



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda

Assembly

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

Tuesday, October 11, 2016

6:00 PM

Assembly Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

[Clerks Note: The invocation will be given by Carrie Henson from the Last Frontier Freethinkers]

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.)*

VACANCY, DESIGNATION OR SEATING MEMBERS

[KPB-923](#) Swear-In Newly Elected Assembly Members

APPROVAL OF MINUTES

[KPB-924](#) September 20, 2016 Regular Assembly Meeting Minutes

Attachments: [092016 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS

[KPB-915](#) Mayor's Proclamation Declaring October 2016 as "Domestic Violence Awareness Month"

Attachments: [Mayor's Proclamation - Domestic Violence Awareness Month](#)

PRESENTATIONS WITH PRIOR NOTICE

[KPB-898](#) South Peninsula Hospital Quarterly Report (10 minutes)

Attachments: [SPH Quarterly Report](#)

[KPB-899](#) Kenai Peninsula Economic Development District Quarterly Report, Tim Dillon (10 minutes)

Attachments: [KPEDD Presentation](#)

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

MAYOR'S REPORT

1. Assembly Requests/Responses - None.

2. Agreements and Contracts

a. [KPB-904](#) Authorization to Award Contract for ITB17-005, 2016 Gravel Road Projects for North, South and East Gravel Projects: Langille Road Project No. 17GRV to AG & Building Supply, Hope, AK

Attachments: [Authorization to Award Contract - AG & Building Supply - Langille Road](#)

b. [KPB-906](#) Authorization to Award Contract for ITB17-005, 2016 Gravel Road Project for North, South and East Gravel Projects: Mathison Road Project No. 17GRV to AG & Building Supply, Hope, AK

Attachments: [Authorization to Award Contract - AG & Building Supply - Mathison Road](#)

c. [KPB-907](#) Authorization to Award Contract for ITB17-005, 2016 Gravel Road Projects for North, South and East Gravel Projects: Rabbit Run Lane & Bear Paw Drive Project No. 17GRV to Metco, Inc., Seward, AK

Attachments: [Authorization to Award Contract - Metco, Inc.](#)

d. [KPB-908](#) Authorization to Award Contract for ITB17-005, 2016 Gravel Road Projects for North, South and East Gravel Projects: Balto Drive Project No. 17GRV to Chumley's Inc., Nikiski, AK

Attachments: [Authorization to Award Contract - Chumley's Inc. - Balto Drive](#)

e. [KPB-909](#) Authorization to Award Contract for ITB17-005, 2016 Gravel Road Projects for North, South and East Gravel Projects: Resurrection Creek

Road Project No. 17GRV to AG & Building Supply, Hope, AK

Attachments: [Authorization to Award Contract - AG & Building Supply - Resurrection Creek Rd](#)

- f. [KPB-910](#) Authorization to Award Contract for ITB17-005, 2016 Gravel Road Projects for North, South and East Gravel Projects: Russian Gap Road Project No. 17GRV to AG & Building Supply, Hope, AK

Attachments: [Authorization to Award Contract - AG & Building Supply - Russian Gap Road](#)

- g. [KPB-911](#) Authorization to Award Contract for ITB17-005, 2016 Gravel Road Projects for North, South and East Gravel Projects: Douglas Lane Project No. 17GRV to Chumley's Inc., Nikiski, AK

Attachments: [Authorization to Award Contract - Chumley's Inc. - Douglas Lane](#)

- h. [KPB-912](#) Authorization to Award Contract for ITB17-006, Soldotna High School Incline Wheelchair Lift to Alaska Stairlift & Elevator, Anchorage, AK

Attachments: [Authorization to Award Contract - Alaska Stairlift & Elevator, LLC](#)

- i. [KPB-913](#) Authorization to Award Contract for ITB17-003 Central Peninsula Hospital (CPH) Radiology Remodel Phases III, IV and V to Unit Company, Anchorage, AK

Attachments: [Authorization to Award Contract - Unit Company](#)

- j. [KPB-914](#) Authorization to Award Contract for RFP17-001 South Peninsula Hospital (SPH) Operating Room HVAC System to RSA Engineering, Inc., Anchorage, AK

Attachments: [Authorization to Award Contract - RSA Engineering, Inc.](#)

ITEMS NOT COMPLETED FROM PRIOR AGENDA

PUBLIC HEARINGS ON ORDINANCES

Ordinances 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 referred to Policies and Procedures Committee

[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](#)

[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](#)

