



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, June 21, 2016

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

[KPB-779](#) June 7, 2016 Regular Assembly Meeting Minutes

Attachments: [060716 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS

I. PRESENTATIONS WITH PRIOR NOTICE

1. [KPB-778](#) "Healing Hearts and Paw Program", Ellen Adlam (10 minutes)

Attachments: [Healing Hearts and Paws Presentation](#)

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-768](#) Authorization to Award Contract ITB16-038 2016 CIP Walter Thomas Road Project No. S5WAL to Anchor Trucking, Anchor Point, AK

Attachments: [Authorization to Award Contract - Anchor Trucking](#)

- b. [KPB-769](#) Authorizing Award of Road Service Area Maintenance Contracts for Central Region, Unit 3, West Region, Unit 3, and East Region, Unit 3, to the following:

Central Region, Unit 3 Alaska Scrap & Recycling, LLC
West Region, Unit 3 Best Transit Mix, Inc.
East Region, Unit 3 Metco, Inc.

Attachments: [Authorizing Award of Contracts - Alaska Scrap & Recycling, LLC, Best Transit M](#)

- c. [KPB-770](#) Authorizing Award of Road Service Area Maintenance Contracts for East Region, Units 1 & 4, to the following:

East Region, Unit 1 AG & Building Supply
East Region, Unit 4 Peninsula Excavating

Attachments: [Authorizing Award of Contracts - AG & Building Supply, Peninsula Excavating](#)

- d. [KPB-771](#) Sole Source for the purchase of Hydroflow water conditioning devices from Hydroflow of Alaska

Attachments: [Sole Source Request - Hydroflow of Alaska](#)

- e. [KPB-772](#) Authorization to Award Contract for ITB16-039 Moose Pass Water System to Peninsula Plumbing, Soldotna, AK

Attachments: [Authorization to Award Contract - Peninsula Plumbing](#)

3. Other

- a. [KPB-773](#) Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2015
Attachments: [Certificate of Achievement](#)
- b. [KPB-774](#) Certification of the 2016 Main Roll Assessment
Attachments: [Certification of the 2016 Main Roll Assessment](#)
- c. [KPB-775](#) Grant Award and Department Match Confirmation
Attachments: [Grant Award and Department Match Confirmation](#)
- d. [KPB-776](#) Revenue – Expenditure Report – May 2016
Attachments: [Revenue - Expenditure Report - May 2016](#)
- e. [KPB-777](#) Budget Revisions – May 2016
Attachments: [Budget Revisions - May 2016](#)

L. ITEMS NOT COMPLETED FROM PRIOR AGENDA

M. PUBLIC HEARINGS ON ORDINANCES

Ordinances referred to Finance Committee

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](#)
[Memo](#)
[Request to Table](#)
2. [2015-19-32](#) Appropriating \$1,041,200.22 to the Special Assessment Fund for the Funny River East Utility Special Assessment District (Mayor)
Attachments: [O2015-19-32](#)
[Memo](#)

[2015-19-33](#) An Ordinance Authorizing the Design and Completion of Phase V of the Central Peninsula Hospital Imaging Expansion and Remodel Master Plan and Appropriating \$2,019,040 from the CPH Plant Replacement and Expansion Fund for the Project (Mayor)

Attachments: [O2015-19-33](#)
[Memo](#)

[2015-19-34](#) An Ordinance Appropriating \$114,069.36 to Fully Fund the 35 Percent Match for Design and Implementation of the Salmon Creek 205 Section Project Partnership Agreement Approved by Resolution 2015-035 (Mayor)

Attachments: [O2015-19-34](#)
[Memo](#)
[Resolution 2015-035](#)

5. [2016-16](#) An Ordinance Amending KPB 5.18.200(A)(16) and 5.18.430 by Increasing the Maximum Amount of a Sale Subject to Borough Sales Tax to \$1,000, Subject to Voter Approval, with an Adjustment for Inflation Every Fifth Year; and, if Voters Approve Increasing the Maximum Taxable Amount to \$1,000, Exempting Residential Rentals From Sales Tax (Mayor)

Attachments: [O2016-16](#)
[Holmdahl Amendment](#)
[Memo](#)
[O2016-16 \(Welles\) SUB failed on 06/07/16](#)
[Welles SUB Memo](#)
[Public Comment](#)
[LAYDOWN Homer Reso 16-068](#)
[LAYDOWN Additional Public Comment](#)
[LAYDOWN Additional Public Comment \(2\)](#)

6. [2016-17](#) An Ordinance Approving a Policy Supporting the Standardization of Manufacturers' Brands of Fire Apparatus and Ambulances for the Nikiski Fire Service Area and Central Emergency Service Area, and Amending KPB 5.28.280(B) to Allow for Purchases Without Competition when in Accordance with Standardization Policies Approved by the Assembly (Mayor)

