

# *Assembly Agenda*

*Pete Sprague  
Assembly President  
Seat 4 - Soldotna  
Term Expires 2010*

*Hal Smalley  
Assembly Vice President  
Seat 2 - Kenai  
Term Expires 2011*

*Paul Fischer  
Assembly Member  
Seat 7 - Central  
Term Expires 2010*

*Mako Haggerty  
Assembly Member  
Seat 9 - South Peninsula  
Term Expires 2012*

*Gary Knopp  
Assembly Member  
Seat 1 - Kalifornsky  
Term Expires 2012*

*Sue McClure  
Assembly Member  
Seat 6 - East Peninsula  
Term Expires 2012*

*Charlie Pierce  
Assembly Member  
Seat 5 - Sterling/Funny River  
Term Expires 2011*

*Bill Smith  
Assembly Member  
Seat 8 - Homer  
Term Expires 2011*

*Gary Superman  
Assembly Member  
Seat 3 - Nikiski  
Term Expires 2010*

**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. January 19, 2010 Regular Assembly Meeting Minutes . . . . . 1

**H. COMMENDING RESOLUTIONS AND PROCLAMATIONS**

**I. PRESENTATIONS WITH PRIOR NOTICE (20 minutes total) - None**

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

**K. MAYOR’S REPORT . . . . . 8**

- 1. Assembly Requests/Responses

- a. Travel Expenditure Report for Appendix A Personnel (requested by Assembly Member Smith, from list of identified Appendix A Personnel, report of January 19, 2010, to include specific training attended - to be provided to the Assembly on the day of the meeting)

2.	Agreements and Contracts	
a.	Authorization to Award Contract to Calence for the Cisco Unified Communication Essential Operate Service, Cisco Unified Communications Software Subscriptions and Cisco Smartnet Services .....	9
b.	Authorization to Award Contract to Central Valley Presort, Inc., for Assessment Notice Mass Mailing Project .....	11
3.	Other	
a.	FY2011 Population Determination Letter from State of Alaska, Department of Commerce Community and Economic Development dated January 15, 2010 .....	12
<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 2009-19-24</u> : Appropriating \$30,000 in Supplemental Funding to Cover the Cost of Vehicle Maintenance and Individual Physical Examinations for the Anchor Point Fire and Emergency Medical Service Area (Mayor) (Referred to Finance Committee) .....	13
2.	<u>Ordinance 2009-19-25</u> : Appropriating \$666,636.93 for the Buildout Plan to Finish Shell Space in the Mountain Tower at Central Peninsula Hospital (Mayor) (Referred to Finance Committee) .....	22
3.	<u>Ordinance 2010-01</u> : Authorizing Land Conveyance to the City of Soldotna of a 10-Acre Borough Parcel on West Redoubt to Support a City Cemetery (Sprague, Mayor) (Second Hearing on 02/16/10) (Referred to Lands Committee) .....	29
4.	<u>Ordinance 2010-02</u> : Eliminating the Sunset Date of the Appointed Board of Adjustment (Sprague) (Referred to Policies and Procedures Committee) .....	45
5.	<u>Ordinance 2010-06</u> : Amending KPB Chapter 5.28 Regarding Proprietary Procurement (Sprague) (Referred to Policies and Procedures Committee) .....	48
<b>N.</b>	<b>UNFINISHED BUSINESS - None</b>	

**O. NEW BUSINESS**

1. Resolutions

- \*a. Resolution 2010-009: Accepting \$25,000 from the Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management, for Emergency Management Operations (Mayor) (Referred to Finance Committee) . . . . . 51
- \*b. Resolution 2010-010: Designating the Newspaper and Authorizing Award of a Contract for the Publication of the 2010 Property Tax Foreclosure List, and the Delinquent Personal Property Tax and Delinquent Real Property Lease Lists for the Tax Year 2009 (Mayor) (Referred to Finance Committee) . . . . . 58
- \*c. Resolution 2010-011: Supporting the Decision of South Peninsula Hospital, Inc. to Discontinue Providing Personal Care Attendant Services (Mayor) (Referred to Policies and Procedures Committee) . . . 61
- \*d. Resolution 2010-012: Adding Fern Forest Street in the Road Service Area Board Capital Improvement Project Five-Year List as a Fiscal Year 2011 Capital Improvement Project #C6BON (Mayor) (Referred to Legislative Committee) . . . . . 66

