



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, August 23, 2016

6:00 PM

Assembly Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

[Clerks Note: The invocation will be given by Pastor Alan Humphries from the Soldotna Church of God]

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. 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

[KPB-855](#) August 9, 2016 Regular Assembly Meeting Minutes

Attachments: [080916 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS

[KPB-854](#) Mayor's Proclamation Declaring September 17-24, 2016 as National Estuaries Week

Attachments: [Mayors Proclamation](#)

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-841](#) Sole Source Request for Central Emergency Services to Purchase CAD Ipad Software from Hangar 14 Solutions, LLC/Streetwise CADlink

Attachments: [Sole Source Request - Central Emergency Services](#)

- b. [KPB-842](#) Sole Source Request for Nikiski Fire Service Area to Purchase CAD Ipad Software from Hangar 14 Solutions, LLC/Streetwise CADlink

Attachments: [Sole Source Request - Nikiski Fire Service Area](#)

- c. [KPB-843](#) Approval for Sole Source for 20 hours of D9 Time for Stream Bank Repair of Kwechak Creek to Metco, Inc., Seward AK

Attachments: [Approval for Sole Source - Metco Inc](#)

3. Other

- a. [KPB-844](#) Grant Agreement Between the City of Seward and the Kenai Peninsula Borough on Behalf of the Seward Bear Creek Flood Service Area to Support the Community Playground Coastal Erosion Mitigation Project

Attachments: [Grant Agreement - City of Seward](#)

- b. [KPB-845](#) Budget Revisions – July 2016

Attachments: [Budget Revisions - July 2016](#)

- c. [KPB-846](#) Revenue – Expenditure Report – July 2016

Attachments: [Revenue - Expenditure Report - July 2016](#)

ITEMS NOT COMPLETED FROM PRIOR AGENDA**PUBLIC HEARINGS ON ORDINANCES**

Ordinances referred to Finance Committee

[2016-19-02](#) An Ordinance Authorizing a \$2,800,000 Intergovernmental Loan from the General Fund and Appropriating Funds to the South Kenai Peninsula Hospital Service Area to Provide Interim Financing for the Expansion of the Homer Medical Center and Declaring the Official Intent to Issue Bonds (Mayor)

Attachments: [O2016-19-02.pdf](#)
[Memo](#)
[Service Area Board and Inc Board Recommendations](#)
[South Peninsula Hospital Reso 2016-12](#)

[2016-28](#) An Ordinance Amending Sections of KPB Chapter 5.12 to Improve Efficient and Equitable Administration of the Borough Property Tax Code (Mayor)

Attachments: [O2016-28.pdf](#)
[Knopp Amendment](#)
[Memo](#)

Ordinances referred to Lands Committee

[2016-30](#) An Ordinance Approving Bing's Landing Single-Family Residential (R-1) Local Option Zoning District and Amending KPB 21.46.040 (Mayor)

Attachments: [O2016-30.pdf](#)
[Memo](#)
[Bing's Landing Petition Signatures](#)
[Bing's Landing Maps](#)
[Planning Commission Recommendations](#)
[Bing's PC Recommendation Map](#)
[Certificate of Publication and Mailing](#)

Ordinances referred to Policies and Procedures Committee

2016-25

(Mayor) Substitute: An Ordinance Amending KPB 2.40.010 to Reduce Planning Commission Membership (Mayor) [Reconsideration filed by Knopp]

Attachments:

[Mayor SUB](#)

[Planning Commission Recommendations 09/12/16](#)

[Kenai City Council Recommendations](#)

[Seldovia P & Z Commission Recommendations](#)

[Mayor SUB Memo](#)

[Mayor SUB Planning Commission Recommendations](#)

[Soldotna P & Z Commission 09/07/16 Meeting Agenda](#)

[Soldotna P & Z Commission 09/07/16 Meeting Minutes](#)

[Public Comment](#)

[O2016-25](#)

[Planning Commission Recommendations 08/23/16](#)

[Bagley, Mayor Amendment](#)

[Proposed Planning Commission Apportionment Map - 11 member
Memo](#)

[Proposed Planning Commission Apportionment Map - 9 member](#)

