



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, November 25, 2014

6:00 PM

Assembly Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

Colette Thompson, Borough Attorney
Johni Blankenship, Borough Clerk
Michele Turner, Deputy Borough Clerk

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-0110](#) October 28, 2014 Regular Assembly Meeting Minutes

Attachments: [102814 Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS

[TMP-0107](#) Commending Rachel M. Parra, Director, North Peninsula Recreation Service Area for Exemplary Service in Being Awarded the “Professional Award By the Alaska Recreation and Park Association, and Additionally Commending the North Peninsula Recreation Service Area for Being Awarded the “Facility Excellence Award” for the Nikiski Community Playground Project (Ogle, Wolf)

Attachments: [Rachel Parra Commending Resolution](#)

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

a. [TMP-0096](#) Authorization to Award Contract for Kwechak Creek Revetment to Great Northern Construction & Management, Soldotna, Alaska

Attachments: [Authorization to Award Contract - Great North. Const.](#)
[Great North Const. Bid Tab](#)

b. [TMP-0097](#) Authorization to Award Purchase of Calcium Chloride - Summer 2015 to Brenntag Pacific, Inc.

Attachments: [Auth. to Award Purchase - Brenntag Pacific, Inc.](#)
[Brenntag Bid Tab](#)

c. [TMP-0098](#) Authorization to Award Contract for ITB15-018 General Maintenance Supply Contract to Fastenal of Kenai Alaska

Attachments: [Auth. to Award Contract - Fastenal](#)
[Fastenal Bid Tab](#)

d. [TMP-0099](#) Sole Source Request - Stryker Power - Load Ambulance Systems

Attachments: [Sole Source Request](#)

3. Other

a. [TMP-0100](#) Budget Revisions - October 2014

Attachments: [Budget Revisions October 2014](#)

- b. [TMP-0101](#) Revenue - Expenditure Report - October 2014
Attachments: [Revenue Expenditure Report - Oct. 14](#)
- c. [TMP-0102](#) Project Reports - September 2014
Attachments: [Project Reports - Sept. 14](#)
- d. [TMP-0103](#) Central Peninsula Landfill, Solid Waste Management White Paper
Attachments: [Central Pen. Landfill - Solid Waste Mgmt](#)
- e. [TMP-0104](#) FY15 - First Quarter Senior Grant Narrative Reports
Attachments: [FY15 1Q Senior Grant Narrative Rpts.](#)
- f. [TMP-0105](#) FY15 - First Quarter Non-departmental Grant Reports
Attachments: [FY15 1Q Non-Department Grant Reports](#)

ITEMS NOT COMPLETED FROM PRIOR AGENDA

PUBLIC HEARINGS ON ORDINANCES

- [2014-19-31](#) Appropriating \$20,000 for the Purchase of Wireless Radiology Equipment at South Peninsula Hospital (Mayor)
- Attachments:** [O2014-19-31](#)
[Memo](#)
[Reallocation Request](#)
[SPH Reso 2014-09](#)
[SPH Reallocation Memo](#)

[2014-19-32](#) Authorizing the Acquisition of Real Property Located at 262 N. Binkley Street, Soldotna, Alaska on Behalf of Central Peninsula Hospital, Appropriating \$604,000 from the CPGH, Inc. Plant Replacement and Expansion Fund for the Purchase, and Authorizing an Amendment to the CPGH, Inc Lease and Operating Agreement (Mayor)

Attachments:

[O2014-19-32](#)

[Memo](#)

[Planning Commission Recommendations](#)

[Draft Purchase Agreement](#)

[Property Report](#)

[Property Assessment](#)

[Aerial Photo](#)

[Property Photos](#)

[Executive Summary](#)

[CPH Reso 2014-50](#)

[7th Amendment to Lease and Operating Agreement.pdf](#)

[Income Approach](#)

[Building Inspection Report](#)

[Summary of Environmental Findings](#)

[Service Area Board Recommendations](#)

[2014-19-33](#) An Ordinance Appropriating Supplemental Funding of \$1,000 for the Replacement of the Quick Dump Feature on Tanker 1 for Anchor Point Fire and Emergency Medical Service Area (Mayor)

Attachments:

[O2014-19-33](#)

