or show length and width of premises.

SCALE A: X 1 SQ. = 4 FT. SCALE B: _____ 1 SQ. = 1 FT.

Length and width of premises in feet:

Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.
DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.





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

MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Johni Blankenship, Borough Clerk

FROM: Maria Sweppy, Platting Specialist 

THRU: Max J. Best, Planning Director 

RE: Redoubt Bay Lodge New Liquor License Application

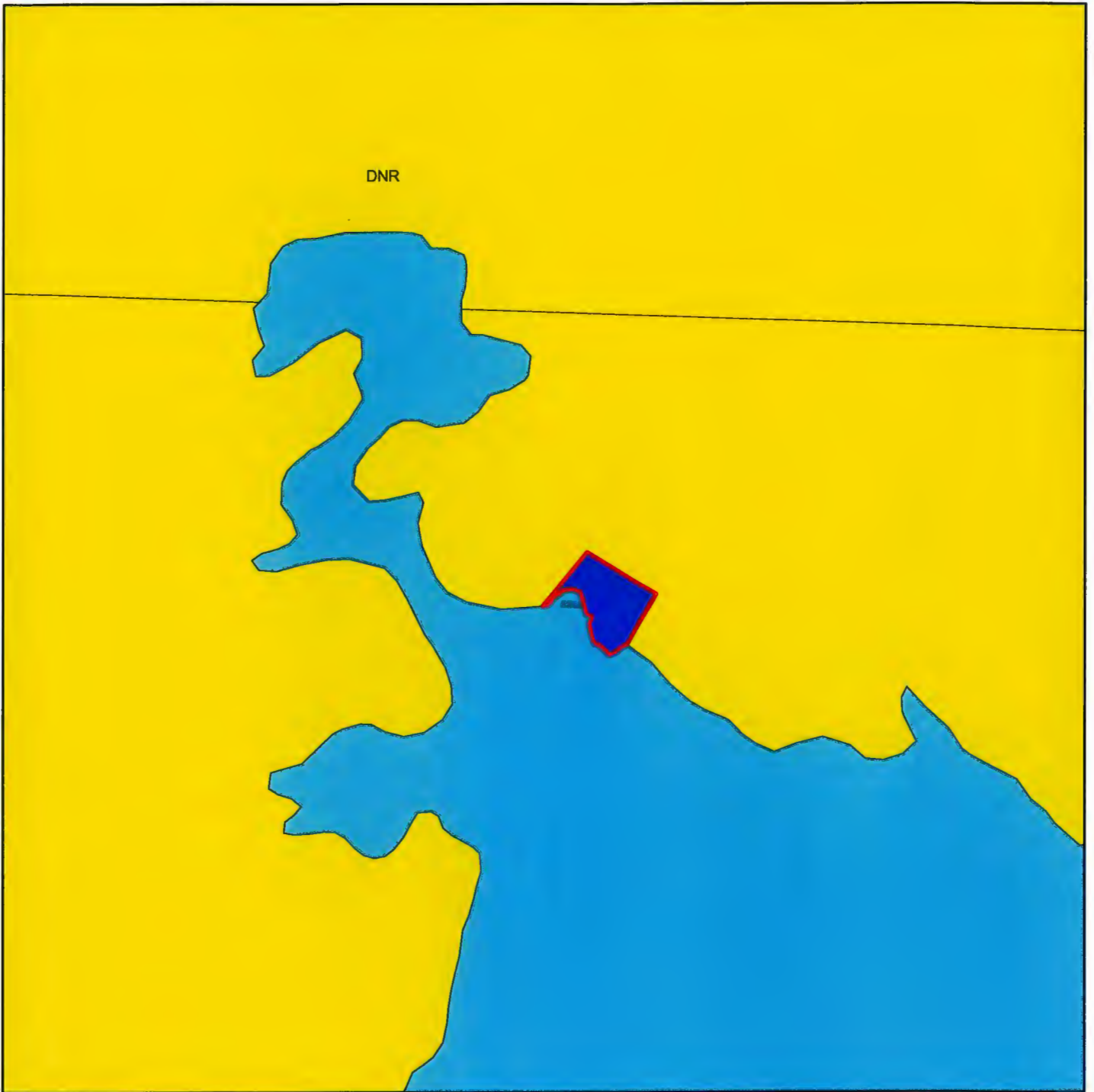
DATE: May 21, 2013

As requested, the Planning Department reviewed the Redoubt Bay Lodge new liquor license application to determine if churches or schools are within 500 feet (KPB 7.10.020).

The typical buffer to determine land use within 500 feet was not done for Parcel 221-020-03 because it is the only privately owned parcel in Section 5, Township 8 North, Range 17 West, Seward Meridian, Alaska. Parcel 221-020-03 is surrounded by a 21,760-acre parcel owned by the State Department of Natural Resources (DNR). KPB records show DNR's parcel is vacant.

A physical address has not been assigned to Parcel 221-020-03. Per KPB records, no schools or churches are within 500 feet of the Redoubt Bay Lodge. No imagery is available for this area. A U.S.G.S. map is attached along with ASLS 77-49 (AN78-52).

Maps and land status information are attached.



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.

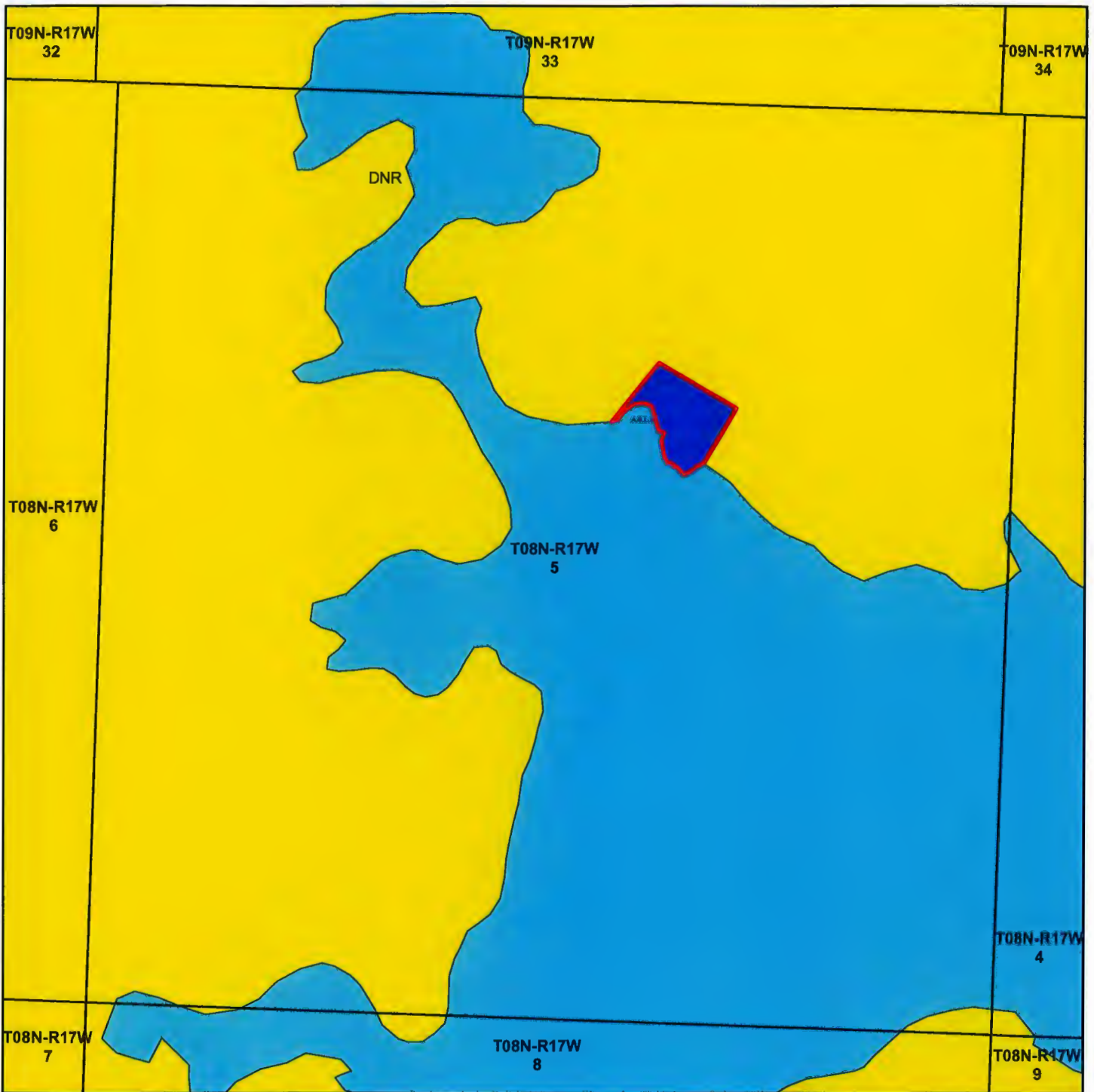
Redoubt Bay Lodge
 New Liquor License Application
 Land Use within 500 Feet



LAND USE

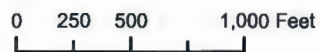
-  Accessory Building
-  Commercial
-  Industrial
-  Institutional
-  Residential
-  Timber/Farm
-  Vacant

Date: 5/21/2013



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.

Redoubt Bay Lodge
New Liquor License Application
Land Use within 500 Feet



LAND USE

- Accessory Building
- Commercial
- Industrial
- Institutional
- Residential
- Timber/Farm
- Vacant

Date: 5/21/2013





 Date: 5/21/2013

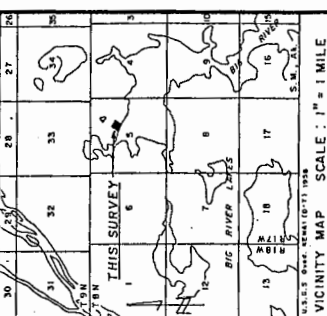
Vicinity Map

 0 430 860 1,720 feet

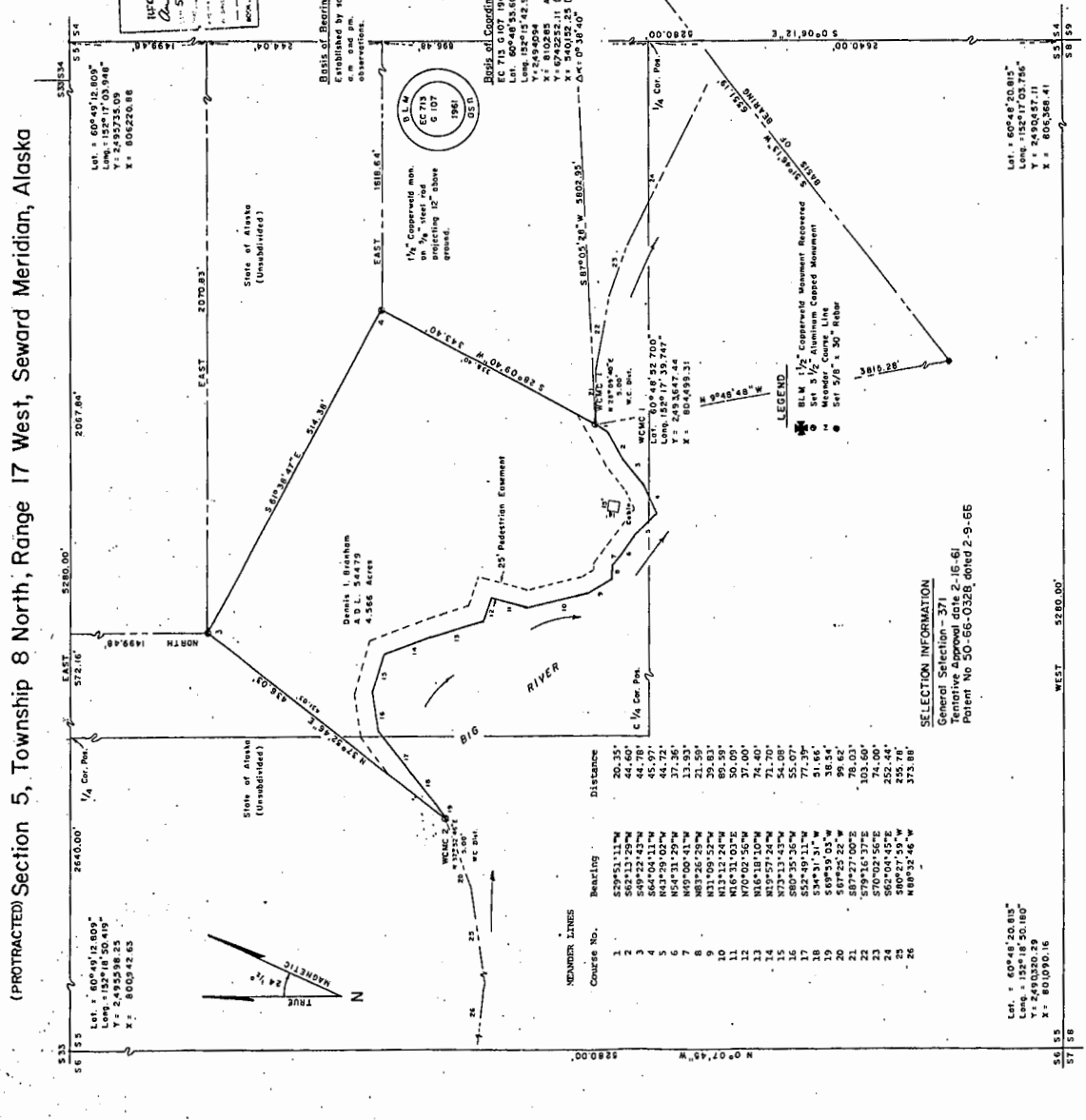


 The information depicted herein is for a graphical representation only of best available sources. The Kernal Peninsula Borough assumes no responsibility for any errors on this map.

