



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Assembly

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Tuesday, March 6, 2018

6:00 PM

Assembly Chambers

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### INVOCATION

*Any invocation that may be offered at the beginning of the assembly meeting shall be a voluntary offering of a private person, to and for the benefit of the assembly. No member of the community is required to attend or participate in the invocation.*

[Clerk's Note: The invocation was offered by Jon Watson from Peninsula Christian Center, Soldotna, Alaska.]

### 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. Public testimony will be taken. 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

[KPB-1608](#) February 20, 2018 Regular Assembly Meeting Minutes

Attachments: [022018 Regular Assembly Meeting Minutes](#)

### COMMENDING RESOLUTIONS AND PROCLAMATIONS

### PRESENTATIONS WITH PRIOR NOTICE

*(20 minutes total)*

[KPB-1605](#) Central Area Rural Transit System, Inc. (CARTS) Contracted Planning Project, Jennifer Beckman (10 Minutes)

Attachments: [Presentation](#)  
[Pamphlet - Annual Report](#)  
[Pamphlet](#)

[KPB-1606](#) Kenai Peninsula Borough School District Quarterly Report (10 Minutes)

Attachments: [Quarterly Report](#)

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

*(3 minutes per speaker; 20 minutes aggregate)*

### **MAYOR'S REPORT**

1. Assembly Requests/Responses - None.
2. Agreements and Contracts - None.
3. Other
  - a. [KPB-1611](#) Revision to the School Site Selection - Kachemak Attendance Area  
Attachments: [Revision to the School Site Selection - Kachemak Attendance Area](#)  
[Planning Commission Recommendations](#)

## **ITEMS NOT COMPLETED FROM PRIOR AGENDA**

### **PUBLIC HEARINGS ON ORDINANCES**

*(Testimony limited to 3 minutes per speaker)*

Ordinances referred to Finance Committee

[2017-29](#) An Ordinance Amending KPB Chapter 5.18 to Establish a 6 Percent Areawide Sales Tax on Temporary Lodging and Overnight Camping Facilities and Providing for an Exemption of One-Half of the Levy on Temporary Lodging and Overnight Camping within the Boundaries of Cities in the Borough that Levy a Similar Sales Tax in Addition to an Existing General Sales Tax, Subject to Approval by the Voters in the Regular Election on October 2, 2018 (Bagley)

[Clerk's Note: A teleconference site will be established at the Borough Office in Homer in order to take public testimony on the above referenced Ordinance.]

**Attachments:**

[O2017-29](#)

[Revised Amendment Memo](#)

[Memo](#)

[Public Comment 030618](#)

[eComment 030618](#)

[Public Comment 103117](#)

[Public Comments 112117](#)

[Public Comments 120517](#)

[2017-19-14](#) An Ordinance Appropriating Supplemental Funding of \$30,000 from the Nikiski Senior Service Area Fund to the Nikiski Senior Citizens, Inc. for Personnel Costs (Mayor)

**Attachments:**

[O2017-19-14](#)

[Memo](#)

[Service Area Board Recommendations](#)

[Authorized Use of Borough Funds](#)

[Service Area Board Appropriation Request](#)

[2017-19-15](#) An Ordinance Appropriating \$45,000 to the Legal Department to Cover Costs of Hiring Hearing Officers for Code Compliance Hearings and Appeals of Planning Commission Decisions (Mayor)

**Attachments:**

[O2017-19-15](#)

[Amendment Memo](#)

[Memo](#)

[Code Compliance Summary](#)

[Hyperlink to Reference Copy O2016-44](#)

[Hyperlink to Reference Copy O2017-22](#)

[2017-19-16](#) An Ordinance Appropriating \$75,000 from the Nikiski Fire Service Area Capital Project Fund for Septic System Replacement at the Nikiski Fire Service Area, Station 1 (Mayor)

*Attachments:* [O2017-19-16](#)  
[Amendment Memo](#)  
[Memo](#)  
[Status Update](#)

[2017-19-17](#) An Ordinance Appropriating \$60,000 from the General Government Capital Project Fund for Boiler Replacement at the George A. Navarre Kenai Peninsula Borough Administration Building (Mayor)

*Attachments:* [O2017-19-17](#)  
[Memo](#)

Ordinances referred to Policies and Procedures Committee

[2018-09](#) An Ordinance Amending the Borough Code to Provide for Financial Support for the Promotion of Tourism and Economic Development Subject to Annual Assembly Appropriation and Voter Approval of a Bed Tax (Bagley)

*Attachments:* [O2018-09](#)  
[Memo](#)

## UNFINISHED BUSINESS

Postponed Items

Unfinished Business referred to Finance Committee

[2018-010](#) A Resolution Authorizing the Reestablishment of a Cost Allocation Plan for Service Area Operating Funds and Certain Funds (Mayor)

[Clerk's Note: A teleconference site will be established at the Borough Office in Homer in order to take public testimony on the above referenced Resolution.]

