



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Assembly

Dale Bagley, President
Sue McClure, Vice President
Kelly Cooper
Blaine Gilman
Mako Haggerty
Brent Johnson
Wayne Ogle
Stan Welles
Kelly Wolf

Tuesday, April 7, 2015

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 approved by one motion. There will be no separate discussion of these items unless an Assembly Member so request which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.)*

APPROVAL OF MINUTES

[KPB-0245](#) March 17, 2015 Regular Assembly Meeting Minutes

Attachments: [031715 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS

1. [KPB-0256](#) Mayor's Proclamation Declaring April 2015 as "Safe Digging Month"

Attachments: [Mayors Proclamation - Safe Digging Month](#)

2. [KPB-0257](#) Mayor's Proclamation Declaring April 2015 as "Sexual Assault Awareness Month"

Attachments: [Mayor's Proclamation - Sexual Assault Awareness Month](#)

PRESENTATIONS WITH PRIOR NOTICE

1. [TMP-0147](#) Central Peninsular Hospital Quarterly Report (10 minutes)

Attachments: [LAYDOWN CPGH, Inc Quarterly Report](#)

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

MAYOR'S REPORT

1. Assembly Requests/Responses

- a. [KPB-0266](#) Correspondence between Mayor's office and Ms. Keohane

Attachments: [Memo](#)
[Correspondence Between Mayor's Office and Ms. Keohane](#)

2. Agreements and Contracts

- a. [KPB-0258](#) Authorization to Sole Source Purchase Globe Turnout Gear from LN Curtis & Sons

Attachments: [Authorization to Award Sole Source Purchase - LN Curtis & Sons](#)

- b. [KPB-0259](#) Intent to Award a Lease to Plymire Investments, LLC for Office Space for the Homer Satellite Office

Attachments: [Intent to Award a Lease - Plymire Investments, LLC](#)

- c. [KPB-0260](#) Volunteer Coordinator Contract

Attachments: [Volunteer Coordinator Contract](#)

- d. [KPB-0261](#) Authorization to Award Contract for CPL Crawler Tractor Purchase to NC Machinery, Anchorage, Alaska 99518

Attachments: [Authorization to Award Contract - NC Machinery](#)

3. Other

- a. [KPB-0262](#) Certificate of Achievement for Excellence in Financial Reporting has been awarded to the KPB by the Government Finance Officers Association for the comprehensive annual financial report for the fiscal year ending June 30, 2014
- Attachments:* [Certificate of Achievement for Excellence in Financial Reporting](#)
- b. [KPB-0263](#) Polar Tankers/Conoco Phillips – Travel Grant Award
- Attachments:* [Polar Tankers - Conoco Phillips - Travel Grant Award](#)
- c. [KPB-0264](#) Investment Portfolio Report
- Attachments:* [Investment Portfolio Report](#)
- d. [KPB-0272](#) LAYDOWN: Alaska LNG Environmental Review, Summer 2015 Field Work, Larry Persily, Special Assistant to the Mayor - Oil, Gas and Mining
- Attachments:* [LAYDOWN: Environmental Review, Summer 2015 Field Work Presentation](#)

ITEMS NOT COMPLETED FROM PRIOR AGENDA- None.

PUBLIC HEARINGS ON ORDINANCES

Ordinances referred to Finance Committee

- [2014-19-45](#) An Ordinance Expanding the Scope of a School Facility Tile Replacement Project Previously Authorized by Ordinance 2014-19 to Include Other School Facilities (Mayor)

Attachments: [O2014-19-45](#)
[Memo](#)

- [2014-19-46](#) An Ordinance Appropriating \$20,000 from the Borough's General Fund to the Borough's Uniform Address Sign Project for Additional Funding Needed to Start the 2015 Project Prior to the 2016 Fiscal Year (Mayor)

Attachments: [O2014-19-46](#)
[Memo](#)

Ordinances referred to Policies and Procedures Committee

3. [2015-03](#) (Bagley) Substitute: 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)