[Planning Districts Map](#)

[Seldovia Reso 16-13](#)

[City of Seward Letter](#)

[City of Soldotna Resolution and Planning Commission Review](#)

[City of Kenai Reso 2016-31](#)

[City of Homer Letter](#)

[eComments Report 072616](#)

UNFINISHED BUSINESS**NEW BUSINESS**

Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

2016-19-03

An Ordinance Appropriating \$325,000 from the General Fund to Update the Kenai Peninsula Borough Comprehensive Plan (Mayor)

Attachments:

[O2016-19-03](#)

[Planning Commission Recommendations](#)

[Memo](#)

[2016-19-04](#) An Ordinance Accepting and Appropriating \$22,485.23 from the State of Alaska Department of Military and Veteran Affairs, Division of Homeland Security and Emergency Management to Support the Activities of the Kenai Peninsula Borough Local Emergency Planning Committee (Mayor)

Attachments: [O2016-19-04.pdf](#)
[Memo](#)
[Grant Award Letter](#)

[2016-19-05](#) An Ordinance Appropriating \$30,000 from the Seward Bear Creek Flood Service Area Fund Balance to take Corrective Action on Sediment Management Under and Adjacent to Forest Road Bridge Spanning Lost Creek Near Seward Alaska (Mayor)

Attachments: [O2016-19-05.pdf](#)
[Memo](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

[2016-32](#) Amending KPB 22.40.080 and KPB 22.40.090 to Transition the Invocation to a Moment of Silence (Johnson) (Hearing on 09/20/16)

Attachments: [O2016-32](#)
[Memo](#)
[Public Comment](#)
[eComment Report](#)

[2016-33](#) LAYDOWN Amending KPB 22.40.080 and Repealing KPB 22.40.090 which Provides for an Invocation during Assembly Meetings (Holmdahl) (Hearing on 09/20/16)

Attachments: [O2016-33](#)
[Memo](#)

2. Other

Other items referred to Finance Committee

[KPB-852](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Standard Marijuana Cultivation Facility License Application Filed by Odin's Wagon LLC, Kasilof, 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).

Attachments:

[Memo to Assembly - 10034](#)

[PLN Memo to Assembly 10034](#)

[PLN Staff Report 10034](#)

[Complete Application Package - 10034](#)

[Acknowledgement Form 10034](#)

[Site Development Plan 10034](#)

[Aerial Map - 10034](#)

[Public Notice Odins Wagon LLC 10034](#)

[Land Use Map - 10034](#)

Other Items Referred to Policies and Procedures Committee

[KPB-851](#) Confirming an Appointment to the Nikiski Senior Service Area Board (Mayor)

Erich DeLand, Seat B, October, 2016

Attachments:

[Memo](#)

[Application](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

September 6, 2016 Regular Assembly Meeting 6:00 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.)

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.pdf](#)
 [Amendment Memo](#)
 [Request to Remove from Table](#)
 [Memo](#)
 [Request to Table](#)

2. [2016-029](#) A Resolution To Form the Eddy Hill Drive Road Improvement Assessment District and Proceed with the Improvement (Mayor)

 Attachments: [R2016-029](#)
 [Amendment Memo](#)
 [Amended Mayor's Report](#)
 [Amended Exhibits](#)
 [Request to Remove from Table](#)
 [Mayors Report](#)
 [Exhibits](#)
 [Objection Letter](#)
 [Request to Table](#)

3. [2016-31](#) An Ordinance Amending Sections of KPB Chapter 5.18 to Update and Clarify the Borough Sales Tax Code, Including Changes to Several Provisions on Tax-Exempt Sellers and Taxable Sales and Services (Mayor)

 Attachments: [O2016-31.pdf](#)
 [Administration's Amendment Memo 08/25/16](#)
 [Legal Dept.'s Amendment Memo 09/06/16](#)
 [09/06/16 Mayors Memo](#)
 [Memo](#)
 [Dunne Amendment](#)

INFORMATIONAL MATERIALS AND REPORTS

NOTICE OF NEXT MEETING AND ADJOURNMENT

The next meeting of the Kenai Peninsula Borough Assembly will be held on September 6, 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.