

# *Assembly Agenda*

August 7, 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. July 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 ..... 13**

1. Assembly Requests/Responses – None.

2. Agreements and Contracts

a. Request for Waiver of Formal Bidding Procedures – Purchase of Commercial Mower from John Deere Mowers ..... 15

b. Authorization to Award Contract for Skyview High School Canopy Construction to Peninsula Construction, Inc. .... 16

c.	Authorization to Award Contract for Homer High School Track Renovation to Prosser-Dagg Construction.....	18
d.	Authorization to Award Contract for Diamond Creek State Park Fuel Reduction Project to Paul's Services.....	20
e.	Authorization to Award Contract for RFP12-022 Emergency Operations Plan Annex Consultant to POWTEC, LLC.....	22
f.	Authorization to Award Contract for RFP12-025 Adopt-A-Stream Video Production to Syntax Productions.....	23
g.	Sole Source Contract for Nikiski Fire Department Firefighter Physicals with Redoubt Medical Clinic.....	24
h.	Authorization to Award Contract for Finance/ Legal Departments Office Remodel George A. Navarre Administration Building to Polar North Construction, LLC.....	25
i.	Authorization to Contract with Cooper Consulting for Central Emergency Services Firefighter Medical Exams.....	27
j.	Authorization to Award Contract for ITB12-069 Shelter Supply Trailers to White Spruce Trailer Sales, Inc.....	29
k.	Authorization to Award Contract for Relocatable Classrooms 2012 to Endries Company.....	31
l.	Request for Waiver of Formal Bidding Procedures to Purchase Firefighter Equipment to be Placed on Fire Apparatus from MES – Northwest.....	32
m.	Authorization to Award Contract for RFP12-028 Local Hazard Mitigation Plan (LHMP) Annex to URS Alaska, LLC .....	33
n.	Authorization to Award Contract for Borough Administrative Building Parking Lot Improvements to Property Improvements .....	34

o.	Authorization to Award Contract for Kenai Elementary School Asbestos Abatement to Far North Services .....	36
3.	Other	
a.	Litigation Status Report .....	38
<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 2011-19-91</u> : Authorizing the Transfer of \$104,226 in Residual Interest Earnings in the Bond Funded Capital Project Fund to Various Capital Project Funds (Mayor) (Referred to Finance Committee) .....	40
2.	<u>Ordinance 2012-19-06</u> : 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) (Referred to Finance Committee) .....	44
3.	<u>Ordinance 2012-19-07</u> : 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) (Referred to Finance Committee) .....	50
4.	<u>Ordinance 2012-19-08</u> : 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) (Referred to Finance Committee).....	56
5.	<u>Ordinance 2012-19-09</u> : 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) (Referred to Finance Committee).....	67
6.	<u>Ordinance 2012-19-10</u> : 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) (Referred to Finance Committee) .....	73
7.	<u>Ordinance 2012-19-11</u> : 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) (Referred to Finance Committee).....	79

8. 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) (Referred to Finance Committee).....85
9. 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) (Referred to Finance Committee).....94
10. 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) (Referred to Finance Committee).....100
11. 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) (Referred to Lands Committee) .....106
12. Ordinance 2012-27: 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) (Referred to Policies and Procedures Committee) .....153
13. Ordinance 2012-28: 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) (Referred to Policies and Procedures Committee).....157
14. Ordinance 2012-29: Amending KPB 3.04.115 Deleting the Requirement that all Administrative Position Vacancies be Advertised for Two Weeks (Mayor) (Referred to Policies and Procedures Committee) .....163

**N. UNFINISHED BUSINESS - None.**

**O. NEW BUSINESS**

1. Resolutions

- \*a. Resolution 2012-058: Expressing Support for the Kenai Mountain-Turnagain Arm National Heritage Area’s Alaskan-Based Curriculum Project (McClure) (Referred to Lands Committee).....167

*b.	<u>Resolution 2012-059</u> : Designating Port Lions Precinct as an Absentee By-Mail Precinct as Provided for in KPB 4.50.015 (Knopp at the Request of the Borough Clerk) (Referred to Policies and Procedures Committee).....	169
*c.	<u>Resolution 2012-060</u> : Approving the Purchase of a New Telephone System for South Peninsula Hospital (Mayor) (Referred to Finance Committee) .....	171
*d.	<u>Resolution 2012-061</u> : Approving a Five-Year Operating Lease of a Sysmex Hematology Analyzer for South Peninsula Hospital (Mayor) (Referred to Finance Committee).....	174
*e.	<u>Resolution 2012-062</u> : Authorizing the Mayor to Sign the 2012 Alaska Land Mobile Radio Communication System Membership Agreement (Mayor) (Referred to Policies and Procedures Committee) .....	177
*f.	<u>Resolution 2012-063</u> : Approving the Petition Application for the Formation of the Anchor View Estates Utility Special Assessment District for Construction of a Natural Gas Main Pipeline (Mayor) (Referred to Policies and Procedures Committee).....	188
*g.	<u>Resolution 2012-064</u> : Authorizing the Kenai Peninsula Borough to Participate in the AMLJIA Loss Control Incentive Program (Mayor) (Referred to Finance Committee).....	209
*h.	<u>Resolution 2012-065</u> : Authorizing the Lease of Real Property Located at 3800 Sterling Highway for a Temporary Kachemak Emergency Service Area Fire Station Facility (Mayor) (Referred to Lands Committee).....	212

