



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Assembly

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Tuesday, August 9, 2016

6:00 PM

Assembly Chambers

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### INVOCATION

### ROLL CALL

### COMMITTEE REPORTS

### 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.)*

### APPROVAL OF MINUTES

[KPB-838](#) July 26, 2016 Regular Assembly Meeting Minutes

*Attachments:* [072616 Regular Assembly Meeting Minutes](#)

### COMMENDING RESOLUTIONS AND PROCLAMATIONS

### PRESENTATIONS WITH PRIOR NOTICE

[KPB-836](#) Central Peninsula Hospital Quarterly Report (10 minutes)

*Attachments:* [CPH Quarterly Report](#)

### PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

### MAYOR'S REPORT

1. Assembly Requests/Responses - None.
2. Agreements and Contracts

- a. [KPB-825](#) Sole Source for Tyonek Recreation Services  
*Attachments:* [Sole Source for Tyonek Recreation Services](#)
- b. [KPB-827](#) Authorization to Award Contract for ITB16-047 North Peninsula Recreation Service Area Design-Build Septic System Replacement to KEE Construction, LLC, Cooper Landing, AK  
*Attachments:* [Authorization to Award Contract - KEE Construction, LLC](#)
- c. [KPB-828](#) Authorization to Award Contract for ITB16-049, 2016 CIP Campus Drive Paving Project No. E1CAM to Ancor Inc., Anchorage, AK  
*Attachments:* [Authorization to Award Contract - Anchor Inc.](#)
- d. [KPB-829](#) Authorization to Award Contract for ITB16-050, 2016 CIP Aspen Avenue Paving Project No. W5ASP to Chumley's Inc., Nikiski, AK  
*Attachments:* [Authorization to Award Contract - Chumley's Inc.](#)
- e. [KPB-830](#) Authorization to Award Contract for ITB17-001, 2016 Capital Improvement Project, Thurston Drive, Bradley Lane and Victor Drive Project No. S7THU to East Road Services, Homer, AK  
*Attachments:* [Authorization to Award Contract - East Road Services](#)
3. Other
- a. [KPB-831](#) Investment Portfolio Report as of June 30, 2016  
*Attachments:* [Investment Portfolio Report - June 30, 2016](#)

## ITEMS NOT COMPLETED FROM PRIOR AGENDA

### M. PUBLIC HEARINGS ON ORDINANCES

Ordinances referred to Lands Committee

- [2016-29](#) An Ordinance Authorizing a Ten Year Extension to the General Electric Company Leases (Mayor)  
*Attachments:* [O2016-29](#)  
[Memo](#)  
[General Electric Company Lease Extension](#)  
[General Electric Company Reference Map](#)  
[Planning Commission Recommendations](#)

### UNFINISHED BUSINESS

## Notice of Reconsideration

[2016-22](#)

An Ordinance Amending KPB 16.08.010 and 16.24.010 to Move the Common Boundary Between the Central Kenai Peninsula Hospital Service Area and the South Kenai Peninsula Hospital Service Area South, Subject to Approval by Voters Residing in the Central Kenai Peninsula Hospital Service Area and the Proposed New Area (Johnson, Bagley) Notice of Reconsideration Given by Bagley

[Attachments:](#)[O2016-22](#)[Amendment - Legal Descriptions to Boundary at Oil Well Road](#)[Memo](#)[Assessor's Memo - Changes in Taxable Assessed Values](#)[Finance Director's Memo - Revenue Impacts](#)[Hospital Mill Rate History](#)[Service Area Formation Election Results - South Kenai Peninsula Hospital](#)[Current Hospital Boundary Map](#)[Maps of Boundary Change](#)[Public Comments](#)[Additional Public Comments \(1\)](#)[Additional Public Comments \(2\)](#)[Additional Public Comments \(3\)](#)[Additional Public Comment \(4\)](#)[061616 Public Hearing Summary](#)[061616 Public Hearing Audio](#)[Additional Public Comments \(5\)](#)[Johnson, Bagley Amendment - Boundary Changes based on Comments at Pub](#)[Amendment - Proposition Language \(dealt with on 07/26/16\)](#)[Liability for SPH Bonds Memo](#)[South Peninsula Hospital Comments](#)[Public Comments \(6\)](#)[Legal Opinion Memo](#)[Service Area Board Recommendations](#)[Public Comments \(7\)](#)[Public Comments \(8\)](#)[eComment Report 072616](#)[eComments Report 080916](#)**O. NEW BUSINESS**

## 1. Resolutions

Resolutions referred to Lands Committee

[2016-045](#) A Resolution Classifying Approximately 1,186 Acres of Borough Land Located in the Moose Pass / Crown Point Area as Recreational (Mayor)

Attachments:

[R2016-045](#)

[Memo](#)

[Map of Lands Proposed for Classification](#)

[Moose Pass Classification Public Comments](#)

[Staff Report](#)

[Iditarod Plan Map](#)

[Advisory Planning Commission and Planning Commission Recommendations](#)

## 2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

[2016-19-02](#) An Ordinance Authorizing a \$2,800,000 Intergovernmental Loan from the General Fund and Appropriating Funds to the South Kenai Peninsula Hospital Service Area to Provide Interim Financing for the Expansion of the Homer Medical Center and Declaring the Official Intent to Issue Bonds (Mayor)

Attachments:

[O2016-19-02](#)

[Memo](#)

