

Assembly Agenda

April 17, 2012 - 7:00 PM

Regular Meeting

Council Chambers, City Hall, Seward, 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 3, 2012 Regular Assembly Meeting Minutes 1
- H. COMMENDING RESOLUTIONS AND PROCLAMATIONS**
- I. PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)**
- J. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA (3 minutes per speaker; 20 minutes aggregate)**
- K. MAYOR'S REPORT 16**
 - 1. Assembly Requests/Responses – None.
 - 2. Agreements and Contracts
 - a. Authorization to Award Contract for Nikolaevsk Fire Station Standby Generator to Cook Inlet Lighting 17

b.	Authorization to Award Contract for the Purchase of a Compact Track Loader to Craig Taylor Equipment.....	19
c.	Authorization to Award Contract for Hazardous Waste Collection Contract Services to Emerald Alaska, Inc.	21
d.	Authorization to Award Contract for Central Peninsula Hospital Radiation Oncology Center Professional Design Services to Soderstrom Architectures, Ltd.	22
3.	Other	
a.	Litigation Status Report	24
b.	Spruce Bark Beetle Program Monthly Status Report March, 2012.....	27
L.	ITEMS NOT COMPLETED FROM PRIOR AGENDA – None.	
M.	PUBLIC HEARINGS ON ORDINANCES (Testimony limited to 3 minutes per speaker)	
1.	<u>Ordinance 2011-19-79</u> : 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) (Referred to Finance Committee).....	31
2.	<u>Ordinance 2011-19-81</u> : 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) (Referred to Finance Committee).....	36
3.	<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).....	42
4.	<u>Ordinance 2012-07</u> : 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 05/01/12) (Referred to Policies and Procedures Committee).....	51
N.	UNFINISHED BUSINESS - None.	

O. NEW BUSINESS

1. Bid Awards

- *a. Resolution 2012-028: Authorizing Road Service Area Capital Improvement Project: Georgine Lake Road #N5GEO Contract Award and Allocation (Mayor) (Referred to Finance Committee)89
- *b. Resolution 2012-029: Authorizing Road Service Area Capital Improvement Project: Wanda Drive and Range View Court #N5WAN Contract Award and Allocation (Mayor) (Referred to Finance Committee).....94
- *c. Resolution 2012-030: Authorizing Road Service Area Capital Improvement Project: Ramona Road and Sondra Road #N5RAM Contract Award and Allocation (Mayor) (Referred to Finance Committee)99
- *d. Resolution 2012-031: Authorizing Road Service Area Capital Improvement Project: Gemstone Street #N2GEM Contract Award and Allocation (Mayor) (Referred to Finance Committee)104

2. Resolutions

- *a. Resolution 2012-032: Accepting Communication Equipment from the State of Alaska Division of Homeland Security and Emergency Management on Behalf of Central Emergency Services (Mayor) (Referred to Policies and Procedures Committee).....109

3. Ordinances

- *a. 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)119
- *b. 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) (Shortened Hearing on 05/01/12) (Referred to Finance Committee).....125

*c.	<u>Ordinance 2011-19-84</u> : 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) (Shortened Hearing on 05/01/12) (Referred to Finance Committee).....	128
*d.	<u>Ordinance 2011-19-85</u> : Appropriating \$45,058.74 in Donations for the Nikiski Community Playground Project (Mayor) (Hearing on 05/15/12) (Referred to Finance Committee).....	131
*e.	<u>Ordinance 2012-11</u> : Authorizing the Acceptance of the FY2013 Late-Filed Senior Citizen Grant Application for the Seldovia Senior Citizen Program (Mayor) (Shortened Hearing on 05/01/12) (Referred to Finance Committee)	134
*f.	<u>Ordinance 2012-12</u> : 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)	139
4.	Other	
*a.	Petition to Vacate Brant Drive, a 25-Foot Public Right-of-Way Easement within Tract A-100-E1, as Recorded within Book 17 Page 256 Homer Recording District; also Shown on Brant Subdivision (Plat HM81-14); within Section 2, Township 6 South, Range 14 West; Seward Meridian, Alaska and Within the Kenai Peninsula Borough; KPB File 2012-029; Location: Off Diamond Ridge Road, Homer Area (Referred to Lands Committee)	145
*b.	Petition to Vacate the West 3-Feet of the 33-Foot Waxwing Way Right-of-Way Adjacent to Tract 1, Veil O'Mist Subdivision No. 3 Dedicated by (Plat KN 74-66); within Section 6, Township 5 North, Range 8 West, Seward Meridian, Alaska and within the Kenai Peninsula Borough AND Vacate the West 3-Feet of the 33-Foot Section Line Easement Underlying the Above Proposed Right-of-Way Vacation Adjacent to Tract 1 of Veil O'Mist Subdivision No. 3 (Plat KN 74-66); All Within Section 5, Township 5 North, Range 8 West, Seward Meridian, Alaska; and within the Kenai Peninsula Borough; KPB Files 2012-023 and 2012-024; Location: On Waxwing Way in Sterling (Referred to Lands Committee).....	158

- *c. Approving the Application for Restaurant Designation Permit Filed by Alaska Roadhouse Company dba Alaska Roadhouse Bar and Grill (Referred to Finance Committee).....183
- *d. Authorizing an Application of Transfer, Ownership and Relocation of Liquor License Filed by Wes Sherrill dba Moose Pass Inn (Referred to Finance Committee)189

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

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

- 1. May 1, 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*
- 3. 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 05/01/12) (Referred to Policies and Procedures Committee)
- 4. 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)
- 5. 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)

6. 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)

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 1, 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.