Attachments: [O2015-03 \(Bagley\) Sub](#)
[O2015-03 \(Bagley\) Sub Memo](#)
[Public Comment](#)
[Additional Public Comments](#)
[Legal Article Response Memo](#)
[Additional Public Comments \(2\)](#)
[Additional Public Comments \(3\)](#)
[Mill Rate History](#)
[O2015-03](#)
[Memo](#)

4. [2015-04](#) An Ordinance Enacting KPB 1.12.070 to Approve a Policy Requiring Fiscal Notes for Certain Legislation (Ogle, Wolf)

Attachments: [O2015-04](#)
[Memo](#)
[fiscal note policy](#)
[fiscal note form](#)
[Public Comment](#)

5. [2015-05](#) An Ordinance Amending KPB 22.40.100(B) Regarding Debate of Ordinances Proposed for Introduction (Bagley, Johnson)

Attachments: [O2015-05](#)
[Memo](#)

Ordinances referred to Lands Committee

6. [2015-06](#) An Ordinance Approving Goodrich - Jackson Single-Family Residential (R-1) Local Option Zoning District and Amending KPB 21.46.040 (Mayor)

Attachments: [O2015-06](#)
[Planning Commission Recommendations](#)
[Memo](#)
[Goodrich-Jackson LOZ backup](#)
[Notice of Proposed LOZ](#)
[Public Comment](#)
[Additional Public Comments](#)

N. UNFINISHED BUSINESS**O. NEW BUSINESS**

1. Resolutions

Resolution referred to Finance Committee

[2015-017](#) A Resolution Approving the Petition Application for the Formation of the Birch Park Utility Special Assessment District for Construction of a Natural Gas Main Line (Mayor)

Attachments: [R2015-017](#)
[Memo](#)
[Birch Park USAD petition backup](#)

Resolution referred to Policies and Procedures Committee

[2015-018](#) A Resolution Confirming the Appointment of Mako Haggerty to the Prince William Sound Regional Citizen's Advisory Council

Attachments: [R2015-018](#)
[Prince William Sound RCAC Letter](#)

Resolution referred to Finance Committee

[2015-019](#) A Resolution Authorizing the Kenai Peninsula Borough to Issue its South Kenai Peninsula Hospital Service Area General Obligation Refunding Bond to Refund Certain Outstanding General Obligation Bonds of the Borough, Fixing Certain Details of Such Bond and Authorizing Its Sale and Providing for Related Matters (Mayor)

Attachments: [R2015-019](#)
[Memo](#)

Resolution referred to Legislative Committee

[2015-020](#) A Resolution Requesting the Federal Subsistence Board Take Special Action to Re-Open the Public Comment Period on the Decision to Allow Gillnet Fishing in the Kenai and Kasilof Rivers and Authorizing the Mayor to Request Reconsideration of the Same (Mayor)

Attachments: [R2015-020](#)
[Memo](#)
[Public Comment](#)

2. Ordinances

Ordinances for Introduction and referred to the Finance Committee

[2014-19-48](#) An Ordinance Appropriating \$500,000 from the Insurance and Litigation Fund Balance for Additional Cost of Insurance Premiums and Claims Incurred in FY2015 (Mayor) (Hearing on 04/21/15)

Attachments: [O2014-19-48](#)
[Memo](#)

[2014-19-49](#) An Ordinance Appropriating \$250,000 for Professional Design Service Associated with the Susan B. English School Shop Restoration Project (Mayor) (Hearing on 04/21/15)

Attachments: [O2014-19-49](#)
[Memo](#)

[2014-19-50](#) An Ordinance Appropriating Commercial Passenger Vessel Tax Proceeds Received from the State of Alaska in the Amount of \$361,657.50 and allocating \$347,732.50 to the City of Seward and \$13,925.00 to the City of Homer (Mayor) (Hearing on 04/21/15)

Attachments: [O2014-19-50](#)
[Memo](#)
[CY14 Commercial Vessel Tax backup](#)