*Attachments:* [R2018-010](#)  
[Memo](#)  
[North Peninsula Recreation Service Area Board Comments](#)  
[Hyperlink to Reference Copy R2006-036](#)  
[Hyperlink to Reference Copy R2013-022](#)

**O. NEW BUSINESS**

## 1. Resolutions

Resolutions referred to Policies and Procedures Committee

[2018-012](#) A Resolution Amending the Name of the Alaska Liquid Natural Gasline Project Advisory Board to the Alaska Liquefied Natural Gasline Project Advisory Committee of the Kenai Peninsula Borough (Mayor)

**Attachments:** [Resolution 2018-012](#)  
[Amendment Memo](#)  
[Memo](#)  
[Mayor's Appointment](#)  
[eComment 030618](#)

Resolutions referred to Finance Committee

[2018-013](#) A Resolution Authorizing the Transfer of Cash in Excess of 90 Days Cash on Hand for the Period Ending December 31, 2017, by Central Peninsula General Hospital, Inc. to the Plant Replacement and Expansion Funds (Mayor)

**Attachments:** [R2018-013](#)  
[Memo](#)  
[CPGH, Inc. R2018-04](#)

## 2. Ordinances for Introduction

Ordinances for Introduction and referred to the Finance Committee

[2017-19-19](#) An Ordinance Appropriating \$5,000.00 from the Seldovia Recreational Service Area Fund Balance for Payment of Prior Fiscal Year Invoices for Contract Services (Mayor)

**Attachments:** [Ordinance 2017-19-19](#)  
[Memo](#)  
[Service Area Request](#)  
[Amendment Memo](#)

[2017-19-20](#) Authorizing the Purchase and Implementation of Tomosynthesis Equipment, Software, Installation, and Training and Appropriating \$587,100 from the CPGH, Inc. Plant Replacement and Expansion Fund for the Project (Mayor)

*Attachments:* [O2017-19-20](#)  
[Memo](#)

[2017-19-21](#) An Ordinance Providing for an Exception to KPB 5.20.080 and Transferring \$3,000,000 from the Land Trust Fund to the General Fund (Mayor) (Reconsideration Given by Fischer)

*Attachments:* [O2017-19-21](#)  
[Memo](#)  
[Public Comment 051518](#)  
[Public Comment 050118](#)  
[Public Comment 041718](#)  
[Public Comment 030118](#)  
[Amendment Memo \(Dealt with on 05/01/18\)](#)  
[Amendment Memo \(Dealt with on 04/03/18\)](#)

[2018-12](#) An Ordinance Increasing the Borough Sales Tax Rate from 3.0 Percent to 3.5 Percent by Amending KPB 5.18.100, Subject to Approval by the Voters in the Regular Election on October 2, 2018 (Cooper, Smalley)

*Attachments:* [Ordinance 2018-12](#)  
[Memo](#)  
[Sales Tax Rates](#)  
[Fiscal Note](#)  
[eComment 060518](#)  
[eComment 040318](#)  
[Public Comments 040318](#)  
[Cooper Amendment and Revised Fiscal Note \(Dealt with on 05/15/18\)](#)  
[Amendment Memo \(Dealt with on 05/15/18\)](#)  
[Blakeley Amendment Memo \(Dealt with on 04/03/18\)](#)

Ordinances for Introduction and referred to the Lands Committee

[2018-13](#) An Ordinance Authorizing the Sale of Certain Parcels of Borough Land by Sealed Bid Followed by an Over-The-Counter Sale (Mayor)

Attachments: [Ordinance 2018-13](#)  
[Amendment Memo and Planning Commission Recommendations](#)  
[Memo](#)  
[Maps](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

