



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, April 5, 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-640](#) March 8, 2016 Regular Assembly Meeting Minutes

Attachments: [030816 Regular Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS

[KPB-665](#) Mayor's Proclamation Commemorating the 10-Year Anniversary of Hosting this Prestigious Event "2006 Arctic Winter Games"

Attachments: [Mayors Proclamation - Arctic Winter Games](#)

[KPB-667](#) LAYDOWN Mayor's Proclamation declaring April 2016 as "Sexual Assault Awareness" Month

Attachments: [Mayors Proclamation - Sexual Assault Awareness Month](#)

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. [KPB-650](#) Request for Waiver of Formal Bidding – Seward Solid Waste Utility Extension for Intergovernmental Contract with the City of Seward

Attachments: [Request for Waiver of Formal Bidding - Seward Solid Waste Utility Extension](#)

b. [KPB-651](#) Authorization to Award Contract for Port Graham Landfill (PGL) Operations and Maintenance (O&M) to Windy Bay Services, LLC

Attachments: [Authorization to Award Contract - Windy Bay Services, LLC](#)

c. [KPB-652](#) Authorization to Award Contract for Kenai Middle School Abatement and Roof Replacement to Orion Construction of Wasilla, Alaska

Attachments: [Authorization to Award Contract - Orion Construction](#)

d. [KPB-653](#) Authorization to Award Contract for Soldotna High School Roof Replacement to Earhart Roofing Company, Inc., of Anchorage, Alaska

Attachments: [Authorization to Award Contract - Earhart Roofing Company, Inc.](#)

e. [KPB-654](#) Authorization to Award Contract for ITB16 – 021 #SMOR Morrison Drive to East Road Services, Inc., Homer, Alaska

Attachments: [Authorization to Award Contract - East Road Services, Inc.](#)

f. [KPB-655](#) Authorization to Award Contract for ITB16 – 022 #C2NEN Nenana Avenue Steadman Street to Foster Construction, Soldotna, Alaska

Attachments: [Authorization to Award Contract - Foster Construction](#)

- g. [KPB-656](#) Authorization to Award Contract for North Peninsula Recreation Center Gym Floor Installation to Alaskan Industries, Inc., Wasilla, Alaska
Attachments: [Authorization to Award Contract - Alaskan Industries, Inc.](#)
- h. [KPB-657](#) Approving a FY16 Microsoft Assurance Renewal to En Pointe
Attachments: [Approving a FY16 Microsoft Assurance Renewal - En Point](#)
- i. [KPB-658](#) Authorization to Award Contract for ITB16 – 024 #N1CHE to Wolverine Supply Inc., Wasilla, Alaska
Attachments: [Authorization to Award Contract - Wolverine Supply Inc.](#)
- j. [KPB-659](#) Authorization to Award Contract for ITB16 – 023 #N1FOL to CIC Inc., Soldotna, Alaska
Attachments: [Authorization to Award Contract - CIC Inc.](#)
3. Other
- a. [KPB-660](#) Budget Revisions – February 2016
Attachments: [Budget Revisions - February 2016](#)
- b. [KPB-661](#) Revenue – Expenditure Report – February 2016
Attachments: [Revenue - Expenditure Report - February 2016](#)
- c. [KPB-662](#) Certification of the 2015 Real Property Supplemental Assessment Roll
Attachments: [Certification of the 2015 Real Property Supplemental Assessment Roll](#)

ITEMS NOT COMPLETED FROM PRIOR AGENDA

PUBLIC HEARINGS ON ORDINANCES

Ordinances referred to Finance Committee

- [2015-19-25](#) An Ordinance Appropriating Commercial Passenger Vessel Tax Proceeds Received from the State of Alaska in the Amount of \$474,225 and Allocating \$447,170 to the City of Seward and \$27,055 to the City of Homer (Mayor)

Attachments: [O2015-19-25](#)
[Memo](#)
[Commercial Passenger Vessel Tax backup](#)

[2015-19-26](#) An Ordinance Appropriating \$100,000 in the School Maintenance Fund for Snow Removal and Sanding (Mayor)