(PROTRACTED) Section 5, Township 8 North, Range 17 West, Seward Meridian, Alaska



U.S.G.S. 6000 SERIES (REV. 10/71) 1000
 THIS SURVEY
 BIG RIVER LANDS
 M.L.B.M. 1000
 S.W. 1/4



COPIES
 7-9-52
 INSTRUCTIONS FILED
 1954
 5-4
 4-74
 ASOL

COMPLETION CERTIFICATE
 I, the undersigned, hereby certify that I am the Director, Alaska Division of Lands, and that the State of Alaska is the owner of ASIS 77-49, as shown hereon. I hereby approve this survey and plat for the State of Alaska.

4/27/79 *mettch*
 DIRECTOR, ALASKA DIVISION OF LANDS

NOTARY'S ACKNOWLEDGMENT
 Subscribed and sworn to before me this 27th day of April 1979 at Seward, Alaska by Commission Expires Dec. 1980 ASOL
 Notary for Alaska

DICTIONARY'S CERTIFICATE
 I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, and that this plat represents a survey made by me or under my supervision, and the monuments shown thereon are actually placed by me or under my supervision, and that all dimensions and other details are correct.

Met 3-1978
 Registered No. 2122-S
 Registered Land Surveyor
 Edmund J. Hynes

COURSE NO.	BEARING	DISTANCE
1	S29°51'11"W	20.35'
2	S62°13'29"W	44.60'
3	S59°22'43"W	44.78'
4	S61°03'47"W	44.72'
5	N54°31'29"W	37.36'
6	N69°00'41"W	11.93'
7	N51°09'52"W	29.83'
8	N13°12'24"W	89.59'
9	N16°31'03"E	50.09'
10	N76°02'35"W	37.00'
11	N19°57'24"W	71.70'
12	N73°13'43"W	54.08'
13	S80°35'35"W	55.07'
14	S34°31'41"W	41.66'
15	S69°59'03"W	38.54'
16	S87°25'22"W	99.62'
17	S87°27'00"E	78.03'
18	S70°02'56"E	74.00'
19	S62°04'45"E	252.44'
20	S60°27'59"W	255.78'
21	N60°26'46"W	375.88'

SELECTION INFORMATION
 General Selection - 271, 2, 16, 61
 Patent No 50-66-0328, 04042-9-66

LEGEND
 BLM 1 1/2" Copperhead Monument Recovered
 Set 3 1/2" Aluminum Cap and Monument
 Meander Curve Line
 Set 5/8" x 30" Pegs

BASES OF BEARING
 Established by 1949
 c.m. and p.m.
 observations.

BASES OF COORDINATES
 U.S.G.S. 6000 SERIES
 Lat. 60°48'20.813"
 Long. 152°18'50.180"
 Y: 2490280.29
 X: 800950.16

DATE OF SURVEY
 Beginning: May 25, 1977
 Ending: May 26, 1977

NAME OF SURVEYOR
 Edmund J. Hynes

STATE OF ALASKA
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF LANDS
 ANCHORAGE, ALASKA

ALASKA STATE LAND SURVEY No. 77-49
 Containing 4,556 Acres
 within (protracted) Sec. 5, T.8N, R.17W, S.M., AK.

APPROVAL RECOMMENDED: *mettch*
APPROVED: *mettch*
CHECKED: *mettch*
 SCALE: 1" = 100'
 FILE NO. 77-49

ALASKA STATE LAND SURVEY No. 77-49

Memorandum

To: Johni Blankenship, Borough Clerk
Thru: Craig Chapman, Finance Director *C Chapman*
From: *JR* Joanne Rodgers, Delinquent Accounts Specialist
Date: May 20, 2013
Subject: New Liquor License

Lodge—Kenai Peninsula Borough

License #5242
Wolverine Leasing, LLC
Dba Redoubt Bay Lodge

Location: ASLS 77-49, Plat 78-52 (26 miles west of Kenai)
Mail: PO Box 1508, Kenai, AK 99611

Please be advised that the Kenai Peninsula Borough Finance Department has no objection to the new liquor license application for the above noted liquor license based on unpaid taxes.

All tax accounts registered to the business and/or applicants are current at this time.

Please forward us a copy of the Assembly approval/objection letter for our records. Thank you for your consideration in this matter.

Kenai Peninsula Borough Assembly Committees 2012 – 2013

ASSEMBLY COMMITTEES

- **Finance Committee**
Charlie Pierce, Chair
Bill Smith, Vice Chair
Kelly Wolf
- **Lands Committee**
Ray Tauriainen, Chair
Sue McClure, Vice Chair
Brent Johnson
- **Policies & Procedures Committee**
Mako Haggerty, Chair
Brent Johnson, Vice Chair
Hal Smalley
- **Legislative Committee**
Kelly Wolf, Chair
Hal Smalley, Vice Chair
All Assembly Members
- **President Pro Tem**
Charlie Pierce

OTHER BOROUGH COMMITTEES

- **School Board**
Brent Johnson

SERVICE AREA BOARD LIAISONS

- **Anchor Point Fire & EMS** - Mako Haggerty
- **Bear Creek Fire** - Sue McClure
- **CES/CPEMS** - Brent Johnson
- **Central Peninsula General Hospital** -
Kelly Wolf, Charlie Pierce, Linda Murphy
- **Kachemak Emergency Service Area** -
Mako Haggerty
- **KPB Roads** - Kelly Wolf, Charlie Pierce
- **Nikiski Seniors** - Ray Tauriainen
- **Nikiski Fire** - Ray Tauriainen
- **North Peninsula Recreation** - Ray Tauriainen
- **Seward/Bear Creek Flood SA** - Sue McClure
- **South Peninsula Hospital** - Mako Haggerty,
Bill Smith

NON-BOROUGH COMMITTEES

- **Cook Inlet Aquaculture**
Brent Johnson
- **Cook Inlet R.C.A.C.**
Grace Merkes, Term Expires March, 2014
- **Economic Development District**
Linda Murphy, Term Expires 12/31/13
Hal Smalley, Term Expires 12/31/14
- **Kenai Peninsula College Council**
Hal Smalley, Term Expires 06/30/14
- **Kenai River Special Management Area
Advisory Board**
Brent Johnson
- **Prince William Sound R.C.A.C.**
Blake Johnson, Term Expires May, 2015

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: Assembly President Linda Murphy
Assembly Members

LAYDOWN

Thru: Johni Blankenship, Borough Clerk (JB)

Date: June 18, 2013

Re: Confirming the Appointment of Michele Turner to the Position of Deputy Clerk

Pursuant to Chapter 22.10 of the Kenai Peninsula Borough Code, the name of Michele Turner is hereby submitted for confirmation to the position of Deputy Borough Clerk.

KPB 22.10.060 states in part:

The Borough Clerk is authorized to appoint the Deputy Borough Clerk who shall be confirmed by the Assembly. The pay and benefits plan shall be the same as for administrative employees. The Borough Clerk shall recommend, and the Assembly shall set, the actual salary within the limits of the pay plan.

Ms. Turner's resume and job description are attached. Based on her qualifications, past experience, accomplishments and proven performance, I strongly recommend confirmation.

Additionally, the Salary Schedule for the position of Deputy Borough Clerk is as follows:

<u>Minimum</u>	<u>Mid point</u>	<u>Maximum</u>
\$66,899	\$78,606	\$90,313

My recommendation for Ms. Turner's starting salary is \$66,899 (Minimum), with an increase to \$70,243 (Minimum plus 5%) upon a positive six (6) month review.

Position Description: Deputy Borough Clerk

Service Type: Legislative

Definition: Under the general direction and supervision of the borough clerk, the deputy borough clerk assists with all office functions, acts as computer systems administrator, supervises the records management section and assists in the coordination of local elections.

Minimum Qualifications: Degree in Public Administration or related field and four years experience in municipal government, including two years supervisory experience. Experience in a municipal clerk's office may be substituted on a year-for-year basis for educational requirements. Advanced knowledge of microcomputers and networking systems; excellent English, spelling, punctuation and grammar skills; and ability to communicate clearly and concisely, orally and in writing. Ability to work a varied schedule required. Familiarity with legislative and election procedures preferred.

Essential Functions:

1. Attends all Regular and Special Assembly meetings and prepares minutes. Responsible for final version of resolutions and ordinances as permanent record, in addition to codification oversight.
2. Maintains computer index subject filing system, i.e. legislative history.
3. In the absence of the Borough Clerk, supervises clerical and/or service operations of the office.
4. Directly supervises the records management section personnel including participating in the hiring of staff, assigning specific duties, completing and presenting performance evaluations, and undertaking any disciplinary actions necessary. Trains staff members in all borough departments on procedures for use of records computer system. Consults data processing in development, design and operation of computer applications. Maintains user documentation. Responds to technical questions regarding system's functions.
5. Assists in the supervision and coordination of all Regular and Special municipal elections. Assists with state elections as requested.
6. Acts as administrative staff to the Assembly's Legislative Committee with duties that include tracking of state and federal legislation and preparation of the borough's official annual legislative priorities book for distribution to state and federal legislators.

Other Functions:

1. Serves as acting borough clerk in the absence of the clerk.
2. Serves as computer systems administrator for department.
3. Assists in the recruitment and assignment of clerical personnel. Trains new personnel in general functions and specific duties.
4. Maintains voluminous and complex administrative and general reports; reviews various reports and forms for completeness.
5. Composes ordinances, resolutions and accompanying memoranda for assembly action.
6. Renders administrative assistance to the Borough Assembly.
7. Prepares and administers records management annual budget. Assists borough clerk in preparation of annual budget for assembly, clerk's office and elections. May review and approve purchase orders, invoices and timesheets.
8. Performs research for public, borough staff and assembly.
9. Acts as voter registrar, voter registrar trainer and notary public.
10. Attends municipal clerk training sessions while working for professional certification with International Institute of Municipal Clerks (IIMC). Once certification attained, participates in continuing education as appropriate.
11. Performs other specialized and complex duties as assigned.

Physical Demands: While performing the duties of this job, the employee is regularly required to communicate orally and to use hands dexterously to operate office equipment. The employee frequently is required to sit; and occasionally required to stand, walk, and reach with hands and arms. The employee must occasionally transport up to 30 pounds. Specific vision abilities required include close vision and the ability to adjust focus. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Michele Turner

P. O. Box 783, Sterling, Alaska 99672
(907) [REDACTED] Home / (907) [REDACTED] Cell
mturner329@gmail.com Email

Work History

- Borough Clerk Assistant September 2008 – Present
Kenai Peninsula Borough, Soldotna, AK

Administration of four operating budgets for the department; prepares/processes all financial transactions and travel schedules for Assembly members and Borough Clerk's staff, as well as maintains the fixed asset inventory. Manages preparation of the Assembly meeting packet; process and construct borough resolutions, ordinances and related documents. Prepares and publishes legal notices pursuant to law. Interprets and applies borough/department rules, regulations, policies, practices, ordinances, resolutions and laws, as well as makes effective operational and procedural decisions. Coordinates development and maintenance of the department's website. Assists the Borough Clerk in conducting Borough & State elections; performs election support functions, voting precinct preparations, verification of candidates, Alaska Public Officials Commission (APOC) filing requirements and reporting. Administer appointed and elected officials memberships, prepare oaths, APOC annual filings and permanent record management. Manages daily operations and work product oversight of the essential functions of the Clerk's Office. Attends Committee, Assembly and quasi-judicial board meetings in the absence of the Borough Clerk and/or Borough Deputy Clerk, and prepares official meeting minutes for said meetings. Knowledgeable of Open Meeting Act meeting rules and regulations, as well as parliamentary procedures. Serves as Acting Borough Clerk as assigned, voter registrar and notary public.

- Contract Bookkeeper & Grant Administrator February 2006 – August 2008
Three For-Profit and Five Non-Profit Organizations, Anchorage, AK

Provided full-charge bookkeeping functions, grant fund accounting and administration of same. Worked as liaison between grant agencies and clients with administration and compliance of grant contracts, as well as assisted with consistent and timely reporting to grant agencies.

- Legal Assistant/Business Manager/Full-Charge Bookkeeper July 2001 – February 2006
Law Offices of James B. Gottstein, Anchorage, AK

As legal assistant, assisted in preparation of various legal pleadings adhering to court rules and regulations and filing documents with court clerk's office. Assist with legal research and compilation of case law citations. Transcribed report and correspondence dictations. Assist with preparation of agreements and contracts. Served as notary public. As business manager, assisted with negotiation/preparation of lease agreements and addendums, rent collection, insurance compliance and procurement of outside vendors for building maintenance requirements. As full-charge bookkeeper, managed accounting for three profit companies and four non-profit 501(c)3 organizations, which included payroll (US & Canada employees), time and expense billings, account payables/receivables; quarterly and annual tax reporting; trust and grant fund accounting (including budgeting, administration and grant reporting); human resource functions, conducted support staff interviews, create/assembled employment packages, new employee orientation and maintain personnel records.