Attachments:

[O2016-17](#)

[Memo](#)

[New Fire Apparatus Policy](#)

7. [2016-20](#) Authorizing a Negotiated Lease at Less Than Fair Market Value with SAH Soccer, Inc. dba Soccer Association of Homer of Approximately 3.5 Acres of Borough Land Adjacent to the Homer Middle School for the Development, Management and Maintenance of a Year-Round Indoor Field AKA "South Peninsula Athletic and Recreation Center" (Mayor)

Attachments:

[O2016-20](#)

[LAYDOWN PC Recommendations](#)

[KPBSD Resolution 15-16-6](#)

[Amendment](#)

[LAYDOWN Amendment \(2\)](#)

[LAYDOWN Amended Lease Agreement](#)

[Memo](#)

[Maps](#)

[Lease Agreement](#)

[LAYDOWN South Peninsula Athletic and Recreation Center Draft Flyer](#)

8. [2016-24](#) An Ordinance Amending KPB 5.12.105 to Allow for a Phase-Out of the Optional Senior Citizen Exemption for New Applicants by the Year 2024, Subject to Voter Approval (Mayor)

Attachments:

[O2016-24](#)

[Bagley Amendment](#)

[Amendment](#)

[Memo](#)

[Public Comment](#)

[LAYDOWN Additional Public Comments](#)

[LAYDOWN Sales and Property Tax Proposals Presentation](#)

[LAYDOWN Senior Tax Exemption Brochure Final](#)

N. UNFINISHED BUSINESS**O. NEW BUSINESS**

1. Resolutions

Resolutions referred to Finance Committee

- a. [2016-029](#) A Resolution To Form the Eddy Hill Drive Road Improvement Assessment District and Proceed with the Improvement (Mayor)

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

- b. [2016-032](#) A Resolution To Form the Funny River East Utility Special Assessment District and Proceed with the Improvement of a Natural Gas Main Line (Mayor)

Attachments: [R2016-032](#)
[Memo](#)
[Exhibits](#)
[Objection Letters](#)
[Additional Objection Letters](#)
[Letter of Support](#)

- [2016-036](#) A Resolution Authorizing the Borough to Enter Into a One-Year Lease Agreement with Four One-Year Renewal Options with SeaView Community Services for the Occupancy of the Borough's Annex Office in Seward (Mayor)

Attachments: [R2016-036](#)
[PC Recommendations](#)
[Memo](#)
[Lease Agreement](#)
[Backup](#)

[2016-037](#) A Resolution Authorizing the Borough to Enter Into a One-Year Lease Agreement with Four One-Year Renewal Options with SeaView Community Services for the Occupancy of the Seward Bear Creek Flood Service Area in Seward (Mayor)

Attachments: [R2016-037](#)
[PC Recommendations \(dealt with on 06/21/16\)](#)
[Memo](#)
[Lease Agreement](#)
[Backup](#)

[2016-038](#) A Resolution Accepting Medical Equipment from the Southern Region Emergency Medical Services Council, Inc. on Behalf of Anchor Point Fire & Emergency Medical Service Area (Mayor)

Attachments: [R2016-038](#)
[Memo](#)
[Award Letter](#)

[2016-039](#) A Resolution Accepting Medical Equipment from the Southern Region Emergency Medical Services Council, Inc. on Behalf of Kachemak Emergency Service Area (Mayor)

Attachments: [R2016-039](#)
[Memo](#)
[Award Letter](#)
[KESA Recommendations](#)

[2016-040](#) LAYDOWN A Resolution Supporting the Homer Cycling Club's Proposal to the Rivers, Trails And Conservation Assistance Program to Secure Funding for Trail Improvements at the Diamond Creek State Recreation Site (Dunne, Mayor)

Attachments: [LAYDOWN R2016-040](#)

Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

[2015-19-35](#) An Ordinance Appropriating \$3,050,000 in Revenue Bond Proceeds and Reimbursing the Central Peninsula Hospital Plant Replacement and Expansion Funds for the Purchase of Equipment at the Specialty Clinic Building as Authorized by Ordinance 2015-19-09 (Mayor)

Attachments:

[O2015-19-35](#)

[Amendment Memo](#)

[Memo](#)

[2016-19-01](#) An Ordinance Accepting and Appropriating Grant Funds Totaling \$19,366 from the Alaska Department of Natural Resources for the Volunteer Fire Assistance Program on Behalf of Anchor Point Fire & Emergency Medical Service Area and Bear Creek Fire Service Area (Mayor)

Attachments:

[O2016-19-01](#)

[Memo](#)

[Grant Award Letters](#)

[2016-25](#) An Ordinance Amending KPB 2.40.010 to Reduce Planning Commission Membership (Johnson)

Attachments:

[O2016-25](#)

[Memo](#)

[Map](#)

