

# *Assembly Action Agenda*

September 4, 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. August 21, 2012 Regular Assembly Meeting Minutes

**H. COMMENDING RESOLUTIONS AND PROCLAMATIONS**

**I. PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)**

- 1. Kenai Peninsula Borough School District Quarterly Report (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 13-DC-165 Central Emergency Services Rescue Boat to Northwind Marine

- b. Authorization to Award Contract for Professional Design Services for Road Service Area Capital Improvement Projects to McLane Consulting, Inc.
  - c. Authorization to Award Contract for Beach Drive Catchment Basin and Culvert Project #E2BEA to Metco, Inc.
3. Other
- a. Revenue-Expenditure Report June, 2012
  - b. Budget Revisions June, 2012
  - c. Project Reports June 30, 2012

**L. ITEMS NOT COMPLETED FROM PRIOR AGENDA – None.**

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

1. ***ENACTED*** Ordinance 2011-19-92: Recording Expenditures of \$2,175,259.65 Paid by the State of Alaska Department of Administration on Behalf of the Kenai Peninsula Borough Toward the Borough's Unfunded PERS Liability (Mayor) (Referred to Finance Committee) [**8 Yes, 0 No, 1 Absent**]
2. ***ENACTED*** Ordinance 2012-19-17: Accepting and Appropriating a Grant in the Amount of \$750,000 from the State of Alaska on Behalf of the North Peninsula Recreation Service Area for the Community Recreation Center Roof and Exterior Replacement Project (Mayor) (Referred to Finance Committee) [**8 Yes, 0 No, 1 Absent**]
3. ***ENACTED AS AMENDED*** Ordinance 2012-19-18: Appropriating \$250,000 in Kenai Health Center Major Maintenance Funds for Repairs Needed at the Kenai Health Center (Mayor) (Referred to Finance Committee) [**8 Yes, 0 No, 1 Absent**]
4. ***ENACTED*** Ordinance 2012-19-20: Accepting and Appropriating a Grant in the Amount of \$3,976,000 from the State of Alaska on Behalf of the Bear Creek Fire Service Area for the Multi-Use Facility Construction Project (Mayor) (Referred to Finance Committee) [**8 Yes, 0 No, 1 Absent**]
5. ***ENACTED*** Ordinance 2012-19-21: Accepting and Appropriating a Grant in the Amount of \$100,000 from the State of Alaska on Behalf of the Kachemak Emergency Service Area for the Diamond Ridge Community Center and Training Facility (Mayor) (Referred to Finance Committee) [**8 Yes, 0 No, 1 Absent**]

6. ***ENACTED AS AMENDED Ordinance 2012-19-22:*** Appropriating \$666,646 for the Purchase and Implementation of an Upgraded Electronic Health Record Program in the Emergency Department at Central Peninsula Hospital (Mayor) (Referred to Finance Committee) [**8 Yes, 0 No, 1 Absent**]
7. ***ENACTED Ordinance 2012-19-24:*** Accepting and Appropriating Funding From the State of Alaska in the Amount of \$772,200 for Community Purposes Under the State’s 2012/2013 Community Revenue Sharing Program (Mayor) (Referred to Finance Committee) [**8 Yes, 0 No, 1 Absent**]
8. ***ENACTED AS AMENDED Ordinance 2012-30:*** Amending KPB 5.12.040 and 5.12.119(F) to Clarify the Procedures for Revocation of Property Tax Exemptions (Mayor) (Referred to Policies and Procedures Committee) [**8 Yes, 0 No, 1 Absent**]
9. ***ENACTED Ordinance 2012-31:*** Enacting KPB 5.12.295 — Application of Property Tax Payments (Mayor) (Referred to Policies and Procedures Committee) [**8 Yes, 0 No, 1 Absent**]
10. ***ENACTED Ordinance 2012-32:*** Confirming the Assessment Roll for the Anchor Point Utility Special Assessment District and Establishing the Method for Terminating Assessments and Making Refunds to Property Owners (Mayor) (Referred to Finance Committee) [**8 Yes, 0 No, 1 Absent**]
11. ***ENACTED AS AMENDED Ordinance 2012-33:*** Amending KPB 14.31.070, Circulation and Filing of Petition; Signature Requirements, to Correct the Process for Withdrawing a Signature from a Petition in Support of a Road Improvement Assessment District (Mayor) (Referred to Policies and Procedures Committee) [**8 Yes, 0 No, 1 Absent**]