- Office Manager/Full-Charge Bookkeeper/Licensed Adjuster October 1989 – July 2001
Love and Associates Independent Claim Adjusters, Anchorage & Kenai, AK

Started as receptionist and accumulatively promoted to office manager/bookkeeper/adjuster. Duties included full-charge bookkeeping and handled over-flow of insurance claims, as well as supervised front office staff and work flow; conducted support staff interviews, new employee orientation, employee reviews and maintained personnel records.

Prepared multi-million dollar loss-run bordereau reports for both foreign and domestic insurance carriers; trust fund accounting; work-in-progress and profit & loss reporting to managing partners; clerical fill-in, transcribe report dictations, maintained claim file diary system for reporting requirements, as well as review of claim file reports to carriers for compliance of insurance contracts and coverages. Served as notary public and licensed independent insurance adjuster.

Education

Northwest Clerks Institute and other various Clerk Academy Sessions (pursuing CMC designation)	2009 to present
Independent Claims Adjuster Academy; Licensed Adjuster	1996
University of Alaska Anchorage; General Studies	1991
Robert Service High School, Anchorage; Graduate	1989

Skills Summary

✓ Professional Customer Service	✓ Advanced Knowledge of Computer Systems & Office Equipment	✓ Accounting/Bookkeeping
✓ Lead Support Staff and Front Office Supervision	✓ Website Administration	✓ Manage Operating Budgets
✓ Dictation/Word Processing/Data Entry	✓ Prepare/Maintain Records	✓ Grant and Trust Fund Accounting and Reporting
✓ Contract Preparation/Administration	✓ Preparation of Meeting Minutes	✓ Interpret/Apply Various Laws, Rules & Regulations
✓ Vendor Procurement	✓ Election Coordination	✓ Legal and Research Assistant
✓ Human Resource Functions	✓ Meeting Rules and Parliamentary Procedures	✓ Strong multi-task capabilities
✓ Appointed and Elected Official Membership Administration	✓ Resolution and Ordinance Administration	✓ Excellent oral and written communications
✓ Voter Registrar and Notary Public		

Memberships

- Alaska Association of Municipal Clerks Fundraising Committee Member (2 years) and Membership Committee Member (1 year) 2008 – Present
- International Institute of Municipal Clerks 2008 – Present
- American Institute of Professional Bookkeepers 2007 – 2008
- Association of Independent Accounting Professionals 2007 – 2008
- Touch 'N Go Systems, Inc. (Secretary/Treasurer) 2001 – 2008
- Law Project for Psychiatric Rights, Inc. (Secretary/Treasurer) 2002 – 2008
- CHOICES, Inc. (Treasurer) 2003 – 2006
- Insurance Association of Alaska (Treasurer) 1995 – 1996

Secretary/Treasurer Positions – summary of duties include: full-charge bookkeeping functions, prepare financial reports and present to members at executive board meetings and association membership meetings, prepare minutes and maintain corporate meeting book/records; knowledgeable of meeting rules and parliamentary procedures; assist with luncheon organization, fundraising activities and preparation of continuing education classes.

References

References are available on request.

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

Thru: Johni Blankenship, Borough Clerk (B)

From: Michele Turner, Borough Clerk Assistant (M/T)

Date: June 17, 2013

RE: Ordinance 2012-19-60: Appropriating \$310,000 for the Expansion of the Central Peninsula Hospital Parking Lot at the Binkley Professional Plaza (Mayor)

The Central Kenai Peninsula Hospital Service Area (CKPHSA) Board reviewed the referenced ordinance at its June 10, 2013 meeting.

Please amend the Final Whereas to read as follows:

WHEREAS, the Central Kenai Peninsula Hospital Service Area board of directors at its meeting of June 10, 2013 recommended approval by unanimous consent;

Thank you.

Blankenship, Johni

From: paisley@acsalaska.net
Sent: Tuesday, June 11, 2013 9:33 AM
To: Blankenship, Johni
Subject: CKPHSAB approved Ordinance 2012-19-60

Johni,

At the meeting last night, the Hospital Service Area Board voted unanimously in favor of Ordinance 2012-19-60 regarding paving. They asked me to e-mail notice to you.

Have a good day-

Jeannette Rice

KPB 21.18 Appendix

Kenai River District

	AWC Number	Name	Tributary To	Salt Water Terminus
1	244-30-10010	Kenai River		
2	244-30-10010-0010	Skilak Lake		
3	244-30-10010-0020	Kenai Lake		

Major Waters District

	AWC Number	Name	Tributary To	Salt Water Terminus
4	241-11-10730	Seldovia River		
5	241-14-10625-2010	Bradley River		
6	241-14-10645	Fox River		
7	241-30-10500	English Bay River		
8	244-10-10010	Anchor River		
9	244-10-10010-2011	North Fork Anchor River		
10	244-10-10010-2228	Anchor River		
11	244-10-10050	Stariski Creek		
12	244-20-10090	Ninilchik River		
13	244-20-10100	Deep Creek		
14	244-30-10010-2025	Beaver Creek		
15	244-30-10010-2030	Slikok Creek		
16	244-30-10010-2039	Soldotna Creek		
17	244-30-10010-2050	Funny River		
18	244-30-10010-2063	Moose River		
19	244-30-10010-2076	Killey River		
20	244-30-10010-2158	Russian River		
21	244-30-10010-2158-0010	Lower Russian Lake		
22	244-30-10010-2158-0020	Upper Russian Lake		
23	244-30-10010-2177	Quartz Creek		
24	244-30-10010-2225	Trail Creek		
25	244-30-10050	Kasilof River		
26	247-60-10110	Chickaloon River		
27	247-90-10020	Swanson River		
28	247-90-10030	Bishop Creek		
29	247-90-10030-0010	Bishop Lake		
30	247-90-10030-0020	Mud Lake		
31	247-90-10030-0030	Parsons Lake		

KPB 21.18 Appendix

North Kenai Peninsula District

	AWC Number	Name	Tributary To	Salt Water Terminus
32	224-40-14870	Kings River		Kings Bay, Port Nellie Juan
33	226-50-16286	Unknown		Johnstone Bay
34	226-50-16286-0010	Johnstone Lake	226-50-16286	
35	226-50-16286-2010	Unknown	226-50-16286	
36	226-50-16295	Unknown	226-50-16286	
37	226-50-16300	Unknown		Johnstone Bay
38	231-20-13500	Unknown		Resurrection Bay
39	231-20-13500-0010	Unknown		Resurrection Bay
40	231-20-13500-2024	Unknown	231-20-13500-0010	
41	231-30-10080	Resurrection River		Resurrection Bay
42	231-30-10080-2010-3065-4010	Bear Creek	Lost Creek	
43	231-30-10080-2010-3065-4114	Grouse Creek	Lost Creek	
44	231-30-10080-2075	Exit Creek	Resurrection River	
45	231-30-10080-2090	Martin Creek	Resurrection River	
46	231-40-10140	Unknown		Humpy cove, Resurrection Bay
47	233-20-10040	Unknown		Widbey Bay, Blying Sound
48	244-30-10010-2001	Unknown	Kenai River	
49	244-30-10010-2001-3004	Unknown	244-30-10010-2001	
50	244-30-10010-2003	Unknown	Kenai River	
51	244-30-10010-2005	Unknown	Kenai River	
52	244-30-10010-2007	Unknown	Kenai River	
53	244-30-10010-2008	Unknown	Kenai River	
54	244-30-10010-2009	Unknown	Kenai River	
55	244-30-10010-2010	Unknown	Kenai River	
56	244-30-10010-2015	Unknown	Kenai River	
57	244-30-10010-2020	Unknown	Kenai River	
58	244-30-10010-2022	Unknown	Kenai River	
59	244-30-10010-2025-0010	Beaver Lake	Beaver Creek	
60	244-30-10010-2025-3011	Unknown	Beaver Creek	
61	244-30-10010-2026	Unknown	Kenai River	
62	244-30-10010-2029	Unknown	Kenai River	
63	244-30-10010-2029-3002	Unknown	244-30-10010-2029	
64	244-30-10010-2029-3004	Unknown	244-30-10010-2029	
65	244-30-10010-2030-3025	Unknown	Slikok Creek	
66	244-30-10010-2030-3025-4010	Unknown	244-30-10010-2030-3025	
67	244-30-10010-2030-3060	Unknown	Slikok Creek	
68	244-30-10010-2031	Unknown	Kenai River	
69	244-30-10010-2033	Unknown	Kenai River	
70	244-30-10010-2034	Unknown	Kenai River	
71	244-30-10010-2035	Unknown	Kenai River	
72	244-30-10010-2036	Unknown	Kenai River	
73	244-30-10010-2039-3028	Unknown	Soldotna Creek	
74	244-30-10010-2039-3028-0020	Unknown	Unnamed Stream	
75	244-30-10010-2039-3046	Unknown	Soldotna Creek	
76	244-30-10010-2041	Unknown	Kenai River	
77	244-30-10010-2042	Unknown	Kenai River	
78	244-30-10010-2046	Unknown	Kenai River	

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79	244-30-10010-2051	Unknown	Kenai River
80	244-30-10010-2057	Unknown	Kenai River
81	244-30-10010-2061	Unknown	Kenai River
82	244-30-10010-2062	Unknown	Kenai River
83	244-30-10010-2063-3002	Unknown	Moose River
84	244-30-10010-2063-3004	Unknown	Moose River
85	244-30-10010-2063-3025	West Fork Moose River	Moose river
86	244-30-10010-2063-3025-0010	Camp Island Lake	West Fork Moose River
87	244-30-10010-2063-3025-4015	Unknown	West Fork Moose River
88	244-30-10010-2063-3025-4015-0010	Grebe Lake	244-30-10010-2063-3025-4015
89	244-30-10010-2063-3036	East Fork Moose River	Moose River
90	244-30-10010-2063-3036-0010	Afonasi Lake	East Fork Moose River
91	244-30-10010-2063-3036-0020	Imeri Lake	East Fork Moose River
92	244-30-10010-2063-3036-0030	Watson Lake	East Fork Moose River
93	244-30-10010-2063-3036-0040	Egumen Lake	East Fork Moose River
94	244-30-10010-2063-3036-0050	Peterson Lake	East Fork Moose River
95	244-30-10010-2063-3041	Unknown	Moose River
96	244-30-10010-2063-3041-0010	Moosehorn Lake	244-30-10010-2063-3041
97	244-30-10010-2063-3041-0020	Swan Lake	244-30-10010-2063-3041
98	244-30-10010-2063-3048	Unknown	Moose River
99	244-30-10010-2063-3100	Unknown	Moose River
100	244-30-10010-2063-3100-0010	Bear Lake	244-30-10010-2063-3100
101	244-30-10010-2073	Unknown	Kenai River
102	244-30-10010-2075	Unknown	Kenai River
103	244-30-10010-2075-3005	Unknown	244-30-10010-2075
104	244-30-10010-2075-3011	Unknown	244-30-10010-2075
105	244-30-10010-2076-3095	Benjamin Creek	Killey River
106	244-30-10010-2096	King County Creek	Skilak Lake
107	244-30-10010-2133	Unknown	Skilak Lake
108	244-30-10010-2137	Hidden Creek	Skilak Lake
109	244-30-10010-2137-0010	Hidden Lake	Hidden Creek
110	244-30-10010-2140	Skilak River	Skilak Lake
111	244-30-10010-2140-3002	Unknown	Skilak River
112	244-30-10010-2140-3004	Unknown	Skilak River
113	244-30-10010-2140-3006	Unknown	Skilak River
114	244-30-10010-2145	Jean Creek	Kenai River
115	244-30-10010-2145-0010	Jean Lake	Jean Creek
116	244-30-10010-2151	Fuller Creek	Kenai River
117	244-30-10010-2157	Unknown	Kenai River
118	244-30-10010-2158-3032	Unknown	Upper Russian Lake
119	244-30-10010-2159	Unknown	Kenai River
120	244-30-10010-2160	Unknown	Kenai River
121	244-30-10010-2162	Cooper Creek	Kenai River
122	244-30-10010-2165	Juneau Creek	Kenai River
123	244-30-10010-2166	Unknown	Kenai River
124	244-30-10010-2169	Bean Creek	Kenai River
125	244-30-10010-2177-3003	Unknown	Quartz Creek
126	244-30-10010-2177-3006	Unknown	Quartz Creek
127	244-30-10010-2177-3012	Crescent Creek	Quartz Creek
128	244-30-10010-2177-3017	Unknown	Quartz Creek
129	244-30-10010-2177-3020	Daves Creek	Quartz Creek

