



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Assembly

*Kelly Cooper, President*  
*Wayne Ogle, Vice President*  
*Dale Bagley*  
*Willy Dunne*  
*Paul Fischer*  
*Blaine Gilman*  
*Brent Hibbert*  
*Brandii Holmdahl*  
*Stan Welles*

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Tuesday, January 17, 2017

6:00 PM

Assembly Chambers

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### A. 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 given by Pastor Rick Hinkey from the River Covenant Church.]

### 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-1042](#)     January 3, 2017 Regular Assembly Meeting Minutes

Attachments:     [010317 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**

## 1. Assembly Requests/Responses

## 2. Agreements and Contracts

- a. [KPB-1036](#) Request for Sole Source for preventative maintenance contract with Physio-Control, Inc.

Attachments: [Sole Source Physio-Control, Inc.](#)

- b. [KPB-1037](#) Authorization to Award Contract for RFP-004 Physician Medical Director to Dr. Michael Levy, MD, Eagle River, AK.

Attachments: [Authorization to Award Contract for Physician Medical Director](#)

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

*(Testimony limited to 3 minutes per speaker)*

Ordinances referred to Finance Committee

- [2016-19-18](#) An Ordinance Authorizing an Advance up to \$6,000,000 from the General Fund and Appropriating Funds to the Solid Waste Capital Project Fund to Provide Interim Financing for Improvements and Equipment at Kenai Peninsula Borough Solid Waste Disposal Facilities (Mayor)

Attachments: [Ordinance 2016-19-18](#)  
[Memo](#)

[2016-19-19](#) An Ordinance Authorizing a \$2,000,000 Intergovernmental Loan from the General Fund and Appropriating Funds to the South Peninsula Hospital Service Area to Provide Interim Financing for Improvements to the Heating, Ventilating and Air Conditioning System at South Peninsula Hospital (Mayor)

*Attachments:* [Ordinance 2016-19-19](#)  
[Amendment Memo](#)  
[Memo](#)  
[SPH Resolution 2017-02](#)

Ordinances referred to Policies and Procedures Committee

[2016-44](#) An Ordinance Amending KPB 20.10 and KPB 21.50 Regarding Violations and Enforcements (Mayor)

*Attachments:* [Ordinance 2016-44](#)  
[PC Recommendations](#)  
[Amendment Memo](#)  
[Amendment Proposed Updates](#)  
[Memo](#)  
[Proposed Updates](#)  
[Montague Memo dated 011717.pdf](#)

4. [2016-45](#) Amending KPB 5.18.200(A)(15)(d) Exemptions/Waivers for Sales of Nonprepared Food, KPB 5.18.200(A)(20) Relating to Sales Tax on Certain Nonprofit Sales, and KPB 5.18.900, Definitions (Mayor)

*Attachments:* [Ordinance 2016-45](#)  
[Memo](#)  
[Public Comment](#)

## **N. UNFINISHED BUSINESS**

Unfinished Business referred to Policies and Procedures Committee

1. Postponed Item

[2016-070](#) A Resolution Approving an Automatic Aid Agreement and Operational Plan Between Kachemak Emergency Service Area and the City of Homer Volunteer Fire Department for Fire Apparatus and Personnel (Mayor)

Attachments:

[Resolution 2016-070](#)

[Amendment Memo](#)

[Memo](#)

[Auto Aid Agreement](#)

[Operational Plan](#)

[Homer Public Comment](#)

[Request for Postponement \(dealt with on 11/22/16\)](#)

## O. NEW BUSINESS

### 1. Resolutions

Resolutions referred to Policies and Procedures Committee

[2017-011](#) Accepting the Resignation of Assembly Member Brandii Holmdahl and Declaring a Vacancy on the Assembly (Cooper)

Attachments:

[Resolution 2017-011](#)

[Holmdahl's Letter of Resignation](#)

[Public Comment](#)

\*b. [2017-012](#) A Resolution Expressing the Intent of the Borough Assembly Regarding its Adoption of the Invocation Policy in Resolution 2016-056 (Bagley)

Attachments:

[Resolution 2017-012](#)

[Public Comments](#)

Resolutions referred to Legislative Committee

\*c. [2017-013](#) A Resolution Supporting Kenai Mountains-Turnagain Arm Corridor Communities Association Efforts to Plan and Develop a Nonmotorized Trail Along the Hope Highway (Mayor, Holmdahl)

Attachments:

[Resolution 2017-013](#)

[Request for Postponement \(dealt with on 01/17/17\)](#)

[Backup Documentation](#)

### 2. Ordinances for Introduction

## Ordinances for Introduction and referred to Finance Committee

[2016-19-20](#) An Ordinance Accepting and Appropriating \$225,000 from the Tesoro Foundation and Appropriating \$266,000 from the General Fund for the Soldotna Public Safety Communications Center Renovation Project (Mayor) (Hearing on 02/14/17)

*Attachments:* [Ordinance 2016-19-20](#)  
[Memo](#)  
[Backup Documentation](#)

[2016-19-21](#) An Ordinance Accepting and Appropriating a Grant from the State of Alaska Department of Commerce, Community and Economic Development in the Amount of \$66,853.30 for the Aspen Avenue Paving Project in Ninilchik (Mayor) (Hearing on 2/14/17)

*Attachments:* [Ordinance 2016-19-21](#)  
[Memo](#)  
[Backup Documentation](#)

[2016-19-22](#) An Ordinance Authorizing the Use of \$3,746,800 from the \$10,000,000 that was Appropriated from the Central Peninsula Hospital Plant Replacement and Expansion Fund for the Design and Construction of the Obstetrics and Cardiac Catheterization Laboratory Project at Central Peninsula Hospital (Mayor) (Hearing on 2/14/17)

*Attachments:* [Ordinance 2016-19-22](#)  
[Memo](#)

## 3. Other

## Other items referred to Finance Committee

[KPB-1039](#) Request for Formal Objection to the Continuance of the Following Liquor License Due to Updaid Taxes

*Attachments:* [Liquor License Protest Memos](#)

## Other items referred to Policies and Procedures Committee

[KPB-1033](#) Confirming Reappointments to the Board of Adjustment  
Betty Glick, Seat B, Term to Expire: 12/31/2019  
Tom Clark, Seat E, Term to Expire: 12/31/2019

*Attachments:* [Memo and Applications](#)

[KPB-1032](#) Confirming Appointments to the Board of Equalization  
Dale Bagley, Seat B, Term to Expire: 12/31/2019  
Tyson Cox, Seat C, Term to Expire: 12/31/2017  
Brent Johnson, Seat E, Term to Expire: 12/31/2019

Attachments: [Mayor's Memo](#)  
[Clerk's Memo and Applications](#)

## **P. PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

## **Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. February 14, 2017 Regular Assembly Meeting 6:00 PM Assembly Chambers, Borough Administration Building

## **R. ASSEMBLY COMMENTS**

## **S. PENDING LEGISLATION**

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

1. [2016-073](#) A Resolution Approving a Management Agreement between the City of Seldovia and the Kenai Peninsula Borough on Behalf of the Seldovia Recreational Service Area to Manage the Sea Otter Community Center (Mayor) (Postponed to 02/14/17)

Attachments: [Resolution 2016-073](#)  
[Memo](#)  
[SOCC Management Agreement](#)  
[Request for Postponement \(dealt with on 01/03/17\)](#)  
[Request for Postponement \(dealt with on 11/22/16\)](#)

2. [KPB-1009](#) Confirming Appointments to the Bear Creek Fire Service Area (Mayor) (Postponed to 02/14/17)

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

## **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 February 14, 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](http://www.borough.kenai.ak.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*