2. Ordinances

- \*a. Ordinance 2009-19-28: Appropriating Supplemental Funding of \$136,165 for Costs Associated with Asbestos Abatement at the South Peninsula Hospital Expansion Project (Mayor) (Hearing on 03/02/10) (Referred to Finance Committee) . . . . . 71
- \*b. Ordinance 2010-08: Enacting KPB 16.20.210 Authorizing Billing for Ambulance and Emergency Medical Services by the Kachemak Emergency Service Area (Mayor) (Hearing on 03/02/10) (Referred to Finance Committee) . . . . . 74

3. Other

- \*a. Request for Formal Assembly Objection to the Renewal of the Following Liquor License Due to Unpaid Taxes (Referred to Finance Committee) . . . . . 77

<u>Business Name</u>	<u>Location</u>
Decanter Inn	Clam Gulch, Alaska

- \*b. Confirming an Appointment to the KPB Moose Pass Advisory Planning Commission (Referred to Policies and Procedures Committee) ..... 79

<u>Appointment</u>	<u>Board Seat</u>	<u>Term Expires</u>
Michael Cooney	Seat F	September 30, 2010

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

**Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

- 1. February 16, 2010 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. Motion to Direct the Legal Department to Pursue a Civil Remedy Against Hugh Chumley, KPB Chief of Staff, Pursuant to Alaska State Statute 29.25.070 (b) Regarding the Borough’s Purchase of Equipment from Chumley’s, Inc. Without a Notice of Intent to Do Business Form Being Filed *Tabled 12/01/09*
- 2. Ordinance 2009-19-26: Accepting and Appropriating a Grant of \$250,000 from The Alaska Department of Environmental Conservation for the Purpose of Conducting the Cook Inlet Marine Vessel Traffic Risk Assessment Study, and Authorizing the Mayor to Contract with Cook Inlet Regional Citizens Advisory Council to Provide the Services (Mayor) (Hearing on 02/16/10) (Referred to Finance Committee)
- 3. Ordinance 2009-19-27: Appropriating Cruise Ship Passenger Tax Proceeds Received from the State of Alaska for FY2009 to the City of Seward in the Amount of \$345,747.50 and to the City of Homer for \$2,897.50 (Mayor) (Hearing on 02/16/10) (Referred to Finance Committee)
- 4. Ordinance 2009-52: Amending Title 16 Service Areas, to Allow for Board Members to Be Appointed by the Mayor and Confirmed by the Assembly When a Vacancy Occurs Outside of the Election Cycle (Pierce) (Postponed until 02/16/10) (Referred to Policies and Procedures Committee)
- 5. Ordinance 2010-01: Authorizing Land Conveyance to the City of Soldotna of a 10-Acre Borough Parcel on West Redoubt to Support a City Cemetery (Sprague, Mayor) (Second Hearing on 02/16/10) (Referred to Lands Committee)

6. Ordinance 2010-03: Amending KPB 17.10.100, Methods of Disposition, By Adding Subsection 17.10.100 (J), Oil and Gas Leasing (Mayor) (Hearing on 02/16/10) (Referred to Lands Committee)
7. Ordinance 2010-04: Authorizing the Mayor to Amend the Aardvark Septic Waste Disposal Lease to Modify the Lease Boundary, Adjust the Rent, Suspend the Lease, and Provide an Option to Reinstate the Lease for a Period of 10 Years (Mayor) (Hearing on 02/16/10) (Referred to Finance Committee)
8. Ordinance 2010-05: Authorizing a Land Exchange with the City of Soldotna to Provide for Soldotna Airport Expansion Through the Realignment of Funny River Road and Providing Additional Parking Area for the Donald E. Gilman River Center (Mayor) (Hearing on 02/16/10) (Referred to Lands Committee)
9. Ordinance 2010-07: Amending KPB 4.30.060 to Prohibit a Person from Serving Simultaneously as a Member of the Assembly and Member of a City Council within the Borough (Fischer) (Hearing on 02/16/10) (Referred to Policies and Procedures 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 February 16, 2010, 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.*