



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Assembly

Kelly Cooper, President
Wayne Ogle, Vice President
Dale Bagley
Kenn Carpenter
Willy Dunne
Paul Fischer
Brent Hibbert
Jill Schaefer
Stan Welles

Tuesday, May 2, 2017

6:00 PM

Assembly Chambers

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. 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 will be offered by Dr. Keith Hamilton of the Alaska Christian College.]

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 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

- *1. [KPB-1178](#) April 18, 2017 Regular Assembly Meeting Minutes

Attachments: [041817 Regular Assembly Meeting Minutes](#)

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

1. [KPB-1214](#) Mayor's Proclamation Declaring May 2017 as "National Water Safety

Month”

Attachments: [Mayor Proclamation - Water Safety](#)

I. PRESENTATIONS WITH PRIOR NOTICE

(20 minutes total)

1. [KPB-1167](#) Cook Inlet Aquaculture Association's (CIAA) Salmon Enhancement Program, Gary Fandrei Executive Director

Attachments: [LAYDOWN CIAA Presentation](#)

2. [KPB-1168](#) Kenai Peninsula Tourism Marketing Council 3rd Quarter Report, Shanon Davis Executive Director

Attachments: [LAYDOWN KPTMC Presentation](#)

J. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

(3 minutes per speaker; 20 minutes aggregate)

K. MAYOR'S REPORT

Mayor's Report Cover Memo

[KPB-1206](#) Mayor's Cover Memo

Attachments: [Mayors Report Memo](#)

1. Assembly Requests/Responses
2. Agreements and Contracts
 - a. [KPB-1207](#) Authorization to Award Contracts for RFP17-009 Summer and Winter Maintenance for Central Region, Units 1, 2,4,10 and West Regions, Units 4,5 and 6 to the following:

Central 1 Hammond Trucking, Soldotna, AK
Central 2 Alaska Scrap, Soldotna, AK
Central 4 Alaska Scrap, Soldotna, AK
Central 10 Alaska Scrap, Soldotna, AK
West 4 Captain Cook Construction, Clam Gulch, AK
West 5 Captain Cook Construction, Clam Gulch, AK
West 6 River City Construction, Soldotna, AK

Attachments: [Authorization to Award Contracts for RFP17-009](#)
 - b. [KPB-1208](#) Authorization to Award Contracts for ITB17-010 Summer and Winter Maintenance for South Region, Units 3, 4, 7 & 8 to the following:

South 3 Paul's Services, Anchor Point, AK
 South 4 Paul's Services, Anchor Point, AK
 South 7 East End Services, Homer, AK
 South 8 East End Services, Homer, AK

Attachments: [Authorization to Award Contracts for ITB17-010](#)

- c. [KPB-1209](#) Authorization to Award Contract for ITB17-019 Nikiski Fire Service Area Roadway Emergency Warning Signs to Kachemak Electric Co., Inc., Kenai, AK

Attachments: [Authorization to Award Contract for ITB17-019](#)

- d. [KPB-1210](#) Request for Waiver of Formal Bidding – Summer & Winter Road Maintenance, South Region, Unit 9: Seldovia Area to be awarded to Red Mountain Contractor's, LLC, Seldovia, AK

Attachments: [Waiver Request for Unit 9](#)

- e. [KPB-1211](#) Authorization to Award Contract for ITB17-025 Abatement 2017 to Satori Group, Anchorage, AK

Attachments: [Authorization to Award Contract for ITB17-025](#)

3. Other

- a. [KPB-1212](#) Revenue-Expenditure Report – March 2017

Attachments: [Revenue Expenditure Report - March 2017](#)

- b. [KPB-1213](#) Brandi Harbaugh Appointment as Acting Finance Director

Attachments: [B. Harbaugh Apptmnt Acting Director](#)

- c. [KPB-1217](#) LAYDOWN LNG Progress Report

Attachments: [LAYDOWN LNG Progress Report](#)

