

Introduced by:	Mayor
Substitute Introduced:	10/23/07
O2007-19-25 (Mayor)	See Original for Prior History
Hearing:	10/23/07
Action:	Enacted
Vote:	9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2007-19-25
(MAYOR) SUBSTITUTE**

**AN ORDINANCE ACCEPTING \$3,482,264 FROM THE STATE OF ALASKA FOR
KEYSTONE DRIVE ROAD IMPROVEMENTS AND APPROPRIATING THE GRANT
AND MATCHING FUNDS IN THE AMOUNT OF \$21,379 TO A ROAD SERVICE AREA
CAPITAL PROJECT ACCOUNT**

WHEREAS, Keystone Drive is a Kenai Peninsula Borough Road Service Area ("RSA") collector road, located along the Kenai River, that services local residences, tourist-oriented businesses, federally managed and private park facilities, and a public boat launch; and

WHEREAS, this project has been included on the borough's state priorities list since 2002; and

WHEREAS, community efforts have generated nearly \$7 million in federal and state funds earmarked specifically for a Keystone Drive road improvement project; and

WHEREAS, on February 15, 2005, Ordinance 2004-19-34 was enacted which accepted and appropriated initial federal funding in the amount of \$909,700 to begin the project; and

WHEREAS, on July 12, 2005, Ordinance 2005-19-01 was enacted which accepted and appropriated additional federal funding in the amount of \$2 million to continue the Keystone Drive road improvement project; and

WHEREAS, on September 5, 2006, Ordinance 2006-19-11 was enacted which accepted and appropriated state funding in the amount of \$325,080 as additional funding for the project and to use as a match for the federal funding; and

WHEREAS, the borough has received notification from the Alaska Department of Transportation and Public Facilities ("DOT/PF") that an additional \$3,482,264 is available for the Keystone Drive road improvement project; and

WHEREAS, DOT/PF has also notified the borough that matching funds in the total amount of \$436,759 are needed to meet the match requirements of all federal funding received by the borough for the Keystone Drive project; and

WHEREAS, the borough has appropriated, to date, \$415,380 in matching funds and requires additional nonfederal funds in the amount of \$21,379 to meet the match requirement; and

WHEREAS, the borough has entered into a Memorandum of Agreement with DOT/PF to manage the project in coordination with DOT/PF personnel in order to ensure that all Department of Federal Highway Administration procedures and guidelines are followed; and

WHEREAS, road improvements to Keystone Drive will be a major economical benefit to the borough, will enhance the health and safety of area residents, and will be a positive environmental influence to the Kenai River; and

WHEREAS, pursuant to KPB Resolution 2006-036 a fee of 3.04% of the grant amount will be charged against the grant to cover general administrative costs; and

WHEREAS, at its meeting of October 16, 2007, the RSA board unanimously approved RSA Resolution 2007-17 allocating \$21,379 from the road service area capital improvement fund toward the local match for Keystone Drive;

