



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Assembly

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Tuesday, August 1, 2017

6:00 PM

Assembly Chambers

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### 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 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-1346](#) July 18, 2017 Regular Assembly Meeting Minutes

*Attachments:* [071817 Regular Assembly Meeting Minutes](#)

### COMMENDING RESOLUTIONS AND PROCLAMATIONS

### PRESENTATIONS WITH PRIOR NOTICE

*(20 minutes total)*

### PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

*(3 minutes per speaker; 20 minutes aggregate)*

### MAYOR'S REPORT

## Mayor's Report Cover Memo

[KPB-1335](#) Mayor's Report Memo

*Attachments:* [Mayor's Report Memo](#)

1. Assembly Requests/Responses - None.
2. Agreements and Contracts - None.
3. Other
  - a. [KPB-1336](#) Revenue - Expenditure Report - June 2017  
*Attachments:* [Revenue - Expenditure Report - June 2017](#)
  - b. [KPB-1337](#) Budget Revisions - June 2017  
*Attachments:* [Budget Revisions - June 2017](#)

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

*(Testimony limited to 3 minutes per speaker)*

## Ordinances referred to Finance Committee

[2017-16](#) An Ordinance Providing for Submission to the Qualified Voters of the Kenai Peninsula Borough, Alaska, the Question of Authorizing the Issuance of General Obligation Debt not to Exceed Five Million Dollars (\$5,000,000) of the Kenai Peninsula Borough to Pay Costs of Planning, Designing, Constructing and Equipping the George A. Navarre Kenai Peninsula Borough Administration Building's Heating, Ventilation and Air Conditioning Mechanical System Replacement and Other Necessary Code-Required Components, at an Election in and for the Kenai Peninsula Borough on October 3, 2017 (Mayor)

*Attachments:* [O2017-16](#)  
[Memo](#)  
[Fiscal Note](#)  
[eComment 080117](#)

[2017-19-02](#) Appropriating \$1,500 for Costs of Printing and Distributing Information about the Ballot Proposition for the Proposed Debt Issuance of \$5 Million to Finance Replacing the Borough Administration Building's Heating, Ventilation and Air Conditioning Systems to Ensure Compliance with Legal Restrictions on the Use of Borough Funds and Assets Related to Ballot Propositions (Mayor)

Attachments:

[O2017-19-02](#)

[Memo](#)

[eComment 080117](#)

[2017-14](#) An Ordinance Approving an Operating Agreement with Central Peninsula General Hospital, Inc. for Central Peninsula Hospital and Other Medical Facilities (Mayor) (Final Hearing)

Attachments:

[O2017-14](#)

[Memo](#)

[Operating Agreement & Exhibit A Description of Medical Facilities](#)

[Exhibit B Example of Operating Statistics](#)

[Exhibit C Memorandum of Agreement](#)

[Work Session Presentation](#)

[eComment 080117](#)

[Ogle Amendment \(Dealt with on 08/01/17\)](#)

[Ogle Amendment - Split the Question \(Dealt with on 08/01/17\)](#)

[Amendment Memo \(Dealt with on 7/18/17\)](#)

[2017-17](#) An Ordinance Amending KPB Chapter 5.18 to Establish an 6 Percent Areawide Sales Tax on Temporary Lodging and Providing for an Exemption of Up to 3 Percent of the Levy on Temporary Lodging within the Boundaries of Cities in the Borough that Levy a Similar Sales Tax in Addition to an Existing General Sales Tax, Subject to Approval by the Voters in the Regular Election on October, 3, 2017 (Mayor)

Attachments:

[O2017-17](#)

[Memo](#)

[Amendment Memo](#)

[Bagley Amendment 081517](#)

[Revenue estimates Memo from Mayor's Office](#)

[Mayors Memo](#)

[Fiscal Note REVISED](#)

[Public Comment 081517](#)

[Public Comment 081517 - 2](#)

[City of Seldovia Letter of NonSupport](#)

[City of Kenai Resolution of Support](#)

[Public Comment 080117](#)

[eComments 071817](#)

[Public Comment 071817](#)

[Bagley Amendment \(Dealt with on 08/01/17\)](#)

[Fiscal Note \(Before Bagley Amendment\)](#)

[eComments 081517](#)

Ordinances referred to Lands Committee

[2017-20](#) An Ordinance Authorizing Retention or Sale of Certain Real Property Obtained by the Kenai Peninsula Borough through Tax Foreclosure Proceedings (Mayor)

Attachments:

[O2017-20](#)

[Planning Commission Recommendations Amendment Memo](#)

[Amendment Memo](#)

[Memo](#)

[Exhibit A](#)

[Exhibit B](#)

[Map](#)

**UNFINISHED BUSINESS - None.****NEW BUSINESS**

## Resolutions

## Resolutions referred to Policies and Procedures Committee

[2017-050](#) A Resolution Supporting the Incorporation of the Nikiski Area (Ogle)  
Tabled 08/01/17

*Attachments:* [Resolution 2017-050](#)  
[Memo](#)  
[Public Comment 091917](#)  
[eComment 081517](#)  
[Public Comment 080117](#)  
[eComment 080117](#)

## Ordinances for Introduction

## Ordinances for Introduction and referred to Finance Committee

[2016-19-45](#) An Ordinance to Record Expenditures of \$937,682.60 Paid by the State of Alaska Department of Administration, Division of Retirement & Benefits on behalf of the Kenai Peninsula Borough toward the Borough's Unfunded PERS Liability (Mayor)

