



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Assembly

Blaine Gilman, President
Brent Johnson, Vice President
Dale Bagley
Kelly Cooper
Willy Dunne
Brandii Holmdahl
Gary Knopp
Wayne Ogle
Stan Welles

Tuesday, September 20, 2016

6:00 PM

Council Chambers, Homer City Hall

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

The invocation was given by Assembly Member Kelly Cooper.

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-887](#) September 6, 2016 Regular Assembly Meeting Minutes

Attachments: [September 6, 2016 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE

1. [KPB-875](#) "Oil Reclamation Technology with Industrial Hemp", Jack Bennett (10 minutes)
Attachments: [Oil Reclamation Technology with Industrial Hemp Photos](#)
[Oil Reclamation Technology with Industrial Hemp](#)
[Oil Reclamation Technology with Industrial Hemp - Additional Presentation Photo](#)
2. [KPB-876](#) "Cosmopolitan Development Project Update", Larry Burgess, Blue Crest Energy, LLC (10 minutes)
Attachments: [Blue Crest Energy Presentation](#)

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

MAYOR'S REPORT

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
 - a. [KPB-888](#) Authorization to Award Contract for ITB17-004 2016 Gravel Road Projects for Central Region: Otter Trail Road Project No. 17GRV to Hammond Trucking and Excavating, Inc., Soldotna, AK
Attachments: [Authorization to Award Contract - Hammond Trucking & Excavating, Inc.](#)
 - b. [KPB-889](#) Authorization to Award Contract for ITB17-004 2016 Gravel Road Projects for West Region: Stubblefield Drive and Charlie Brown Drive Road Project No. 17GRV to Chumley's Inc., Nikiski, AK
Attachments: [Authorization to Award Contract - Chumley's Inc.](#)
 - c. [KPB-890](#) Authorization to Award Contract for ITB17-004 2016 Gravel Road Projects for West Region: Oil Well Road Project No. 17GRV to Chumley's Inc., Nikiski, AK
Attachments: [Authorization to Award Contract - Chumley's Inc.](#)
3. Other
 - a. [KPB-891](#) Budget Revision – August 2016
Attachments: [Budget Revisions - August 2016](#)
 - b. [KPB-892](#) Revenue Expenditure Report – August 2016
Attachments: [Revenue - Expenditure Report - August 2016](#)

- c. [KPB-893](#) Certification of the 2016 Personal Property Supplemental Assessment Roll

Attachments: [Certification of the 2016 Personal Property Supplemental Assessment Roll](#)

ITEMS NOT COMPLETED FROM PRIOR AGENDA

PUBLIC HEARINGS ON ORDINANCES

Ordinances referred to Finance Committee

- [2016-19-03](#) An Ordinance Appropriating \$325,000 from the General Fund to Update the Kenai Peninsula Borough Comprehensive Plan (Mayor)

Attachments: [O2016-19-03](#)
[Planning Commission Recommendations](#)
[Memo](#)
[Planning Memo](#)

- [2015-19-36](#) An Ordinance Recording Expenditures of \$1,192,674.66 Paid by the State of Alaska Department of Administration, Division of Retirement & Benefits on behalf of the Kenai Peninsula Borough toward the Borough's Unfunded PERS Liability (Mayor)

Attachments: [O2015-19-36](#)
[Memo](#)
[State of Alaska PERS Letter](#)

- [2016-19-06](#) An Ordinance Accepting and Appropriating Funding from the State of Alaska in the Amount of \$348,300 for Community Purposes under the State's 2016/2017 Community Revenue Sharing Program (Mayor)

Attachments: [O2016-19-06](#)
[Memo](#)

[2016-19-07](#) An Ordinance Appropriating \$700 for Costs of Printing and Disseminating Information about Ballot Propositions 3 and 4 Concerning the Proposed Sales Tax Cap Increase to \$1,000 and a Phase-Out of the Optional Senior Citizen Tax Exemption, to Ensure Compliance with Legal Restrictions on the Use of Borough Funds and Assets Relating to Ballot Propositions (Mayor)

Attachments:

[O2016-19-07](#)

[Amendment Memo](#)

[Memo](#)

[Backup](#)

