



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda

Assembly

Blaine Gilman, President
Brent Johnson, Vice President
Dale Bagley
Kelly Cooper
Willy Dunne
Brandii Holmdahl
Gary Knopp
Wayne Ogle
Stan Welles

Tuesday, January 6, 2015

6:00 PM

Assembly Chambers

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.)*

G. APPROVAL OF MINUTES

[TMP-0134](#) December 9, 2014 Regular Assembly Meeting Minutes

Attachments: [December 9, 2014 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

MAYOR'S REPORT

1. Assembly Requests/Responses - None.
2. Agreements and Contracts - None.
3. Other
 - a. [TMP-0160](#) Investment Portfolio Report
Attachments: [Investment Portfolio Report](#)
 - b. [TMP-0161](#) Budget Revision - November 2014
Attachments: [Budget Revisions - November 2014](#)
 - c. [TMP-0162](#) Revenue - Expenditure Report - November 2014
Attachments: [Revenue Expenditure Report Nov 2014](#)

ITEMS NOT COMPLETED FROM PRIOR AGENDA

PUBLIC HEARINGS ON ORDINANCES

[2014-19-34](#) An Ordinance of Assessment Confirming the Assessment Roll for the Bayshore Subdivision Utility Special Assessment District and Establishing the Method for Terminating Assessments and Making Refunds to Property Owners (Mayor) (Hearing on 01/06/15)

Attachments: [O2014-19-34.pdf](#)
[Memo](#)
[Final Assessment Roll - Exhibit A](#)

[2014-19-35](#) An Ordinance of Assessment Confirming the Assessment Roll for the Funny River West Subdivision Utility Special Assessment District and Establishing the Method for Terminating Assessments and Making Refunds to Property Owners (Mayor) (Hearing on 01/06/15)

Attachments: [O2014-19-35.pdf](#)
[Memo](#)
[Exhibit A](#)
[Public Comment](#)

[2014-19-36](#) An Ordinance Authorizing the Purchase of Replacement Fluoroscopy Equipment from Siemens Medical Solutions USA, Inc. and Appropriating \$438,713 from the CPGH, Inc. Plant Replacement and Expansion Fund for the Purchase (Mayor) (Hearing on 01/06/15)

Attachments: [O2014-19-36.pdf](#)
[Memo](#)
[CPH Fluoroscopy Documents](#)
[Service Area Board Recommendations](#)

[2014-19-37](#) An Ordinance Accepting and Appropriating \$24,427.25 from the U.S. Department of Interior, Fish and Wildlife Service for the Planning and Administration Project Under the Coastal Impact Assistance Program (Mayor) (Hearing on 01/06/15)

Attachments: [O2014-19-37.pdf](#)
[Memo](#)
[Grant Award Letter](#)
[CIAP Current Project Awards](#)

[2014-37](#) An Ordinance Amending KPB 2.54.060 to Refer Public Record Requests to the Borough Attorney to Determine Whether the Records are Subject to Disclosure (Mayor) (Hearing on 01/06/15)

Attachments: [O2014-37.pdf](#)
[Memo](#)
[Mayor/ Gilman Amendment Memo](#)

[2014-38](#) An Ordinance Amending KPB 1.12.010 to Provide that Ordinances Shall Be Heard at Least 13 Days After Introduction Except Amendments to the Borough Code Shall be Heard at Least 25 Days After Introduction, and Amending KPB 5.04.050 to Require Two Public Hearings Be Held Before Approving the Annual Budget (Bagley, Mayor) (Hearing on 01/06/15)

Attachments: [O2014-38.pdf](#)
[Memo](#)
[Public Comment](#)

[2014-40](#) An Ordinance Amending KPB 3.04.030, Employee Conduct Requirements, to Address the Passage of Ballot Measure No. 2 Legalizing Marijuana, and to Reference the Use of, or Impairment by, Controlled Substances (Mayor) (Hearing on 01/06/15)

Attachments: [O2014-40.pdf](#)
[Memo](#)