*Attachments:* [O2016-19-45](#)  
[Amendment Memo REVISED](#)  
[Memo](#)  
[Amendment Memo \(Replaced with REVISED\)](#)

[2017-19-04](#) An Ordinance Accepting and Appropriating Funding from the State of Alaska in the Amount of \$426,303 for Community Purposes under the State's 2017/2018 Community Assistance Program (Mayor)

*Attachments:* [O2017-19-04](#)  
[Memo](#)

[2017-23](#) An Ordinance amending KPB 5.18.430 to Increase the Maximum Amount of a Sale Subject to the Borough Sales Tax to \$1,000, Except for Residential Rentals, Subject to Voter Approval (Cooper, Mayor)

*Attachments:* [O2017-23](#)  
[Memo](#)  
[Mayors Memo](#)  
[Fiscal Note](#)  
[eComment 081517](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

[2017-21](#) An Ordinance Amending the Purchasing Code at KPB 5.28.260(A) to Align the Code with State Statute Regarding School Boards and the Acquisition of Other Professional Services for Service Areas (Mayor)

*Attachments:* [O2017-21](#)  
[Memo](#)

[2017-22](#) An Ordinance Amending KPB 20.25.120 – Review and Appeals, KPB 21.06.060(A)(3) – Exceptions Procedure, KPB 21.20 – Hearing and Appeals and KPB 21.25.100 – Appeals (Mayor)

*Attachments:* [O2017-22](#)  
[Memo](#)  
[Planning Commission Recommendations](#)

### 3. Other

Other items referred to Finance Committee

[KPB-1345](#) Authorizing a Letter of Non-Objection of the Issuance of the New Liquor License as requested by Cooper Landing Brewing Company LLC dba Cooper Landing Brewing Company in Cooper Landing

*Attachments:* [Memo to Assembly 080117](#)  
[New Application Package](#)  
[Planning Memo to Assembly](#)

[KPB-1347](#) Approving a Restaurant Designation Permit for Luche Incorporated dba Nikko Garden

*Attachments:* [Memo to Assembly](#)  
[Restraunt Designation Permit Application](#)

## Other items referred to Lands Committee

[KPB-1338](#) Petition to Vacate a Portion of King Arthur Drive along a portion of Lot 16 as dedicated on Camelot by the Sea Subdivision, Plat SW 76. Also dedicate a public right of way from a portion of Lot 23 of Camelot By The Sea Subdivision, Plat SW 76; located within the SE 1/4 of Section 23, T1N, R1W, S.M., Alaska within the KPB; File 2017-085V

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its July 17, 2017 meeting by unanimous consent.]

*Attachments:* [Petition to Vacate King Arthur Drive](#)

## Other items referred to Policies and Procedures Committee

[KPB-1333](#) Confirming an Appointment to the Planning Commission (Mayor)

Syverine Abrahamson, Anchor Point/Ninilchik, Term to Expire July 31, 2019

*Attachments:* [Appointment to the KPB Planning Commission](#)

**PUBLIC COMMENTS AND PUBLIC PRESENTATIONS****ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

August 15, 2017 Regular Assembly Meeting 6:00 PM  
Borough Assembly Chambers, Soldotna, Alaska

**ASSEMBLY COMMENTS****S. PENDING LEGISLATION**

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

1. [2017-19-03](#) An Ordinance Appropriating \$1,500 for Costs of Printing and Distributing Information about the Ballot Proposition Seeking Voter Approval to Adopt an Additional Sales Tax on Temporary Lodging Facilities to Ensure Compliance with Legal Restrictions on the Use of Borough Funds and Assets Related to Ballot Propositions (Mayor)

Attachments:

[O2017-19-03](#)

[Memo](#)

[Amendment Memo](#)

[eComment 081517](#)

2. [2017-15](#) An Ordinance Amending KPB 5.28.500(D), Procurement and Purchasing, to Authorize a Reduction in the Duration of Surplus Property Notices to Borough Agencies (Mayor)

Attachments:

[O2017-15](#)

[Memo](#)



3. [2017-17](#) An Ordinance Amending KPB Chapter 5.18 to Establish an 6 Percent Areawide Sales Tax on Temporary Lodging and Providing for an Exemption of Up to 3 Percent of the Levy on Temporary Lodging within the Boundaries of Cities in the Borough that Levy a Similar Sales Tax in Addition to an Existing General Sales Tax, Subject to Approval by the Voters in the Regular Election on October, 3, 2017 (Mayor)

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[Public Comment 080117](#)

[eComments 071817](#)

[Public Comment 071817](#)

[Bagley Amendment \(Dealt with on 08/01/17\)](#)

[Fiscal Note \(Before Bagley Amendment\)](#)

[eComments 081517](#)

4. [2017-18](#) An Ordinance Amending KPB 2.56.050 to Adopt Volumes I and II of the Seward 2030 Comprehensive Plan Update as the Official Comprehensive Plan for that Portion of the Borough within the Boundaries of the City of Seward (Mayor, Carpenter) (Hearing on 8/15/17)

Attachments:

[O2017-18](#)

[Planning Commissions Recommendations](#)

[Memo](#)

[2030 Comprehensive Plan Update Volume I City of Seward](#)

[2030 Comprehensive Plan Update Volume II City of Seward](#)

## INFORMATIONAL MATERIALS AND REPORTS

**NOTICE OF NEXT MEETING AND ADJOURNMENT**

*The next meeting of the Kenai Peninsula Borough Assembly will be held on August 15, 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.kpb.us](http://www.kpb.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*