[LAYDOWN Planning Districts Map](#)

[Seldovia Reso 16-13](#)

[City of Seward Letter](#)

*d. [2016-26](#) An Ordinance Amending KPB 22.40.080 and Repealing KPB 22.40.090 Which Provides for an Invocation During Assembly Meetings (Gilman)

Attachments:

[O2016-26](#)

[Memo](#)

[LAYDOWN Public Comments](#)

[2016-27](#) An Ordinance Amending KPB 2.56.040 to Incorporate the Soldotna Streets Inventory and Management Plan, the Soldotna Utility Master Plan, the City of Soldotna Downtown Improvement Plan, the Soldotna Safe Routes to School Plan, and the Soldotna Recreation & Trails Master Plan as Elements of the Official Comprehensive Plan for that Portion of the Borough within the Boundaries of the City of Soldotna (Bagley, Mayor)

Attachments:

[O2016-27](#)

[Planning Commission Recommendations](#)

[Memo](#)

[City of Soldotna Supporting Documents](#)

[O2011-05](#)

[Soldotna Streets Inventory and Mgt Plan](#)

[Soldotna Utility Master Plan](#)

[Soldotna Downtown Improvement Plan](#)

[Soldotna Safe Routes to Schools](#)

[Soldotna Recreation and Trails Master Plan](#)

3. Other

Other items referred to Finance Committee

*a. [KPB-759](#) Approving the Issuance of a Letter of Non-Objection to the Alcohol Marijuana Control Board Regarding the New Standard Marijuana Cultivation Facility License Application Filed by Alaska Bud Brothers Aerogardens, LLC, Kasilof, AK

Attachments:

[LAYDOWN Memo to Assembly 10216](#)

[LAYDOWN PC Recommendations to Assembly 10216](#)

[Complete Application Package 10216](#)

[Planning Department Staff report](#)

[Acknowledgement Form 10216](#)

[Aerial Map 10216](#)

[As-built 10216](#)

[Land Use Map 10216](#)

[Radius Notice 10216](#)

[Site Development Plan 10216](#)

- *b. [KPB-760](#) Approving the Issuance of a Letter of Non-Objection to the Alcohol Marijuana Control Board Regarding the New Standard Marijuana Cultivation Facility License Application Filed by Budding Alaska, LLC

Attachments:

[LAYDOWN Memo to Assembly 10025](#)
[LAYDOWN PC Recommendations to Assembly 10025](#)
[Complete Application Package 10025](#)
[Planning Department Staff Report 10225](#)
[Access Survey 10025](#)
[Acknowledgment Form 10025](#)
[Aerial Map 10025](#)
[Affidavit of Publication 10025](#)
[Building Floor Plan 10025](#)
[Land Use Map 10025](#)
[Radius Notice 10025](#)

- *c. [KPB-761](#) Approving the Issuance of a Letter of Non-Objection to the Alcohol Marijuana Control Board Regarding the New Standard Marijuana Cultivation Facility License Application Filed by Croy's Enterprises, LLC, Soldotna, AK

Attachments:

[LAYDOWN Memo to Assembly 10137](#)
[LAYDOWN PC Recommendations to Assembly 10137](#)
[Complete Application Package 10137](#)
[Planning Department Staff Report 10137 corrected](#)
[Acknowledgement Form 10137](#)
[Aerial Map 10137](#)
[Land Use Map 10137](#)
[Radius Notice 10137](#)
[Site Development Plan 10137](#)

- *d. [KPB-762](#) Approving the Issuance of a Letter of Non-Objection to the Alcohol Marijuana Control Board Regarding the New Standard Marijuana Cultivation Facility License Application Filed by Greatland Ganja, LLC, Kasilof, AK

Attachments:

[LAYDOWN Memo to Assembly 10015](#)
[LAYDOWN PC Recommendations to Assembly 10015](#)
[Complete Application Package 10015](#)
[Planning Department Staff Report 10015](#)
[Acknowledgement Form 10015](#)
[Aerial Map 10015](#)
[Borough Access Site Plan Revised 10015](#)
[Land Use Map 10015](#)
[Radius Notice 10015](#)

- *e. [KPB-763](#) Approving the Issuance of a Letter of Non-Objection to the Alcohol Marijuana Control Board Regarding the New Limited Marijuana Cultivation Facility License Application Filed by Green Rush Gardens, LLC, Sterling, AK

Attachments:

[LAYDOWN Memo to Assembly 10011](#)
[LAYDOWN PC Recommendations to Assembly 10011](#)
[Complete Application Package 10011](#)
[Planning Staff Report 10011](#)
[Acknowledgement Form 10011](#)
[Aerial Map 10011](#)
[Land Use Map 10011](#)
[Operating Plan 10011](#)
[Radius Notice 10011](#)
[Site Development Plan 10011](#)

