

Assembly Agenda

July 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. June 19, 2012 Regular Assembly Meeting Minutes..... 1

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

- *1. Commending the Members of the Lowell Point Emergency Service Area Board for Their Years of Service (McClure)..... 10

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 12

- 1. Assembly Requests/Responses – None.
- 2. Agreements and Contracts
 - a. Request for Waiver of Formal Bidding/Cooperative Purchase of Mailing Equipment from Pitney Bowes 13

b.	Request for Waiver of Formal Bidding Procedures for Lowell Point Fire Service Area Close Out Equipment Purchase from WS Darley.....	15
c.	Authorization to Award Contract for Kenai Central High School Culinary Arts Kitchen Remodel to Holden Company	16
d.	Authorization to Award Contract for RFP12-023 Municipal Entitlement Surveys to Sentec Surveying and Engineering, LLC and Mullikin Surveys.....	17
e.	Authorization to Award Contract for Central Emergency Services Training Site – Gravel Pad Arc Loop Road, Soldotna to Foster Construction, Inc.....	18
3.	Other	
a.	Budget Revisions May, 2012.....	20
b.	Revenue-Expenditure Report May, 2012	25
L.	ITEMS NOT COMPLETED FROM PRIOR AGENDA – None.	
M.	PUBLIC HEARINGS ON ORDINANCES (Testimony limited to 3 minutes per speaker)	
1.	<u>Ordinance 2011-19-90</u> : Appropriating \$61,809.66 from the State of Alaska Division of Emergency Services to Reimburse the Borough for Costs Incurred While Responding to Wind Storms that Occurred in November 2011 and to Recognize Revenue of \$4,602.90 for Equipment Rental (Mayor) (Referred to Finance Committee).....	28
2.	<u>Ordinance 2012-19-02</u> : Accepting and Appropriating \$19,790.10 on Behalf of Bear Creek Fire Service Area from the Alaska Department of Natural Resources for the Volunteer Fire Assistance Program (Mayor) (Referred to Finance Committee)	32
3.	<u>Ordinance 2012-19-03</u> : Accepting and Appropriating \$150,000 from the State of Alaska for North Peninsula Recreation Service Area (NPRSA) Trails Upgrade and Expansion Project (Mayor) (Referred to Finance Committee)	36

4.	<u>Ordinance 2012-19-04</u> : Appropriating \$250,000 in the Solid Waste Capital Projects Fund for Closure Cost at the Homer Landfill and Awarding a Contract for Design of a Closure Cap System to HDR Alaska, Inc. (Mayor) (Referred to Finance Committee).....	39
5.	<u>Ordinance 2012-19-05</u> : Accepting and Appropriating \$19,816 on Behalf of Kachemak Emergency Service Area from the Alaska Department of Natural Resources for the Volunteer Fire Assistance Program (Mayor) (Referred to Finance Committee)	42
6.	<u>Ordinance 2012-19-15</u> : Authorizing the Acquisition of Real Property Adjacent to the Property Used by Aurora Borealis Charter School in Kenai on Behalf of the Kenai Peninsula Borough School District and Appropriating Funds for the Acquisition (Mayor) (Referred to Lands Committee)	46
7.	<u>Ordinance 2012-20</u> : Approving Widgeon Woods R-1, Single-Residential Local Option Zoning District, and Amending KPB 21.46.040 (Mayor) (Referred to Lands Committee)	71
8.	<u>Ordinance 2012-21</u> : Repealing KPB 5.04.110 and KPB 16.16.085 Which Require Voter Approval for Certain Major Capital Improvement Projects (Mayor) (Referred to Policies and Procedures Committee)	84
9.	<u>Ordinance 2012-22</u> : Amending KPB 16.04.080 Administrative Employees—Appointment, Qualifications, and Removal to Clarify that All Service Area Directors Including Fire Chiefs, Whether Employees or Volunteers, are Appointed by the Mayor (Mayor) (Referred to Policies and Procedures Committee).....	88
10.	<u>Ordinance 2012-23</u> : Authorizing Retention or Sale of Certain Real Property Obtained by the Kenai Peninsula Borough Through Tax Foreclosure Proceedings (Mayor) (Referred to Lands Committee)	92
11.	<u>Ordinance 2012-24</u> : Authorizing the Sale of Certain Parcels of Borough Land in Widgeon Woods Phase Two Subdivision in the Ciechanski Area by Sealed Bid Procedures (Mayor) (Referred to Lands Committee).....	111
12.	<u>Ordinance 2012-25</u> : Amending KPB 16.06.030(A) to Extend the Deadline for Service Areas to Obtain an Energy Audit (Mayor) (Referred to Policies and Procedures Committee).....	124

