

Assembly Agenda

February 14, 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. January 17, 2012 Regular Assembly Meeting Minutes 1

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

I. PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

- 1. Dan Bevington, Kenai River Center, "Floodplain Management Program" (10 minutes)

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

K. MAYOR'S REPORT 8

- 1. Assembly Requests/Responses – None.

2.	Agreements and Contracts	
a.	Authorization to Award Contract for Purchase of Firefighting Gear Lockers to L.N. Curtis & Sons.....	9
b.	Authorization to Award Contract for Kenai Peninsula Borough School Energy Efficiency Audit/Energy Upgrade Contracting Services to Siemens Industry, Inc.....	10
c.	Authorization to Award Contract for Central Peninsula Hospital Operating Room #4 to Steiner’s North Star Construction, Inc.....	11
3.	Other	
a.	Spruce Bark Beetle Monthly Status Report December, 2011.....	13
b.	Revenue-Expenditure Report December, 2011	16
c.	Budget Revisions December, 2011	19
d.	Project Reports December, 2011	22
e.	State of Alaska Federal Disaster Declaration Fact Sheet Dated February 2, 2012	39

L. ITEMS NOT COMPLETED FROM PRIOR AGENDA – None.

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

1.	<u>Ordinance 2011-19-66</u> : Appropriating \$240,000 in Unappropriated Interest Income From the Environmental Protection Fund for Additional Funding of the Spruce Bark Beetle Program (Mayor) (Referred to Finance Committee)	40
2.	<u>Ordinance 2011-19-67</u> : Appropriating \$980,430 from the Central Peninsula Hospital Plant Replacement and Expansion Fund for Renovating the Central Peninsula Hospital Imaging Department (Mayor) (Referred to Finance Committee)	43
3.	<u>Ordinance 2011-42</u> : Authorizing a Land Exchange with the City of Seward in Support of the City’s Public Utility Services (Mayor) (Referred to Lands Committee).....	51
4.	<u>Ordinance 2012-01</u> : Approving the Kenai Peninsula Borough Energy Policy Guide (Mayor) (Referred to Policies and Procedures Committee)	69

N. UNFINISHED BUSINESS - None.

O. NEW BUSINESS

1. Bid Awards

*a. Resolution 2012-006: Approving a One-Year Extension of the Contract for External Audit Services (Mayor) (Referred to Policies and Procedures Committee).....88

*b. Resolution 2012-007: Designating the Newspaper and Authorizing Award of a Contract for the Publication of the 2012 Foreclosure List, and the Delinquent Leasehold, Mobile Homes, Personal and Other Tax Lists for the Tax Year 2011 (Mayor) (Referred to Policies and Procedures Committee)91

2. Resolutions

*a. Resolution 2012-005: Establishing Federal Legislative and Funding Priorities for the Year 2012 (Fiscal Year 2013) (Legislative Committee) (Referred to Legislative Committee).....94

*b. Resolution 2012-008: Supporting Reinstatement of a Park Ranger Position for the Kenai River (Johnson) (Referred to Policies and Procedures Committee).....96

*c. Resolution 2012-009: Approving the Memorandum of Understanding from the Alaska Department of Military and Veteran Affairs, Division of Homeland Security and Emergency Management to Conduct a Security Vulnerability Assessment (Mayor) (Referred to Policies and Procedures Committee)99

*d. Resolution 2012-010: Accepting State of Alaska Division of Homeland Security and Emergency Management Disaster Grant Number AK12-237 for the 2011 Kenai Peninsula Wind Storm and Consenting to be Subject to Suit for Actions Arising Out of, or in Connection with, the Grant (Mayor) (Referred to Policies and Procedures Committee).....107

3. Ordinances

*a. 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).....117

- *b. Ordinance 2011-19-69: Accepting and Appropriating \$106,350 from the Alaska Department of Military and Veteran Affairs, Division of Homeland Security and Emergency Management to Purchase Disaster Management Equipment, Emergency Sheltering Supplies and to Conduct CERT Training (Mayor) (Hearing on 03/13/12) (Referred to Finance Committee).....120
- *c. 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).....125
- *d. 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) (Shortened Hearing on 02/28/12) (Referred to Finance Committee).....129
- *e. 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)133
- *f. 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)138
- *g. Ordinance 2011-19-74: Appropriating \$690,907 in the Borough’s School Revenue Capital Projects Fund for Improvements to School Facilities (Mayor) (Shortened Hearing on 02/28/12) (Referred to Finance Committee).....143
- *h. 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).....147
- *i. 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).....156

- *j. Ordinance 2011-04: 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)163

4. Other

- *a. Authorizing an Application for a New Liquor License filed by CIRI Alaska Tourism Corporation dba Kenai Fjords Wilderness Lodge (Referred to Finance Committee)167

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

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

- 1. February 28, 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*

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 February 28, 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.