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

Resolutions referred to Legislative Committee

[2015-001](#) A Resolution Supporting the Pratt Museum's Grant Request for Its New Facility and Site Redesign Project (Cooper, Haggerty) (Hearing on 02/10/15)

Attachments: [R2015-001.pdf](#)
[Memo](#)
[Pratt Museum Handout](#)
[Pratt Museum Presentation](#)

[2015-002](#) A Resolution Supporting the Transportation Priorities Undertaken by the Central Area Rural Transit System, Inc. to be Submitted to the State of Alaska Department of Transportation and Public Facilities (Mayor)

Attachments: [R2015-002.pdf](#)
[Memo](#)

Resolutions referred to Policies and Procedures Committee

[2015-003](#) A Resolution Establishing an Administrative Position for Chief-Emergency Services / Small Station for the Bear Creek Fire Service Area (Mayor)

Attachments: [R2015-003.pdf](#)
[Memo](#)

Ordinances for Introduction

Ordinances for Introduction and referred to the Finance Committee

[2014-19-38](#) An Ordinance Appropriating \$34,300 from Central Emergency Service Area Fund Balance for the Purchase of Personnel Scheduling Software (Mayor)

Attachments: [O2014-19-38](#)
[Memo](#)

[2014-19-39](#) An Ordinance Appropriating \$200,000 to Fund Consultants and Research Efforts to Identify Ways to Provide the Most Affordable Health Care for Kenai Peninsula Borough Employees and Residents (Mayor)

Attachments: [O2014-19-39](#)
[Memo](#)
[Public Comment](#)
[Assembly Member Welles Comments for Consideration](#)

[2014-19-40](#) An Ordinance Approving a New Position Entitled Special Assistant to the Mayor - Oil, Gas and Mining, and Appropriating \$67,500 for the Position (Mayor)

Attachments: [O2014-19-40](#)
[Memo](#)
[Public Comment](#)
[Additional Public Comment](#)

[2014-19-41](#) An Ordinance Appropriating \$668,000 from the Land Trust Fund for Construction of an Access Road to the Suneva Material Site in Nikiski (Mayor) (Shortened Hearing on 01/20/15)

Attachments: [O2014-19-41](#)
[Memo](#)
[Request for Withdrawal](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

[2015-01](#) An Ordinance Amending KPB 3.04.160 to Allow the Administration to Establish Personnel Policies for Administrative Employees and Repealing Resolution 2011-087 (Mayor, Bagley)

Attachments: [O2015-01.pdf](#)
[Memo](#)
[Amendment Memo](#)
[R2011-087](#)

Other

Other Items referred to Policies and Procedures Committee

[TMP-0135](#) Approval of an Amendment to the 2015 Assembly Meeting Schedule by rescheduling the February 10th meeting to February 3rd (Bagley) (Referred to Policies and Procedures Committee)

[TMP-0136](#) Authorizing Assembly Members Cooper and Gilman to Participate in the 28th Annual Rural Health Care Leadership Conference in Phoenix, Arizona February 8-11, 2015 and Authorizing the Expenditure of Funds Not to Exceed \$5,000 from Account No. 100.11110.00000.43215 for Travel and Related Expenses (Bagley)

Attachments: [Health Forum Education Website](#)

[TMP-0153](#) Confirming an Appointment to Anchor Point Fire & Emergency Medical Service Area Board (Mayor)

Roberta Proctor Seat A Term to Expire: October 2015

Attachments: [APFEMSA Appointment RProctor](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

The next meeting of the Kenai Peninsula Borough Assembly was scheduled for January 20, 2015, at 6:00 p.m. in the Borough Assembly Chambers, Soldotna, Alaska.

