



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda

Assembly

Dale Bagley, President
Sue McClure, Vice President
Kelly Cooper
Blaine Gilman
Mako Haggerty
Brent Johnson
Wayne Ogle
Stan Welles
Kelly Wolf

Tuesday, July 7, 2015

6:00 PM

Assembly Chambers

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 approved by one motion. There will be no separate discussion of these items unless an Assembly Member so request 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. [KPB-0372](#) June 16, 2015 Regular Assembly Meeting Minutes

Attachments: [061615 Regular Assembly Meeting Minutes](#)

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

- *1. [KPB-0389](#) A Resolution Commending Robin Johnson and Cipriana Castellano World Champions in the Classics Powerlifting World Championship Competition (Mayor)

Attachments: [Robin Johnson and Cipriana Commending Resolution](#)

I. PRESENTATIONS WITH PRIOR NOTICE

1. [KPB-0373](#) "Domestic Animal Protection League", Peg Snyder
Attachments: [Domestic Animal Protection League Presentation](#)
[Research Information](#)
2. [KPB-0383](#) "The Economic Impact of the Seafood Industry in Southcentral Alaska"
Arni Thomason, Executive Director, Alaska Salmon Alliance
Attachments: [McDowell Group Study](#)
[LAYDOWN Presentation Summary](#)
[LAYDOWN Borough Map](#)

J. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**K. MAYOR'S REPORT**

1. Assembly Requests/Responses -None.
2. Agreements and Contracts
 - a. [KPB-0377](#) Authorizing Award of Contract for Road Service Area Old Exit Glacie Subdivision Roads Flood Damage Repair Project to Metco Inc. Seward, Alaska
Attachments: [Authorizing Award of Contract - Metco Inc.](#)
 - b. [KPB-0379](#) Authorizing Award of Contract for Road Service Area Old Mil Subdivision Roads Flood Damage Repair Project to Metco Inc. Seward, Alaska
Attachments: [Authorizing Award of Contract Metro Inc.](#)
 - c. [KPB-0380](#) Authorization to Award Contract for Central Peninsula Landfil Maintenance Building to Polar North Construction, Soldotna, Alaska
Attachments: [Authorization to Award Contract - Polar North Construction](#)
3. Other
 - a. [KPB-0381](#) Budget Revision – May 2015
Attachments: [Budget Revisions - May 2015](#)
 - b. [KPB-0382](#) Revenue – Expenditure Report – May 2015
Attachments: [Revenue - Expenditure Report - May 2015](#)

L. ITEMS NOT COMPLETED FROM PRIOR AGENDA**M. PUBLIC HEARINGS ON ORDINANCES**

Ordinances referred to Finance Committee

1. [2014-19-61](#) An Ordinance Appropriating \$130,863.78 to the Special Assessment Fund for the Birch Park Utility Special Assessment District (Mayor)

Attachments: [O2014-19-61](#)
[Memo](#)

- *2. [2015-19-01](#) An Ordinance Accepting and Appropriating Grant Funds Totaling \$28,071.10 from the Alaska Department of Natural Resources for the Volunteer Fire Assistance Program on Behalf of Anchor Point Fire & Emergency Medical Service Area, Kachemak Emergency Service Area and Nikiski Fire Service Area (Mayor)

Attachments: [O2015-19-01](#)
[Memo](#)
[2015 Volunteer Fire Assistance Award Letter](#)

- *3. [2015-19-02](#) An Ordinance Appropriating \$100,000 for Contract Services Associated with the Susan B. English School Shop Educational Program Continuing Operations (Mayor)

Attachments: [O2015-19-02](#)
[Memo](#)

N. UNFINISHED BUSINESS

1. Postponed Items

- a. [2015-09](#) An Ordinance Amending KPB 5.18.430, Computation-Maximum Tax by Increasing the Maximum Amount of a Sale Subject to the Borough Sales Tax to \$1,000 with a Triennial Adjustment for Inflation, Subject to Voter Approval (Cooper) TABLED

Attachments: [O2015-09](#)
[Memo](#)
[Public Comments](#)
[Additional Public Comment](#)
[Amendment Memo \(dealt with on 05/05/15\)](#)

- b. [2015-14](#) An Ordinance Amending KPB Chapter 21.18 to Repeal the Kena River, Major Waters, West, South, and North Districts and Add the Kenai River Watershed District and Kasilof River Watershed District (Bagley, Ogle, Wolf)

[Clerk's Note: Public Comments will be taken ONLY from members of the public who have not previously addressed the assembly on the above referenced ordinance.]