[2014-19-51](#) An Ordinance Redirecting \$127,781 Deobligated Funds From the U.S Fish & Wildlife Service, Coastal Impact Assistance Program to the Adopt-a-Stream Education Program (Mayor) (Hearing on 04/21/15)

Attachments: [O2014-19-51](#)
[Memo](#)
[Grant Amendment](#)

Ordinance for Introduction and referred to the Policies and Procedures Committee

e. [2015-09](#) An Ordinance Amending KPB 5.18.430, Computation-Maximum Tax by Increasing the Maximum Amount of a Sale Subject to the Borough Sales Tax to \$1,000 with a Triennial Adjustment for Inflation, Subject to Voter Approval (Cooper) (Hearing on 05/05/15)

Attachments: [O2015-09](#)
[Memo](#)
[Public Comments](#)

3. Other

Other Items Referred to Policies and Procedures Committee

Other Items Referred to Lands Committee

[KPB-0247](#) Petition to Vacate the 33-foot section line easement lying along the South Boundary of Lot 1 and the 33-foot Section Line Easement Lying along the north boundary of Lot 4, Carrol Martin Subdivision No. 2 (Plat KN 94-82). Also, Vacate the 50-foot Section Line Easement Lying along the North Boundary of Tract C, Kenai Peninsula Borough Aquaculture Subdivision (Plat KN 85-73). All within Section 15 and Section 22, Township 5 North, Range 11 West, S.M., Alaska and within the Kenai Peninsula Borough; on Kalifornsky Beach Road in the Kena area; KPB File 2015-021

[Clerk's Note: The Planning Commission approved the referenced vacation by unanimous consent its regularly scheduled meeting on March 23, 2015.]

Attachments: [Petition to Vacate](#)

P. PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. April 21, 2015 Regular Assembly Meeting 6:00PM Seward

R. ASSEMBLY COMMENTS

S. PENDING LEGISLATION

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

1. [2014-32](#) An Ordinance Authorizing an Exchange with Paula and Timothy Keohane of a 4.3 Acre Drainage Easement at Karluk Avenue for a 1.84 Acre Parcel of Borough Land at Mile 12.1 K-Beach Road Which Shall be Subject to the Reservation of a 0.9 Acre Drainage Outlet Easement (Mayor) TABLED

Attachments:

[O2014-32](#)

[Memo](#)

[Planning Commission Recommendations](#)

[Drainage Easement](#)

[Draft Quitclaim Deed](#)

[Exchange Proposal Response Letter](#)

[Exhibit A](#)

[Maps](#)

[Keohane Exchange Postponement Assembly Memo.doc](#)

[Public Comment](#)

[Welles Comment](#)

[Amendment Memo](#)

[Request for Postponement](#)

[Additional Public Comment](#)

2. [2014-19-47](#) An Ordinance Appropriating \$50,000 from the General Fund to be Granted to the City of Seward to Update the City of Seward's Comprehensive Plan (Mayor, McClure)

Attachments:

[O2014-19-47](#)

[Memo](#)

[Seward Comp. Plan backup](#)

3. [2015-07](#) An Ordinance Enacting KPB Chapter 4.140, Recall (Bagley at the request of the Borough Clerk)

Attachments:

[O2015-07](#)

[Memo](#)

4. [2015-08](#) An Ordinance Amending KPB 2.34.110 to Delete the Requirement that Assembly Approval is Required for General Broker Service Contract (Mayor)

Attachments:

[R2015-018](#)

[Memo](#)

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 April 21, 2015, at 6:00 P.M. in Chambers, Seward City Hall, Seward, Alaska.

This meeting will be broadcast on KDLL-FM 91.9 (Central Peninsula), KBBI-AM 890 (South Peninsula), K20.1 (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 1-800-478-4444, 2160. Visit our website at www.borough.kenai.ak.us for copies of the agenda, meeting summaries, ordinance resolutions.