



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Assembly

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Tuesday, June 5, 2018

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 President Ogle.]

### 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-1746](#) May 15, 2018 Regular Assembly Meeting Minutes

Attachments: [051518 Regular Assembly Meeting Minutes](#)

### COMMENDING RESOLUTIONS AND PROCLAMATIONS

### PRESENTATIONS WITH PRIOR NOTICE

*(20 minutes total)*

[KPB-1745](#) Kenai Peninsula Borough School District Quarterly Report (10 Minutes)

Attachments: [KPBSD Quarterly Report](#)

**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-1747](#) Mayor's Report Cover Memo

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

1. Assembly Requests/Responses - None

2. Agreements and Contracts

- a. [KPB-1738](#) Authorization to Award a Contract for ITB18-018 Homer Middle School Gym Floor Replacement 2018 to Alaska Industries, Inc., Wasilla Alaska.

Attachments: [Authorization to Award Contract ITB 18-018](#)

- b. [KPB-1739](#) Authorization to Award a Contract for ITB18-019 Flooring Replacement 2018 to Aurora Flooring, Anchorage, Alaska.

Attachments: [Authorization to Award Contract ITB18-019](#)

- c. [KPB-1740](#) Request for Waiver of Formal Bidding per Kenai Peninsula Borough Code of Ordinances 5.28.300 Central Peninsula Hospital Phase VI OB/Cath Lab Project Electrical Feed to HEA.

Attachments: [Request for Waiver of Formal Bidding - CPH Phase VI](#)

- d. [KPB-1741](#) Authorization to Award a Contract for RFP18-006 Health Benefits Consultant to Marsh & McLennan Agency LLC.

Attachments: [Authorization to Award Contract for RFP 18-006](#)

3. Other

- a. [KPB-1742](#) Revenue-Expenditure Report - April 2018

Attachments: [Revenue-Expenditure Report - April 2018](#)

- b. [KPB-1743](#) Budget Revisions - April 2018

Attachments: [Budget Revisions - April 2018](#)

- c. [KPB-1748](#) Appointment to the Alaska Liquefied Natural Gasline Project Advisory Committee - Elizabeth Appleby, Alternate

Attachments: [AK LNG PAC Appointment - Appleby](#)

## ITEMS NOT COMPLETED FROM PRIOR AGENDA

### PUBLIC HEARINGS ON ORDINANCES

*(Testimony limited to 3 minutes per speaker)*

Ordinances referred to Finance Committee

[2018-19](#) An Ordinance Appropriating Funds for Fiscal Year 2019 (Mayor)

[Clerk's Note: A teleconference site will be established at the Borough Office in Homer in order to take public testimony on the above referenced Ordinance.]

Attachments:

[Ordinance 2018-19](#)

[Smalley Budget Amendment 060518](#)

[Dunne Budget Amendment](#)

[Bagley Budget Amendment](#)

[Amendment Memo](#)

[Pg. 53 Budget Doc - General Fund](#)

[Memo](#)

[Budget Presentation to Assembly](#)

[FY19 Proposed Budget](#)

[Emergency Services Org Chart and Job Descriptions](#)

[Public Comments 061918 VETO](#)

[Public Comment 060518](#)

[eComment 060518](#)

[Public Comments 051518](#)

[eComment 051518](#)

[Public Comment](#)

[Smalley Budget Amendment \(Dealt with on 051518\)](#)

[Bagley Budget Amendments \(Dealt with on 051518\)](#)

[Mayor's Veto KPTMC \(Action Item KPB-1770 Dealt with 07/06/18\)](#)

[Mayor's Veto School Funding \(Action Item KPB-1771 Dealt with 07/06/18\)](#)

[Summary of Debt by Issuance Date](#)

[2018-20](#) An Ordinance Amending KPB 5.18.200 to Amend the Seasonal Exemption from Sales Taxes of Nonprepared Food Items to Apply from October 1 to March 31 of Each Year (Bagley)

Attachments: [Ordinance 2018-20](#)  
[Bagley Amendment 061918](#)  
[Memo](#)  
[Public Comment 060518](#)  
[Bagley Amendment \(delt with on 06/05/18\)](#)

