

Introduced by:	Mayor
Date:	02/14/12
Action:	Adopted
Vote:	8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-010**

**A RESOLUTION ACCEPTING STATE OF ALASKA DIVISION OF HOMELAND
SECURITY AND EMERGENCY MANAGEMENT DISASTER GRANT NUMBER
AK12-237 FOR THE 2011 KENAI PENINSULA WIND STORM AND CONSENTING
TO BE SUBJECT TO SUIT FOR ACTIONS ARISING OUT OF, OR IN
CONNECTION WITH, THE GRANT**

WHEREAS, on November 22, 2011, Borough Mayor Mike Navarre signed a Local Emergency Disaster Declaration requesting assistance from the state for emergency protection services along with temporary and permanent repairs to electrical distribution systems and public facilities and technical assistance; and

WHEREAS, on December 12, 2011, Governor Sean Parnell declared a disaster emergency in response to Mayor Navarre's declaration; and

WHEREAS, the State of Alaska is preparing to enter a grant agreement with the borough; and

WHEREAS, the Division of Homeland Security and Emergency Management requires as a condition of the grant that the Kenai Peninsula Borough consents to suit against itself or its officials as to all causes of action arising out of or in connection with the grant agreement;

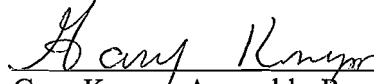
NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. The Kenai Peninsula Borough agrees that it shall be subject to suit under the laws of the State of Alaska by the State of Alaska or by any person, in Alaska state court or in any other court of competent jurisdiction, for activities arising out of or in connection with the grant agreement for disaster number AK12-237 in the same manner, and to the same extent as any person and shall not be immune or exempt from any administrative or judicial process, sanction or judgment.

SECTION 2. The mayor is hereby authorized to negotiate, administer and execute on behalf of the borough the grant agreement for disaster number AK12-237 for the 2011 Kenai Peninsula Wind Storm, and to negotiate, execute, and administer any other documents, agreements, and contracts required under or related to the grant agreement including the Assurances and Agreements required as a condition of the grant and any subsequent grant amendments.

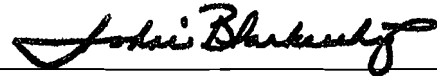
SECTION 3. That this resolution takes effect immediately upon its adoption.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS
14TH DAY OF FEBRYARY, 2012.**



Gary Knopp, Assembly President

ATTEST:



Johni Blankenship, Borough Clerk



Yes: Haggerty, Johnson, McClure, Pierce, Smalley, Smith, Tauriainen, Knopp
No: None
Absent: Murphy