

Assembly Action Agenda

February 28, 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 Members Hal Smalley and Linda Murphy to attend the National Association of Counties (NACo) Legislative Conference in Washington DC, March 2-8, 2012 and to discuss federal funding priorities with the Borough's congressional delegation.

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. February 14, 2012 Regular Assembly Meeting Minutes

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

- *1. Mayor's Proclamation Declaring March 11 – 17, 2012 as "Girl Scout Week"

I. PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

- 1. Central Peninsula General Hospital Quarterly Report (10 minutes)
- 2. Status Update "Walkable Community Project", Deb Carlson, Cooper Landing (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 – None.
3. Other
 - a. Investment Portfolio Report
 - b. Budget Revisions January, 2012
 - c. Revenue-Expenditure Report January, 2012
 - d. Spruce Bark Beetle Month Status Report January, 2012

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 2011-19-71: Appropriating \$35,000 to Pay for Outside Counsel to Defend the Kenai Peninsula Borough Against a Lawsuit Filed by Kahtnu Ventures, LLC Relating to the Certificates of Need for an Ambulatory Surgery Center Proposed to be Built by Kahtnu in Kenai and an Operating Room to be Built in the Central Peninsula Hospital (Mayor) (Referred to Finance Committee) [**8 Yes, 1 No, 1 Absent**]
2. ***ENACTED*** Ordinance 2011-19-74: Appropriating \$690,907 in the Borough's School Revenue Capital Projects Fund for Improvements to School Facilities (Mayor) (Referred to Finance Committee) [**9 Yes, 0 No, 0 Absent**]

N. UNFINISHED BUSINESS - None.

O. NEW BUSINESS

1. Resolutions
 - a. ***POSTPONED UNTIL MARCH 13, 2012*** Resolution 2012-012: Approving a Mutual Aid Agreement and the Initial Operational Plan Between the Anchor Point Fire and Emergency Medical Service Area (APFEMSA) and the City of Homer on Behalf of the Homer Volunteer Fire Department and Ninilchik Emergency Services (Mayor) (Referred to Policies and Procedures Committee) [**9 Yes, 0 No, 0 Absent**]

- *b. Resolution 2012-013: Approving Twenty-Seven Unincorporated Communities for Participation in the State's Fiscal Year 2013 Community Revenue Sharing Program (Mayor) (Referred to Finance Committee)
- *c. Resolution 2012-014: Modifying Certain Management Job Descriptions for Administrative Service Employees (Mayor) (Referred to Policies and Procedures Committee)
- d. ***POSTPONED UNTIL MARCH 13, 2012*** Resolution 2012-015: Supporting Governor Parnell's FY2013 Budget Request of \$1,813,000 for a Kenai River King Salmon Assessment Program (Johnson) (Referred to Legislative Committee) [**9 Yes, 0 No, 0 Absent**]

2. Ordinances

- *a. Ordinance 2011-19-75: Accepting and Appropriating \$30,500 from the Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management to Purchase a Portable Generator (Mayor) (Shortened Hearing on 03/13/12) (Referred to Finance Committee)
- *b. Ordinance 2011-19-76: Appropriating \$35,000 from Central Emergency Service Area (CES) Capital Projects Fund Balance for a New Generator at the Funny River Station (Mayor) (Hearing on 04/03/12) (Referred to Finance Committee)
- *c. Ordinance 2011-19-77: Accepting and Appropriating \$106,350 from the Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management to Purchase Disaster Management Equipment, Emergency Sheltering Supplies and to Conduct CERT Training (Mayor) (Hearing on 04/03/12) (Referred to Finance Committee)
- *d. Ordinance 2012-05: Amending KPB Chapter 14.40 to Delete the Provisions for Seasonal Permits Which are No Longer Issued by the Road Service Area (Mayor) (Hearing on 04/03/12) (Referred to Policies and Procedures Committee)
- *e. Ordinance 2012-06: Amending KPB 21.18.081, 21.18.100 and 21.18.140 to Permit Certain Structures in Tidally Inundated Areas, and Conditionally Permit Certain Structures Within the Habitat Protection District and Adding Definitions (Smith, Haggerty) (Hearing on 04/03/12) (Referred to Policies and Procedures Committee)

3. Other

- *a. Petition to Vacate Allview Avenue (Changed From Woodfin Avenue Resolution SN 2004-04) a 30-Foot Public Right-of-Way and the Associated 10-Foot Utility Easement Adjacent to Lots 1 Thru 9 (Lots are Subject to Replat), Dedicated by Woodfin Subdivision (Plat KN 84-179); Within Section 15, Township 5 North, Range 9 West, Seward Meridian, Alaska and Within the Kenai Peninsula Borough; KPB File 2012-008; Location: On Allview Avenue in Sterling (Mayor) (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the referenced vacation by unanimous consent during its regularly scheduled meeting of February 13, 2012.]

- *b. Petition to Vacate the West 487 Feet, More or Less of Mooring Drive, a 60-Foot Public Right-of-Way Including the 50-Foot Temporary Turnaround Located at the West End of Mooring Drive and Any Associated Utility Easements Along the South Boundary of Tract A as Dedicated by Lofsdell Acres Subdivision (Plat KN 76-74), and Along the North Boundary of Tract One-B as Dedicated by Birch Hill Subdivision (Plat KN 72-65); within Section 18, Township 5 North, Range 10 West, Seward Meridian, Alaska and Within the Kenai Peninsula Borough; KPB File 2012-012; Location: On Mooring Drive, Soldotna Area (Mayor) (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the referenced vacation by unanimous consent during its regularly scheduled meeting of February 13, 2012.]

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

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

- 1. March 13, 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. Resolution 2011-108: Approving a New Senior Clerk Typist Classified Position in the River Center Department (Mayor) (Referred to Policies and Procedures Committee) *TABLED 01/17/12*
2. 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*
3. Ordinance 2011-19-68: Appropriating Supplemental Funding of \$29,750 for the Purchase of Limited Liability Reports (Mayor) (Hearing on 03/13/12) (Referred to Finance Committee)
4. Ordinance 2011-19-70: Appropriating \$200,000 to Hire a Consultant to Assist the Borough in Determining the Course of Action to Pursue Regarding Curtailing Health Care Costs (Mayor) (Hearing on 03/13/12) (Referred to Finance Committee)
5. Ordinance 2011-19-72: Appropriating \$4,700,000 for the Purpose of Constructing a Radiation Oncology Facility at Central Peninsula Hospital (Mayor) (Hearing on 03/13/12) (Referred to Finance Committee)
6. Ordinance 2011-19-73: Appropriating \$569,292 from the Equipment Replacement Fund for the Purchase of New Sales Tax Software (Mayor) (Hearing on 03/13/12) (Referred to Finance Committee)
7. Ordinance 2012-02: Decertifying Approximately 350 Feet of Strawberry Road Extending Beyond the Easterly End of Dedicated Borough Right-of-Way (Mayor) (Hearing on 03/13/12) (Referred to Policies and Procedures Committee)
8. Ordinance 2012-03: Confirming the Assessment Roll for the Poppy Ridge Road Improvement Assessment District (Mayor) (Hearing on 03/13/12) (Referred to Finance Committee)
9. Ordinance 2012-04: Authorizing Revised Community Revenue Sharing Program Expenditures for Unincorporated Communities and Approving the Use of Funds by Voznesenka and Razdolna (Mayor) (Hearing on 03/13/12) (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 March 13, 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.