



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 21, 2015

6:00 PM

Seward City Hall - Council Chambers

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. INVOCATION

D. ROLL CALL

E. COMMITTEE REPORTS

F. 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.)*

G. APPROVAL OF MINUTES

- *1. [KPB-0289](#) April 7, 2015 Regular Assembly Meeting Minutes

Attachments: [040715 Regular Assembly Meeting Minutes](#)

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

I. PRESENTATIONS WITH PRIOR NOTICE

J. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

K. MAYOR'S REPORT

1. Assembly Requests/Responses - None.

2. Agreements and Contracts

- a. [KPB-0281](#) Authorization to Award Contract for Nikiski Fire Service Area Station #1 High Flow Upgrade to Legacy Electric

Attachments: [Nikiski Fire Station High Flow Pump Upgrade](#)

- b. [KPB-0282](#) Authorizing Award of Contract for Road Service Area Capita Improvement Project: Dividend Street #N1DIV to Foster Construction Inc.

Attachments: [RSA CIAP Dividend Street](#)

- c. [KPB-0283](#) Authorizing Award of Contract for Road Service Area Capita Improvement Project: #C1BEA to KEE Construction, LLC

Attachments: [RSA CIAP Bear Road](#)

- d. [KPB-0284](#) Authorization to Award Contract for Door Replacement Project 2015 to Polar North Construction

Attachments: [Door Replacement Project](#)

- e. [KPB-0285](#) Authorization to Award Contract for ITB15-027 Engine Generator Set to Prime Power

Attachments: [ITB15-027 Engine Generator Set](#)

3. Other

- a. [KPB-0286](#) Revenue – Expenditure Report – March 2015

Attachments: [Revenue Expenditure Report - March 2015](#)

- b. [KPB-0287](#) Budget Revisions – March 2015

Attachments: [Budget Revisions - March 2015](#)

- c. [KPB-0288](#) Litigation Status Report

Attachments: [Litigation Status Report](#)

L. ITEMS NOT COMPLETED FROM PRIOR AGENDA

M. PUBLIC HEARINGS ON ORDINANCES

Ordinances referred to Finance Committee

1. [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](#)
[LAYDOWN PC Recommendations](#)
2. [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](#)
3. [2014-19-49](#) An Ordinance Appropriating \$250,000 for Professional Design Services Associated with the Susan B. English School Shop Restoration Project (Mayor) (Hearing on 04/21/15)

Attachments: [O2014-19-49](#)
[Memo](#)
4. [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](#)
5. [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](#)

Ordinances referred to Policies and Procedures Committee

6. [2015-07](#) An Ordinance Enacting KPB Chapter 4.140, Recall (Bagley at the request of the Borough Clerk)

Attachments: [O2015-07](#)
[Memo](#)

7. [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: [O2015-08](#)
[Memo](#)

N. UNFINISHED BUSINESS

1. Notice of Reconsideration

- a. [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 SUB](#)
[O2015-03 \(Bagley\) Sub Memo](#)
[Public Comment](#)
[Additional Public Comments](#)
[Legal Article Response Memo](#)
[Additional Public Comments \(2\)](#)
[Additional Public Comments \(3\)](#)
[LAYDOWN Additional Public Comments \(4\)](#)
[Mill Rate History](#)
[Wolf Amendment](#)
[O2015-03](#)
[Memo](#)

O. NEW BUSINESS

1. Resolutions

Resolutions referred to Finance Committee

- *a. [R2015-021](#) A Resolution Approving a Capital Lease Agreement for the Acquisition of Alaris/CareFusion Smart Pumps at South Peninsula Hospital (Mayor)

Attachments: [R2015-021](#)
[Memo](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to the Finance Committee

- *a. [2014-19-52](#) An Ordinance Appropriating \$223,558.56 to the Special Assessment Fund for the Winridge Avenue - Eagle Ridge Court Road Improvement Special Assessment District (Mayor)

Attachments: [O2014-19-52](#)
[Memo](#)

- *b. [2014-19-53](#) An Ordinance Appropriating \$165,185.50 in the Borough's School Revenue Capital Project Funds for Improvements to School Facilities (Mayor)

Attachments: [O2014-19-53](#)
[Memo](#)
[KPBSD letter 2015 construction Aurora Borealis](#)
[LAYDOWN Map and Proposed Layout](#)

- *c. [2014-19-54](#) An Ordinance Accepting and Appropriating \$688.80 in Funds Received from the Moose Pass Volunteer Fire Company for Additional Funding Associated with a Mobile Generator (Mayor)

Attachments: [O2014-19-54](#)
[Memo](#)

- *d. [2014-19-55](#) An Ordinance Accepting and Appropriating Funds in the Amount of \$842,848.95 from the State of Alaska Division of Homeland Security & Emergency Management, Public Assistance Program Approved Through Federal Declaration DR-4094 (Mayor)

Attachments: [O2014-19-55](#)
[Memo](#)
[Grant Application](#)

- *e. [2014-19-56](#) An Ordinance Approving and Redirecting \$44,987.45 from the U.S Fish & Wildlife Service, Coastal Impact Assistance Program to the Aerial Photography Phase II Project (Mayor)

Attachments: [O2014-19-56](#)
[Memo](#)
[Supporting Documentation](#)

- *f. [2015-10](#) An Ordinance Amending KPB 2.60.030 and 2.60.035 Authorizing an Increase in the E911 Surcharge from \$1.80 to \$2.00 Per Month (Mayor)

Attachments: [O2015-10](#)
[Memo](#)

3. Other

Other Item referred to Finance Committee

- *a. [KPB-0290](#) LAYDOWN: Approving an Application for Restaurant Designation Permit Filed by Alaska Centre for Creative Renewal, LLC

Attachments: [LAYDOWN Restaurant Designation Permit](#)

P. PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. May 5, 2015 Regular Assembly Meeting 6:00PM

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](#)

[Public Comment](#)

[Welles Comment](#)

[Amendment Memo](#)

[Request for Postponement](#)

[Additional Public Comment](#)

2. [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)

Attachments:

[O2015-09](#)

[Memo](#)

[Public Comments](#)

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 May 5, 2015 at 6:00 P.M. in the Assembly Chambers, Soldotna, Alaska.

This meeting will be broadcast on KDLL-FM 91.9 (Central Peninsula), KBBI-AM 890 (South Peninsula), K201 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 1-800-478-442160. Visit our website at www.borough.kenai.ak.us for copies of the agenda, meeting summaries, ordinance resolutions.