Attachments: [O2015-19-26](#)
[Memo](#)

[2015-19-27](#) An Ordinance Authorizing the Purchase of Imaging Equipment and Associated Service Agreements and Appropriating \$1,575,323 from the CPGH, Inc. Plant Replacement and Expansion Fund (Mayor)

Attachments: [O2015-19-27](#)
[Memo](#)
[CPH Resolution 2016-02](#)
[CPH Executive Summary](#)
[CKPH Service Area Board Recommendations](#)

Ordinances referred to Lands Committee

[2016-03](#) (Mayor, Johnson) Substitute: An Ordinance Amending KPB Chapters 21.44 and 21.46 Regarding Local Option Zoning, and Repealing KPB 21.50.050 Relating to Fines and Reenacting as KPB 21.50.055 (Mayor, Johnson) (Postponed to 05/03/16)

Attachments:

[O2016-03 \(Mayor, Johnson\) Substitute](#)

[Substitute Planning Commission Recommendations \(dealt with on 04/05/16\)](#)

[Substitute Advisory Planning Commission Recommendations \(dealt with on 04/05/16\)](#)

[Substitute Memo](#)

[Substitute Knopp Amendment \(dealt with on 04/05/16\)](#)

[Advisory Planning Commission Recommendations \(dealt with on 04/05/16\)](#)

[Memo](#)

[Sectional Analysis](#)

[Proposed KPB 21.44 with no legislative format](#)

[Public Comment](#)

[Marijuana Task Force Recommendation Memo](#)

[Planning Commission's Request for Additional Public Hearing and Joint Workse](#)

[Additional Public Comment](#)

[eComments Report](#)

[O2016-03 \(Amended by Substitute on 04/05/16\)](#)

[01/25/16 Amendment Memo \(not moved\)](#)

[02/02/16 Bagley Amendment \(not moved\)](#)

[02/11/16 Mayor Johnson Amendment \(not moved\)](#)

[02/23/16 Welles Amendment \(not moved\)](#)

[03/24/16 Welles Amendment \(dealt with on 04/05/16\)](#)

Ordinances referred to Policies and Procedures Committee

[2016-08](#) An Ordinance Approving the Revised Kenai Peninsula Borough Emergency Operations Plan (Mayor)

Attachments:

[O2016-08](#)

[Memo](#)

[Summary of Changes](#)

[Updated 2015 Emergency Operations Plan](#)

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

Resolutions referred to Finance Committee

[2016-017](#) A Resolution Authorizing the Acceptance of a Donation of Engineering Work and Permits for the North Road Extension Project From Apache Corporation (Mayor)

Attachments: [R2016-017](#)
[LAYDOWN Request for Postponement \(2\)](#)
[Memo](#)
[Memorandum of Understanding](#)
[Request for Postponement \(dealt with on 04/05/16\)](#)

Resolutions referred to Lands Committee

[2016-018](#) A Resolution Authorizing the Acquisition by Donation of 0.69 Acres of Real Property Located in the Anchor Point Area on Behalf of the Anchor Point Fire and Emergency Medical Service Area (Mayor)

Attachments: [R2016-018](#)
[Memo](#)
[Map](#)
[Backup](#)
[Purchase Agreement](#)
[Building Inspection Report](#)
[Environmental Evaluation](#)
[Real Property Need Questionnaire](#)

Resolutions referred to Policies and Procedures Committee

[2016-019](#) A Resolution Approving a Mutual Aid Agreement and Operational Plan Between Anchor Point Fire and Emergency Medical Service Area and Kachemak Emergency Service Area (Mayor)

Attachments: [R2016-019](#)
[Memo](#)
[Mutual Aid Agreement](#)
[Operational Plan](#)

[2016-020](#) A Resolution Approving an Automatic Aid Agreement and Operational Plan Between Anchor Point Fire and Emergency Medical Service Area and Kachemak Emergency Service Area for Fire Apparatus and Personnel (Mayor)

Attachments: [R2016-020](#)
[Automatic Aid Agreement](#)
[Operational Plan](#)
[Memo](#)