- *f. [KPB-764](#) Approving the Issuance of a Letter of Non-Objection to the Alcohol Marijuana Control Board Regarding the New Limited Marijuana Cultivation Facility License Application Filed by Peace Frog Botanicals, LLC, Kenai AK

Attachments:

[LAYDOWN Memo to Assembly 10041](#)
[LAYDOWN PC Recommendations to Assembly - 10041](#)
[Planning Department Staff Report 10041](#)
[Complete Application Package 10041](#)
[Acknowledgement Form 10041](#)
[Aerial Map 10041](#)
[Land Use Map 10041](#)
[Radius Notice 10041](#)
[Site Development Plan 10041](#)
[LAYDOWN Signed Pledge](#)

- *g. [KPB-765](#) Approving the Issuance of a Letter of Non-Objection to the Alcohol Marijuana Control Board Regarding the New Limited Marijuana Cultivation Facility License Application Filed by Permafrost Distributors, Nikiski, AK

Attachments:

[LAYDOWN Memo to Assembly 10147](#)
[LAYDOWN PC Recommendations to Assembly - 10147](#)
[Complete Application Package 10147](#)
[Planning Department Staff Report 10147](#)
[Acknowledgement Form 10147](#)
[Aerial Map 10147](#)
[Land Use Map 10147](#)
[Radius Notice 10147](#)
[Site Development Plan 10147](#)

- *h. [KPB-766](#) Approving the Issuance of a Letter of Non-Objection to the Alcohol Marijuana Control Board Regarding the New Limited Marijuana Cultivation Facility License Application Filed by Stoney Creek Growers, LLC, Seward, AK

Attachments: [LAYDOWN Memo to Assembly 10122](#)
[LAYDOWN PC Recommendations to Assembly 10122](#)
[Complete Application Package 10122](#)
[Planning Department Staff Report 10122](#)
[Acknowledgement Form 10122](#)
[Aerial Map 10122](#)
[Land Use Map 10122](#)
[Radius Notice 10122](#)
[Site Development Plan Updated 050416 10122](#)

- *i. [KPB-767](#) Approving the Issuance of a Letter of Non-Objection to the Alcohol Marijuana Control Board Regarding the New Limited Marijuana Cultivation Facility License Application Filed by Talisman Farms, Homer,

Attachments: [LAYDOWN Memo to Assembly 10148](#)
[LAYDOWN PC Recommendations to Assembly 10148](#)
[Complete Application Package 10148](#)
[Planning Department Corrected Staff Report 10148](#)
[Acknowledgment Form 10148](#)
[Aerial Map 10148](#)
[Land Use Map 10148](#)
[Radius Notice 10148](#)
[Site Development Plan- Updated 10148](#)

P. PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. June 29, 2016 Health Care Task Force 6:30 PM Assembly Chambers, Borough Administration Building
2. July 26, 2016 Regular Assembly Meeting 6:00 PM Assembly Chambers, Borough Administration Building

R. ASSEMBLY COMMENTS

S. PENDING LEGISLATION

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

1. [2016-21](#) An Ordinance Eliminating the Assembly \$25 Internet Access Allowance (Johnson)

Attachments: [O2016-21](#)
[Memo](#)

2. [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)

[Clerks Note: A teleconference Site will be established at the Borough Office in Homer to receive public testimony on the above ordinance during the assembly meeting.]

Attachments: [O2016-22](#)
[Amendment](#)
[Memo](#)
[Hospital Mill Rate History](#)
[Maps of Boundary Change](#)
[Current Hospital Boundary Map](#)
[Public Comments](#)
[Additional Public Comments](#)
[LAYDOWN Additional Public Comments \(2\)](#)
[LAYDOWN Hospital Service Area Formation Election Results](#)
[Additional Public Comments \(3\)](#)
[Additional Public Comment \(4\)](#)
[061616 Public Hearing Summary](#)
[061616 Public Hearing Audio](#)
[South Peninsula Hospital Boundary Change Impact Memo](#)

3. [2016-23](#) Amending KPB 22.40.055 to Clarify when an Assembly Agenda Item May be Withdrawn (Holmdahl)

Attachments: [O2016-23](#)
[Memo](#)

4. [2016-24](#) An Ordinance Amending KPB 5.12.105 to Allow for a Phase-Out of the Optional Senior Citizen Exemption for New Applicants by the Year 2024, Subject to Voter Approval (Mayor)

Attachments:

[O2016-24](#)

[Bagley Amendment](#)

[Amendment](#)

[Memo](#)

[Public Comment](#)

[LAYDOWN Additional Public Comments](#)

[LAYDOWN Sales and Property Tax Proposals Presentation](#)

[LAYDOWN Senior Tax Exemption Brochure Final](#)

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 26, 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 for copies of the agenda, meeting summaries, ordinances and resolutions.