

Assembly Action Agenda

January 3, 2012 - 7:00 PM

Regular Meeting

Borough Assembly Chambers, Soldotna, Alaska

Gary Knopp
Assembly President
Seat 1 - Kalifornsky
Term Expires 2012

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

Mako Haggerty
Assembly Member
Seat 9 - South Peninsula
Term Expires 2012

Brent Johnson
Assembly Member
Seat 7 - Central
Term Expires 2013

Sue McClure
Assembly Member
Seat 6 - East Peninsula
Term Expires 2012

Linda Murphy
Assembly Member
Seat 4 - Soldotna
Term Expires 2013

Hal Smalley
Assembly Member
Seat 2 - Kenai
Term Expires 2014

Bill Smith
Assembly Member
Seat 8 - Homer
Term Expires 2014

Ray Tauriainen
Assembly Member
Seat 3 - Nikiski
Term Expires 2013

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. INVOCATION

D. ROLL CALL

E. COMMITTEE REPORTS

APPROVED Smalley moved to authorize Assembly President Gary Knopp to attend the Rural Health Care Leadership Forum in Phoenix, AZ February 4 – 7, 2012.

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. December 6, 2011 Regular Assembly Meeting Minutes

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

I. PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

- 1. Presentation Regarding KPB Title 21, Chapter 21.18, Anadromous Streams Habitat, Tim Dillon, Dillon & Dillon, Timber & Log Wrights LLC (10 minutes)

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

K. MAYOR'S REPORT

- 1. Assembly Requests/Responses – None.

2. Agreements and Contracts
 - a. Authorization to Award Contract for KESA Diamond Ridge Fire Station Professional Design Services to Architects Alaska
 - b. Authorization to Award Contract for North Peninsula Recreation Service Area Alternative Energy Study to RSA Engineering, Inc.
 - c. Authorization to Award Contract for Limited Liability Reports to First American Title
 - d. Authorization to Award Purchase of Calcium Chloride – Summer 2012 to Univar USA, Inc.
 - e. Authorization to Award Contract for Custody and Safekeeping of Marketable Debt Securities to Wells Fargo
3. Other
 - a. Revenue-Expenditure Report November, 2011
 - b. Budget Revisions November, 2011
 - c. Spruce Bark Beetle Monthly Status Report November, 2011
 - d. National Association of Counties Prescription Drug Discount Card Program Report November, 2011

L. ITEMS NOT COMPLETED FROM PRIOR AGENDA – None.

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

1. ***ENACTED AS AMENDED*** Ordinance 2011-19-24: Appropriating \$100,000 from the General Fund to the Kenai Watershed Forum to Fund Restoration Projects at Anadromous Stream Crossings (Mayor) (Referred to Policies and Procedures Committee) [**8 Yes, 1 No, 0 Absent**]
2. ***ENACTED AS AMENDED*** Ordinance 2011-19-56: Accepting and Appropriating Funding from the State of Alaska in the Amount of \$181,791 for Community Purposes Under the State's 2011/2012 Community Revenue Sharing Program (Mayor) (Referred to Finance Committee) [**9 Yes, 0 No, 0 Absent**]

3. ***ENACTED*** Ordinance 2011-19-57: Appropriating \$44,883 in Supplemental Funding for a New Position and Associated Costs at the River Center (Mayor) (Referred to Finance Committee) [**6 Yes, 3 No, 0 Absent**]
4. ***ENACTED AS AMENDED*** Ordinance 2011-19-58: Appropriating \$30,000 from the Nikiski Fire Service Area Capital Project Fund for a Corrosive Water Mitigation System at Nikiski Fire Station #2 (Mayor) (Referred to Finance Committee) [**9 Yes, 0 No, 0 Absent**]
5. ***ENACTED*** Ordinance 2011-19-59: Appropriating \$100,000 for the Assessing Department to Obtain Contractual Assistance for the 2012 Tax Year Appraisal of the Tesoro Refinery (Mayor) (Referred to Finance Committee) [**9 Yes, 0 No, 0 Absent**]
6. ***ENACTED*** Ordinance 2011-19-60: Accepting and Appropriating \$22,243 from the Alaska Department of Military and Veteran Affairs, Division of Homeland Security and Emergency Management to Support the Community Emergency Response Teams (Mayor) (Referred to Finance Committee) [**9 Yes, 0 No, 0 Absent**]
7. ***ENACTED*** Ordinance 2011-19-61: Appropriating \$20,000 for the Hearing Officer and Clerk's Expenses to Fund the Hearing Process in KPB Chapter 21.50 Establishing Enforcement Procedures for Violations of Title 21 (Mayor) (Referred to Finance Committee) [**9 Yes, 0 No, 0 Absent**]
8. ***ENACTED*** Ordinance 2011-19-62: Authorizing a \$26,500 Intergovernmental Loan and Appropriating Funds to the Seldovia Recreational Service Area to Provide Start-Up Funding (Mayor, Haggerty) (Referred to Finance Committee) [**9 Yes, 0 No, 0 Absent**]
9. ***FAILED TO ENACT*** Ordinance 2011-19-63: Accepting a Grant of \$270,850 from the Alaska Department of Military and Veteran Affairs, Division of Homeland Security and Emergency Management, and Appropriating \$265,850 of that Award to Purchase Mass Casualty and Alternative Care Response Equipment and Supplies, and to Conduct Training Exercises, and Accepting \$5,000 for a Security Vulnerability Assessment to be Conducted by the State (Mayor) (Referred to Finance Committee) [**4 Yes, 5 No, 0 Absent**]
10. ***POSTPONED UNTIL FEBRUARY 14, 2012*** Ordinance 2011-42: Authorizing a Land Exchange with the City of Seward in Support of the City's Public Utility Services (Mayor) (Referred to Lands Committee) [**9 Yes, 0 No, 0 Absent**]

