



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Assembly

*Kelly Cooper, President*  
*Wayne Ogle, Vice President*  
*Dale Bagley*  
*Kenn Carpenter*  
*Willy Dunne*  
*Paul Fischer*  
*Brent Hibbert*  
*Jill Schaefer*  
*Stan Welles*

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Tuesday, March 21, 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.*

[The Invocation was given by Pastor Bruce Wahl from the Birch Ridge Community 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.)*

### APPROVAL OF MINUTES

[KPB-1117](#) March 7, 2017 Regular Assembly Meeting Minutes

Attachments: [030717 Regular Assembly Meeting Minutes](#)

### COMMENDING RESOLUTIONS AND PROCLAMATIONS

**PRESENTATIONS WITH PRIOR NOTICE**

*(20 minutes total)*

1. [KPB-1097](#) Kenai Peninsula Economic Development District Quarterly Report, Executive Director Tim Dillon (10 Minutes)

*Attachments:* [KPEDD Winter Assembly Update - 2017](#)

2. [KPB-1096](#) April is Safe Digging Month, Kelsie Anderson Communication Specialist, ENSTAR, Natural Gas Company (10 Minutes)

*Attachments:* [032117 Safe Digging - KPB.pdf](#)

**PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**

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

**MAYOR'S REPORT**

[KPB-1107](#) Mayor's Report Memo

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

1. Assembly Requests/Responses - None.

2. Agreements and Contracts

- a. [KPB-1109](#) Authorization to Award Contract for ITB17-011 Central Emergency Services Funny River Fire Station Roof Insulation Repair to Alaska Engineered Truss, LLC, Kenai, Alaska

*Attachments:* [ITB17-011 CES Funny River Fire Station Roof Insulation Repair](#)

- b. [KPB-1110](#) Authorization to Award Contract for RFP17-007 Banking Services to First National Bank, Anchorage, Alaska

*Attachments:* [RFP17-007 Banking Services](#)

- c. [KPB-1111](#) Authorization to Award Contract for ITB17-010 Ninilchik School Roof Replacement to Earhart Roofing, Anchorage, Alaska

*Attachments:* [ITB17-010 Ninilchik School Roof Replacement](#)

- d. [KPB-1112](#) Authorization to Award Contract for ITB17-014 Stryker Power Cots and Load Systems Purchase to Stryker Medical of Portage Michigan

*Attachments:* [ITB17-014 Stryker Power Cots and Load Systems](#)

3. Other

- a. [KPB-1113](#) Revenue – Expenditure Report – February 2017  
*Attachments:* [Revenue - Expenditure Report - February 2017](#)
- b. [KPB-1114](#) Budget Revision – February 2017  
*Attachments:* [Budget Revisions - February 2017](#)
- c. [KPB-1115](#) Certification of the 2016 Real Property Supplemental Assessment Roll  
*Attachments:* [Certification of 2016 Real Property Supplemental Assessment Roll](#)

## ITEMS NOT COMPLETED FROM PRIOR AGENDA

### PUBLIC HEARINGS ON ORDINANCES

*(Testimony limited to 3 minutes per speaker)*

Ordinances referred to Finance Committee

[2016-19-26](#) An Ordinance Appropriating \$396,978.60 to the Special Assessment Fund for Clarence Drive Road Improvement Special Assessment District (Mayor)

*Attachments:* [O2016-19-26](#)  
[Memo](#)

[2016-19-27](#) An Ordinance Appropriating \$175,000 from the Borough General Fund and Appropriating \$175,000 in the Kenai Peninsula Borough School Capital Projects Fund for the Chapman Elementary and Other Siding/Window Replacement Projects (Mayor)

*Attachments:* [O2016-19-27](#)  
[Memo](#)

[2016-19-28](#) An Ordinance Appropriating \$100,000 from the School Fund for Snow Removal and Sanding (Mayor)

*Attachments:* [O2016-19-28](#)  
[Memo](#)

[2016-19-29](#) An Ordinance Transferring \$193.03 in Residual Fund Balance from the Lowell Point Emergency Service Area to the Borough's General Fund (Mayor)

*Attachments:* [O2016-19-29](#)  
[Memo](#)

## Ordinances referred to Policies and Procedures Committee

[2017-02](#) An Ordinance Amending KPB 22.40.080 and Repealing KPB 22.40.090 which Provide for an Invocation During Assembly Meetings (Dunne)

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

**Attachments:**

[O2017-02](#)

[Schaefer Amendment](#)

[Memo](#)

[Public Comment 032117 meeting](#)

[Public Comments \(Received prior to 03/07/17 meeting\)](#)

[Public Comments \(Received prior to Packet Deadline of 03/09/17\)](#)

[eComments](#)

[Public Comments Recd during 32117 meeting](#)

## Ordinances referred to Lands Committee

[2017-04](#) An Ordinance Authorizing the Sale of Certain Parcels of Borough Land by Sealed Bid Followed by an Over-the-Counter Sale (Mayor)

**Attachments:**

[O2017-04](#)

[Planning Commission Recommendations](#)

[Amendment Memo](#)