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130	244-30-10010-2177-3020-0090	Tern Lake	Daves Creek
131	244-30-10010-2177-3020-4015	Unknown	Daves Creek
132	244-30-10010-2177-3020-4015-0010	Unknown	244-30-10010-2177-3020-4015
133	244-30-10010-2177-3020-4285	Unknown	Daves Creek
134	244-30-10010-2177-3020-4315	Unknown	Daves Creek
135	244-30-10010-2177-3022	Unknown	Quartz Creek
136	244-30-10010-2177-3030	Jerome Creek	Quartz Creek
137	244-30-10010-2177-3032	Unknown	Quartz Creek
138	244-30-10010-2177-3063	Summit Creek	Quartz Creek
139	244-30-10010-2196	Unknown	Kenai Lake
140	244-30-10010-2204	Ship Creek	Kenai Lake
141	244-30-10010-2225-0010	Lower Trail Lake	Trail Creek
142	244-30-10010-2225-0020	Upper Trail Lake	Lower Trail Lake
143	244-30-10010-2225-3004	Grant Creek	Trail Creek
144	244-30-10010-2225-3007	Unknown	Trail Creek
145	244-30-10010-2225-3013	Moose Creek	Trail Creek
146	244-30-10010-2225-3013-4009	Carter Creek	Moose Creek
147	244-30-10010-2225-3013-4011	Unknown	Moose Creek
148	244-30-10010-2225-3019	Unknown	Trail Creek
149	244-30-10010-2225-3021	Railroad Creek	Trail Creek
150	244-30-10010-2225-3031	Johnson Creek	Trail Creek
151	244-30-10010-2225-3042	Unknown	Trail Creek
152	244-30-10010-2225-3051	Unknown	Trail Creek
153	244-30-10010-2231	Ptarmigan Creek	Kenai Lake
154	244-30-10010-2246	Primrose Creek	Kenai Lake
155	244-30-10010-2250	Snow River	Kenai Lake
156	244-30-10010-2250-3012	Unknown	Snow River
157	244-30-10010-2250-3024	Unknown	Snow River
158	244-30-10010-2250-3026	Unknown	Snow River
159	244-30-10010-2250-3030	South Fork Snow River	Snow River
160	244-30-10010-2250-3030-4017	Unknown	South Fork Snow River
161	244-30-10010-2933	Unknown	Kenai River
162	247-60-10090	Bedlam Creek	Cickaloon Bay, Turnagain Arm
163	247-60-10100	Pincher Creek	Cickaloon Bay, Turnagain Arm
164	247-60-10100-2016	Unknown	Pincher Creek
165	247-60-10100-2016-0010	Two Island Lake	247-60-10100-2016
166	247-60-10110-0010	Swan Lake	
167	247-60-10110-2011	Unknown	Chickaloon River
168	247-60-10110-2050	Unknown	Chickaloon River
169	247-60-10110-2050-0010	Scenic Lake	247-60-10110-2050
170	247-60-10110-2050-3005	Unknown	247-60-10110-2050
171	247-60-10110-2050-3005-4019	Unknown	247-60-10110-2050-3005
172	247-60-10110-2050-3005-4019-0010	Moose Pasture Lake	247-60-10110-2050-3005-4019
173	247-60-10110-2063	Unknown	Chickaloon River
174	247-60-10110-2080	Mystery Creek	Chickaloon River
175	247-60-10110-2080-3010	Unknown	Mystery Creek
176	247-60-10110-2080-3010-0010	Moose Lake	247-60-10110-2080-3010
177	247-60-10110-2080-3019	Mystery Creek	Mystery Creek
178	247-60-10110-2120	Thurman Creek	Chickaloon River
179	247-60-10150	Resurrection Creek	Turnagain Arm
180	247-60-10150-2008	Cripple Creek	Resurrection Creek

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181	247-60-10150-2025	Palmer Creek	Resurrection Creek	
182	247-60-10150-2028	Unknown	Resurrection Creek	
183	247-60-10150-2051	Caribou Creek	Resurrection Creek	
184	247-60-10160	Bear Creek		Turnagain Arm
185	247-60-10160-2008	Unknown	Bear Creek	
186	247-60-10166	Sunrise Creek		Turnagain Arm
187	247-60-10170	Sixmile Creek		Turnagain Arm
188	247-60-10170-2029	East Fork Sixmile Creek	Sixmile Creek	
189	247-60-10170-2029-3026	Silvertip Creek	East Fork Sixmile Creek	
190	247-60-10170-2029-3029	Unknown		
191	247-60-10170-2029-3031	Unknown		
192	247-60-10170-2029-3033	Center Creek		
193	247-60-10170-2030	Canyon Creek	Sixmile Creek	
194	247-60-10180	Seattle Creek		Turnagain Arm
195	247-60-10190	Ingram Creek		Turnagain Arm
196	247-60-10200	Placer River		Turnagain Arm
197	247-60-10200-0010	Unknown		
198	247-60-10200-2006-3010	Unknown		Turnagain Arm
199	247-60-10200-2100	Unknown	Placer River	
200	247-60-10200-2100-0010	Unknown	247-60-10200-2100	
201	247-80-10005	Miller Creek		Cook Inlet
202	247-80-10015	Otter Creek		Cook Inlet
203	247-80-10018	Unknown		Cook Inlet
204	247-90-10020-2002	Unknown	Swanson River	
205	247-90-10020-2002-0010	Stormy Lake	247-90-10020-2002	
206	247-90-10020-2011	Unknown	Swanson River	
207	247-90-10020-2036	Mink Creek	Swanson River	
208	247-90-10020-2040	Unknown	Swanson River	
209	247-90-10020-2040-3005	Unknown	247-90-10020-2040	
210	247-90-10020-2056	Unknown	Swanson River	
211	247-90-10020-2058	Swan Creek	Swanson River	
212	247-90-10020-2061	Snag Creek	Swanson River	
213	247-90-10030-2029	Unknown	Bishop Creek	
214	247-90-10030-2032	Unknown	Bishop Creek	
215	247-90-10030-2032-0010	Daniels Lake	247-90-10030-2032	
216	247-90-10030-2041	Unknown	Bishop Creek	
217	247-90-10030-2041-0010	Duck Lake	247-90-10030-2041	

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	AWC Number	Name	Tributary To	Salt Water Terminus
218	231-20-10330	Unknown		Aialik Peninsula
219	231-20-10337	Unknown		Aialik Peninsula
220	232-10-10250	Unknown		Nuka Passage
221	232-10-10340	Unknown		Tonsina Bay
222	232-10-10342	Unknown		Tonsina Bay
223	232-10-10350	Unknown		Front Point
224	232-15-10350	Unknown		Home Cove, Nuka Island
225	232-15-10360	Unknown		Home Cove, Nuka Island
226	232-22-10060	Unknown		North Arm, Nuka Bay
227	232-22-10064	Unknown		North Arm, Nuka Bay
228	232-22-10070	Unknown		Pilot Harbor, North Arm, Nuka Bay
229	232-22-10077	Unknown		North Arm, Nuka Bay
230	232-22-10081	Unknown		North Arm, Nuka Bay
231	232-22-10082	Unknown		North Arm, Nuka Bay
232	232-22-10092	Unknown		North Arm, Nuka Bay
233	232-22-10130	Nuka River		Beauty Bay
234	232-22-10140	Nuka Delta		Beauty Bay
235	232-22-10145	Ferrum Creek		Beauty Bay
236	232-22-10158	Shelter Cove Creek		Shelter Cove, Beauty Bay
237	232-22-10215	Unknown		Yalik Bay, Nuka Bay
238	232-23-10100	Unknown		East Arm, McCarty Fjord
239	232-23-10100-0010	Delight Lake	Delight Creek	
240	232-23-10245	Unknown		East Arm, McCarty Fjord
241	232-23-10256	Unknown	James Lagoon	East Arm, McCarty Fjord
242	232-23-10257	Unknown	James Lagoon	East Arm, McCarty Fjord
243	232-23-10258	Unknown	James Lagoon	East Arm, McCarty Fjord
244	232-23-10259	Unknown	James Lagoon	East Arm, McCarty Fjord
245	232-23-10260	Unknown		East Arm, McCarty Fjord
246	232-23-10261	Unknown	James Lagoon	East Arm, McCarty Fjord
247	232-23-10261-2002	Unknown	232-23-10261	
248	232-23-10261-2009	Unknown	232-23-10261	
249	232-23-10261-2009-3010	Unknown	232-23-10261-2009	
250	232-23-10290	Unknown		East Arm, McCarty Fjord
251	232-23-10390	Unknown		East Arm, McCarty Fjord
252	232-23-10390-0010	Unknown	232-23-10390	
253	232-23-10390-0020	Unknown	232-23-10390	
254	232-30-10195	Unknown		Sandy Bay
255	232-30-10200	Unknown		Cup Cove, Harris Bay
256	232-30-10215	Unknown		Harris Bay
257	232-30-10215-0010	Unknown	Harris Bay via Trib	
258	232-30-10220	Unknown		Harris Bay
259	232-30-10226	Unknown		Northwestern Lagoon, Harris Bay
260	232-30-10230	Unknown		Northwestern Lagoon, Harris Bay
261	232-30-10244	Boulder Creek		Northwestern Fiord, Harris Bay
262	232-30-10244-0010	Unknown	Boulder Creek	
263	232-30-10244-0020	Unknown	Boulder Creek	
264	232-30-10244-0030	Unknown	Boulder Creek	

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265	232-30-10244-0040	Unknown	Boulder Creek	
266	232-30-10247	Unknown		Northwestern Fiord, Harris Bay
267	232-30-10250	Unknown		Northwestern Fiord, Harris Bay
268	232-30-10255	Unknown		Northwestern Fiord, Harris Bay
269	232-30-10270	Unknown		Paguna Arm, Two Arm Bay
270	232-30-10272	Unknown		Paguna Arm, Two Arm Bay
271	232-30-10273	Crescent Beach Pond		Harris Bay
272	232-30-10273-2007	Unknown	Crescent Beach Pond	
273	232-30-10273-2007-3012	Unknown	232-30-10273-2007	
274	232-30-10273-2020	Unknown	Crescent Beach Pond	
275	232-30-10273-2024	Unknown	Crescent Beach Pond	
276	232-30-10275	Unknown		Paguna Arm, Two Arm Bay
277	232-30-10340	Unknown		Taroka Arm, Two Arm Bay
278	232-30-10350	Unknown		Taroka Arm, Two Arm Bay
279	232-30-10355	Unknown		Taroka Arm, Two Arm Bay
280	232-30-10375	Unknown		Taroka Arm, Two Arm Bay
281	232-30-10375-0010	Unknown	232-30-10375	
282	232-30-10420	Unknown		Thunder Bay
283	232-30-10425	Unknown		Thunder Bay
284	232-30-10435	Unknown		Thunder Bay
285	232-40-10130	Unknown		Aialik Bay
286	232-40-10140	Unknown		Aialik Bay
287	232-40-10140-0010	Unknown	232-40-10140	
288	232-40-10145	Unknown		Aialik Bay
289	232-40-10177	Unknown		Aialik Bay
290	232-40-10182	Unknown		Aialik Bay
291	232-40-10230	Unknown		Aialik Bay
292	232-40-10230-0010	Unknown	232-40-10230	
293	232-40-10250	Unknown		Holgate Arm, Aialik Bay
294	232-40-10254	Unknown		Holgate Arm, Aialik Bay
295	232-40-10280	Unknown		Quicksand Cove, Aialik Bay
296	232-40-10280-2007	Unknown	232-40-10280	
297	241-11-10740	Unknown		Seldovia Bay
298	241-11-10740-2010	Unknown	241-11-10740	
299	241-11-10770-2010	Unknown	241-11-10740	Seldovia Slough
300	241-11-10800	Barabara Creek		Kachemak Bay
301	241-14-10510	Humpy Creek		Kachemak Bay
302	241-14-10510-2011	Unknown	Humpy Creek	
303	241-14-10600	Martin River		Kachemak Bay
304	241-14-10600-0010	Unknown	Fox Creek, Kachemak Bay	
305	241-14-10610	Battle Creek		Kachemak Bay
306	241-14-10610-2011	Unknown	Battle Creek	
307	241-14-10625	Unknown		Kachemak Bay
308	241-14-10625-2006	Fox Farm Creek	Bradley River	
309	241-14-10630	Sheep Creek		Kachemak Bay
310	241-14-10630-2045	Unknown	Sheep Creek	
311	241-14-10645-2060	Clearwater Slough	Fox River	
312	241-14-10645-2060-3004	Unknown	Clearwater Slough	
313	241-14-10645-2060-3010	Clearwater Lake Fork	Clearwater Slough	
314	241-14-10645-2071	Two Log Creek	Fox River	
315	241-14-10645-2081	Bog Creek	Fox River	