[2018-14](#) An Ordinance Amending KPB Chapter 16.60 to Provide for Appointed Members to Serve on the Anchor Point Fire and Emergency Medical Service Area Board (Dunne)

Attachments: [Ordinance 2018-14](#)  
[Memo](#)

[2018-15](#) Amending KPB 2.45.010 to Replace the Emergency Management Director Position with a Senior Manager of the Office of Emergency Management Position (Mayor)

Attachments: [Ordinance 2018-15](#)  
[Memo](#)  
[Draft Organization Chart](#)  
[Seward Bear Creek Flood Service Area Board Recommendation](#)

Ordinances for Introduction and referred to the Finance Committee

[2017-19-22](#) Appropriating the \$443,750 from the CPGH Inc. Plant Replacement and Expansion Fund for the Fiscal Year 2018 Semi-Annual Debt Payment on the 2003 Central Kenai Peninsula Hospital Service Area Refunded General Obligation Bonds (Mayor)

Attachments: [O2017-19-22](#)  
[Memo](#)

### 3. Other

Other items referred to Lands Committee

[KPB-1597](#) Petition to Vacate the Horwarth Street 30-foot Wide Right-of-way Adjoining the Eastern Lot Line of Tract D-1 of Ten-Mar Ranch Bowser Addition as Dedicated on Ten-Mar Ranch Bowser Addition. Petitioners: Timothy L. and Marian S. Bowser Trust and Maurice I. Hughes of Soldotna, AK.

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its February 12, 2018 meeting by unanimous consent.]

Attachments: [Petition to Vacate](#)

[KPB-1609](#) Petition to Vacate those portions of the 33-foot and 50-foot Section Line Easements lying within the tracts I-1 and I-2 Davis-Mills Subdivision No. 2, Plat KN 2015-95. A formal right-of-way dedication is being proposed along the eastern boundary of Tract I-2 to provide connectivity with the remaining Section Line Easements. Petitioners: John B. & Pauline Mills of Kasilof, AK.

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its February 26, 2018 meeting by unanimous consent.]

Attachments: [Petition to Vacate](#)

Other items referred to Policies and Procedures Committee

[KPB-1596](#) Confirming the Appointment to the South Kenai Peninsula Hospital Service Area Board (Mayor)

Applicant	Board Seat	Term Expires
William Runnoe	Seat C	October, 2018

Attachments: [Service Area Board Application](#)  
[Resume](#)

## PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

## ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. March 14, 2018 Material Site Work Group 2:00 PM  
Assembly Chambers, Soldotna, Alaska



2. March 28, 2018 Material Site Work Group 2:00 PM  
Assembly Chambers, Soldotna, Alaska
3. April 3, 2018 Regular Assembly Meeting 6:00 PM  
Assembly Chambers, Soldotna, Alaska

## ASSEMBLY COMMENTS

## PENDING LEGISLATION

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

1. [2017-19-18](#) An Ordinance Appropriating \$100,000 from the Solid Waste Capital Project Fund to Fund a Grant to Alaska Electric Energy Cooperative, Inc. for Landfill Gas to Energy Project and Enacting KPB 10.04.100 (Mayor)  
  
Attachments: [O2017-19-18](#)  
[Amendment Memo](#)  
[Memo](#)  
[Memorandum of Agreement](#)
2. [2017-31](#) An Ordinance Approving McKinley Single-Family Residential R-1 Local Option Zoning District and Amending KPB 21.46.040 (Mayor) [Tabled on 01/16/18]  
  
Attachments: [Ordinance 2017-31](#)  
[Planning Request to Table](#)  
[Memo](#)  
[Staff Report](#)  
[Local Option Zoning District Application](#)  
[Planning Commission Recommendation \(Dealt with on 12/05/17\)](#)  
[Request for Postponement \(Dealt with on 12/05/17\)](#)
3. [2018-11](#) An Ordinance Amending KPB 5.12.116 and KPB 19.30.060(B) to Reflect Changes to Alaska Statute 29.45.050 Economic Development Property Tax Exemption (Mayor)  
  
Attachments: [Ordinance 2018-11](#)  
[Amendment Memo](#)  
[Memo](#)

## INFORMATIONAL MATERIALS AND REPORTS

**NOTICE OF NEXT MEETING AND ADJOURNMENT**

*The next meeting of the Kenai Peninsula Borough Assembly will be held on April 3, 2018, 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.us](http://www.borough.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*