ASSEMBLY COMMENTS**S. PENDING LEGISLATION**

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

[2014-20](#) An Ordinance Amending Title 4 to Require Borough Elections Be Held By Mail (Smith)

Attachments:

[O2014-20.pdf](#)

[O2014-20 Memo](#)

[O2014-20 Smith Amendment Memo](#)

[O2014-20 Fiscal Note](#)

[O2014-20 Ogle Requested Information](#)

[O2014-20 Smith's Revised Amendment Memo](#)

[O2014-20 Bagley's Request for Postponement](#)

[O2014-20 Public Comment](#)

[O2014-20 Revised Fiscal Note](#)

[O2014-20 Additional Public Comment](#)

[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)

(Johnson) Substitute: An Ordinance Authorizing the Sale of Borough Property to Dan and Teresa Sterchi Subject to a Drainage Easement and the Acquisition of a 4.3 Acre Drainage Easement on Property Along Kalifornsky Beach Road from Paula and Timothy Keohane (Johnson)

Attachments:

[O2014-32](#)
[Executive Summary of Keohane Exchange Proposal](#)
[Quitclaim Deed](#)
[Drainage Easement](#)
[Maps](#)
[Exchange Map](#)
[O2014-32 \(Johnson\) Substitute](#)
[\(Johnson\) Sub Planning Commission Recommendations](#)
[\(Johnson\) Sub Memo](#)
[\(Johnson\) Sub Easement Purchase Agreement](#)
[\(Johnson\) Sub Quitclaim Deed with Reservation of Drainage Easement](#)
[\(Johnson\) Sub Purchase Agreement](#)
[Memo](#)
[Exhibit A](#)
[Exchange Proposal Response Letter](#)
[Welles Comment](#)
[Public Comment](#)
[Additional Public Comment](#)
[Planning Commission Recommendations \(approved 11/25/14\)](#)
[Postponement Memo \(Dealt with on 11/25/14\)](#)
[Request to Remove from Table \(dealt with on 07/07/15\)](#)
[Information Provided by Wolf](#)
[Additional Public Comment \(2\)](#)
[01/20/15 Memo & Summary Evaluation](#)
[Revised Amendment Memo & Drainage Easement Map \(dealt with on 08/18/15\)](#)
[Additional Public Comment \(3\)](#)
[Alaska Dept. of Transportation and Public Facilities Letter](#)
[Additional Public Comment \(4\)](#)
[Additional Public Comment \(5\)](#)
[Additional Public Comment \(6\)](#)
[Information Provided by Welles](#)
[Additional Public Comment \(7\)](#)
[Review and Consideration of Reeves Amodio LLC Opinion Memo](#)
[Reponse to Regis Memo](#)
[Amendment Memo \(2\)](#)

[2014-35](#) An Ordinance Approving Diamond Willow – Fairfield Single-Family Residential R-1 Local Option Zoning District, and Amending KPB 21.46.040 (Mayor)

Attachments:

[O2014-35](#)

[Memo](#)

[Maps](#)

[Local Option Zoning Info](#)

[Petition](#)

[Planning Commission Recommendations](#)

[Public Comment - Morse](#)

[Additional Planning Commission Documentation](#)

[Sean Cude's Submission](#)

[Clerk's Certificate of Publication and Mailing](#)

[PC Recommendations Replacement Memo](#)

[Second Certificate of Publication and Mailing](#)

[Additional Public Comments](#)

[2014-39](#) An Ordinance Approving Diamond Willow - Ravenwood Single-Family Residential R-1 Local Option Zoning District, and Amending KPB 21.46.040 (Mayor)

Attachments:

[O2014-39](#)

[Memo](#)

[Petition](#)

[Maps](#)

[Local Option Zoning Information](#)

[Request to amend public hearing date](#)

[Planning Commission Recommendations](#)

[Public Comments](#)

[Certificate of Publication and Mailing](#)

[Additional Public Comments](#)

INFORMATIONAL MATERIALS AND REPORTS

NOTICE OF NEXT MEETING AND ADJOURNMENT

The next meeting of the Kenai Peninsula Borough Assembly will be held on January 20, 2015, 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.kpb.us for copies of the agenda, meeting summaries, ordinances and resolutions.