[Memo](#)

[Service Area Board Actions](#)

[2014-31](#)

Authorizing the Release of a Deed Restriction at the Request of the Homer City Council on a Parcel of Land Containing the Former Homer Intermediate School that was Deeded to the City of Homer by the Kenai Peninsula Borough (Smith, Mayor) (Hearing on 11/25/14)

Attachments:[O2014-31](#)[Memo](#)[Planning Commission Recommendations](#)[Release of Deed Restriction](#)[Quitclaim Deed](#)[KPB Ordinance 98-42](#)[Homer Resolution 13-096](#)[Homer Resolution 98-63](#)[Homer City Letters](#)[Public Notice](#)[Maps](#)[Public Comments](#)[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)

Attachments:[O2014-32](#)[Memo](#)[Planning Commission Recommendations](#)[Drainage Easement](#)[Draft Quitclaim Deed](#)[Exchange Proposal Response Letter](#)[Exhibit A](#)[Maps](#)[Keohane Exchange Postponement Assembly Memo.doc](#)[Public Comment](#)[Welles Comment](#)[Amendment Memo](#)[Request for Postponement](#)[Additional Public Comment](#)

[2014-33](#) Amending KPB 5.10.040(A)(13) to Increase the Amount the Borough Can Invest in Special Assessments of the Borough or one of its Political Subdivisions (Mayor) (Hearing on 11/25/14)

Attachments: [O2014-33](#)

[Memo](#)

[2014-34](#) Deep Creek Estates-Fairwood Subdivision Utility Special Assessment District Ordinance of Assessment (Mayor) (Hearing on 11/25/14)

Attachments: [O2014-34](#)

[Memo](#)

[Exhibit A](#)

[2014-35](#) An Ordinance Approving Diamond Willow – Fairfield Single-Family Residential R-1 Local Option Zoning District, and Amending KPB 21.46.040 (Mayor) (Postponed as Amended Unitl 03/17/15)

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](#)

[2014-36](#) Amending KPB 22.40.110 To Provide That Certain Noncontroversial Ordinances Scheduled For Public Hearing May Be Placed On The Consent Agenda If No Objection Is Received (Bagley)

Attachments: [O2014-36](#)

[Memo](#)

[Amendment Memo](#)

N. UNFINISHED BUSINESS

O. NEW BUSINESS

1. Resolutions

Resolutions referred to Finance Committee

[2014-067](#) A Resolution Authorizing Payment of an Invoice Totaling \$12,578.70 for Prior Year Expenditures for the Solid Waste Department (Mayor)

Attachments: [R2014-067](#)
[Memo](#)
[AK Waste 2013 Metals Recycling](#)

Resolutions referred to Policies and Procedures Committee

[2014-064](#) A Resolution Confirming Appointment of Assembly Members to Non-Borough Boards (Bagley)

Attachments: [R2014-064](#)

Resolutions referred to Legislative Committee

[2014-066](#) A Resolution Asking the Alaska Department of Fish and Game to Complete the 2014 Kasilof River Sockeye Smolt Enumeration Project and to Continue that Project in the Future (Johnson/Bagley/Mayor)

Attachments: [R2014-066.pdf](#)
[Memo](#)

[2014-066](#)
[SUB](#) A Resolution Relative to Kasilof River Sockeye Smolt Enumeration (Johnson) Substitute

Attachments: [R2014-066 \(Johnson\) Substitute](#)
[R2014-066 \(Johnson\) Substitute Memo](#)

[2014-068](#) A Resolution Authorizing Participation in the Community Development Block Grant Program Provided by the State of Alaska Department of Commerce, Community and Economic Development, Division of Community and Regional Affairs for the Aspen Avenue Paving Project in Ninilchik (Mayor/Johnson)

Attachments: [R2014-068](#)
[Memo](#)
[RSA Resoultion 2014-07](#)

[2014-069](#) A Resolution Acknowledging the Kenai Peninsula Borough Assembly's Support to the Formation of the K-Beach High Water Drainage Task Force (Wolf)

Attachments: [R2014-069](#)
[Memo](#)

