



# 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 3, 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 was given by Chaplain H. Gene Engebretsen from Central Peninsula Hospital.]

#### ROLL CALL

#### COMMITTEE REPORTS

#### VACANCY, DESIGNATION OR SEATING MEMBERS

1. [KPB-1022](#) Appointment of Assembly Member for District 1 by Secret Ballot

Attachments: [Memo](#)  
[Castimore, Daniel](#)  
[Hibbert, John](#)  
[Koch, Rick](#)  
[Medina, Derrick](#)  
[Peck, Richard](#)  
[Walters, Breena](#)  
[Wartinbee, David](#)  
[Wilson, Matthew](#)

2. [KPB-1016](#) Swearing in of Newly Appointed Assembly Member

## 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.)*

## H. APPROVAL OF MINUTES

[KPB-998](#) December 6, 2016 Regular Assembly Meeting Minutes

Attachments: [120616 Regular Assembly Meeting Minutes](#)

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

## PRESENTATIONS WITH PRIOR NOTICE

*(20 minutes total)*

[KPB-1025](#) State Fiscal Challenge, Pat Pitney, State of Alaska Director of Office of Management and Budget

Attachments: [FY2018 Budget and Fiscal Plan Overview](#)

## PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

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

## MAYOR'S REPORT

1. Assembly Requests/Responses - None.
2. Agreements and Contracts - None.

## 3. Other

- a. [KPB-1023](#) Revenue – Expenditure Report – November 2016

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

- b. [KPB-1024](#) Budget Revisions – November 2016

*Attachments:* [Budget Revisions - November 2016](#)

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

*(Testimony limited to 3 minutes per speaker)*

## Ordinances referred to Finance Committee

- [2016-40](#) An Ordinance Amending KPB 5.18.200(A)(11) and KPB 5.18.900(Q) to Exempt Flightseeing from Sales Taxes (Bagley)

*Attachments:* [O2016-40](#)

[Memo](#)

[O94-54](#)

- [2016-43](#) An Ordinance of Assessment Confirming the Assessment Roll for the Funny River East Utility Special Assessment District and Establishing the Method for Terminating Assessments and Making Refunds to Property Owners (Mayor)

*Attachments:* [O2016-43](#)

[LAYDOWN Amendment](#)

[Memo](#)

[Funny River East USAD Final Assessment Roll](#)

[Public Comment](#)

## Ordinances referred to Policies and Procedures Committee

- [2016-41](#) An Ordinance Amending KPB 5.35.107(B), Regarding Deadlines to Collect Signatures on Petitions to Form Utility Special Assessment Districts (Mayor)

*Attachments:* [O2016-41](#)

[Memo](#)

[2016-42](#) An Ordinance Adopting Imagine Kenai 2030 as the Official Comprehensive Plan for that Portion of the Borough within the Boundaries of the City of Kenai (Mayor)

**Attachments:**

[O2016-42](#)

[PC Recommendations](#)

[REVISED City of Kenai Comprehensive Plan](#)

[Memo](#)

[City of Kenai Letter](#)

[Kenai P & Z Commission Resolution No. PZ16-24](#)

[Kenai Ordinance No. 2908-2016](#)

[City of Kenai Comprehensive Plan](#)

## UNFINISHED BUSINESS

Postponed Item

Unfinished Business referred to Policies and Procedures Committee

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

## NEW BUSINESS

Resolutions

Resolutions referred to Finance Committee

[2017-002](#) A Resolution Authorizing the Transfer of \$50,000 from the Mayor's Department to the Legal Department (Mayor)

**Attachments:**

[R2017-002](#)

[Memo](#)

[2017-003](#) A Resolution Authorizing Standardization of the Telescopic Bleachers for the Maintenance Department (Mayor)

*Attachments:* [R2017-003](#)  
[Memo](#)  
[Standardization Policy](#)

Resolutions referred to Policies and Procedures Committee

[2017-004](#) A Resolution Confirming the Appointment of Assembly Member Bagley to the Kenai Peninsula Tourism and Marketing Council's Board of Directors (Cooper)

*Attachments:* [R2017-004](#)

[2017-005](#) A Resolution Confirming Appointments to Cook Inlet Regional Citizens Advisory Council (Cooper)

*Attachments:* [R2017-005](#)

[2017-006](#) A Resolution Amending the Assembly Policy Regarding Invocations Before Borough Assembly Meetings (Cooper)

*Attachments:* [R2017-006](#)  
[Memo](#)

[2017-009](#) A Resolution Confirming the Appointment of Assembly Member Bagley to the Cook Inlet Aquaculture Board (Cooper)

*Attachments:* [R2017-009](#)

[2017-010](#) LAYDOWN Accepting the Resignation of Assembly Member Blaine Gilman and Declaring a Vacancy on the Assembly (Cooper)

*Attachments:* [R2017-010](#)  
[LAYDOWN Gilman Letter of Resignation](#)

Resolutions referred to Legislative Committee

[2017-007](#) A Resolution Supporting the Reappointment of Ted Spraker to the Board of Game, Alaska Department of Fish and Game (Knopp)

*Attachments:* [R2017-007](#)  
[LAYDOWN Public Comments](#)  
[LAYDOWN Additional Public Comments](#)

[2017-001](#) A Resolution Establishing Kenai Peninsula Borough State Capital Project Priorities for the Year 2017 (Legislative Committee)

Attachments: [R2017-001](#)  
[2017 State Capital Project Priorities Book](#)

[2017-008](#) A Resolution Supporting the Reappointment of Linda Hutchings to the Alaska Workers' Compensation Board (Knopp)

Attachments: [R2017-008](#)

## 2. Ordinances for Introduction

Ordinances for Introduction and 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](#)  
[Memo](#)  
[SPH Resolution 2017-02](#)

## 3. Other

Other items referred to Policies and Procedures Committee

[KPB-1008](#) Approving the Appointment of Chief of Staff, Larry Persily, as the Administrative Officer (Mayor)

Attachments: [Memo](#)  
[Designation of Administrative Officer](#)

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

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

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

## **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

January 17, 2017 Regular Assembly Meeting 6:00 PM Assembly Chambers, Borough Administration Building

## **ASSEMBLY COMMENTS**

## **T. PENDING LEGISLATION**

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

1. [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](#)  
[Memo](#)  
[Auto Aid Agreement](#)  
[Operational Plan](#)  
[Homer Public Comment](#)  
[Request for Postponement \(dealt with on 11/22/16\)](#)

2. [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](#)

3. [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](#)

## INFORMATIONAL MATERIALS AND REPORTS

## NOTICE OF NEXT MEETING AND ADJOURNMENT

*The next meeting of the Kenai Peninsula Borough Assembly will be held on January 17, 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.*