

Kenai Peninsula Borough

Assembly Action Agenda

May 1, 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

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. April 17, 2012 Regular Assembly Meeting Minutes

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

- *1. A Commending Resolution Recognizing the Center for Alaskan Coastal Studies, formerly known as China Poot Bay Society, for 30 Years of Service (Haggerty, Mayor)
- 2. Mayor's Proclamation Declaring May, 2012 as "Motorcycle Awareness Month"
- 3. Mayor's Proclamation Declaring May, 2012 as "Litter Awareness Month"
- 4. Mayor's Proclamation Declaring May, 2012 as "Bear Awareness Month"LAYDOWN

I. PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

- 1. David B. Thomas, PE "Matti's Farm" (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 Professional Services for the Homer High School Track Renovation to USKH, Inc.
 - b. Request for Waiver of Formal Bidding Procedures for Purchase of Portable Generator from Totem Equipment & Supply, Inc.
 - c. Authorization to Award a Contract for the Playground Equipment Package for the North Peninsula Recreation Center Community Playground to Playcraft Direct
 - d. Authorization to Award Contract for Solid Waste Facilities Water Monitoring Program Professional Services to Shannon & Wilson
3. Other
 - a. Revenue Expenditure Report March, 2012
 - b. Budget Revisions March, 2012
 - c. Project Reports March 31, 2012
 - d. Investment Portfolio Report March 31, 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 2011-19-83: Appropriating \$26,145.80 from Fund Balance for the Purchase of Supplies and Equipment by the Lowell Point Emergency Service Area (Mayor, McClure) (Referred to Finance Committee) [**9 Yes, 0 No, 0 Absent**]
2. ***ENACTED*** Ordinance 2011-19-84: Appropriating \$40,000 from the General Government Capital Project Fund to Provide Additional Funding for Remodeling of the Legal and Finance Departments and \$40,000 for ADA Upgrades at the Borough Administration Building (Mayor) (Referred to Finance Committee) [**9 Yes, 0 No, 0 Absent**]

3. ***FAILED TO ENACT*** Ordinance 2012-07: Amending KPB Titles 2—Administration, 4—Elections and 16—Service Areas to Provide that All Kenai Peninsula Borough Service Area Boards are Appointed Instead of Elected (Murphy) (Referred to Policies and Procedures Committee) [**0 Yes, 9 No, 0 Absent**]

FAILED TO AMEND BY SUBSTITUTION Ordinance 2012-07 (Knopp/Johnson) Substitute: Amending KPB Title 16—Service Areas to Provide for the Board Members of Each Service Area to be Appointed Instead of Elected Subject to Approval by the Voters of Each Service Area (Knopp, Johnson) (Referred to Policies and Procedures Committee) [**3 Yes, 6 No, 0 Absent**]

4. ***ENACTED AS AMENDED*** Ordinance 2012-08: Amending the Borough Code to Revise Assembly and School Board District Boundaries and Providing for Truncation of the Term for Assembly Seat Number 2, Kenai (Redistricting Committee) (Referred to Policies and Procedures Committee) [**9 Yes, 0 No, 0 Absent**]
5. ***ENACTED*** Ordinance 2012-09: Amending KPB 4.50.015 and Designating Absentee By-Mail Precincts as Authorized in Alaska Statute 29.26.010 (Knopp at the Request of the Borough Clerk) (Referred to Policies and Procedures Committee) [**9 Yes, 0 No, 0 Absent**]
6. ***ENACTED AS AMENDED*** Ordinance 2012-10: Authorizing a Land Exchange to Facilitate a Joint Plan of Subdivision with Cook Inlet Region, Inc. for Widgeon Woods Phase 2 Subdivision (Mayor) (Referred to Lands Committee) [**9 Yes, 0 No, 0 Absent**]
7. ***ENACTED*** Ordinance 2012-11: Authorizing the Acceptance of the FY2013 Late-Filed Senior Citizen Grant Application for the Seldovia Senior Citizen Program (Mayor) (Referred to Finance Committee) [**9 Yes, 0 No, 0 Absent**]

N. UNFINISHED BUSINESS - None.

O. NEW BUSINESS

1. Bid Awards

*a. Resolution 2012-033: Authorizing Road Service Area Capital Improvement Project: Ravenwood Street #W7RAV Contract Award and Allocation (Mayor) (Referred to Finance Committee)