2. Ordinances

Ordinances for Introduction and referred to the Finance Committee

[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](#)
[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](#)
[Memo](#)
[Exhibit A](#)
[LAYDOWN 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](#)
[Memo](#)
[CPH Fluoroscopy Documents](#)
[LAYDOWN Service Area Board Recommendations](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

[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](#)
[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](#)
[Memo](#)
[LAYDOWN Public Comment](#)

Other

[TMP-0087](#) Approval of the 2015 Assembly Meeting Schedule (Bagley)

Attachments: [2015 Assembly Meeting Schedule](#)

[TMP-0106](#) Petition to Vacate the East 590 feet of Nenana Avenue a 60-foot Right-of-Way. 1) The North 30-foot Adjacent to a Portion of Lot B-4 and the Entire Length of Lot B-5 Dedicated by Resubdivision of Tract B Marriot Subdivision (Plat KN 77-164); 2) and the South 30-foot Adjacent to the Entire Length of Lot C-4 Dedicated by Marriot Subdivision No. Two a Resubdivision of Tract C (Plat KN 84-168); and Vacate the 10-foot Utility Easement Along the North and East Boundary Tract C-4; and the 5-foot Utility Easement Along the South Boundary of Lots B-4 and B-5 Adjacent to the proposed Right-of-Way; All Within Section 20, Township 5 North, Range 9 West, Seward Meridian, Alaska and Within the Kenai Peninsula Borough; Location: On Nenana Avenue in Sterling; KPB File 2014-148 (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the above referenced vacation by unanimous consent at its regularly scheduled November 11, 2014 meeting.]

Attachments: [Petition to Vacate Nenana Avenue](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

The next meeting of the Kenai Peninsula Borough Assembly was scheduled for December 9, 2014, at 6:00 p.m. in the Borough Assembly Chambers, Soldotna, Alaska.

ASSEMBLY COMMENTS

Assembly Member Johnson thanked Central Emergency Services for setting up lights at Kasilof Fire Station on election day. He stated he was working on a few up coming legislative items regarding utility special assessment districts, local option zoning, as well as South Kenai Peninsula Hospital Service Area and Central Kenai Peninsula Hospital Service Area boundaries. Mr. Johnson wished everyone a happy Thanksgiving.

Assembly Member Cooper complimented the Finance Department for their excellent work on the audit. She thanked Margaret Martin for her thirty-one years of service to the borough. Ms. Cooper congratulated the Homer City Clerk, Jo Johnson, for her award of Clerk of the Year. She wished everyone a happy Thanksgiving.

Assembly Member Haggerty wished everyone a happy Thanksgiving.

Assembly Member Welles wished everyone a happy Thanksgiving.

Assembly Member Gilman stated he attended the All State Choir in Anchorage and that there were over 500 students participating. He stated this was a great example of over 500 students that chose to do "the right thing" and participate in their schools music program. Mr. Gilman stated he had the opportunity to be a part of the transition team for Governor Walker for oil and gas and shared the information he had learned.

Assembly Member Ogle stated that Nikiski was the industrial and energy heartland of the borough. He congratulated Rachel Parra and her staff for having such a great facility in Nikiski. Mr. Ogle thanked Marget Martin for her thirth-one years of service. He congratulated the Finance Department and stated they were top notch. He thanked the administration for the North Road and the ground water study information they have provided. He thanked President Bagley with his recommendations for the next budget cycle as he thought it was right on mark.

Assembly Member McClure appreciated Mr. Gilman's comments regarding students participating in their school's music programs. She wished everyone a happy Thanksgiving and encouraged everyone to invite those who may be alone this holiday.

President Bagley congratulated the Finance Department for their great job with the audit. He thanked the Clerk's Office for the training work session with the new software and their efforts with the remodeling. He stated he would be absent for the next meeting, so happy Thanksgiving, Merry Christmas and Happy New Year.

PENDING LEGISLATION

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

1. [2014-20](#) An Ordinance Amending Title 4 to Require Borough Elections Be Held By Mail (Smith)

Attachments:

[O2014-20](#)

[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](#)

INFORMATIONAL MATERIALS AND REPORTS

NOTICE OF NEXT MEETING AND ADJOURNMENT

The next meeting of the Kenai Peninsula Borough Assembly will be held on January 21, 2014, 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.