13.	<u>Ordinance 2012-26</u> : Repealing the June 30, 2012 Expiration Date in Ordinance 2011-19-66, Which Appropriated \$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)	128
N.	UNFINISHED BUSINESS - None.	
O.	NEW BUSINESS	
1.	Bid Awards	
*a.	<u>Resolution 2012-056</u> : Authorizing Road Service Area Capital Improvement Project: Mayoni Street #C4MAY Contract Award and Allocation (Mayor) (Referred to Finance Committee)	133
*b.	<u>Resolution 2012-057</u> : Authorizing Road Service Area Capital Improvement Project: North Kobuk Street, Spruce Avenue, View Lane, Mary Avenue, Central Avenue, Spinaker Drive, Everwell Place, Marshall Drive and Sunset Park Street #C5NOR Contract Award and Allocation (Mayor) (Referred to Finance Committee)	137
2.	Ordinances	
*a.	<u>Ordinance 2012-27</u> : Enacting KPB 5.12.101 to Classify and Exempt from Real Property Taxation Residential Renewable Energy Systems Used to Develop Means of Energy Production Using Energy Sources Other Than Fossil or Nuclear Fuels (Smalley) (Hearing on 08/07/12) (Referred to Policies and Procedures Committee).....	142
*b.	<u>Ordinance 2012-28</u> : Amending KPB 16.50.030 to Provide that all Seats of the Seward-Bear Creek Flood Service Area Board Shall be Filled by Residents of the Service Area and Eliminating the Requirement that Four of the Seats be Residents of the City of Seward and Three be Residents of the Rest of the Service Area (McClure) (Hearing on 08/07/12) (Referred to Policies and Procdeures Committee).....	146
*c.	<u>Ordinance 2012-29</u> : Amending KPB 3.04.115 Deleting the Requirement that all Administrative Position Vacancies be Advertised for Two Weeks (Mayor) (Hearing on 08/07/12) (Referred to Policies and Procedures Committee).....	150

3. Other

- *a. Authorizing an Application for a New Liquor License Filed by Clark and Paula Shen dba Alaska Legends Kenai River Lodge (Referred to Finance Committee)154

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

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

- 1. August 7, 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 2011-19-91: Authorizing the Transfer of \$104,226 in Residual Interest Earnings in the Bond Funded Capital Project Fund to Various Capital Project Funds (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
- 4. Ordinance 2012-19-06: Accepting and Appropriating a Grant in the Amount of \$975,000 from the State of Alaska on Behalf of the Nikiski Fire Service Area for the Purchase of an Aerial Fire Apparatus (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
- 5. Ordinance 2012-19-07: Accepting and Appropriating a Grant in the Amount of \$100,750 from the State of Alaska on Behalf of the Central Emergency Service Area for the Purchase of a Rescue Boat (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
- 6. Ordinance 2012-19-08: Accepting and Appropriating Grants in the Amount of \$1,107,500 from the State of Alaska on Behalf of the Kenai Peninsula Borough School District for Equipment, Supplies and Student Nutrition Services (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)

7. Ordinance 2012-19-09: Accepting and Appropriating a Grant in the Amount of \$3,100,000 from the State of Alaska for Soldotna High School and Kenai High School Track and Field Improvements (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
8. Ordinance 2012-19-10: Accepting and Appropriating a Grant in the Amount of \$1,625,000 from the State of Alaska for Security Camera Systems in Borough-Owned Facilities (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
9. Ordinance 2012-19-11: Accepting and Appropriating a Grant in the Amount of \$15,000 from the State of Alaska on behalf of the River Center for the Septic Tank Removal and Sewer System Connection Project (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
10. Ordinance 2012-19-12: Accepting and Appropriating a Grant in the Amount of \$2,000,000 from the State of Alaska on behalf of the Central Kenai Peninsula Hospital Service Area for the Radiation Oncology Facility Construction Project (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
11. Ordinance 2012-19-13: Accepting and Appropriating a Grant in the Amount of \$1,000,000 from the State of Alaska for Hazard Tree Removal (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
12. Ordinance 2012-19-14: Accepting and Appropriating \$8,050,000 from the State of Alaska on Behalf of the Road Service Area for Capital Improvement Projects (Mayor) (Hearing on 08/07/12) (Referred to Finance Committee)
13. Ordinance 2012-19-16: Approving the Acquisition of Real Property along Salmon Creek for Flood Mitigation and Appropriating \$27,700 from Seward Bear Creek Flood Service Area for the Acquisition of Four Parcels and Approving a Contribution from the Conservation Fund for the Acquisition of Five Additional Parcels Along Salmon Creek (Mayor) (Hearing on 08/07/12) (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 August 7, 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.