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316	241-14-10645-2101	Nikolai Creek	Fox River	
317	241-14-10645-2131	Unknown	Nikolai Creek, South	
318	241-14-10646	Unknown		Kachemak Bay
319	241-14-10658	Unknown		Kachemak Bay
320	241-14-10660	Fox Creek		Kachemak Bay
321	241-14-10660-0010	Caribou Lake	Fox Creek, Kachemak Bay	
322	241-15-10340	Wosnesenski River		Neptune Bay
323	241-15-10340-2009	Unknown	Wosnesenski River	
324	241-15-10340-2501	Unknown	Wosnesenski River	
325	241-15-10345	Stonehocker Creek		China Poot Bay
326	241-15-10350	Silver Creek		China Poot Bay
327	241-15-10370	Unknown		China Poot Bay
328	241-16-10040	Jakolof Creek		Jakolof Bay
329	241-16-10040-2013	Unknown	Jakolof Creek	
330	241-16-10040-2013-0010	Unknown	241-16-10040-2013	
331	241-16-10040-2013-3009	Unknown	241-16-10040-2013	
332	241-16-10040-2013-3009-4008	Unknown	241-16-10040-2013-3009	
333	241-16-10040-2013-3025	Unknown	Jakolof Creek	
334	241-16-10090	Unknown		Tutka Bay Lagoon
335	241-16-10130	Unknown		Tutka Bay
336	241-16-10130-2010	Unknown	241-16-10130	
337	241-16-10245	Unknown		Sadie Cove
338	241-20-10530	Unknown		Port Graham
339	241-20-10550	Unknown	at head of Port Graham	Port Graham
340	241-20-10550-2009	Unknown	241-20-10550	
341	241-20-10550-2009-0010	Unknown	241-20-10550-2009	
342	241-20-10550-2014	Unknown	241-20-10550	
343	241-20-10550-2015	Unknown	241-20-10550	
344	241-20-10550-2017	Unknown	241-20-10550	
345	241-20-10550-2018	Unknown	241-20-10550	
346	241-20-10550-2018-3010	Unknown	241-20-10550-2018	
347	241-20-10550-2019	Unknown	241-20-10550	
348	241-20-10550-2020	Unknown	241-20-10550	
349	241-20-10550-2021	Unknown	241-20-10550	
350	241-20-10550-2022	Unknown	241-20-10550	
351	241-20-10550-2023	Unknown	241-20-10550	
352	241-20-10550-2024	Unknown	241-20-10550	
353	241-20-10550-2024-3012	Unknown	241-20-10550-2024	
354	241-20-10550-2040	Unknown	241-20-10550	
355	241-20-10550-2048	Unknown	241-20-10550	
356	241-20-10560	Unknown		Port Graham
357	241-20-10560-2014	Unknown	241-20-10560	
358	241-20-10570	Unknown		Port Graham
359	241-20-10600	Unknown		Selenie Lagoon, Port Graham
360	241-20-10650	Unknown		Kachemak Bay
361	241-30-10375	Unknown		Cook Inlet
362	241-30-10400	Unknown		Cook Inlet
363	241-30-10500-0010	Unknown	English Bay River	
364	241-30-10500-0020	Unknown	English Bay River	
365	241-30-10500-0030	Unknown	English Bay River	
366	241-30-10500-2009	Unknown	English Bay River	

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367	241-30-10500-2012	Unknown	English Bay River	
368	241-30-10500-2014	Unknown	English Bay River	
369	241-30-10500-2018	Unknown	English Bay River	
370	241-30-10500-2031	Unknown	English Bay River	
371	241-30-10500-2039	Unknown	English Bay River	
372	241-30-10500-2051	Unknown	English Bay River	
373	241-30-10500-2061	Unknown	English Bay River	
374	241-30-10500-2071	Unknown	English Bay River	
375	241-40-10297	Unknown		Koyuktolik Bay
376	241-40-10299	Unknown		Koyuktolik Bay
377	241-40-10300	Unknown		Koyuktolik Bay
378	241-40-10300-2002	Unknown	241-40-10300	
379	241-40-10300-2004	Unknown	241-40-10300	
380	241-40-10300-2007	Unknown	241-40-10300	
381	241-40-10300-2010	Unknown	241-40-10300	
382	241-40-10300-2010-3001	Unknown	241-40-10300-2010	
383	241-40-10300-2012	Unknown	241-40-10300	
384	241-40-10300-2020	Unknown	241-40-10300	
385	241-40-10300-2020-3005	Unknown	241-40-10300-2020	
386	241-40-10309	Unknown		Koyuktolik Bay
387	241-40-10320	Unknown		Koyuktolik Bay
388	241-40-10325	Unknown		Koyuktolik Bay
389	242-10-10196	Perl Island Stream		Chugach Passage
390	242-10-10200	Unknown		Chugach Passage
391	242-10-10200-0010	Unknown	242-10-10200	
392	242-10-10200-2003	Unknown	242-10-10200	
393	242-10-10200-2003-0010	Unknown	242-10-10200-2003	
394	242-10-10200-2003-3008	Unknown	242-10-10200-2003	
395	242-10-10200-2003-3010	Unknown	242-10-10200-2003	
396	242-10-10200-2003-3011	Unknown	242-10-10200-2003	
397	242-10-10200-2026	Unknown	242-10-10200	
398	242-10-10200-2034	Unknown	242-10-10200	
399	242-10-10220	Unknown		Port Chatham
400	242-10-10221	Unknown		Port Chatham
401	242-10-10221-2009	Unknown	242-10-10221	
402	242-10-10230	Unknown		Port Chatham
403	242-10-10230-2003	Unknown	242-10-10230	
404	242-10-10230-2011	Unknown	242-10-10230	
405	242-10-10230-2014	Unknown	242-10-10230	
406	242-10-10230-2014-3003	Unknown	242-10-10230-2014	
407	242-10-10230-2021	Unknown	242-10-10230	
408	242-10-10230-2029	Unknown	242-10-10230	
409	242-10-10240	Unknown		Port Chatham
410	242-10-10249	Unknown		Port Chatham
411	242-10-10261	Unknown		Chrome Baay, Port Chatham
412	242-20-10170	Unknown		Chugach Bay
413	242-20-10190	Unknown		Chugach Bay
414	242-31-10080	Unknown		Port Dick
415	242-31-10114	Unknown		Rocky Bay
416	242-31-10115	Unknown		Rocky Bay
417	242-31-10116	Unknown		Rocky Bay

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418	242-31-10117	Unknown		Rocky Bay
419	242-31-10119	Unknown		Rocky Bay
420	242-31-10119-2010	Unknown	242-31-10119	
421	242-31-10119-2010-3005	Unknown	242-31-10119-2010	
422	242-31-10120	Rocky River		Rocky Bay
423	242-31-10120-2149	Unknown	Rocky River	
424	242-31-10120-2155	Unknown	Rocky River	
425	242-31-10120-2155-3038	Unknown	242-31-10120-2155	
426	242-31-10120-2155-3040	Unknown	242-31-10120-2155	
427	242-31-10120-2155-3048	Unknown	242-31-10120-2155	
428	242-31-10120-2159	Unknown	Rocky River	
429	242-31-10120-2160	Unknown	Rocky River	
430	242-31-10120-2160-0010	Unknown	242-31-10120-2160	
431	242-31-10120-2251	Unknown	Rocky River	
432	242-31-10120-2272	Unknown	Rocky River	
433	242-31-10120-2272-3007	Unknown	242-31-10120-2272	
434	242-31-10120-2282	Unknown	Rocky River	
435	242-31-10122	Unknown		Rocky Bay
436	242-31-10125	Unknown		Rocky Bay
437	242-31-10130	Unknown		Picnic Harbor, Rocky Bay
438	242-32-10140	Unknown		Rocky Bay
439	242-32-10150	Unknown		Windy Bay
440	242-32-10155	Unknown		Windy Bay
441	242-32-10160	Unknown		Windy Bay
442	242-32-10160-2007	Unknown	242-32-10160	
443	242-32-10170	Unknown		Windy Bay
444	242-32-10170-2015	Unknown	242-32-10170	
445	242-32-10170-2024	Unknown	242-32-10170	
446	242-32-10170-2037	Unknown	242-32-10170	
447	242-32-10170-2045	Unknown	242-32-10170	
448	242-32-10175	Unknown		Windy Bay
449	242-32-10180	Unknown		Windy Bay
450	242-32-10182	Unknown		Windy Bay
451	242-32-10183	Unknown		Windy Bay
452	242-32-10185	Unknown		Windy Bay
453	242-32-10186	Unknown		Windy Bay
454	242-42-10430	Island Creek		West Arm Port dick
455	242-42-10440	Unknown		West Arm Port Dick
456	242-42-10442	Unknown		West Arm Port Dick
457	242-42-10450	Slide Creek		West Arm Port Dick
458	242-42-10460	Port Dick Creek		West Arm Port Dick
459	242-42-10460-2010	Port Dick Creek	Port Dick Creek	
460	242-43-10400	Unknown		Taylor Bay, Port Dick
461	242-43-10410	Unknown		Taylor Bay, Port Dick
462	242-43-10418	Unknown		Taylor Bay, Port Dick
463	242-43-10420	Unknown		Taylor Bay, Port Dick
464	244-10-10010-2011-3008	Unknown	Anchor River North Fork	
465	244-10-10010-2011-3023	Unknown	Anchor River North Fork	
466	244-10-10010-2011-3027	Unknown	Anchor River North Fork	
467	244-10-10010-2011-3031	Chakok River	Anchor River North fork	
468	244-10-10010-2011-3031-4016	Unknown	Chakok River	

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469	244-10-10010-2011-3031-4022	Unknown	Chakok River
470	244-10-10010-2011-3031-4022-5030	Unknown	244-10-10010-2011-3031-4022
471	244-10-10010-2011-3031-4030	Unknown	Chakok River
472	244-10-10010-2011-3031-4034	Unknown	Chakok River
473	244-10-10010-2011-3031-4036	Unknown	Chakok River
474	244-10-10010-2011-3031-4038	Unknown	Chakok River
475	244-10-10010-2011-3031-4038-5021	Unknown	244-10-10010-2011-3031-4038
476	244-10-10010-2011-3031-4038-5029	Unknown	244-10-10010-2011-3031-4038
477	244-10-10010-2011-3031-4038-5033	Unknown	244-10-10010-2011-3031-4038
478	244-10-10010-2011-3031-4038-5033-6008	Unknown	244-10-10010-2011-3031-4038-5033
479	244-10-10010-2011-3071	North Fork Anchor River	Anchor River North Fork
480	244-10-10010-2011-3071-4080	Unknown	Anchor River North Fork
481	244-10-10010-2021	Unknown	Anchor River
482	244-10-10010-2021-3029	Unknown	Two Moose Creek
483	244-10-10010-2025	Unknown	Anchor River
484	244-10-10010-2025-3011	Unknown	244-10-10010-2025
485	244-10-10010-2027	Unknown	Anchor River
486	244-10-10010-2027-3002	Unknown	244-10-10010-2027
487	244-10-10010-2088	Ruby Creek	Anchor River
488	244-10-10010-2090	Unknown	Anchor River
489	244-10-10010-2100	Twitter Creek	Anchor River
490	244-10-10010-2100-3011	Bridge Creek	Anchor River
491	244-10-10010-2103	Unknown	Anchor River
492	244-10-10010-2122	South Beaver Creek	Anchor River
493	244-10-10010-2125	Unknown	Anchor River
494	244-10-10010-2146	Unknown	Anchor River
495	244-10-10010-2150	Beaver Creek	Anchor River
496	244-10-10010-2150-3009	Unknown	Beaver Creek
497	244-10-10010-2150-3041	Unknown	Beaver Creek
498	244-10-10010-2150-3048	Unknown	Beaver Creek
499	244-10-10010-2193	Unknown	Anchor River
500	244-10-10010-2201	Unknown	Anchor River
501	244-10-10010-2201-3021	Unknown	244-10-10010-2201
502	244-10-10010-2202	Unknown	Anchor River
503	244-10-10010-2206	Unknown	Anchor River
504	244-10-10010-2209	Unknown	Anchor River
505	244-10-10010-2210	Unknown	Anchor River
506	244-10-10010-2211	Unknown	Anchor River
507	244-10-10010-2217	Unknown	Anchor River
508	244-10-10010-2220	Unknown	Anchor River
509	244-10-10050-2012	Unknown	Stariski Creek
510	244-10-10050-2016	Unknown	244-10-10050-2012
511	244-10-10050-2040	Unknown	244-10-10050-2012
512	244-10-10050-2040-3006	Unknown	244-10-10050-2040
513	244-10-10050-2050	Unknown	244-10-10050-2012
514	244-10-10050-2060	Unknown	244-10-10050-2012
515	244-10-10050-2089	Unknown	244-10-10050-2012
516	244-10-10050-2089-3007	Unknown	244-10-10050-2089
517	244-10-10050-2300	Unknown	244-10-10050-2012
518	244-10-10050-2600	Unknown	244-10-10050-2012

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519	244-20-10090-2003	Unknown	244-10-10050-2012
520	244-20-10090-2026	Unknown	244-10-10050-2012
521	244-20-10090-2030	Unknown	244-10-10050-2012
522	244-20-10090-2030-3015	Unknown	244-20-10090-2030
523	244-20-10090-2030-3019	Unknown	244-20-10090-2030
524	244-20-10090-2030-3030	Unknown	244-20-10090-2030
525	244-20-10090-2030-3032	Unknown	244-20-10090-2030
526	244-20-10090-2030-3032-4005	Unknown	244-20-10090-2030-3032
527	244-20-10090-2030-3034	Unknown	244-20-10090-2030
528	244-20-10090-2030-3036	Unknown	244-20-10090-2030
529	244-20-10090-2040	Unknown	244-10-10050-2012
530	244-20-10090-2041	Unknown	244-10-10050-2012
531	244-20-10090-2046	Unknown	244-10-10050-2012
532	244-20-10090-2057	Unknown	244-10-10050-2012
533	244-20-10090-2070	Unknown	244-10-10050-2012
534	244-20-10090-2096	Unknown	244-10-10050-2012
535	244-20-10100-2010	Calm Creek	Deep Creek
536	244-20-10100-2010-3041	Unknown	Clam Creek
537	244-20-10100-2019	Silver Salmon Creek	Deep Creek
538	244-20-10100-2019-3018	Unknown	Silver Salmon Creek
539	244-20-10100-2019-3018-4009	Unknown	244-20-10100-2019-3018
540	244-20-10100-2019-3040	Unknown	Silver Salmon Creek
541	244-20-10100-2030	South Fork Deep Creek	Deep Creek
542	244-20-10100-2030-3032	Unknown	Deep Creek South Fork
543	244-20-10100-2030-3051	Unknown	Deep Creek South Fork
544	244-20-10100-2030-3071	Unknown	Deep Creek South Fork
545	244-20-10100-2030-3091	Unknown	Deep Creek South Fork
546	244-20-10100-2039	Unknown	Deep Creek
547	244-20-10100-2045	North Fork Deep Creek	Deep Creek
548	244-20-10100-2045-3001	North Fork Deep Creek	Deep Creek North Fork
549	244-20-10100-2045-3016	Unknown	Deep Creek North Fork
550	244-20-10100-2065	Cytex Creek	Deep Creek
551	244-20-10100-2070	Unknown	Cytex Creek
552	244-20-10100-2070-3042	Unknown	Cytex Creek
553	244-30-10050-0010	Tustumena Lake	Kasilof River
554	244-30-10050-2015	Coal Creek	Kasilof River
555	244-30-10050-2018	Unknown	Kasilof River
556	244-30-10050-2024	Crooked Creek	Kasilof River
557	244-30-10050-2024-3044	Unknown	Crooked Creek
558	244-30-10050-2024-3044-0010	Unknown	244-30-10050-2024-3044
559	244-30-10050-2024-3058	Unknown	Crooked Creek
560	244-30-10050-2026	Unknown	Kasilof River
561	244-30-10050-2027	Unknown	Kasilof River
562	244-30-10050-2027-0010	Pollard Lake	Kasilof River via trib
563	244-30-10050-2059	Shantatalik Creek	Tustumena Lake
564	244-30-10050-2060	Nikolai Creek	Tustumena Lake
565	244-30-10050-2070	Fox Creek	Tustumena Lake
566	244-30-10050-2075	Bear Creek	Tustumena Lake
567	244-30-10050-2099	Moose Creek	Tustumena Lake
568	244-30-10050-2115	Indian Creek	Tustumena Lake
569	244-30-10050-2121	Glacier Creek	Tustumena Lake