L. ITEMS NOT COMPLETED FROM PRIOR AGENDA

M. PUBLIC HEARINGS ON ORDINANCES

(Testimony limited to 3 minutes per speaker)

Ordinances referred to Finance Committee

1. [2016-19-36](#) An Ordinance Authorizing the Purchase of a 4.3 Acre Drainage Easement at Karluk Avenue and Appropriating \$60,000 from the Land Trust Fund for the Acquisition (Mayor)

Attachments: [Ordinance 2016-19-36](#)
[LAYDOWN Planning Commission Recommendations](#)
[Memo](#)
[Exhibit A](#)
[Drainage Eastment - Draft](#)
[LAYDOWN Public Comment](#)

2. [2016-19-37](#) An Ordinance Redirecting Funds Previously Appropriated for Various South Peninsula Hospital Equipment Purchases and Authorizing the Purchase of Other Needed Equipment (Mayor)

Attachments: [Ordinance 2016-19-37](#)
[Memo](#)
[South Kenai Peninsula Hospital Service Area Board Recommendations](#)

3. [2016-19-38](#) An Ordinance Appropriating \$40,813.20 From the Eagle Lake Reclamation Account For Reclamation Work Completed At The Eagle Lake Material Site During the 2016 Operating Season (Mayor)

Attachments: [Ordinance 2016-19-38](#)
[Memo](#)

4. [2016-19-39](#) An Ordinance Amending Ordinance 2001-19-11 to Authorize the Expenditure of \$15,494 by the Cook Inlet Regional Citizens Advisory Council from Previously Awarded Grant Funds to Use Towards Performing an Assessment of the Oil and Gas Pipelines in Cook Inlet (Mayor)

Attachments: [Ordinance 2016-19-39](#)
[Memo](#)

Ordinances referred to Lands Committee

5. [2017-07](#) An Ordinance Authorizing the Conveyance of Real Property Known as the Old Hope School to Hope, Inc. at Less than Fair Market Value (Mayor)

Attachments: [Ordinance 2017-07](#)
[LAYDOWN Planning Commission Recommendations](#)
[Memo](#)
[Quitclaim Deed](#)
[Application](#)
[Photographs of Subject Property](#)
[Plat Map](#)
[Letter from Hope Community Library](#)
[Hope Inc Letter of Intent](#)

6. [2017-08](#) An Ordinance Authorizing a Community Trail Management Agreement with Tsalteshi Trails Association, Inc. (Mayor)

Attachments: [Ordinance 2017-08](#)
[LAYDOWN Planning Commission Recommendations](#)
[Memo](#)
[Agreement](#)
[Trail Management Plan](#)
[Application](#)

Ordinances referred to Policies and Procedures Committee

7. [2017-06](#) An Ordinance Amending KPB Chapter 22.40 to Add Provisions Governing Telephonic Participation in Assembly Meetings by Assembly Members (Cooper, Ogle)

Attachments: [Ordinance 2017-06](#)
[Bagley Amendment](#)
[Memo](#)
[Public Comment](#)

N. UNFINISHED BUSINESS

1. Postponed Item

Unfinished Business referred to Finance Committee

- a. [KPB-1144](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Retail Marijuana Store License Application Filed by Fat Tops, LLC, Sterling, 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).

4. The marijuana establishment shall not conduct any business on, or allow any consumer to access, the retail marijuana store's licensed premises, between the hours of 2:00 a.m. and 8:00 a.m.