[2018-21](#) An Ordinance Providing for the Submission to the Qualified Voters of the Kenai Peninsula Borough the Question of the Issuance of Not to Exceed Five Million Four Hundred Fifty Thousand Dollars (\$5,450,000) of General Obligation Bonds of the Kenai Peninsula Borough to Pay the Local Required Match Portion of the Costs of the Kachemak-Selo New K-12 School Construction Project at an Election in and for the Kenai Peninsula Borough on October 2, 2018 (Mayor)

Attachments: [Ordinance 2018-21](#)  
[Amendment Memo](#)  
[KPBSD Recommendations](#)  
[Supplemental Information](#)  
[Memo](#)  
[Deed Letter](#)  
[Timeline](#)

Ordinances referred to Lands Committee

[2018-22](#) An Ordinance Authorizing a Community Trail Management Agreement with Kachemak Nordic Ski Club (Mayor, Dunne)

Attachments: [Ordinance 2018-22](#)  
[Memo](#)  
[Planning Commission Recommendations](#)  
[Trail Management Plan](#)  
[Community Trail Management Agreement](#)  
[eComment 060518](#)

## UNFINISHED BUSINESS

Postponed Items

Unfinished Business referred to Finance Committee

[2018-12](#) An Ordinance Increasing the Borough Sales Tax Rate from 3.0 Percent to 3.5 Percent by Amending KPB 5.18.100, Subject to Approval by the Voters in the Regular Election on October 2, 2018 (Cooper, Smalley)

Attachments: [Ordinance 2018-12](#)  
[Memo](#)  
[Sales Tax Rates](#)  
[Fiscal Note](#)  
[eComment 060518](#)  
[eComment 040318](#)  
[Public Comments 040318](#)  
[Cooper Amendment and Revised Fiscal Note \(Dealt with on 05/15/18\)](#)  
[Amendment Memo \(Dealt with on 05/15/18\)](#)  
[Blakeley Amendment Memo \(Dealt with on 04/03/18\)](#)

## NEW BUSINESS

### Resolutions

Resolutions referred to Finance Committee

[2018-026](#) A Resolution Setting the Rate of Levy for Fiscal Year 2019, Tax Year 2018 (Mayor)

Attachments: [Resolution 2018-026](#)  
[Cooper Amendment](#)  
[Memo](#)

Resolutions referred to Policies and Procedures Committee

[2018-028](#) A Resolution Authorizing the Assessor to Accept Two Late-Filed Senior Citizen Exemption Applications and One Late-Filed Proof of Disability for Continuing the Disabled Veteran Exemption (Mayor)

Attachments: [Resolution 2018-028](#)  
[Memo](#)  
[Exemption Applications](#)

Resolutions referred to Legislative Committee

[2018-027](#) A Resolution Supporting Proposals to Name Two Mountain Peaks Located East of Resurrection Bay as Mount Mary and Santa Ana Peak (Carpenter, Dunne)

Attachments: [Resolution 2018-027](#)  
[Planning Commission Recommendations](#)  
[Memo](#)  
[Mt. Mary Information](#)  
[Santa Ana Peak Information](#)  
[Peak Photos](#)  
[Seward Mountain Naming Request](#)  
[Peaks Map](#)

## 2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

[2018-19-01](#) An Ordinance Providing for an Exception to KPB 5.20.080 and Transferring \$1,750,000 from the Land Trust Fund to the General Fund (Carpenter)

Attachments: [Ordinance 2018-19-01](#)  
[Memo](#)

[2018-25](#) An Ordinance Repealing KPB 5.18.430(F) which Requires Voter Approval to Increase the Sales Tax Cap (Carpenter)

Attachments: [Ordinance 2018-25](#)  
[Memo](#)

## 3. Other

Other items referred to Lands Committee

[KPB-1744](#) Petition to Vacate the Westernmost 198.22 Feet of the Skein Avenue Right-of-way as Dedicated on Kasilof River Industrial Tracts, Plat KN 81-71. The Portion of the Right-of-way Being Vacated is Unconstructed and Located Within the N1/2 of Section 1, T3N, R12W, S.M., AK, Within the Kenai Peninsula Borough; KPB File 2017-168R1V (Referred to the Lands Committee)

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its May 14, 2018 meeting by unanimous consent.]