[Service Area Board and Inc Board Recommendations](#)

[South Peninsula Hospital Reso 2016-12](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

[2016-31](#) An Ordinance Amending Sections of KPB Chapter 5.18 to Update and Clarify the Borough Sales Tax Code, Including Changes to Several Provisions on Tax-Exempt Sellers and Taxable Sales and Services (Mayor)

Attachments:

[O2016-31](#)

[Amendment Memo](#)

[Memo](#)

## 3. Other

## Other Items referred to Policies and Procedures Committee

[KPB-839](#) Approval of Ballot Summaries

*Attachments:* [Proposition Summaries for 2016 Regular Election Brochure](#)

[KPB-822](#) Proposition No. 1 Summary Central Peninsula Landfill General Obligation Bonds

*Attachments:* [Proposition 1 Solid Waste General Obligation Bonds](#)

[KPB-823](#) Proposition No. 2 Summary South Peninsula Hospital and Homer Medical Center General Obligation Bonds

*Attachments:* [Proposition 2 South Peninsula Hospital General Obligation Bonds](#)

[KPB-824](#) Proposition No. 3 Summary Increasing the Maximum Amount of a Sale Subject to the Borough Sales Tax to \$1000 and Exempting Residential Rentals from Sales Tax

*Attachments:* [Proposition 3 Sales Tax Cap Increase](#)

[KPB-835](#) Proposition No. 4 Summary: Phasing out of the Optional Senior Citizen Exemption for New Applicants by the Year 2024

*Attachments:* [Proposition 4 - Senior Citizen Exemption Phase-Out](#)

## Other items referred to Finance Committee

[KPB-792](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Standard Cultivation Facility License Application Filed by Croy's Enterprises, LLC, Soldotna, AK Subject to the following conditions:

1. The marijuana establishment shall conduct their operation consistent with the site plan submitted to the Kenai Peninsula Borough.
2. There shall be no parking in borough rights-of-way generated by the marijuana establishment.
3. The marijuana establishment shall remain current in all Kenai Peninsula Borough tax obligations consistent with KPB 7.30.020(A).

Attachments:

[Memo to Assembly - 10137](#)

[PLN Memo to Assembly - 10137](#)

[REVISED Complete Application 10137](#)

[REVISED Public Notice - 10137](#)

[Reply Regarding SDP and Acknowledgement 10137](#)

[Radius Notice - 10137](#)

[Aerial Map - 10137](#)

[Land Use Map - 10137](#)

[Site Plan - 10137](#)

[Site Plan Letter - 10137](#)

[Planning Staff Report - 10137](#)

## **P. PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

### **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

August 23, 2016 Regular Assembly Meeting 6:00 PM Assembly Chambers, Borough Administration Building

### **ASSEMBLY COMMENTS**

## **S. PENDING LEGISLATION**

*(This item lists legislation which will be addressed at a later date as noted.)*

1. [2015-19-31](#) An Ordinance Appropriating \$637,988.40 to the Special Assessment Fund for the Eddy Hill Drive Road Improvement Assessment District (Mayor)

Attachments: [O2015-19-31](#)  
[Request to Remove from Table](#)  
[Memo](#)  
[Request to Table](#)

2. [2016-029](#) A Resolution To Form the Eddy Hill Drive Road Improvement Assessment District and Proceed with the Improvement (Mayor) Tabled on June 21, 2016 (Postponed to 09/06/16)

Attachments: [R2016-029](#)  
[Request to Remove from Table](#)  
[Memo](#)  
[Exhibits](#)  
[Objection Letter](#)  
[Request to Table](#)

3. [2016-25](#) Ordinance 2016-25 (Mayor) Substitute: Amending KPB 2.40.010 to Reduce Planning Commission Membership (Mayor) (Postponed to 09/20/16)

Attachments: [Mayor SUB](#)  
[Mayor SUB Memo](#)  
[Mayor SUB Planning Commission Recommendations](#)  
[O2016-25](#)  
[Planning Commission Recommendations](#)  
[Bagley, Mayor Amendment](#)  
[Proposed Planning Commission Apportionment Map](#)  
[Memo](#)  
[Map](#)  
[Planning Districts Map](#)  
[Seldovia Reso 16-13](#)  
[City of Seward Letter](#)  
[City of Soldotna Resolution and Planning Commission Review](#)  
[City of Kenai Reso 2016-31](#)  
[City of Homer Letter](#)  
[eComments Report 072616](#)

4. [2016-28](#) An Ordinance Amending Sections of KPB Chapter 5.12 to Improve Efficient and Equitable Administration of the Borough Property Tax Code (Mayor)
- Attachments:* [O2016-28](#)  
[Knopp Amendment](#)  
[Memo](#)
5. [2016-30](#) An Ordinance Approving Bing's Landing Single-Family Residential (R-1) Local Option Zoning District and Amending KPB 21.46.040 (Mayor)
- Attachments:* [O2016-30](#)  
[Memo](#)  
[Bing's Landing Petition Signatures](#)  
[Bing's Landing Maps](#)  
[Planning Commission Recommendations](#)  
[Bing's PC Recommendation Map](#)  
[Certificate of Publication and Mailing](#)

## INFORMATIONAL MATERIALS AND REPORTS

## NOTICE OF NEXT MEETING AND ADJOURNMENT

*The next meeting of the Kenai Peninsula Borough Assembly will be held on August 23, 2016, at 6:00 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.*