[Memo](#)

[Vicinity Maps and Aerial Imagery](#)

[eComments](#)

**UNFINISHED BUSINESS****NEW BUSINESS**

## Resolutions

## Resolutions referred to Finance Committee

[2017-019](#) A Resolution To Form the Clarence Drive Road Improvement Assessment District (RIAD) and Proceed with the Improvement (Mayor)

*Attachments:* [R2017-019](#)  
[Memo](#)  
[Exhibits 1 - 4](#)  
[eComment](#)

Resolutions referred to Lands Committee

[2017-023](#) A Resolution Authorizing the Borough, on Behalf of the South Kenai Peninsula Hospital Service Area, to Amend the Homer Medical Business Office Lease Agreement for Property Located at 309 W. Fairview Avenue to Include Terms Regarding Early Termination (Mayor)

*Attachments:* [R2017-023](#)  
[Memo](#)  
[Amendment to Medical Office Lease Agreement](#)  
[Planning Commission Recommendations](#)  
[Service Area Board Recommendations.pdf](#)

[2017-024](#) A Resolution Classifying Certain Parcels of Borough Owned Land in Nikiski, Kalifornsky, Anchor Point, Cohoe, and Homer Areas (Mayor)

*Attachments:* [R2017-024](#)  
[Memo](#)  
[Land Classification Supporting Documentation](#)  
[Planning Commission Recommendations](#)

Resolutions referred to Policies and Procedures Committee

[2017-025](#) A Resolution Approving a Mutual Aid Agreement and Operational Plan Between Anchor Point Fire and Emergency Medical Service Area and Ninilchik Emergency Services (Mayor)

*Attachments:* [R2017-025](#)  
[Memo](#)  
[Mutual Aid Agreement](#)  
[Operational Plan](#)

[2017-026](#) A Resolution Approving an Automatic Aid Agreement and Operational Plan Between Anchor Point Fire and Emergency Medical Service Area and Ninilchik Emergency Services for Fire Apparatus and Personnel (Mayor)

Attachments: [R2017-026](#)  
[Memo](#)  
[Agreement for Exchange of Automatic Aid Operational Plan](#)

[2017-027](#) A Resolution Confirming the Appointment of Assembly Member Jill Schaefer to the Kenai Peninsula Economic Development District Board of Directors (Cooper)

Attachments: [R2017-027](#)

[2017-028](#) A Resolution Confirming the Appointment of Assembly Member Brent Hibbert to the Kenai River Special Management Area Advisory Board (Cooper)

Attachments: [R2017-028](#)

#### Resolutions referred to Legislative Committee

[2017-029](#) A Resolution Encouraging Congress to Create a Reliable, Predictable Stream of Resources to Address Deferred Maintenance Needs in America's National Park System (Dunne, Carpenter, Mayor)

Attachments: [R2017-029](#)  
[Memo](#)  
[Kenai Fjords National Park Jobs and Visitors Report](#)  
[Restore America's Parks Letter](#)

#### 2. Ordinances for Introduction

##### Ordinances for Introduction and referred to Finance Committee

[2016-19-30](#) An Ordinance Appropriating Supplemental Funding In The Amount Of \$65,000 for Legal Costs Relating To Defending the Borough against a Complaint Filed With the Regulatory Commission of Alaska (Mayor)

Attachments: [Ordinance 2016-19-30](#)  
[Memo](#)

#### Other

## Other Items referred to Finance Committee

[KPB-1098](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Retail Marijuana Store License Application Filed by Alaskan Cannabis Outfitters, Homer, AK (Referred to Finance Committee)

Subject to the following conditions:

1. The marijuana establishment shall conduct their operation consistent with the site plan submitted to the Kenai Peninsula Borough.
2. There shall be no parking in borough rights-of-way generated by the marijuana establishment.
3. The marijuana establishment shall remain current in all Kenai Peninsula Borough tax obligations consistent with KPB 7.30.020(A).
4. The marijuana establishment shall not conduct any business on, or allow any consumer to access, the retail marijuana store's licensed premises, between the hours of 2:00 a.m. and 8:00 a.m.

Attachments:

[Complete Application Package-10057](#)

[Recommendations to Assembly - 10057.pdf](#)

[Planning Commission Memo to Assembly-10057](#)

[Planning Staff Report - 10057.pdf](#)

[Aerial Map -10057.pdf](#)

[Land Use Map -10057.pdf](#)

[Public Notice Alaskan Cannabis Outfitters](#)

[Notification of Assembly Meeting to Applicant - 10057.docx](#)

[Acknowledgement Form-10057](#)

[Site Development Plan-10057](#)

[eComment](#)

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

## **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

April 4, 2017 Regular Assembly Meeting 6:00 p.m. Assembly Chambers, Borough Administration Building

## **ASSEMBLY COMMENTS**

## **S. PENDING LEGISLATION**

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

**INFORMATIONAL MATERIALS AND REPORTS****NOTICE OF NEXT MEETING AND ADJOURNMENT**

*The next meeting of the Kenai Peninsula Borough Assembly will be held on April 4, 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.*