Attachments:

[O2015-14](#)

[Planning Commission Recommendations](#)

[Memo](#)

[21.18 Watersheds Maps](#)

[21.18 Appendix 5-7-15](#)

[River Center Memo](#)

[Homer Resolution15-042](#)

[Public Comment](#)

[Additional Public Comments](#)

[Additional Public Comments \(2\)](#)

[Public Comment / 50 Feet for Fish Signatures](#)

[Additional Public Comments \(3\)](#)

[Notices and Certificate of Publication and Posting](#)

[1989 Anchor River Fritz Creek Critical Habitat Area Management Plan](#)

[Wolf Email with AK Department of Fish and Game Commissioner](#)

[Postponement Memo \(Passed 06/16/15\)](#)

[Amendment Memo \(Passed 06/16/15\)](#)

[LAYDOWN Additional Public Comments \(4\)](#)

[LAYDOWN Johnson Additional Information](#)

[Wolf Additional Info](#)

[Additional Public Comments \(5\)](#)

[Swanson Property on Kasilof River - Distributed by Wolf](#)

O. NEW BUSINESS

1. Resolutions

Resolutions referred to Finance Committee

- *a. [2015-035](#) A Resolution Authorizing the Mayor to Enter into a Project Partnership Agreement with the United States Army Corps of Engineers on the Salmon Creek 205 Flood Risk Management Design and Implementation Phase and Approving the Required 35 Percent Match of \$1,160,000 (Mayor)

Attachments: [R2015-035](#)
[Memo](#)
[Executive Summary Report](#)
[Project Partnership Agreement](#)

- O.1.b. [2015-032](#) A Resolution Forming the Birch Park Utility Special Assessment District (USAD) and Proceeding with the Improvement (Mayor)

Attachments: [R2015-032](#)
[Memo](#)
[Exhibits](#)

2. Ordinances

Ordinances for Introduction and referred to the Finance Committee

- *a. [2015-19-03](#) An Ordinance Appropriating Funding of \$18,000 from the State of Alaska to Pay for Cost Associated with Developing an Interface Between the Kenai Peninsula Borough's CAD System and the State of Alaska Department of Public Safety Record Management System (Mayor) (Hearing on 07/28/15)

Attachments: [O2015-19-03](#)
[Memo](#)

- b. [2015-19-04](#) An Ordinance Authorizing the Acquisition of Real Property Located at 254 N. Binkley Street, Soldotna Alaska on Behalf of Central Peninsula Hospital, Appropriating \$_____ from the CPGH, Inc. Plan Replacement and Expansion Fund for the Purchase, and Authorizing an Amendment to the CPGH, Inc. Lease and Operating Agreement (Mayor) (Hearing on 07/28/15)

Attachments: [O2015-19-04](#)
[Memo](#)
[Exhibits](#)
[8th Amendment to Lease and Operating Agreement](#)
[CPGH, Inc. Resolution 2015-23](#)

- *c. [2015-19-05](#) An Ordinance Authorizing the Acquisition of Certain Real Property at the Corner of Resch Road and Sterling Highway for a Fill Site and Other Future Anchor Point Fire and Emergency Medical Service Area Uses, Appropriating Funds for the Acquisition and Expanding the Authorized Uses of the Funds (Mayor) (Hearing on 07/28/15)

Attachments: [O2015-19-05](#)
[Memo](#)
[Purchase Agreement](#)
[Map](#)
[APFSA Tank and Fill Sites Analysis](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

- *d. [2015-21](#) An Ordinance Providing for Submission to the Qualified Voters of the Central Emergency Service Area in the Kenai Peninsula Borough Alaska, the Question of Authorizing the Issuance of General Obligation Bonds of the Central Emergency Service Area Not to Exceed Four Million Four Hundred Thousand Dollars (\$4,400,000) for the Purchase of Emergency Response Vehicles for the Central Emergency Service Area, at an Election in and for the Service Area on October 6, 2015 (Mayor) (Hearing on 07/28/15)

Attachments: [O2015-21](#)
[Memo](#)

- *e. [2015-22](#) An Ordinance Amending KPB Chapter 14.40 Regarding the Use and Control of Borough Rights-of-Way and Enforcement of Right-of-Way Regulations (Mayor) (Hearing on 08/18/15)

Attachments: [O2015-22](#)
[Memo](#)
[Sectional Analysis](#)

- *f. [2015-23](#) An Ordinance Amending KPB 21.50.040, .050, .120 and .130 Regarding Enforcement of Borough Land Use Regulations for Conformity with Road Service Area Enforcement Actions and Current Practice (Mayor) (Hearing on 08/18/15)

Attachments: [O2015-23](#)
[Memo](#)