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570	244-30-10050-2127	Seepage Creek	Tustumena Lake
571	244-30-10050-2134	Crystal Creek	Devils Bay, Tustumena Lake
572	244-30-10050-2135	Clear Creek	Tustumena Lake
573	244-30-10050-2136	Unknown	Tustumena Lake
574	244-30-10050-2137	Unknown	Tustumena Lake

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West Cook Inlet District

	AWC Number	Name	Tributary To	Salt Water Terminus
575	243-10-10075	Unknown		Kamishak Bay
576	243-10-10150	Douglas River		Kamishak Bay
577	243-10-10150-2006	Unknown	Douglas River	
578	243-10-10150-2006-3028	Unknown	243-10-10150-2006	
579	243-20-10035	McNeil River		McNeil Cove
580	243-30-10200	Unknown		Kamishak Bay
581	243-30-10200-0010	Chenik Lake	243-30-10200	
582	243-40-10010	Amakdedori Creek		Kamishak Bay
583	243-40-10010-2008	Unknown	Amakdedori Creek	
584	243-50-10050	Unknown		Bruin Bay
585	243-50-10050-2014	Unknown	243-50-10050	
586	243-60-10180	Unknown		Kamishak Bay
587	243-60-10190	Unknown		Kamishak Bay
588	245-10-10030	Chinitna River		Chinitna Bay
589	245-10-10030-2007	Clearwater Creek	Chinitna River	
590	245-10-10060	West Glacier Creek		Chinitna Bay
591	245-20-10170	Johnson River		Cook Inlet
592	245-20-10230	Unknown		Cook Inlet
593	245-20-10250	Shelter Creek		Cook Inlet
594	245-20-10270	East Glacier Creek		Cook Inlet
595	245-30-10010	Crescent River		Cook Inlet, Tuxedni Bay
596	245-30-10010-2007	Unknown	Crescent River	
597	245-30-10010-2049	Unknown	Crescent River	
598	245-30-10010-2053	Unknown	Crescent River	
599	245-30-10010-2056	Unknown	Crescent River	
600	245-30-10010-2058	Unknown	Crescent River	
601	245-30-10010-2060	Unknown	Crescent River	
602	245-30-10010-2060-3040	Unknown	245-30-10010-2060	
603	245-30-10010-2060-3040-4010	Unknown	245-30-10010-2060-3040	
604	245-30-10010-2060-3040-4018	Unknown	245-30-10010-2060-3040	
605	245-30-10010-2060-3040-4036	Unknown	245-30-10010-2060-3040	
606	245-30-10010-2069	Unknown	Crescent River	
607	245-30-10010-2081	Unknown	Crescent River	
608	245-30-10019	Unknown		Squarehead Cove, Tuxedni Bay
609	245-30-10028	Unknown		Tuxedni Bay
610	245-30-10084	Unknown		Tuxedni Bay
611	245-30-10090	Open Creek		Tuxedni Bay
612	245-40-10010	Harriet Creek		Redoubt Bay
613	245-40-10010-2020	Unknown	Harriet Creek	
614	245-40-10020	Redoubt Creek		Cook Inlet
615	245-40-10020-2016	Unknown	Redoubt Creek	
616	245-40-10020-2017	Unknown	Redoubt Creek	
617	245-40-10020-2020	Redoubt Creek trib	Redoubt Creek	
618	245-40-10020-2020-3010	Unknown	Redoubt Creek trib	
619	245-40-10030	Unknown		Cook Inlet
620	245-40-10040	Unknown		Cook Inlet
621	245-40-10050	Polly Creek		Cook Inlet

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622	245-40-10050-2002	Little Polly Creek	Polly Creek	
623	245-40-10050-2002-3020	Unknown	Little Polly Creek	
624	245-40-10050-2002-3030	Unknown	Little Polly Creek	
625	245-40-10050-2017	Polly Creek	Polly Creek	
626	245-40-10050-2017-3004	Unknown	Polly Creek	
627	245-40-10065	Unknown		Cook Inlet
628	245-50-10010	Kustatan River		Redoubt Bay
629	245-50-10010-2019	Unknown	Kustatan River	
630	245-50-10010-2043	Unknown	Kustatan River	
631	245-50-10010-2043-3010	Unknown	245-50-10010-2043	
632	245-50-10010-2043-3010-0010	Unknown	245-50-10010-2043-3010	
633	245-50-10010-2043-3082	Unknown	Kustatan River	
634	245-50-10010-2047	Blacksand Creek	Kustatan River	
635	245-50-10010-2047-3001	Unknown	Blacksand Creek	
636	245-50-10010-2047-3031	Unknown	Blacksand Creek	
637	245-50-10020	Johnson Slough		Redoubt Bay
638	245-50-10020-2014	Bachatna Creek	Johnson Slough	
639	245-50-10020-2014-3048	Unknown	Bachatna Creek	
640	245-50-10050	Big River		Redoubt Bay
641	245-50-10050-2011	South Fork Big River	Big River	
642	245-50-10050-2011-3010	Unknown	South Fork Big River	
643	245-50-10050-2011-3010-4008	Unknown	245-50-10050-2011-3010	
644	245-50-10050-2011-3010-4012	Unknown	245-50-10050-2011-3010	
645	245-50-10050-2011-3014	Unknown	South Fork Big River	
646	245-50-10050-2016	North Fork Big River	Big River	
647	245-50-10050-2016-3035	Unknown	North Fork Big River	
648	245-50-10050-2016-3044	Unknown	North Fork Big River	
649	245-50-10050-2016-3046	Unknown	North Fork Big River	
650	245-50-10050-2016-3070	Unknown	North Fork Big River	
651	245-50-10050-2016-3070-4010	Unknown	245-50-10050-2016-3070	
652	245-50-10050-2016-3090	Unknown	North Fork Big River	
653	245-50-10050-2016-3090-4011	Unknown	245-50-10050-2016-3090	
654	245-50-10050-2016-3090-4011-5008	Unknown	245-50-10050-2016-3090-4011	
655	245-50-10050-2016-3090-4020	Unknown	245-50-10050-2016-3090	
656	245-50-10050-2016-3101	Unknown	North Fork Big River	
657	245-50-10050-2016-3150	Unknown	North Fork Big River	
658	245-50-10050-2016-3201	Unknown	North Fork Big River	
659	245-50-10050-2016-3201-4112	Unknown	245-50-10050-2016-3201	
660	245-50-10060	Seal River		Redoubt Bay
661	245-50-10060-2001	Unknown	Seal River	
662	245-50-10070	Montana Bill Creek		Redoubt Bay
663	245-50-10070-2031	Unknown	Montana Bill Creek	
664	245-50-10085	Drift River		Redoubt Bay
665	245-50-10085-2050	Unknown	Drift River	
666	245-50-10085-2056	Unknown	Drift River	
667	245-50-10085-2064	Unknown	Drift River	
668	245-50-10085-2064-3021	Unknown	245-50-10085-2064	
669	245-50-10085-2066	Unknown	Drift River	
670	245-50-10085-2066-3031	Unknown	245-50-10085-2066	
671	245-50-10085-2066-3054	Unknown	245-50-10085-2066	
672	245-50-10090	Cannery Creek		Redoubt Bay

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673	245-50-10090-2020	Unknown	Cannery Creek	
674	245-50-10090-2030	Unknown	Cannery Creek	
675	245-50-10090-2030-0010	Unknown	245-50-10090-2030	
676	245-50-10090-2030-0020	Unknown	245-50-10090-2030	
677	245-50-10110	Little Jack Slough		Redoubt Bay
678	245-50-10110-0010	Unknown	Little Jack Slough	
679	245-50-10120	Unknown		Redoubt Bay
680	245-50-10120-0010	Unknown	245-50-10120	
681	245-50-10140	Unknown		Redoubt Bay
682	246-20-10020	Packers Creek		Cook Inlet
683	246-20-10020-0010	Packers Creek	Packers Creek	
684	247-10-10070	Middle River		Trading Bay
685	247-10-10070-2012	Chuitkilnachna Creek	Middle River	
686	247-10-10070-2012-3071	Unknown	Chuitkilnachna Creek	
687	247-10-10080	McArthur River		Trading Bay
688	247-10-10080-2007	Unknown	McArthur River	
689	247-10-10080-2010	Chakachatna River	McArthur River	
690	247-10-10080-2010-0010	Ch'akajabena Lake	Chakachatna River	
691	247-10-10080-2010-3034	Unknown	Chakachatna River	
692	247-10-10080-2010-3040	Straight Creek	Chakachatna River	
693	247-10-10080-2010-3040-4010	Unknown	Straight Creek	
694	247-10-10080-2010-3040-4010-5002	Unknown	247-10-10080-2010-3040-4010	
695	247-10-10080-2010-3058	Nagishlamina River	Chakachatna River	
696	247-10-10080-2010-3060	Chilligan River	Chakachatna River	
697	247-10-10080-2010-3068	Igitna River	Chakachatna River	
698	247-10-10080-2010-3068-0010	Kenibuna Lake	Igitna River	
699	247-10-10080-2020	Noaukta Slough	McArthur River	
700	247-10-10080-2020-3029	Unknown	Noaukta Slough	
701	247-10-10080-2020-3029-4020	Unknown	247-10-10080-2020-3029	
702	247-10-10080-2020-3033	Unknown	Noaukta Slough	
703	247-10-10080-2020-3033-4015	Unknown	247-10-10080-2020-3033	
704	247-10-10080-2020-3035	Unknown	Noaukta Slough	
705	247-10-10080-2038	Unknown	McArthur River	
706	247-10-10080-2042	Unknown	McArthur River	
707	247-10-10080-2042-3010	Unknown	247-10-10080-2042	
708	247-10-10080-2051	Unknown	McArthur River	
709	247-10-10080-2051-3029	Unknown	247-10-10080-2051	
710	247-10-10080-2051-3029-0010	Unknown	247-10-10080-2051-3029	
711	247-10-10080-2051-3029-4001	Unknown	247-10-10080-2051-3029	
712	247-10-10080-2051-3029-4036	Unknown	247-10-10080-2051-3029	
713	247-10-10200	Nikolai Creek		Trading Bay
714	247-10-10200-2060	Unknown	Nikolai Creek	
715	247-10-10200-2060-3010	Unknown	247-10-10200-2060	
716	247-10-10200-2060-3010-4001	Unknown	247-10-10200-2060-3010	
717	247-10-10200-2221	Unknown	Nikolai Creek	
718	247-10-10200-2225	Unknown	Nikolai Creek	
719	247-20-10002	Threemile Creek		Trading Bay
720	247-20-10002-0010	Tukallah Lake	Threemile Creek	
721	247-20-10002-2004	Unknown	Threemile Creek	
722	247-20-10002-2016	Unknown	Threemile Creek	
723	247-20-10002-2019	Unknown	Threemile Creek	