2. Ordinances

*a.	<u>Ordinance 2012-19-17</u> : 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) (Hearing on 09/04/12) (Referred to Finance Committee).....	228
*b.	<u>Ordinance 2012-19-18</u> : Appropriating \$250,000 in Kenai Health Center Major Maintenance Funds for Repairs Needed at the Kenai Health Center (Mayor) (Hearing on 09/04/12) (Referred to Finance Committee) .....	233

*c.	<u>Ordinance 2012-19-19</u> : Appropriating \$8,000 for the Nikiski Fire Service Area Station #1 Bunkroom Remodel Project and Authorizing the Project to Start in FY2012 (Mayor) (Shortened Hearing on 08/21/12) (Referred to Finance Committee).....	236
*d.	<u>Ordinance 2012-19-20</u> : 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) (Hearing on 09/04/12) (Referred to Finance Committee).....	239
*e.	<u>Ordinance 2012-19-21</u> : 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) (Hearing on 09/04/12) (Referred to Finance Committee).....	245
*f.	<u>Ordinance 2012-19-22</u> : Appropriating \$666,646 for the Purchase and Implementation of an Upgraded Electronic Health Record Program in the Emergency Department at Central Peninsula Hospital (Mayor) (Hearing on 09/04/12) (Referred to Finance Committee) .....	251
*g.	<u>Ordinance 2012-19-23</u> : Appropriating \$1,010 in Donations for Youth Programming and Community Events at the Seldovia Recreation Service Area (Mayor) (Shortened Hearing on 08/21/12) (Referred to Finance Committee) .....	254
*h.	<u>Ordinance 2012-19-24</u> : 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) (Hearing on 09/04/12) (Referred to Finance Committee) .....	257
*i.	<u>Ordinance 2012-30</u> : Amending KPB 5.12.040 and 5.12.119(F) to Clarify the Procedures for Revocation of Property Tax Exemptions (Mayor) (Hearing on 09/04/12) (Referred to Policies and Procedures Committee).....	262
*j.	<u>Ordinance 2012-31</u> : Enacting KPB 5.12.295 — Application of Property Tax Payments (Mayor) (Hearing on 09/04/12) (Referred to Policies and Procedures Committee) .....	266

\*k. 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) (Hearing on 09/04/12) (Referred to Finance Committee).....269

\*l. 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) (Hearing on 09/04/12) (Referred to Policies and Procedures Committee).....290

3. Other

\*a. Petition to Vacate a Portion of Wystmour Drive and a Portion of Winsor Lane (Renamed to Gamble Street per Street Name Resolution 2007-01); 30-Foot Right-of-Way Dedications and Associated 10-Foot Utility Easements Along the South and East Boundaries of Tract 4E Wilshire Acres Subdivision Shibe – Green Addition (Plat HM 87-26) Originally Dedicated by Wilshire Acres Subdivision (Plat HM 74-1200); and Vacate the 10-Foot Utility Easement Along the West Boundary of Tract A of Rice-Finch Tract A Subdivision (Plat HM 75-29); within Section 27, Township 5 South, Range 12 West, Seward Meridian and the Kenai Peninsula Borough, Alaska; KPB File 2012-076 (Referred to Lands Committee).....294

*[Clerk’s Note: The Planning Commission approved the referenced vacation by unanimous consent during its regularly scheduled meeting of July 16, 2012.]*

\*b. Confirming Appointments to the Planning Commission (Referred to Policies and Procedures Committee).....315

<u>Appointment</u>	<u>Board Seat</u>	<u>Term Expires</u>
Robert Ruffner	Kasilof/Clam Gulch	July 31, 2015
Blair Martin	Kalifornsky Beach	July 31, 2015
Paulette Bokenko-Carluccio	Seldovia	July 31, 2015
James Isham	Sterling	July 31, 2015
Paul Whitney	Soldotna	July 31, <del>2015</del>

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

**Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. August 21, 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*

**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 21, 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](http://www.borough.kenai.ak.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*