

# *Assembly Agenda*

April 3, 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. March 13, 2012 Regular Assembly Meeting Minutes ..... 1

**H. COMMENDING RESOLUTIONS AND PROCLAMATIONS**

- 1. Mayor’s Proclamation Declaring April, 2012 as “Sexual Assault Awareness Month” ..... 14

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

- 1. Terry Thompson, Manager of Kachemak Bay Research Reserve, Status Update of the Coastal Uplift and Habitat Changes in Kachemak Bay Study (10 minutes)

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

**K. MAYOR’S REPORT ..... 15**

- 1. Assembly Requests/Responses – None.

2.	Agreements and Contracts – None.	
3.	Other	
a.	Spruce Bark Beetle Program Monthly Status Report February, 2012.....	16
b.	Revenue-Expenditure Report February, 2012 .....	19
c.	Budget Revisions February, 2012.....	22
d.	Implementation Status of KPB Ordinance 2011-12, Adding Additional Water Bodies to the Anadromous Stream Habitat Protection District .....	25
<b>L.</b>	<b>ITEMS NOT COMPLETED FROM PRIOR AGENDA – None.</b>	
<b>M.</b>	<b>PUBLIC HEARINGS ON ORDINANCES</b> (Testimony limited to 3 minutes per speaker)	
1.	<u>Ordinance 2011-19-76</u> : Appropriating \$35,000 from Central Emergency Service Area (CES) Capital Projects Fund Balance for a New Generator at the Funny River Station (Mayor) (Referred to Finance Committee).....	26
2.	<u>Ordinance 2011-19-77</u> : 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) (Referred to Finance Committee) .....	32
3.	<u>Ordinance 2011-19-78</u> : Appropriating \$625,000 in the Borough’s School Revenue Capital Project Funds for Improvements to School Facilities (Mayor) (Referred to Finance Committee).....	37
4.	<u>Ordinance 2011-19-80</u> : Appropriating \$1,400,000 from the Road Service Area Operating Fund Balance for Additional Snow Removal (Mayor) (Referred to Finance Committee) .....	41
5.	<u>Ordinance 2012-05</u> : Amending KPB Chapter 14.40 to Delete the Provisions for Seasonal Permits Which are No Longer Issued by the Road Service Area (Mayor) (Referred to Policies and Procedures Committee).....	46
6.	<u>Ordinance 2012-06</u> : 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).....	54

7. 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) (Final Hearing on 04/17/12) (Referred to Policies and Procedures Committee) .....66

**N. UNFINISHED BUSINESS**

1. Postponed Item

a. 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).....103

**O. NEW BUSINESS**

1. Bid Awards

\*a. Resolution 2012-018: Authorizing Road Service Area Capital Improvement Project: Greenwood Court #C2GRE Contract Award and Allocation (Mayor) (Referred to Finance Committee) .....125

\*b. Resolution 2012-019: Authorizing Road Service Area Capital Improvement Project: Inukshuk Court #C4INU Contract Award and Allocation (Mayor) (Referred to Finance Committee) .....130

\*c. Resolution 2012-020: Authorizing Road Service Area Capital Improvement Project: Vio Road, Anna Lane, Eldorado Way, Elsa Lane and Bonanza Way #C1VIO Contract Award and Allocation (Mayor) (Referred to Finance Committee) .....135

2. Resolutions

\*a. Resolution 2012-021: Approving a Residency Requirement for Fire and Emergency Service Area Chiefs, Deputy Chiefs, Assistant Chiefs, and Battalion Chiefs to be Included in their Job Descriptions (Mayor, Haggerty, Johnson) (Referred to Policies and Procedures Committee).....140

\*b. Resolution 2012-022: Supporting the Cooper Landing Walkable Community Project (McClure) (Referred to Legislative Committee) .....165

- \*c. Resolution 2012-023: Authorizing South Peninsula Hospital to Enter into a Five-Year Operating Lease to Expand and Upgrade its Pyxis Pharmacy System (Mayor) (Referred to Policies and Procedures Committee).....168
- \*d. Resolution 2012-024: Approving a Memorandum of Understanding for the Stream Watch Program Between the Kenai Peninsula Borough, United States Forest Service/Chugach National Forest, Kenai National Wildlife Refuge, Alaska Department of Natural Resources, City of Soldotna, City of Kenai and the Kenai Watershed Forum (Mayor) (Referred to Policies and Procedures Committee).....172
- \*e. Resolution 2012-025: Classifying Certain Borough Land Located in the Trading Bay Area as Resource Development Pursuant to KPB 17.10.080 (Mayor) (Referred to Lands Committee) .....187
- \*f. Resolution 2012-026: Authorizing the Borough, on Behalf of the South Kenai Peninsula Hospital Service Area, to enter into Three Lease Agreements for Medical Office Space Located in Homer, Alaska, and Authorizing an Amendment to the Sublease and Operating Agreement with South Peninsula Hospital, Inc. to Include These Leases (Mayor) (Referred to Policies and Procedures Committee).....194
- \*g. Resolution 2012-027: Approving the Purchase of Equipment by South Peninsula Hospital, Inc. (Mayor) (Referred to Finance Committee) .....248

3. Ordinances

- \*a. 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) (Hearing on 05/01/12) (Referred to Policies and Procedures Committee) .....279
- \*b. 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) (Hearing on 05/01/12) (Referred to Policies and Procedures Committee) .....314
- \*c. 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) (Hearing on 05/01/12) (Referred to Lands Committee).....319

4. Other

- \*a. Authorizing an Application for a Transfer of Ownership and Relocation of Liquor License Filed by JFS, Inc. dba Log Cabin Liquor from Current License Holder K.G.B. & Associates, LLC dba Clam Shell Lodge (Referred to Finance Committee) .....338
- \*b. Confirming Appointments to the Board of Equalization (Referred to Policies and Procedures Committee) .....352

<u>Applicant</u>	<u>Board Seat</u>	<u>Term to Expire</u>
Donna Miller	Alternate A	December 31, 2014
Les Crane	Alternate B	December 31, 2014

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

**Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

- 1. April 17, 2012 Regular Assembly Meeting 7:00 PM Seward

**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 2011-19-79: Appropriating Commercial Passenger Vessel Tax Proceeds Received from the State of Alaska in the Amount of \$357,552.50 and Allocating \$324,865 to the City of Seward and \$32,687.50 to the City of Homer (Mayor) (Hearing on 04/17/12) (Referred to Finance Committee)

4. Ordinance 2011-19-81: Accepting and Appropriating a Grant in the amount of \$230,220 from the State of Alaska Division of Homeland Security and Emergency Management to Complete a Local Hazard Mitigation Plan Annex in the Seward Bear Creek Flood Service Area (Mayor) (Hearing on 04/17/12) (Referred to Finance Committee)
5. 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) (Final Hearing on 04/17/12) (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 April 17, 2012, at 7:00 P.M. in the Council Chambers, City Hall, Seward, 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.*