

Assembly Action Agenda

May 15, 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. May 1, 2012 Regular Assembly Meeting Minutes

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

I. PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

- 1. John Hendrix, General Manager, Apache Corporation, "Apache Corporation Ventures into Cook Inlet" (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 Sterling Elementary Re-Roof to Rain Proof Roofing
 - b. Authorization to Award Contract for Nikiski Middle/High School Re-Roof to Earhart Roofing Company
 - c. Authorization to Award Contract for Seward Elementary School Re-Roof and Seward High School Re-Roof to Earhart Roofing Company
 - d. Authorization to Award Contract for Central Peninsula Landfill and Homer Baler Facility Baler Wire Purchase to Pacific Wire Group
 - e. Authorization to Award Contract for Chapman School Re-Roof to G&S Management Services, LLC
 - f. Authorization to Award Contract for the Purchase of Engine-Generator Sets to Cummins NW, LLC
 - g. Authorization to Award Contract for Homer Transfer Building to Steiners North Star Construction, Inc.
 - h. Authorization to Award Contract for Homer Middle School Re-Roof and Paul Banks Elementary School Re-Roof to Rain Proof Roofing
 - i. Request for Waiver of Formal Bidding for Purchase of Light Poles and Fixtures for Seward High School Parking Lot Upgrade from Crescent Electric
3. Other
 - a. Spruce Bark Beetle Monthly Status Report April, 2012

L. ITEMS NOT COMPLETED FROM PRIOR AGENDA – None.

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

1. ***ENACTED*** 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) [**7 Yes, 0 No, 2 Absent**]
2. ***ENACTEDAS AMENDED*** Ordinance 2011-19-85: Appropriating \$89,458.74 in Donations for the Nikiski Community Playground Project (Mayor) (Referred to Finance Committee) [**7 Yes, 0 No, 2 Absent**]
3. ***ENACTED*** 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) (Referred to Policies and Procedures Committee) [**6 Yes, 1 No, 2 Absent**]
4. ***ENACTED*** Ordinance 2012-12: Reducing Disposal Fees for AIMM Technologies, Inc. for up to 3,000 tons of Special Waste (Mayor) (Referred to Policies and Procedures Committee) [**7 Yes, 0 No, 2 Absent**]
5. ***POSTPONED UNTIL JUNE 5, 2012*** Ordinance 2012-19: Appropriating Funds for Fiscal Year 2013 (Mayor) (Final Hearing on 06/05/12) (Referred to Finance Committee) [**7 Yes, 0 No, 2 Absent**]

N. UNFINISHED BUSINESS - None.

O. NEW BUSINESS

1. Bid Awards
 - *a. Resolution 2012-042: Authorizing Road Service Area Capital Improvement Project: Even Lane and Willow Brook Subdivision Roads #W7EVE Contract Award and Allocation (Mayor) (Referred to Finance Committee)
 - *b. Resolution 2012-043: Authorizing Road Service Area Capital Improvement Project: Suva Street, Malaita Avenue, Tikopia Street, Ambryn Avenue, Tarawa Street and Galen Avenue #N3SUV Contract Award and Allocation (Mayor) (Referred to Finance Committee)
2. Resolutions

- *a. Resolution 2012-044: Determining the Amount to be Provided from Local Sources for School Purposes During Fiscal Year 2013 (Mayor) (Referred to Finance Committee)
- b. ***POSTPONED AS AMENDED UNTIL JUNE 5, 2012*** Resolution 2012-045: Waiving for Good Cause the February 15, 2012 Deadline for Senior Citizen and Disabled Veteran Exemption Applications Filed after that Date but on or before March 31, 2012 (Mayor) (Referred to Policies and Procedures Committee) [**7 Yes, 0 No, 2 Absent**]

3. Ordinances

- *a. Ordinance 2011-19-88: Appropriating \$420,000 from Previously Appropriated Central Emergency Service (CES) Capital Projects for Roof Replacement at the Soldotna Fire Station 1 (Mayor) (Shortened Hearing on 06/05/12) (Referred to Finance Committee)
- *b. Ordinance 2011-19-89: Appropriating \$16,000 in Supplemental Funding for the Purchase of Class A Pumper for the Anchor Point Fire and Emergency Service Area (Mayor) (Shortened Hearing on 06/05/12) (Referred to Finance Committee)
- *c. Ordinance 2012-15: Authorizing the Grant of Assets from the Lowell Point Emergency Service Area to the Lowell Point Volunteer Fire Department (McClure) (Hearing on 06/19/12) (Referred to Policies and Procedures Committee)
- *d. Ordinance 2012-16: Amending KPB 5.22.050 Regarding the Senior Citizen's Grant Program for Adult Day Care Centers (Mayor) (Hearing on 06/19/12) (Referred to Policies and Procedures Committee)
- *e. Ordinance 2012-17: Amending KPB 2.40.030(D), 5.12.054(G), and 21.20.220(J) Increasing the Compensation for the Chairperson of the Planning Commission, Board of Equalization, and Board of Adjustment (Knopp) (Shortened Hearing on 06/05/12) (Referred to Finance Committee)
- *f. Ordinance 2012-18: Authorizing the Assessor to Accept the Late-Filed Disabled Veteran Exemption Application of James M. Boyer for 2012, Filed After March 31 (Smith) (Hearing on 06/19/12) (Referred to Policies and Procedures Committee)

- *g. Ordinance 2012-19-01: Accepting and Appropriating \$1,100,000 From the State of Alaska for the Homer High School Athletic Facilities Construction Project (Mayor) (Hearing on 06/19/12) (Referred to Finance Committee)

4. Other

- a. **APPROVED** Approval of Settlement and Release Agreement Settling with Prejudice the Lawsuit Files by Kahtnu Ventures, LLC against Central Peninsula General Hospital, Inc., and the Kenai Peninsula Borough in Case No. 3AN-11-12713 CI (Referred to Policies and Procedures Committee) [**7 Yes, 0 No, 2 Absent**]

[Clerk's Note: An Executive Session was held during the Policy and Procedure Committee meeting.]

- *b. Authorizing an Application for a New Liquor License and Restaurant Designation Permit Filed by Gwin's Resorts, LLC dba Gwin's Lodge/Gwin's Roadhouse (Referred to Finance Committee)

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

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

- 1. June 5, 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 2011-19-86: 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)

4. 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)
5. 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)
6. Ordinance 2012-19: Appropriating Funds for Fiscal Year 2013 (Mayor) (Final Hearing on 06/05/12) (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 June 5, 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.