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724	247-20-10002-2019-3101	Unknown	247-20-10002-2019	
725	247-20-10002-2019-3103	Unknown	247-20-10002-2019	
726	247-20-10008	Unknown		Cook Inlet
727	247-20-10010	Chuitna River		Cook Inlet
728	247-20-10010-2006	Unknown	Chuitna River	
729	247-20-10010-2009	Chuitna River	Chuitna River	
730	247-20-10010-2020	Lone Creek	Chuitna River	
731	247-20-10010-2020-3008	Unknown	Lone Creek	
732	247-20-10010-2020-3020	Unknown	Lone Creek	
733	247-20-10010-2020-3020-0010	Unknown	247-20-10010-2020-3020	
734	247-20-10010-2020-3055	Unknown	Lone Creek	
735	247-20-10010-2020-3055-0010	Denslow Lake	247-20-10010-2020-3055	
736	247-20-10010-2030	Middle Creek	Chuitna River	
737	247-20-10010-2030-3006	Culvert Creek	Middle Creek	
738	247-20-10010-2030-3009	Unknown	Middle Creek	
739	247-20-10010-2030-3012	Unknown	Middle Creek	
740	247-20-10010-2030-3018	Unknown	Middle Creek	
741	247-20-10010-2040	Bass Creek	Chuitna River	
742	247-20-10010-2040-3009	Wilson Creek	Bass Creek	
743	247-20-10010-2040-3031	Unknown	Bass Creek	
744	247-20-10010-2049	Unknown	Chuitna River	
745	247-20-10010-2052	Chuit Creek	Chuitna River	
746	247-20-10010-2087	Unknown	Chuitna River	
747	247-20-10010-2088	Wolverine Fork	Chuitna River	
748	247-20-10020	Indian Creek		Cook Inlet
749	247-20-10030	Unknown		Cook Inlet
750	247-20-10040	Tyonek Creek		Cook Inlet
751	247-20-10040-2006	Unknown	Tyonek Creek	
752	247-20-10040-2036	Unknown	Tyonek Creek	
753	247-20-10050	Old Tyonek Creek		Beshta Bay
754	247-20-10050-2010	Unknown	Old Tyonek Creek	
755	247-20-10050-2025	Unknown	Old Tyonek Creek	
756	247-20-10050-2031	Unknown	Old Tyonek Creek	
757	247-20-10050-2083	Unknown	Old Tyonek Creek	
758	247-20-10050-2093	Unknown	Old Tyonek Creek	
759	247-30-10090	Beluga River		Cook Inlet
760	247-30-10090-0020	Lower Beluga Lake	Beluga River	
761	247-30-10090-0030	Beluga Lake	Beluga River	
762	247-30-10090-2009	Unknown	Beluga River	
763	247-30-10090-2020	Olson Creek	Beluga River	
764	247-30-10090-2040	Coffee Creek	Beluga River	
765	247-30-10090-2105	Bishop Creek	Beluga River	
766	247-30-10090-2105-3015	Scarp Creek	Bishop Creek	
767	247-30-10090-2105-3015-4012	Unknown	Scarp Creek	
768	247-30-10090-2105-3101	Unknown	Bishop Creek	
769	247-30-10090-2109	Unknown	Beluga River	
770	247-30-10090-2120	Drill Creek	Beluga River	
771	247-30-10090-2130	Unknown	Beluga River	
772	247-30-10090-2150	Coal Creek	Beluga River	
773	247-30-10090-2151	Chichantna River	Beluga River	
774	247-30-10120	Unknown		Cook Inlet

KPB 21.18 Appendix

775	248-10-10002	Sunday Creek		Rocky Cove
776	248-10-10008	Unknown		Ursus Cove
777	248-20-10060	Y-Valley Creek		Cook Inlet
778	248-20-10060-2005	Unknown	Y-Valley Creek	
779	248-20-10067	Unknown		Iniskin Bay
780	248-20-10068	Unknown		Iniskin Bay
781	248-20-10080	Iniskin River		Iniskin Bay
782	248-20-10080-2002	Unknown	Iniskin River	
783	248-30-10010	Bowser Creek		Oil Bay
784	248-30-10020	Brown Creek		Dry Bay
785	248-40-10100	Unknown		Kamishak Bay
786	248-40-10100-2003	Unknown	248-40-10100	
787	248-40-10100-2040	Unknown	248-40-10100	
788	248-40-10105	Unknown		Kamishak Bay
789	248-40-10120	Unknown		Cook Inlet
790	248-40-10150	Unknown		Cook Inlet
791	262-15-10020	Big River		Shelikof Straight
792	324-10-10150-2010-3115-4037	Unknown	Moraine Creek	
793	324-10-10150-2402	Iliamna River	Pile Bay	

KPB Unsubstantiated Waterbodies

Major Waters District

	AWC Number	Name	Tributary To	Salt Water Terminus
1	244-30-10010-2082	Upper Killey River		
2	247-80-10010	Seven Egg Creek		

North Kenai Peninsula District

	AWC Number	Name	Tributary To	Salt Water Terminus
3	224-40-14867	Unknown		
4	224-40-14868	Unknown		
5	224-40-14880	Nellie Juan River		
6	231-20-13525	Unknown		Resurrection Bay
7	231-30-10040	Tonsina Creek		Tonsina Point, Resurrection Bay
8	231-30-10080-2070	Unknown		
9	231-30-10080-2080	Unknown		
10	231-30-10080-2100	Unknown		
11	231-30-10080-2103	Unknown		
12	231-30-10080-2119	Placer Creek		
13	231-30-10080-2119-3006	Unknown		
14	231-30-10080-2120	Boulder Creek		
15	231-30-10080-2130	Unknown		
16	231-30-10080-2135	Unknown		
17	231-30-10080-2138	Unknown		
18	231-30-10080-2141	Unknown		
19	231-30-10080-2155	Moose Creek		
20	231-30-10080-2158	Unknown		
21	231-30-10080-2164	Unknown		
22	231-30-10080-2169	Unknown		
23	231-30-10080-2169-3005	Unknown		
24	231-30-10080-2175	Summit Creek		
25	231-30-10160	Likes Creek		
26	233-20-10050	Unknown		
27	233-20-10080	Unknown		
28	233-20-10082	Unknown		
29	233-30-10040	Unknown		
30	233-30-10050	Unknown		
31	233-30-10060	Unknown		
32	233-30-10070	Unknown		
33	244-30-10010-2025-3041	Unknown		
34	244-30-10010-2025-3041-4045	Unknown		
35	244-30-10010-2025-3041-4049	Unknown		
36	244-30-10010-2039-0010	Savena Lake		
37	244-30-10010-2039-3029	Unknown		
38	244-30-10010-2039-3029-0010	Derks Lakes		
39	244-30-10010-2039-3029-0020	Mackeys Lakes		
40	244-30-10010-2039-3046-0010	Tree Lake		
41	244-30-10010-2039-3046-4053	Unknown		
42	244-30-10010-2039-3046-4053-0010	Cisca Lake		

KPB Unsubstantiated Waterbodies

43	244-30-10010-2063-3025-0020	Silver Lake	
44	244-30-10010-2063-3025-0030	Mosquito Lake	
45	244-30-10010-2063-3025-4010	Unknown	
46	244-30-10010-2063-3025-4010-0010	Loon Lake	
47	244-30-10010-2063-3025-4010-5009	Unknown	
48	244-30-10010-2063-3025-4010-5009-6005	Unknown	
49	244-30-10010-2063-3025-4010-5009-6005-0010	Meadow Lake	
50	244-30-10010-2063-3036-0060	Kelly Lake	
51	244-30-10010-2063-3041-4015	Unknown	
52	244-30-10010-2063-3041-4015-0010	Clam Lake	
53	244-30-10010-2076-3050	Unknown	
54	244-30-10010-2076-3067	Unknown	
55	244-30-10010-2076-3070	Unknown	
56	244-30-10010-2076-3072	Unknown	
57	244-30-10010-2076-3072-4008	Unknown	
58	244-30-10010-2076-3085	Unknown	
59	244-30-10010-2076-3085-4010	Unknown	
60	244-30-10010-2076-3110	Unknown	
61	244-30-10010-2110	Unknown	
62	244-30-10010-2120	Cottonwood Creek	Skilak Lake
63	244-30-10010-2130	Pipe Creek	
64	244-30-10010-2158-3029	Unknown	
65	244-30-10010-2188	Porcupine Creek	
66	244-30-10010-2225-3002	Falls Creek	
67	244-30-10010-2225-3021-4008	Unknown	
68	244-30-10010-2225-3031-4010	Unknown	
69	244-30-10010-2250-3018	Unknown	
70	244-30-10010-2250-3030-4024	Unknown	
71	244-30-10010-2250-3030-4041	Unknown	
72	247-60-10120	Big Indian Creek	
73	247-60-10130	Little Indian Creek	
74	247-60-10140	Porcupine Creek	
75	247-60-10170-2029-3032	Bench Creek	
76	247-60-10170-2029-3041	Granite Creek	East Fork Sixmile Creek
77	247-60-10190-2005	Unknown	
78	247-90-10020-0010	Gene Lake	
79	247-90-10020-0020	Pepper Lake	
80	247-90-10020-2046	Unknown	
81	247-90-10020-2046-0010	Rainbow Lake	
82	247-90-10020-2058-0010	Campfire Lake	
83	247-90-10020-2058-0020	Little Merganser Lake	
84	247-90-10020-2058-3018	Unknown	
85	247-90-10020-2058-3018-0008	Sucker Lake	
86	247-90-10020-2058-3018-0010	Canoe Lake	
87	247-90-10020-2058-3018-0020	Unknown	
88	247-90-10020-2058-3018-0030	Unknown	
89	247-90-10020-2058-3018-0040	Contact Lake	
90	247-90-10020-2058-3018-0050	Martin Lake	

KPB Unsubstantiated Waterbodies

91	247-90-10020-2058-3018-0060	Spruce Lake
92	247-90-10020-2058-3018-0070	Trout Lake
93	247-90-10020-2058-3018-0080	Gavia Lake
94	247-90-10020-2058-3018-0090	Konchaneer Lake
95	247-90-10020-2064	Unknown
96	247-90-10020-2064-0010	Leaf Lake
97	247-90-10020-2068	Unknown
98	247-90-10020-2068-0010	Campers Lake
99	247-90-10020-2068-0020	Swanson Lake
100	247-90-10030-2016	Unknown
101	247-90-10030-2016-0010	Beck Lake
102	247-90-10030-2016-0020	Unknown

South Kenai Peninsula District

	AWC Number	Name	Tributary To	Salt Water Terminus
103	232-10-10330	Unknown		
104	232-10-10330-2015	Unknown		
105	232-15-10260	Unknown		
106	232-15-10270	Unknown		
107	232-15-10280	Unknown		
108	232-15-10290	Unknown		
109	232-15-10300	Unknown		
110	232-15-10310	Unknown		
111	232-15-10320	Unknown		
112	232-21-10220	Unknown		
113	232-21-10230	Unknown		
114	232-21-10240	Unknown		
115	232-21-10240-2006	Unknown		
116	232-21-10240-2010	Unknown		
117	232-22-10010	Unknown		
118	232-22-10020	Babcock Creek		
119	232-22-10050	Unknown		
120	232-22-10080	Unknown		
121	232-22-10090	Unknown		
122	232-22-10090-2010	Unknown		
123	232-22-10135	Unknown		
124	232-22-10160	Unknown		
125	232-22-10190	Unknown		
126	232-22-10210	Unknown		
127	232-23-10120	Unknown		
128	232-23-10120-0010	Unknown		
129	232-30-10190	Unknown		
130	232-30-10251	Unknown		
131	232-30-10251-2008	Unknown		
132	232-40-10150	Unknown		
133	232-40-10160	Unknown		
134	232-40-10170	Unknown		
135	232-40-10180	Unknown		Aialik Bay
136	232-40-10190	Unknown		

KPB Unsubstantiated Waterbodies

137	232-40-10230-0020	Unknown	232-40-10230
138	241-11-10680	Unknown	
139	241-11-10800-2017	Unknown	
140	241-11-10800-2020	Unknown	
141	241-11-10800-2030	Unknown	
142	241-13-10760	Frtiz Creek	
143	241-14-10530	Unknown	
144	241-14-10540	Unknown	
145	241-14-10625-2030	Unknown	
146	241-15-10420	Unknown	
147	241-15-10450	Estuary Creek	Halibut Cove Lagoon
148	241-16-10040-2010	Unknown	
149	241-16-10040-2020	Unknown	
150	241-16-10130-2031	Unknown	
151	241-16-10240	Unknown	
152	242-10-10196-0010	Unknown	Perl Island Stream
153	242-10-10250	Unknown	
154	242-10-10270	Unknown	
155	242-31-10090	Unknown	
156	242-31-10100	Unknown	
157	242-31-10100-2011	Unknown	
158	242-31-10100-2014	Unknown	
159	242-31-10100-2014-3012	Unknown	
160	242-31-10110	Unknown	
161	242-31-10110-2013	Unknown	
162	242-41-10380	Unknown	
163	242-41-10390	Unknown	
164	244-10-10010-2150-3020	Unknown	
165	244-20-10100-2030-3013	Unknown	
166	244-20-10100-2030-3015	Unknown	
167	244-30-10050-2024-3076	Unknown	
168	244-30-10050-2040	Unknown	
169	244-30-10050-2059-3010	Unknown	
170	244-30-10050-2060-3015	Unknown	
171	244-30-10050-2075-3025	Unknown	
172	244-30-10050-2085	Unknown	
173	244-30-10050-2099-3009	Unknown	
174	244-30-10050-2099-3010	Unknown	
175	244-30-10050-2127-3006	Unknown	
176	244-30-10050-2127-3008	Unknown	

West Cook Inlet District

	AWC Number	Name	Tributary To	Salt Water Terminus
177	243-10-10030	Little Kamishak River		Akumwarvik Bay
178	243-10-10030-2015	Strike Creek	Little Kamishak River	
179	243-10-10040	Kamishak River		Akumwarvik Bay
180	243-10-10040-2021	Unknown	Kamishak River	
181	243-10-10040-2031	Unknown	Kamishak River	
182	243-10-10040-2041	Unknown	Kamishak River	