Attachments:

[Complete Application Package - Fat Tops, LLC 11140.pdf](#)

[LAYDOWN Memo to Assembly - 11140](#)

[LAYDOWN Planning Commission Recommendations](#)

[Planning Staff Report - 11140](#)

[Acknowledgement Form - 11140](#)

[Site Development Plan - 11140](#)

[Aerial Map - 11140](#)

[Land Use Map - 11140](#)

[Department of Transportation Correspondence - 11140](#)

[Public Comments](#)

[Planning Commission Recommendation to Postpone \(Dealt with on 04/18/17\)](#)

[LAYDOWN Additional Public Comments](#)

[LAYDOWN Department of Transportation Comments re: Road Access](#)

O. NEW BUSINESS

1. Resolutions

Resolutions referred to Finance Committee

- *a. [2017-035](#) A Resolution Determining the Amount to be Provided from Local Sources for School Purposes During Fiscal Year 2018 and Approving the Kenai Peninsula Borough School District Total Budget (Mayor)

Attachments:

[Resolution 2017-035](#)

[Memo](#)

- *b. [2017-036](#) A Resolution Accepting Grant Funds from the Alaska Division of Homeland Security & Emergency Management in the Amount of \$2,340.41 and from the Alaska Division of Forestry in the Amount of \$7,021.23 for the 2015 Card Street Wildfire Response (Mayor)

Attachments:

[Resolution 2017-036](#)

[Memo](#)

[Project Worksheet](#)

[Grant Award Letter](#)

[Notice of Intent to Accept](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

- *a. [2016-19-40](#) An Ordinance Appropriating \$5,999,365.15 in Bond Proceeds for the Purpose of Planning, Designing, Site Preparation, Constructing and Equipping the Solid Waste Disposal Facilities (Mayor) (Hearing on 05/16/17)

Attachments: [Ordinance 2016-19-40](#)
[Memo](#)

- *b. [2016-19-41](#) An Ordinance Appropriating \$4,795,699.85 in Bond Proceeds for the Purpose of Planning, Designing, Constructing and Equipping South Peninsula Hospital Facilities and the Homer Medical Center (Mayor) (Hearing 05/16/17)

Attachments: [Ordinance 2016-19-41](#)
[Memo](#)

- *c. [2017-19](#) An Ordinance Appropriating Funds for Fiscal Year 2018 (Mayor) (Hearings on 05/16/17 & 06/06/17)

Attachments: [Ordinance 2017-19](#)
[Memo](#)
[FY18 Mayor Proposed Budget](#)
[LAYDOWN FY2018 Assembly Budget Presentation](#)

Ordinances for Introduction and referred to the Lands Committee

- *d. [2017-10](#) An Ordinance Authorizing the Exchange of Certain Lands with James Roukema and Elizabeth Ehama Near Milepost 7.8 Kalifornsky Beach Road (Mayor) (Hearing on 05/16/17)

Attachments: [Ordinance 2017-10](#)
[Memo](#)
[Exhibit A - Plan of Survey](#)
[Exchange Agreement](#)
[LAYDOWN Vicinity Map](#)
[LAYDOWN Aerial Plan of Survey](#)

Ordinances for Introduction and referred to Finance Committee

- e. [2016-19-42](#) LAYDOWN An Ordinance Appropriating \$25,000 for Legal Services to Advise the Board of Equalization (Mayor) (Hearing on 05/16/17)

Attachments: [LAYDOWN Ordinance 2016-19-42](#)
 [LAYDOWN Memo](#)

P. PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. May 16, 2017 Budget Work Session #3 Time TBD
Borough Assembly Chambers, Soldotna
2. May 16, 2017 Regular Assembly Meeting 6:00 PM
Borough Assembly Chambers, Soldotna

R. ASSEMBLY COMMENTS

S. PENDING LEGISLATION

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

[2017-09](#) An Ordinance Creating the Eastern Peninsula Highway Emergency Service Area ("EPHESA") (Mayor) (Hearing on 05/16/17) (Referred to Policies and Procedures Committee)

Attachments: [Ordinance 2017-09](#)
 [Memo](#)
 [Map of Proposed Service Area](#)
 [Letter of Support from Colonel James Cockrell AST Director](#)
 [Letter of Support from Lori Tyler, Cooper Landing Emergency Services](#)

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 May 16, 2017, 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.