Attachments: [Petition to Vacate](#)

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

## **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. June 6, 2018 AKLNG Project Advisory Committee  
7:00 PM Nikiski Community Recreation Center
2. June 19, 2018 Regular Assembly Meeting  
6:00 PM Assembly Chambers, Soldotna, Alaska

## **ASSEMBLY COMMENTS**

## **S. PENDING LEGISLATION**

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

1. [2017-31](#) An Ordinance Approving McKinley Single-Family Residential R-1 Local Option Zoning District and Amending KPB 21.46.040 (Mayor) [Tabled on 01/16/18]

Attachments: [Ordinance 2017-31](#)  
[Planning Request to Table](#)  
[Memo](#)  
[Staff Report](#)  
[Local Option Zoning District Application](#)  
[Planning Commission Recommendation \(Dealt with on 12/05/17\)](#)  
[Request for Postponement \(Dealt with on 12/05/17\)](#)

2.     [2018-16](#)     (Bagley) Substitute: An Ordinance Amending the Code to Move the Common Boundary Between the Central Kenai Peninsula Hospital Service Area and the South Kenai Peninsula Hospital Service Area South, Subject to Approval by Voters in the Central Kenai Peninsula Hospital Service Area and the Proposed New Area, and to Expand the South Kenai Peninsula Hospital Service Area to Include the Land South Of Kachemak Bay Excluding the City Of Seldovia, Subject to Voter Approval

Attachments:

[Ordinance 2018-16 SUB](#)  
[Memo SUB](#)  
[Public Hearing Summary 071118](#)  
[SUB SPH Patient Data](#)  
[Service Area Board Recommendation](#)  
[SUB Amendment Memo](#)  
[Ordinance 2018-16 \(amended by Bagley Sub\)](#)  
[Bagley Amendment](#)  
[Amendment Memo](#)  
[SUB Potential Boundry Results and Voter Results Required](#)  
[Public Comment 061918](#)  
[Summary of SPH Revenue Impacts](#)  
[South Peninsula Hospital Resolution 2018-05](#)  
[Ninilchik Traditional Council Resolution 2018-03](#)  
[04/26/18 Ninilchik Public Hearing Minutes](#)  
[04/26/18 Ninilchik Public Hearing Audio](#)  
[eComments 061918](#)  
[Public Comment 051518](#)  
[Public Comments 050118](#)  
[eComments 050118](#)  
[Ninilchik Visits to South Peninsula Hospital](#)  
[Memo](#)  
[Service Area Board Resolution](#)  
[Service Area Board Resolution 061418](#)  
[Boundary Line Move Map](#)  
[Map Requested by Dunne](#)  
[Revenue Impacts Requested by Dunne](#)  
[Public Comments 040318](#)  
[Cooper/Dunne Request for Postponement \(Dealt with on 05/01/18\)](#)



3.     [2018-24](#)     An Ordinance Amending the Borough's Sales Tax Code to Levy a 12 Percent Temporary Lodging Tax, Exempt Temporary Lodging Rentals from the General Sales Tax, and Allow Cities that Levy a Similar Separate Sales Tax on Temporary Lodging to Exempt up to One-Half of the Borough Temporary Lodging Tax, Subject to Voter Approval (Bagley, Dunne)

Attachments:     [Ordinance 2018-24](#)  
                      [Bagley Amendment Memo](#)  
                      [Memo](#)  
                      [eComments 061918](#)  
                      [Public Comments 061918](#)  
                      [Public Comment 051518](#)  
                      [Public Comment](#)

4.     [2018-23](#)     An Ordinance Amending KPBB 7.20 and KPBB 7.30 Regarding Borough Comments on State Marijuana Licenses (Ogle) (Hearing on 06/19/18)

Attachments:     [Ordinance 2018-23](#)  
                      [Memo](#)  
                      [Planning Commission Recommendations](#)

## INFORMATIONAL MATERIALS AND REPORTS

## NOTICE OF NEXT MEETING AND ADJOURNMENT

*The next meeting of the Kenai Peninsula Borough Assembly will be held on June 19, 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.*