KPB Unsubstantiated Waterbodies

183	243-10-10040-2059	Unknown	Kamishak River	
184	243-10-10040-2069	Unknown	Kamishak River	
185	243-10-10040-2073	Unknown	Kamishak River	
186	243-10-10040-2087	South Fork Kamishak River	Kamishak River	
187	243-10-10040-2125	Unknown	Kamishak River	
188	243-10-10040-2141	Unknown	Kamishak River	
189	243-10-10050	Unknown		Akumwarvik Bay
190	243-10-10070	Unknown		Kamishak Bay
191	243-20-10020	Paint River		Akjemguia Cove
192	243-20-10050	Mikfik Creek		McNeil Cove
193	243-20-10050-0010	Unknown	Mikfik Creek	
194	243-40-10010-0020	Unknown	Amakdedori Creek	
195	243-50-10040	Unknown		Bruin Bay
196	245-10-10010	Fitz Creek		
197	245-10-10020	Trail Creek		Chinitna Bay
198	245-10-10020-2001	Wrong Branch Trail Creek	Trail Creek	
199	245-10-10030-2007-3007	Roscoe Creek	Clearwater Creek	
200	245-10-10040	Marsh Creek		Chinitna Bay
201	245-10-10050	Silver Salmon Creek		Chinitna Bay
202	245-20-10170-2010	Unknown	Johnson River	
203	245-20-10170-2020	Unknown	Johnson River	
204	245-20-10170-2031	Red Creek	Johnson River	
205	245-20-10190	Unknown		Cook Inlet
206	245-20-10190-0010	Silver Salmon Lakes	245-20-10190	
207	245-30-10010-2098	North Fork Crescent River	Crescent River	
208	245-30-10010-2099	Lake Fork Crescent River	Crescent River	
209	245-30-10010-2099-0010	Crescent Lake	Lake Fork Crescent River	
210	245-30-10010-2099-3013	Unknown	Lake Fork Crescent River	
211	245-30-10010-2099-3023	Unknown	Lake Fork Crescent River	
212	245-30-10010-2099-3033	Unknown	Lake Fork Crescent River	
213	245-30-10010-2099-3055	Lake Fork Crescent River	Lake Fork Crescent River	
214	245-30-10060	Unknown		Tuxedni Bay
215	245-30-10070	Unknown		Tuxedni Bay
216	245-30-10080	Tuxedni River		Tuxedni Bay
217	245-30-10100	Unknown		Tuxedni Bay
218	245-30-10110	Difficult Creek		Tuxedni Bay
219	245-30-10120	Hungryman Creek		Tuxedni channel
220	245-30-10130	Bear Creek		Tuxedni channel
221	245-40-10010-2015	Unknown	Harriet Creek	
222	245-40-10010-2015-0010	Wadell Lake	245-40-10010-2015	
223	245-40-10010-2015-0020	Bear lake	245-40-10010-2015	
224	245-50-10010-2040	Unknown	Kustatan River	
225	245-50-10010-2040-0010	Unknown	245-50-10010-2040	
226	245-50-10010-2040-0020	Unknown	245-50-10010-2040	
227	245-50-10040	Unknown		Redoubt Bay
228	245-50-10050-0010	Big River Lakes	Big River	
229	245-50-10050-2020	Unknown	North Fork Big River	
230	245-50-10050-2020-0010	Big River Lakes	245-50-10050-2020	
231	245-50-10050-2020-3020	Unknown	245-50-10050-2020	
232	245-50-10050-2020-3020-4005	Unknown	245-50-10050-2020-3020	

KPB Unsubstantiated Waterbodies

233	245-50-10050-2020-3023	Unknown	245-50-10050-2020	
234	245-50-10090-2004	Rust Slough	Cannery Creek	
235	246-10-10010	Unknown		Cook Inlet
236	246-10-10010-0010	Unknown	246-10-10010	
237	246-10-10030	Unknown		Cobbs Cove
238	246-10-10030-0010	Unknown	246-10-10030	
239	246-20-10020-2010	Unknown	Packers Creek	
240	246-20-10020-2010-0010	Unknown	246-20-10020-2010	
241	246-20-10020-2020	Unknown	Packers Creek	
242	247-10-10080-2010-3068-4045	Another River	Igitna River	
243	247-10-10080-2010-3068-4075	Neacola River	Igitna River	
244	247-10-10080-2020-3033-4018	Unknown	247-10-10080-2020-3033	
245	247-10-10080-2020-3033-4022	Unknown	247-10-10080-2020-3033	
246	247-10-10080-2020-3033-4026	Unknown	247-10-10080-2020-3033	
247	247-10-10080-2034	Unknown	McArthur River	
248	247-10-10080-2034-3005	Unknown	247-10-10080-2034	
249	247-10-10080-2034-3011	Unknown	247-10-10080-2034	
250	247-10-10200-2215	Stedatna Creek	Nikolai Creek	
251	247-20-10010-2020-3018	Unknown	Lone Creek	
252	247-20-10010-2020-3020-4011	Unknown	247-20-10010-2020-3020	
253	247-20-10010-2020-3020-4014	Unknown	247-20-10010-2020-3020	
254	247-20-10010-2020-3035	Unknown	Lone Creek	
255	247-20-10010-2020-3045	Unknown	Lone Creek	
256	247-20-10010-2030-3021	Unknown	Middle Creek	
257	247-20-10010-2040-3017	Hunt Creek	Bass Creek	
258	247-20-10010-2040-3017-4019	Unknown	Hunt Creek	
259	247-20-10010-2040-3048	Unknown	Bass Creek	
260	247-20-10010-2052-3060	Unknown	Chuit Creek	
261	247-20-10010-2052-3060-4012	Unknown	247-20-10010-2052-3060	
262	247-30-10090-2010	Pretty Creek	Beluga River	
263	248-10-10010	Unknown		Ursus Cove
264	248-10-10020	Unknown		Ursus Cove
265	248-10-10030	Unknown		Ursus Cove
266	248-10-10040	Unknown		Ursus Cove
267	248-10-10050	Unknown		Ursus Cove
268	248-20-10030	Unknown		Cottonwood Bay
269	248-20-10040	Unknown		Cottonwood Bay
270	248-20-10040-2005	Unknown	248-20-10040	
271	248-20-10070	Unknown		Iniskin Bay
272	248-20-10090	Portage Creek		Right Arm Iniskin Bay
273	248-20-10100	Right Arm Creek		Right Arm Iniskin Bay
274	262-10-10100-2018	Unknown	248-40-10100	
275	262-10-10100-2018-3008	Unknown	262-10-10100-2018	
276	262-15-10020-2018	Unknown	Big River	
277	324-10-10150-2010-3115-4037-0030	Unknown	324-10-10150-2010-3115-4037	
278	324-10-10150-2207-3301	Tlikakila River	Lake Clark	
279	324-10-10150-2207-3301-0010	Summit Lake	Tlikakila River	
280	324-10-10150-2402-3006	Unknown	Iliamna River	

KENAI PENINSULA BOROUGH

Office of the Borough Clerk

144 North Binkley Street
Soldotna, AK 99669
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Johni Blankenship, MMC
Borough Clerk

MEMORANDUM

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

FROM: Johni Blankenship, Borough Clerk (JB)

DATE: June 18, 2013

RE: Public Comments – Ordinance 2013-12 and Ordinance 2013-18


The packet containing public comments received Friday June, 14 through 2:00 p.m. on Tuesday June 18, on Ordinances 2013-12 and 2013-18 breaks down as follows:

105 comments in support of Ordinance 2013-18 and/or additional habitat protection regulations.

15 comments in support of 2013-12.


**South Peninsula Hospital, Inc.
Quarterly Report
June, 2013**

Prepared for the
**Kenai Peninsula Borough Assembly
and Administration**




Overview of Presentation

- What's New
- Hospital Happenings
- Financial Report
- On the Horizon



What's New

- Preparing for Healthcare Reform:
 - Nationally renown educational presenters
 - Computerized Physician Order Entry
 - Medication Reconciliation
- Employee Survey Follow-Up
- National Hospital Week
- Welcome Leslie Haynes, RN, Quality Director



Hospital Happenings

- Pediatric Therapy Gym
- New Family Practice Physician
- Osteoporosis Special
- Safe Kids Fair
- Menopause Forum
- Colon Health Campaign




Financial Snapshot

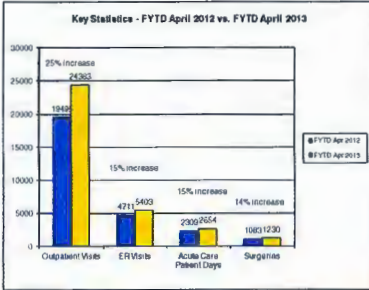
Key Indicators: Comparison of FYTD April 2013 vs. FYTD April 2012

- Volume Statistics
- Gross Revenue
- Operating Expenses
- Earnings
- Cash on Hand
- Net Income




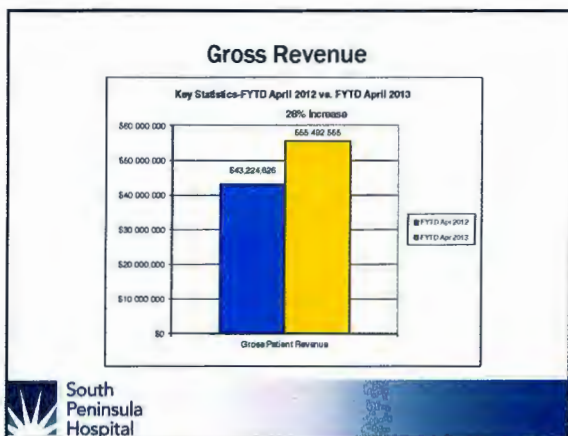

Statistics

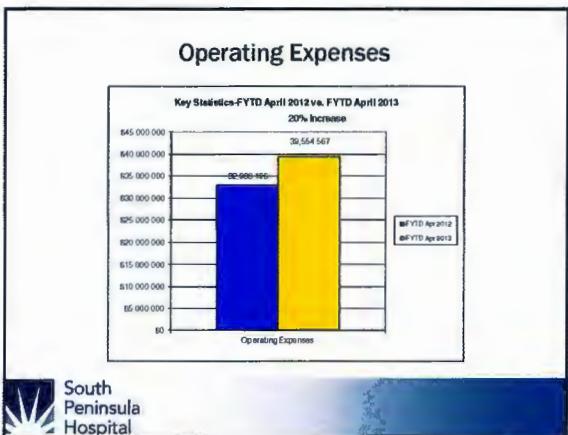
Key Statistics - FYTD April 2012 vs. FYTD April 2013

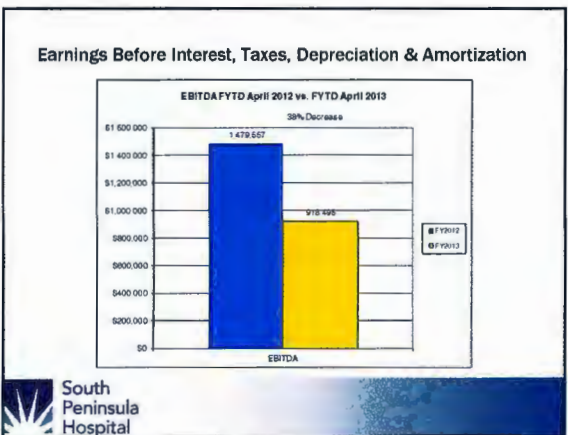


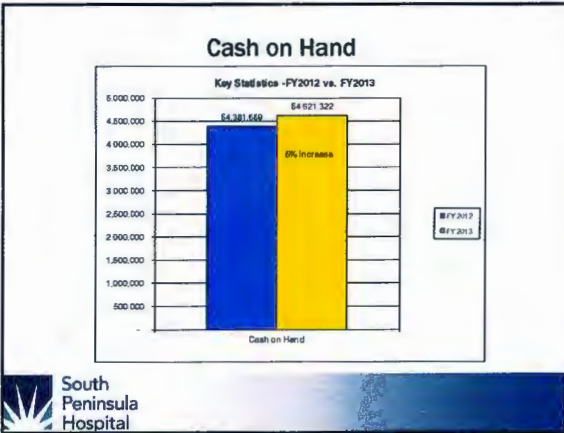
Category	FYTD Apr 2012	FYTD Apr 2013	% Increase
Outpatient Visits	19,429	24,363	25%
ER Visits	4,711	5,403	15%
Acute Care Patient Days	2,909	3,354	15%
Surgeries	1,001	1,230	14%

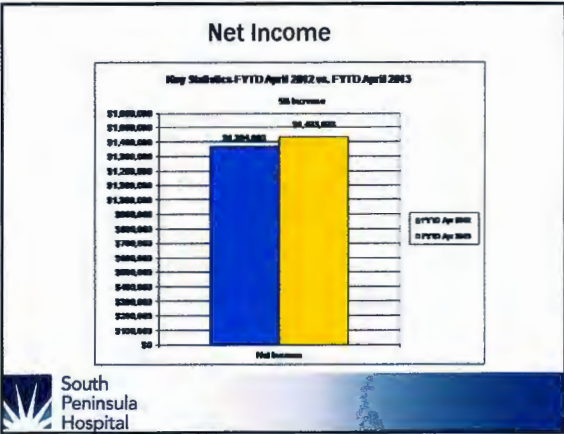












On the Horizon

- Relay for Life
- Evacuation Exercise
- Fire pump installation
- Expanded Surgical Services
- Continued Renovations in Long Term Care
- Natural Gas conversion
- Reflection Room

