

Introduced by: Mayor
Date: 04/17/18
Hearing: 05/01/18
Action: Enacted as Amended
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2017-19-25**

AN ORDINANCE ACCEPTING AND APPROPRIATING \$521,569.64 FROM THE U.S. DEPARTMENT OF TRANSPORTATION, WESTERN FEDERAL LANDS HIGHWAY DIVISION TO EXTEND A PORTION OF THE KENAI SPUR HIGHWAY WITHIN THE BOROUGH RIGHT-OF-WAY

- WHEREAS,** Ordinance 2016-19-15 approved and appropriated \$5,142,231.38 awarded through the U.S. Department of Transportation “Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users” program under Title 23 U.S. Code Section 204, (“SAFETEA-LU”) to extend a portion of the Kenai Spur Highway within the borough right-of-way; and
- WHEREAS,** on March 05, 2018 the borough received formal notification from the U.S. Department of Transportation, Western Federal Lands Highway Division (“WFL”) that additional funding in the amount of \$521,569.64 was available for construction costs associated with the approved project to construct approximately 7.5 miles of gravel road on the borough right-of-way beginning at the current terminus of the Kenai Spur Highway at Captain Cook State Recreation Area, ending near Otter Creek; and
- WHEREAS,** WFL approved the value of Otter Creek bridge construction project in the amount of \$210,038.00 as satisfying the required 20 percent match; and
- WHEREAS,** the additional funds and match requirement will be added as an executed modification to the existing reimbursement and match agreements; and
- WHEREAS,** as the grant program does not allow for indirect costs, and the grant is for the Road Service Area funded by general funds, no borough administrative service fee will be charged for this grant; and
- WHEREAS,** at its meeting of April 10, 2018 the Road Service Area board recommended approval by the passage of RSA Resolution 2018-03; and
- WHEREAS,** it is in the best interests of the borough to accept these funds;

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

SECTION 1. That the mayor is authorized to accept the \$521,569.64 grant from the U.S. Department of Transportation, Western Federal Lands Highway Division to extend a portion of the Kenai Spur Highway within the borough right-of-way.

SECTION 2. That the grant funds in the amount of \$521,569.64 are hereby appropriated to account no. 434.33950.16NRD.49999 – Project Account.

SECTION 3. That the 20 percent in-kind match contribution in the amount of \$210,038.00 is hereby recorded to account no. 434.33950.16NRD.43011


SECTION 4. That the mayor is authorized to execute a grant agreement and any other documents deemed necessary to accept and expend the grant, and to fulfill the intents and purposes of this ordinance.

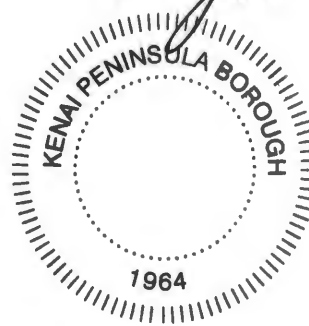
SECTION 5. This ordinance shall become effective immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 1ST DAY OF MAY, 2018.


Wayne H. Ogle, Assembly President

ATTEST:


Johni Blankenship, MMC, Borough Clerk



Yes: Bagley, Blakeley, Carpenter, Cooper, Dunne, Fischer, Hibbert, Smalley, Ogle
No: None
Absent: None