11. **ENACTED AS AMENDED** Ordinance 2011-43: Amending KPB 22.40.010 Regarding Scheduling Assembly Meetings (Murphy, Smith) (Referred to Policies and Procedures Committee) [**9 Yes, 0 No, 0 Absent**]

N. UNFINISHED BUSINESS - None.

O. NEW BUSINESS

1. Resolutions

- *a. Resolution 2012-001: Establishing Kenai Peninsula Borough State Capital Project Priorities for the Year 2012 (Legislative Committee) (Referred to Legislative Committee)
- *b. Resolution 2012-002: Authorizing Community Revenue Sharing Program Expenditures for Kasilof and Ninilchik (Mayor) (Referred to Finance Committee)

2. Ordinances

- *a. Ordinance 2011-19-64: Appropriating Supplemental Funding of \$25,276 to Cover Software Maintenance on the CAD System Installed at the 911 Call Center (Mayor) (Shortened Hearing on 01/17/12) (Referred to Finance Committee)
- b. **WITHDRAWN AT THE REQUEST OF THE SPONSOR**
Ordinance 2011-19-65: Appropriating \$200,000 to Hire One or More Consultants to Assist the Borough in Identifying Directions the Health Care Industry is Taking, the Effects Those Will Likely Have on the Borough and to Help Identify Courses of Action to Take to Curtail Borough Health Care Costs, and also to Fund Other Efforts the Borough May Take to Protect Borough Interests as the Owner of Two Hospitals (Mayor) (Hearing on 02/07/12) (Referred to Finance Committee)
- *c. Ordinance 2012-01: Approving the Kenai Peninsula Borough Energy Policy Guide (Mayor) (Hearing on 02/07/12) (Referred to Policies and Procedures Committee)

3. Other

- a. **APPROVED** Approval of the 2012 Assembly Meeting Schedule (Knopp) (Referred to Policies and Procedures Committee) [**9 Yes, 0 No, 0 Absent**]

- *b. Petition to Vacate a Portion of the 66-Foot Section Line Easement: 33-Foot on Each Side of the Line Common to Sections 26 and 27, Township 1 North, Range 13 West; as shown on Mead Subdivision (Plat HM 2007-140); Seward Meridian, Alaska and Within the Kenai Peninsula Borough; KPB File 2011-176; Location: West of Mead Court in Clam Gulch (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the referenced vacation by unanimous consent during its regularly scheduled meeting of December 12, 2011.]

- *c. Confirming Appointments to the Seldovia Recreational Service Area Board (Mayor) (Referred to Policies and Procedures Committee)

| <u>Appointment</u> | <u>Seat</u> | <u>Term Expires</u> |
|--------------------|-------------|---------------------|
| Mark Janes | A | October, 2012 |
| Sheryl Hingley | B | October, 2012 |
| Sandra R. Murray | C | October, 2012 |
| Vivian Rojas | D | October, 2012 |
| Janice Wyland | E | October, 2012 |

- *d. Correcting the Term of the September 20, 2011 Road Service Area Appointment of Steve Bonebrake (Mayor) (Referred to Policies and Procedures Committee)

| <u>Appointment</u> | <u>Seat</u> | <u>Term Expires</u> |
|--------------------|-------------|---------------------|
| Steve Bonebrake | At-Large | September 30, 2013 |

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

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

- 1. January 17, 2012 Regular Assembly Meeting 7:00 PM Soldotna

R. ASSEMBLY COMMENTS

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

1. Ordinance 2011-36: Amending KPB 14.40.155 Temporary Road Closure, to Clarify and Expand the Reasons and Procedure for Closing Borough Roads and Rights-of-Way (Mayor) (Referred to Policies and Procedures Committee) *TABLED 11/01/11*
2. Resolution 2011-108: Approving a New Senior Clerk Typist Classified Position in the River Center Department (Mayor) (Postponed Until 01/17/12) (Referred to Policies and Procedures Committee)
3. Ordinance 2011-19-25: Accepting and Appropriating Cruise Ship Passenger Tax Proceeds Received from the State of Alaska in the Amount of \$797,217.50 and Allocating \$761,705 to the City of Seward and \$35,512.50 to the City of Homer (Mayor) (Final Hearing on 01/17/12) (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 January 17, 2012, at 7:00 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.