

# *Assembly Agenda*

*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. VACANCY, DESIGNATION OR SEATING MEMBERS**

- 1. Swear-In Newly Elected Assembly Members

**H. APPROVAL OF MINUTES**

- \*1. September 18, 2012 Regular Assembly Meeting Minutes..... 1
- \*2. September 28, 2012 Special Assembly Meeting Minutes..... 13

**I. COMMENDING RESOLUTIONS AND PROCLAMATIONS**

- \*1. A Resolution Commending Allie Ostrander for Winning the ASAA/First National Bank State Cross Country Class 4A Girls Individual Championship (Smalley)..... 16

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

- 1. Tim Colbath, Update of PETS Working Group Created by KPB Resolution 2011-089 (10 minutes)

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

- L. MAYOR’S REPORT.....18**
- 1. Assembly Requests/Responses – None.
- 2. Agreements and Contracts
  - a. Authorization to Award Contract for ITB13-002 40 CY MSW Roll-Off Container and Parts, and 32 CY Recycle Roll-Off Container to Ramsey and Sons Trucking of Anchorage, Alaska.....19
  - b. Requesting Approval to Engage in Direct Negotiations with Sweeney’s Clothing, of Soldotna to Provide Uniforms for the Maintenance Department Employees .....21
  - c. Request for Waiver of Formal Bidding Procedures for the Kenai River Center Sanitary Sewer Connection with McLennan Enterprises.....22
  - d. Authorization to Award Contract for ITB13-009 Kenai, Nikiski, and Sterling Transfer Facilities to Alaska Waste-Kenai Peninsula LLC .....23
  - e. Agreement for Bond Counsel Services with Wohlforth, Brecht, Cartledge, Brooking for Bear Creek Fire Service Area General Obligation Bonds, 2012 .....25
- 3. Other
  - a. City of Seward Declaration of Disaster Request .....27
  - b. Local Disaster Emergency Declaration .....28
  - c. Press Release from State of Alaska Providing Emergency Assistance to Mat-Su and Kenai Peninsula Borough to Address Critical Needs.....31
  - d. Senior Citizen Hardship Exemption Applications/2012 Assessment Year.....32
  - e. Revenue-Expenditure Report – August 2012 .....34
  - f. Budget Revisions – July and August 2012 .....37

**M. ITEMS NOT COMPLETED FROM PRIOR AGENDA – None.**

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

1. Ordinance 2012-35: Authorizing a Negotiated Sale at Fair Market Value of a 160 Foot by 200 Foot Parcel Located Adjacent to Nikiska Beach Road in Nikiski to the Lessee, East Shore Home Properties (Mayor) (Referred to Lands Committee) .....40
2. Ordinance 2012-36: Authorizing the Assessor to Accept the Late-Filed Senior Citizen Exemption Application of Delores J. McCaslin for 2012, Filed after March 31 (Knopp, Mayor) (Referred to Finance Committee) .....72
3. Ordinance 2012-37: Amending the Borough Code to Reincorporate the River Center Department into the Planning Department and Make Other Associated Amendments (Mayor) (Referred to Policies and Procedures Committee) .....79

**O. UNFINISHED BUSINESS - None.**

**P. NEW BUSINESS**

1. Bid Awards
  - \*a. Resolution 2012-077: Authorizing Road Service Area Capital Improvement Project: Eddy Lane Drainage Improvement #C5EDD Contract Award and Allocation (Mayor) (Referred to Finance Committee) .....95
2. Resolutions
  - \*a. Resolution 2012-078: Certifying the Results of the October 2, 2012 Regular Municipal Election (Knopp at the Request of the Borough Clerk) (Referred to Legislative Committee)..... **LAYDOWN**
  - \*b. Resolution 2012-079: Expressing Support for the Creation and Establishment of the Kachemak Bay Water Trail (Smith) (Referred to Policies and Procedures Committee) .....100
  - c. Resolution 2012-080: Approving the Job Description for the River Center Manger (Mayor) (Referred to Policies and Procedures Committee) .....103

3. Other

- \*a. Confirming Appointments to KPB Road Service Area Board (Mayor) (Referred to Policies and Procedures Committee) .....108

<u>Appointment</u>	<u>Board Seat</u>	<u>Term Expires</u>
Cam Shafer	South Region	September 30, 2015
Ed Holsten	East Region	September 30, 2015
Jake Denbrock	Central Region	September 30, 2015

- \*b. Confirming an Appointment to KPB Cooper Landing Advisory Planning Commission (Mayor) (Referred to Policies and Procedures Committee).....113

<u>Appointment</u>	<u>Seat</u>	<u>Term Expires</u>
David Story	E	September 30, 2015

- \*c. Petition to Vacate Carrie Court, a 60-Foot Public Right-of-Way with a Cul-De-Sac and Associated Utility Easements Including the 10-Foot by 30-Foot Utility Easement within Tract A and Lots 2 and 3 Dedicated by Carlson-Schnell Subdivision (Plat KN 84-223); all Within Section 4, Township 5 North, Range 9 West, Seward Meridian, Alaska and Within the Kenai Peninsula Borough; KPB File 2012-116; Location: North of Robinson Loop Road in Sterling (Referred to Lands Committee) .....116

*[Clerk's Note: The Planning Commission approved the referenced vacation by unanimous consent at its regularly scheduled meeting of September 24, 2012.]*

- \*d. Petition to Vacate the South 67-Feet of the 100-Foot Public Roadway Easement Along the Northern Boundary of Lot 1 (retaining the 33-Foot Section Line Easement) as Recorded Within Book 1 Page 211 Kenai Recording District; Also Shown on Northridge Acres Subdivision (Plat KN 82-112); Within Section 20, Township 5 North, Range 10 West, Seward Meridian, Alaska and Within the Kenai Peninsula Borough; KPB File 2012-092; Location: Sports Lake Road, Soldotna Area (Referred to Lands Committee) .....128

*[Clerk's Note: The Planning Commission approved the referenced vacation by unanimous consent at its regularly scheduled meeting of September 24, 2012.]*

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

**R. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. October 23, 2012 Regular Assembly Meeting 7:00 PM Soldotna

**S. ASSEMBLY COMMENTS**

**T. 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 2012-19-25: Appropriating \$36,832 from the Kachemak Emergency Service Area Operating Fund Balance for Additional Personnel Cost and Authorizing Changing the Shared Mechanic Position Between Kachemak Emergency Service Area and Anchor Point Fire and Emergency Medical Service Area to a Full-Time Mechanic Position for Kachemak Emergency Service Area (Haggerty) (Postponed to 10/23/12) (Referred to Finance Committee)
4. Ordinance 2012-19-30: Accepting and Appropriating \$12,848 from the U.S. Fish and Wildlife Service to Supplement the River Debris Removal Project (Mayor) (Hearing on 10/23/12) (Referred to Finance Committee)
5. Ordinance 2012-19-31: Appropriating \$35,000 in Interest Income from the Spruce Bark Beetle Program to Address the Need for an Emergency Power Generator at the Anchor Point Water Treatment and Distribution Plant (Mayor, Smith, Haggerty) (Hearing on 10/23/12) (Referred to Finance Committee)

**U. INFORMATIONAL MATERIALS AND REPORTS**

## V. NOTICE OF NEXT MEETING AND ADJOURNMENT

The next meeting of the Kenai Peninsula Borough Assembly will be held on October 23, 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.*