3. Other

Other items referred to Lands Committee

- *a. [KPB-0388](#) Petition to vacate a portion of a right-of-way and associated utility easements within the North Kenai area. Area under consideration is described as follows: Location and request: Vacate a portion of Ru Avenue, a 60-foot right-of-way. Vacate the south 30 feet of the eas 660 feet (more or less) of this dedication along the north boundary of Tract 2 of Snowshoe Subdivision (Plat KN 77-136) and vacate any associated utility easements. AND Vacate that portion of the 10-foot utility easement along the south boundary of Tract A of Moose Run Estates (Plat KN 84-51) and as shown on Tract A-2 Moose Run Estate Williams Addition (Plat KN 2009-9). A new utility easement will be granted along the new road dedication. A 10-foot wide utility easement will also be granted, centered over the existing natural gas line. All portions of requested vacations are located within S18, T7N, R11W SM, AK and within the KPB. File 2015-060.

[Clerks Note: The Planning Commission approved the above referenced vacation by unanimous consent at its regularly scheduled June 22, 2015 meeting.]

Attachments:

[Memo](#)

[Petition to Vacate - Rut Avenue](#)

P. PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. July 15, 2015 Marijuana Task Force Meeting 6:00 PM Borough Administration Building, Assembly Chambers
3. July 24, 2015 Public Hearing (O2015-20) 6:00 PM Borough Administration Building, Assembly Chambers
4. July 28, 2015 Regular Assembly Meeting 6:00 PM Borough Administration Building, Assembly Chambers

R. ASSEMBLY COMMENTS

S. PENDING LEGISLATION

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

1. [2014-32](#) An Ordinance Authorizing an Exchange with Paula and Timothy Keohane of a 4.3 Acre Drainage Easement at Karluk Avenue for a 1.84 Acre Parcel of Borough Land at Mile 12.1 K-Beach Road Which Shall be Subject to the Reservation of a 0.9 Acre Drainage Outlet Easement (Mayor) TABLED

Attachments:

[O2014-32](#)

[LAYDOWN Request to Remove from Table and Set for Public Hearing](#)

[Amendment Memo](#)

[Memo](#)

[Exhibit A](#)

[Maps](#)

[Drainage Easement](#)

[Draft Quitclaim Deed](#)

[Exchange Proposal Response Letter](#)

[Welles Comment](#)

[Public Comment](#)

[Additional Public Comment](#)

[Planning Commission Recommendations \(approved 11/25/14\)](#)

[Postponement Memo \(Dealt with on 11/25/14\)](#)

2. [2015-034](#) A Resolution Classifying 40.00 Acres of Borough Land Located in the Anchor Point Area as Government and Recreational (Mayor) TABLED

Attachments:

[R2015-034](#)

[Memo](#)

[Unapproved Planning Commission Meeting Minutes](#)

[Petition for Classification and backup information](#)

[Public Comment](#)

[Summary Evaluation Report](#)

3. [2015-16](#) An Ordinance Expanding the Boundaries of the Anchor Point Fire and Emergency Medical Service Area to Include a Portion of Cook Inlet (Johnson, Mayor) (Hearing on 07/28/15)

Attachments:

[O2015-16](#)

[Memo](#)

[Proposed Boundary Map](#)

4. [2015-17](#) An Ordinance Authorizing Retention or Sale of Certain Real Property Obtained by the Kenai Peninsula Borough Through Tax Foreclosure Proceedings (Mayor) (Hearing on 07/28/15)

Attachments: [O2015-17](#)
[Memo](#)
[Exhibit A](#)
[Exhibit B](#)
[Parcel Map](#)
[Links to Parcel Maps](#)

5. [2015-18](#) An Ordinance Amending the South Kenai Peninsula Hospital Service Area Boundaries to Include Certain Geographical Areas in and Around Seldovia in the Service Area (Johnson) (Hearing on 07/28/15)

Attachments: [O2015-18](#)
[Memo](#)
[Proposed Boundary Map](#)
[Approved Public Hearing Dates in Expanded Area](#)

6. [2015-20](#) An Ordinance Amending the Common Boundary Between the Central Kenai Peninsula Hospital Service Area and the South Kenai Peninsula Hospital Service Area, KPB 16.08.010 and 16.24.010 (Johnson) (Hearing on 07/28/15)

Attachments: [O2015-20](#)
[Memo](#)
[Proposed Boundary Maps](#)
[Approved Public Hearing Dates in Expanded Area](#)

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 July 28, 2015, at 6:00 P.M. in the Assembly Chambers, Soldotna, Alaska.

This meeting will be broadcast on KDLL-FM 91.9 (Central Peninsula), KBBI-AM 890 (South Peninsula), K201 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 1-800-478-442160. Visit our website at www.borough.kenai.ak.us for copies of the agenda, meeting summaries, ordinance resolutions.