UNFINISHED BUSINESS

Postponed Item

Unfinished Business referred to Policies and Procedures Committee

[2016-25](#)

(Mayor) Substitute: An Ordinance Amending KPB 2.40.010 to Reduce Planning Commission Membership (Mayor) [Reconsideration filed by Knopp]

Attachments:

[Mayor SUB](#)

[Mayor SUB Memo](#)

[Planning Commission Recommendations 09/20/16](#)

[Kenai City Council Recommendations 09/20/16](#)

[Seldovia P & Z Commission Recommendations 09/20/16](#)

[Mayor SUB Planning Commission Recommendations](#)

[Soldotna P & Z Commission 09/07/16 Meeting Agenda](#)

[Soldotna P & Z Commission 09/07/16 Meeting Minutes](#)

[Public Comment](#)

[O2016-25](#)

[Planning Commission Recommendations 08/23/16](#)

[Bagley, Mayor Amendment](#)

[Proposed Planning Commission Apportionment Map - 11 member
Memo](#)

[Proposed Planning Commission Apportionment Map - 9 member](#)

[Planning Districts Map](#)

[Seldovia Reso 16-13](#)

[City of Seward Letter](#)

[City of Soldotna Resolution and Planning Commission Review](#)

[City of Kenai Reso 2016-31](#)

[City of Homer Letter](#)

[eComments Report 072616](#)

O. NEW BUSINESS

1. Resolutions

Resolutions referred to Finance Committee

[2016-050](#) A Resolution Approving the Third Amendment To The Loan Agreement Between the Kenai Peninsula Borough and the City of Homer Regarding Financing a Utility Special Assessment District (Mayor)

Attachments: [R2016-050](#)
[Memo](#)
[Third Amendment to Loan Agreement](#)

[2016-051](#) A Resolution Accepting \$160,000 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management for Emergency Management Operations (Mayor)

Attachments: [R2016-051](#)
[Memo](#)
[Grant Award Letter](#)

Resolutions referred to Legislative Committee

[2016-052](#) A Resolution Requesting the Alaska Board of Fisheries Pursue an Update of Fish Habitat Permitting Statutes (Dunne)

Attachments: [R2016-052](#)
[Board of Fisheries Proposal Summary](#)
[Upper Cook Inlet Board of Fisheries Habitat Proposal](#)
[Board of Fisheries Reso 2008-254-FB](#)

Resolutions referred to Policies and Procedures Committee

[2016-053](#) LAYDOWN A Resolution Approving the Sole Source Acquisition of Alaska Land Mobile Radio Systems from Motorola Solutions, Inc. for the Soldotna Public Safety Communications Center (Mayor)

Attachments: [R2016-053](#)
[Memo](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

[2016-19-08](#) An Ordinance Accepting and Appropriating \$491,930.94 from the Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management to Purchase Radio Consoles and to Conduct Training (Mayor)

Attachments: [O2016-19-08](#)
[Memo](#)
[Homeland Security Program Grant Backup](#)
[Memo & Grant Award Letter](#)

[2016-19-09](#) An Ordinance Appropriating Interest Income of \$28,336.03 from the Bond Funded Capital Projects Fund for Transfer to the Solid Waste Capital Projects Fund (Mayor)

Attachments: [O2016-19-09](#)
[Memo](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

[2016-35](#) An Ordinance Amending KPB 5.10.040 Regarding the Kenai Peninsula Borough's Investment Policy to Delete an Unused Provision and Clarify the Source of Funds for the Investment in the Homer Special Assessment District (Mayor)

Attachments: [O2016-35](#)
[Memo](#)

[2016-36](#) An Ordinance Adopting the Most Recent FEMA Flood Insurance Study and Associated Coastal Flood Maps for Seward, Cooper Landing, Ninilchik, Nikiski and Anchor Point dated October 20, 2016; Amending KPB 21.06 to Update and Clarify Language (Mayor)

Attachments: [O2016-36](#)
[Amendment Memo](#)
[Planning Commission Recommendations](#)
[Memo](#)
[Proposed Updates to KPB Floodplain Management Ordinance Chapter 21.06](#)
[Federal Emergency Management Agency Letter and Map of Actions](#)
[Public Comment](#)

3. Other

Other Items referred to Finance Committee

[KPB-877](#)

Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Limited Marijuana Cultivation Facility License Application Filed by Alaska Bud Brothers Aerogardens, LLC, Kasilof, AK 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).