**N. UNFINISHED BUSINESS - None.**

**O. NEW BUSINESS**

1. Resolutions

- \*a. ***Resolution 2012-073:*** Approving a Mutual Aid Agreement and the Initial Operations Plan Between the Bear Creek Fire Service Area (“BCFSA”) and Lowell Point Volunteer Fire Department (“LPVFD”) (Mayor) (Referred to Policies and Procedures Committee)

- \*b. Resolution 2012-074: Authorizing an Amendment to Cooperative Agreement #68-0150-8-014 with the Natural Resources Conservation Service Regarding the Old Mill Subdivision Voluntary Buyout Project (Mayor) (Referred to Policies and Procedures Committee)

## 2. Ordinances

- \*a. Ordinance 2012-19-27: Appropriating \$162,444.80 to the Special Assessment Fund for the Anchor View Estates Natural Gas Line Utility Special Assessment District (Mayor) (Shortened Hearing on 09/18/12) (Referred to Finance Committee)
- \*b. Ordinance 2012-19-28: Appropriating Supplemental Funding of \$75,000 for Expansion of the North Peninsula Recreation Service Area Trails System (Mayor) (Shortened Hearing on 09/18/12) (Referred to Finance Committee)
- \*c. Ordinance 2012-19-29: Appropriating \$776,228 from the Central Peninsula Hospital Plant Replacement and Expansion Fund for Remodeling of the Obstetrics Area and Relocation of Infusion Therapy, Wound Care, Massage Therapy and Speech Therapy (Mayor) (Shortened Hearing on 09/18/12) (Referred to Finance Committee)
- \*d. Ordinance 2012-34: Amending KPB Chapters 2.33, 2.34, 2.90 and 5.04 Renaming the General Services Department to Human Resources Department and Eliminating that Department's Oversight of the Risk Management Office (Mayor) (Shortened Hearing on 09/18/12) (Referred to Policies and Procedures Committee)
- \*e. Ordinance 2012-35: Authorizing a Negotiated Sale at Fair Market Value of a 160 Foot by 200 Foot Parcel Located Adjacent to Nikishka Beach Road in Nikiski to the Lessee, East Shore Home Properties (Mayor) (Hearing on 10/09/12) (Referred to Lands Committee)
- \*f. Ordinance 2012-36: Authorizing the Assessor to Accept the Late-Filed Senior Citizen Exemption Application of Delores J. McCaslin for 2012, Filed after March 31 (Knopp, Mayor) (Hearing on 10/09/12) (Referred to Finance Committee)

- \*g. Ordinance 2012-37: Amending the Borough Code to Reincorporate the River Center Department Into the Planning Department and Make Other Associated Amendments (Mayor) (Hearing on 10/09/12) (Referred to Policy and Procedure Committee)

3. Other

- \*a. Petition to Vacation that Portion of Mosquito Avenue, Lying West of Kalifornsky Beach Road, a 60-Foot Public Right-of-Way Adjacent to Tract 1A & 2A, Dedicated by Kalbea Subdivision (Plat KN 75-23), also shown on Kalbea Subdivision No. 2 (Plat KN 84-32); Retaining the 50-Foot Public Access Easement Adjacent to Cook Inlet; Within Section 31, Township 5 North, Range 11 West, Seward Meridian, Alaska and Within the Kenai Peninsula Borough; KPB File 2012-098; Location: West on Kalifornsky Beach Road in Kenai [*NOTE: an Existing Public Beach Access, Watsjold Lane to the North, is Fully Developed and In Use Nearby*] (Referred to Lands Committee)

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

- \*b. Approval of the Precinct Boards, Canvass Board and Absentee Voting Officials for the October 2, 2012 Regular Election (Referred to Committee of the Whole)

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

**Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. September 13, 2012 Anadromous Fish Habitat Protection (AFHP) Task Force Meeting 7:15 PM Soldotna
2. September 18, 2012 Regular Assembly Meeting 7:00 PM Homer

**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 2012-19-25: Appropriating \$36,832 from the Kachemak Emergency Service Area Operating Fund Balance for Additional Personnel Cost and Authorizing Changing the Shared Mechanic Position Between Kachemak Emergency Service Area and Anchor Point Fire and Emergency Medical Service Area to a Full-Time Mechanic Position for Kachemak Emergency Service Area (Haggerty) (Hearing on 09/18/12) (Referred to Finance Committee)
4. Ordinance 2012-19-26: Accepting and Appropriating \$23,693 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management to Support the Activities of the Kenai Peninsula Borough Local Emergency Planning Committee (Mayor) (Hearing on 09/18/12) (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 September 18, 2012, at 7:00 P.M. in the Council Chambers, Homer City Hall, 491 E. Pioneer Avenue, Homer, 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](http://www.borough.kenai.ak.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*