- *b. Resolution 2012-034: Authorizing Road Service Area Capital Improvement Project: Yale Street and Princeton Avenue #W6YAL Contract Award and Allocation (Mayor) (Referred to Finance Committee)
- *c. Resolution 2012-035: Authorizing Road Service Area Capital Improvement Project: Ruffed Grouse Road #W1RUF Contract Award and Allocation (Mayor) (Referred to Finance Committee)
- *d. Resolution 2012-036: Authorizing Road Service Area Capital Improvement Project: Juel Avenue, Nielson Street and Kenaitze Avenue #W1JUE Contract Award and Allocation (Mayor) (Referred to Finance Committee)
- *e. Resolution 2012-037: Authorizing Road Service Area Capital Improvement Project: Golden Eagle Avenue and Chisik Street #C5GOL Contract Award and Allocation (Mayor) (Referred to Finance Committee)

2. Resolutions

- *a. Resolution 2012-038: Supporting the Seward/Kenai Peninsula Highway Transportation Corridor Safety Initiative (Mayor) (Referred to Policies and Procedures Committee)
- *b. Resolution 2012-039: Urging the North Pacific Fishery Management Council to Adopt Measures that Reduce the Halibut Prohibited Species Catch in the Gulf of Alaska Groundfish Fisheries (Haggerty, Smith, Mayor) (Referred to Policies and Procedures Committee)
- *c. Resolution 2012-040: Authorizing Community Revenue Sharing Program Expenditures for the Unincorporated Community of Nanwalek (Mayor) (Referred to Finance Committee)
- *d. Resolution 2012-041: Authorizing Unexpended Funds from the Port Graham Landfill Feasibility Study Capital Project Be Transferred to the Central Peninsula Landfill Truck Scale Replacement Capital Project to Cover Cost in Excess of the Budgeted Amount (Mayor) (Referred to Finance Committee)

3. Ordinances

- *a. Ordinance 2011-19-86: Accepting and Appropriating a Grant in the Amount of \$432,837 from the State of Alaska Division of Homeland Security and Emergency Management on Behalf of the Road Service Area to Complete a Catch Basin and Culvert Drainage Project (Mayor) (Hearing on 06/05/12) (Referred to Finance Committee)
- *b. Ordinance 2012-13: Stating Non-Objection to the Lowell Point Volunteer Fire Department Being Recognized by the State as a Volunteer Fire Department to Provide Fire Protection in the Lowell Point Area of the Kenai Peninsula Borough (McClure) (Hearing on 06/05/12) (Referred to Policies and Procedures Committee)
- *c. Ordinance 2012-14: Amending KPB 16.20.010 to Revise the Legal Description of the Kachemak Emergency Service Area Boundary to Make it Consistent with the Recently Amended Kachemak City Boundary Legal Description Due to Annexation (Mayor) (Hearing on 06/05/12) (Referred to Policies and Procedures Committee)
- *d. Ordinance 2012-19: Appropriating Funds for Fiscal Year 2013 (Mayor) (Hearings on 05/15/12 and 06/05/12) (Referred to Finance Committee)

4. Other

- *a. **WITHDRAWN** Requesting a Formal Assembly Protest to the Renewal of the Following Liquor License Due to Unpaid Taxes (Referred to Finance Committee)

<u>Business Name</u>	<u>Location</u>
Trophy King Lodge	Anchor Point, AK

- *b. **WITHDRAWN** Requesting a Formal Assembly Protest to the Renewal of the Following Liquor License Due to Non-Compliance of Borough Ordinances and Regulations (Referred to Policies and Procedures Committee)

<u>Business Name</u>	<u>Location</u>
Longmere Lake Liquor Store	Sterling, AK

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

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. May 15, 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 12/06/11*

3. Ordinance 2011-19-82: Appropriating Supplemental Funding to the Borough's Health Insurance Fund to Cover Estimated Cost to be Incurred to the Borough's Health Care Plan for FY2012 (Mayor) (Hearing on 05/15/12) (Referred to Finance Committee)

4. Ordinance 2011-19-85: Appropriating \$45,058.74 in Donations for the Nikiski Community Playground Project (Mayor) (Hearing on 05/15/12) (Referred to Finance Committee)

5. 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) (Final Hearing on 05/15/12) (Referred to Policies and Procedures Committee)

6. Ordinance 2012-12: Reducing Disposal Fees for AIMM Technologies, Inc. for up to 3,000 tons of Special Waste (Mayor) (Hearing on 05/15/12) (Referred to Policies and Procedures 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 May 15, 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.