Attachments:

[Memo to Assembly - 10650](#)

[PLN Memo to Assembly - 10650](#)

[Planning Staff Report - 10650](#)

[Complete Application Package - 10650](#)

[Reply Regarding SDP and Acknowledgement - 10650](#)

[Aerial Map - 10650](#)

[Land Use Map - 10650](#)

[Public Notice Alaska Bud Brothers Aerogardens, LLC. - 10650](#)

Other items referred to Policies and Procedures Committee

[KPB-886](#)

Approval of the Precinct Boards, Canvass Board, Review Boards and Absentee Voting Officials for the October 4, 2016 Regular Election

Attachments:

[Memo to Assembly 092016](#)

[KPB-894](#) Confirming Appointments to KPB Advisory Planning Commissions (Mayor)

Anchor Point Advisory Planning Commission

Colette Bewick, Seat B, Term Expires September 30, 2017
Dawson Slaughter, Seat C, Term Expires September 30, 2017
Donna White, Seat D, Term Expires September 30, 2019
Raymond Drake, Seat E, Term Expires September 30, 2019

Cooper Landing Advisory Planning Commission

Janette Cadieux, Seat A, Term Expires September 30, 2019
Chris Degernes, Seat B, Term Expires September 30, 2019
Laura Johnson, Seat G, Term Expires September 30, 2019

Moose Pass Advisory Planning Commission

Jesse Labenski, Seat C, Term Expires September 30, 2017
Michael Cooney, Seat F, Term Expires September 30, 2019
Jeff Hetrick, Seat G, Term Expires September 30, 2019

Attachments:

[Memo](#)

[Verification of Advisory Planning Commission Applicants](#)

[Anchor Point Applications](#)

[Cooper Landing Applications](#)

[Moose Pass Applications](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. September 21, 2016 Health Care Task Force Meeting 6:30 PM Assembly Chambers, Borough Administration Building
2. September 23, 2016 Bear Creek Community Meeting 6:00 PM Bear Creek Fire Station, 13101 Seward Hwy, Mile 5.5
3. September 24, 2016 Lowell Point Community Meeting 9:30 AM Penny Hardy Community Center, 13915 Lowell Point Rd.

4. September 24, 2016 Moose Pass Community Meeting 1:00 PM Moose Pass Community Center, Mile 29.5 Seward Hwy
5. September 24, 2016 Hope Community Meeting 3:00 PM Hope Social Hall, Main Street
6. September 24, 2016 Cooper Landing Community Meeting 7:00 PM Cooper Landing School, 19030 Bean Creek Road
7. September 27, 2016 Kasilof/Clam Gulch/Cohoe 6:00 PM Community Meeting, Tustumena Elementary, Mile 110 Sterling Hwy
8. September 30, 2016 Ninilchik Community Meeting 10:00 AM Ninilchik Community Center, 66265 Aspen Avenue
9. October 1, 2016 Diamond Ridge/Fox River/Fritz Creek 10:00 AM Community Meeting, McNeil Canyon Elementary School, Mile 12 East End Road
10. October 1, 2016 Anchor Point Community Meeting 3:00 PM Chapman Elementary School, 73286 School St.
11. October 11, 2016 Regular Assembly Meeting 6:00 PM Assembly Chambers, Borough Administration Building

ASSEMBLY COMMENTS

S. PENDING LEGISLATION

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

1. [2016-34](#) An Ordinance Amending KPB Chapter 5.28, Procurement and Purchasing, to Allow Acceptance of Electronic Bids and Proposals (Mayor)

Attachments: [O2016-34](#)
[Memo](#)

INFORMATIONAL MATERIALS AND REPORTS

NOTICE OF NEXT MEETING AND ADJOURNMENT

The next meeting of the Kenai Peninsula Borough Assembly will be held on October 11, 2016, 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 for copies of the agenda, meeting summaries, ordinances and resolutions.