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

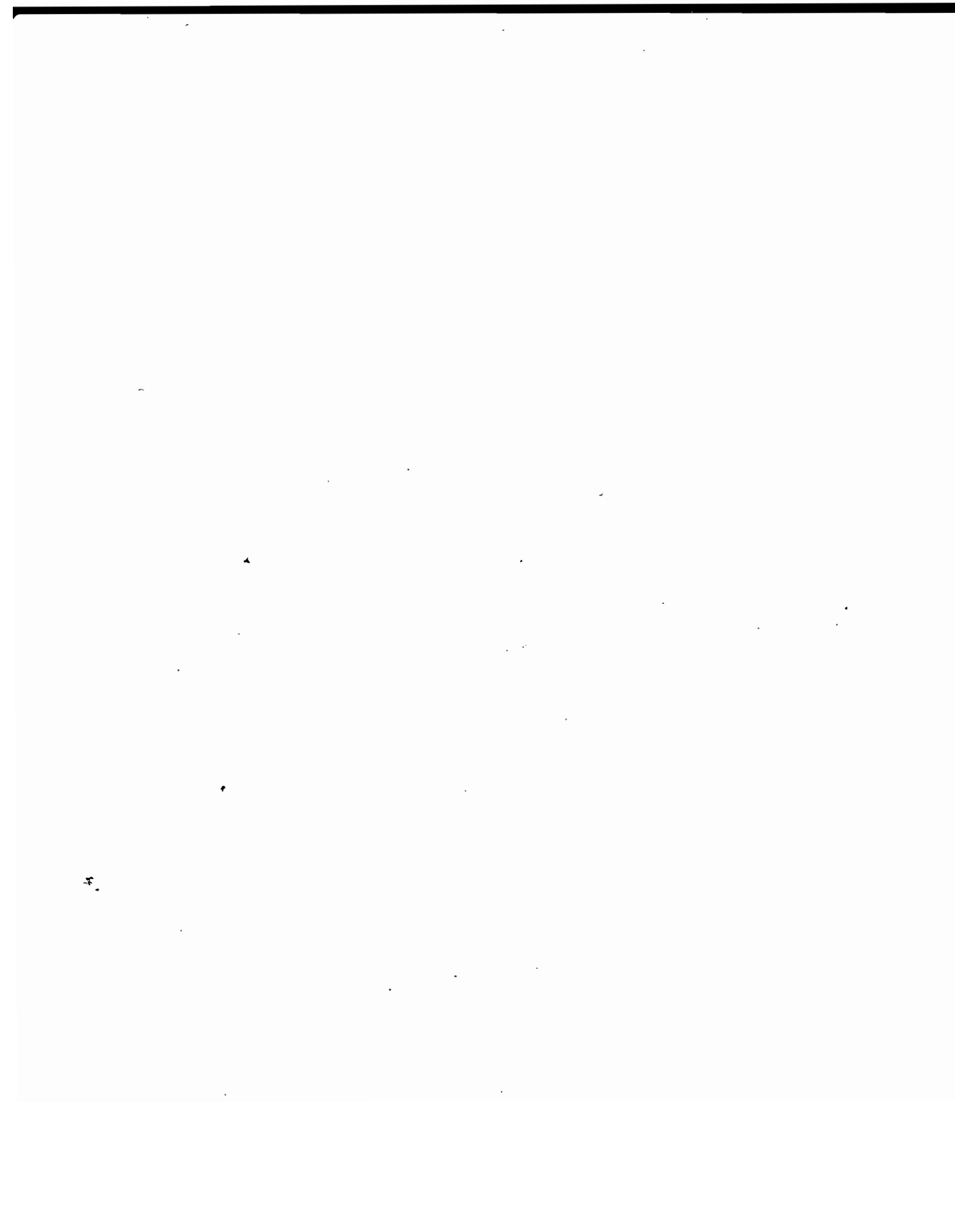
SECTION 1. That the mayor is authorized to accept a grant from the Alaska Department of Transportation and Public Facilities in the amount of \$3,482,264 for the Keystone Drive road improvement project, and is authorized to execute a grant agreement, or memorandum of agreement, and any other documents deemed necessary to accept and expend the grant and to fulfill the intents and purposes of this ordinance.

SECTION 2. That grant funds in the amount of \$3,482,264 are hereby appropriated to account 434.33950.KEYS8.43011

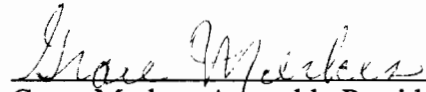
SECTION 3. That road service area funds in the amount of \$21,379 are appropriated from account 434.33950.08434.49999 (capital improvement funds) to account 434.33950.KEYS8.43011 (project account).

SECTION 4. That due to the length and nature of this project, the appropriations established through this ordinance shall not lapse at the end of any particular fiscal year.

SECTION 5. This ordinance shall become effective immediately upon enactment.

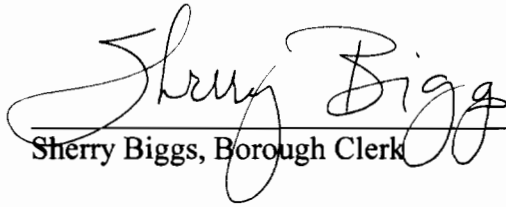


ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 23RD DAY OF OCTOBER, 2007.



Grace Merkes, Assembly President

ATTEST:



Sherry Biggs, Borough Clerk



Yes: Fischer, Gilman, Knopp, Long, Martin, Smith, Sprague, Superman, Merkes
No: None
Absent: None