[2016-021](#) LAYDOWN A Resolution Supporting House Bill 100 which Incentivizes Natural Gas Refining and Fertilizer Production (Gilman, Ogle, Mayor)

Attachments: [R2016-021](#)
[House Bill 100](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

[2015-19-28](#) An Ordinance Appropriating \$400,000 in the Solid Waste Capital Project Fund for Design and Development Costs Associated with Cell #3 at the Central Peninsula Landfill (Mayor)

Attachments: [O2015-19-28](#)
[Memo](#)

[2015-19-29](#) An Ordinance Expanding The Scope of Authorized Use of Funds for the Health Care Task Force as Originally Appropriated in Ordinance 2014-19-39 (Mayor)

Attachments: [O2015-19-29](#)
[Memo](#)
[O2014-19-39](#)
[Approved Health Care Task Charter](#)

[2016-09](#) An Ordinance Amending KPB 5.18.200 to Change the Seasonal Exemption from Sales Taxes of Non-Prepared Food Items to Apply From October 1 to March 31 of Each Year (Bagley) (Hearing on 05/03/16)

Attachments: [O2016-09](#)
[Memo](#)
[04/12/16 eComment Report](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

[2016-10](#)

An Ordinance Placing a Question on the Ballot of Whether the Kenai Peninsula Borough Shall Adopt a Local Option to Prohibit the Operation of Any Commercial Marijuana Establishment in the Area of the Kenai Peninsula Borough Outside of the Cities (Gilman) (Hearing on 05/03/16)

[Clerk's Note: A teleconference site will be established at the Borough Offices in Soldotna (Borough Administration Building, Assembly Chambers) and Homer (206 E. Pioneer, Suite 1, Homer) to receive public testimony on the above ordinance during the assembly meeting.]

[ATTENTION: Public testimony will ONLY be taken from those members of the public who did NOT verbally testify to the above referenced ordinance at the April 5, 2016 Assembly meeting.]

Attachments:[O2016-10](#)[LAYDOWN Gilman Request for Withdrawal Memo](#)[LAYDOWN Planning Commission Recommendations](#)[Memo](#)[2014 Prop 2 Election Results](#)[Public Comments](#)[04/12/16 eComment Report](#)[LAYDOWN Additional Public Comments \(1\)](#)[LAYDOWN Additional Public Comment \(2\)](#)[2016-11](#)

An Ordinance Repealing the Central Kenai Peninsula Hospital Service Area Board (Bagley) (Hearing on 05/03/16)

Attachments:[O2016-11](#)[Memo](#)[Service Area Board Recommendations](#)

[2016-12](#) An Ordinance Amending KPB 7.30.020 to Change the Way Minimum Distances are Measured Between Marijuana Establishments and Schools, Churches and Correctional Facilities, and Imposing Minimum Distances Between Marijuana Establishments and Local Option Zoning Districts (Welles) (Hearing on 05/03/16)

Attachments: [O2016-12](#)
[Memo](#)
[Planning Commission Recommendations](#)

3. Other

Other items referred to Policies and Procedures Committee

[KPB-663](#) Confirming an Appointment to the Moose Pass Advisory Planning Commission

Bruce Jaffa, Seat D, September 30, 2018

Attachments: [Memo](#)
[Application](#)

[KPB-664](#) Confirming an Appointment to the Bear Creek Fire Service Area Board

Daniel Logan, Seat D, October, 2016

Attachments: [Memo](#)
[Application](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. April 19, 2016 Regular Assembly Meeting 6:00 PM Council Chambers, Seward City Hall, Seward, Alaska
2. April 20, 2016 Health Care Task Force Meeting 6:30 PM Assembly Chambers, Borough Administration Building

ASSEMBLY COMMENTS

S. PENDING LEGISLATION

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

T. INFORMATIONAL MATERIALS AND REPORTS**NOTICE OF NEXT MEETING AND ADJOURNMENT**

The next meeting of the Kenai Peninsula Borough Assembly will be held on April 19, 2016, at 6:00 P.M. in the Council Chambers, Seward City Hall, Seward, 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.