UNFINISHED BUSINESS

1. Postponed Item

Unfinished Business referred to Finance Committee

[2016-19-03](#) An Ordinance Appropriating \$275,000 from the General Fund to Update the Kenai Peninsula Borough Comprehensive Plan (Mayor)

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

2. Notice of Reconsideration

[2016-25](#) (Mayor) Substitute: An Ordinance Amending KPB 2.40.010 to Reduce

Planning Commission Membership (Mayor) [Reconsideration filed by Knopp]

Attachments:

[O2016-25 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](#)

NEW BUSINESS

1. Resolutions

Resolutions referred to Finance Committee

2016-054

A Resolution Authorizing the Administration to Amend the Lease and Operating Agreement with Central Peninsula General Hospital, Inc. for Central Peninsula Hospital, Heritage Place, Kenai Health Center, and Other Health Facilities to Change the Date Notice of Termination Shall be Given (Mayor)

Attachments:

[R2016-054](#)

[Memo](#)

[Amendment to Lease and Operating Agreement](#)

Resolutions referred to Lands Committee

[2016-055](#) A Resolution Authorizing the Acceptance of Title to Seven Parcels of Land from the Kenai Peninsula Building Authority, Inc. to be Managed in Support of Kenai Peninsula Borough School District Vocational Education Programs and Other School District Purposes (Mayor)

Attachments: [R2016-055](#)
[Planning Commission Recommendations](#)
[Memo](#)
[Map](#)
[Quitclaim Deed](#)
[KPBSD Board of Education Meeting Minutes](#)
[Backup](#)

Resolutions referred to Policies and Procedures Committee

[2016-056](#) A Resolution Amending the Assembly Manual to Include a Policy Regarding Invocations before Borough Assembly Meetings (Gilman, Bagley)

Attachments: [R2016-056](#)
[Bagley, Cooper Amendment](#)
[Memo](#)
[Public Comment](#)
[Additional Public Comments](#)

[2016-057](#) A Resolution Certifying the Results of the October 4, 2016 Regular Borough Election (Gilman at the Request of the Borough Clerk)

Attachments: [R2016-057](#)
[Canvass Board Report](#)
[Jurisdiction Wide Official Results](#)
[Voter Turnout](#)

Resolutions for Introduction and referred to the Legislative Committee

[2016-058](#) A Resolution Supporting the Alaska Avalanche Information Center's (AAIC) Efforts to Install Safety Signs at Key Snowmobile Access Points to Provide Critical Information for Backcountry Winter Travel to Raise Awareness and Prepare Riders for Safe Snowmobile Riding

Attachments: [R2016-058](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

[2016-19-10](#) An Ordinance Authorizing the Redirection of Deferred Administrative Fees of \$15,911.70 and the Appropriation of \$11,202.37 to Refund Payments to Qualifying Former Property Owners in the Pollard Loop, Scooters Landing, Char Subdivision and Tustumena Terrace Utility Special Assessment Districts (Mayor)

Attachments: [O2016-19-10](#)
[Memo](#)

[2016-19-11](#) An Ordinance Accepting and Appropriating Grant Funds in the Amount of \$341,350 to Provide Supplemental Funding for the Central Peninsula Hospital Transitional Housing Project (Mayor)

Attachments: [O2016-19-11](#)
[Memo](#)

[2016-19-12](#) An Ordinance Appropriating \$10,000,000 from the Central Peninsula Hospital Plant Replacement and Expansion Fund for the Design and Construction of the Obstetrics Facilities, Cardiac Catheterization Laboratory and Related Projects at Central Peninsula Hospital and Authorizing the Issuance of Central Kenai Peninsula Hospital Service Area Hospital Revenue Bonds (Obstetrics, Catheterization and Related Projects), In One or More Series, in an Amount Not to Exceed \$28,955,000 (Mayor)

Attachments: [O2016-19-12](#)
[Memo](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

[2016-37](#) An Ordinance Amending KPB 22.30.110(E) to Comply with Internal Revenue Service Rules Regarding Enrollment in the Borough Health and Life Insurance Plans (Gilman, Mayor)

Attachments: [O2016-37](#)
[Memo](#)

3. Other

Other items referred to Finance Committee

[KPB-900](#) 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 Terra House LLC, Soldotna, 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 - 10086](#)

[PLN Memo to Assembly - 10086](#)

[Planning Staff Report - 10086](#)

[Complete Application Package - 10086](#)

[Acknowledgement Form - 10086](#)

[Site Development Plan - 10086](#)

[Aerial Map - 10086](#)

[Land Use Map - 10086](#)

[Public Notice - 10086](#)

[Public Comment Letter](#)

[Comments Penner - 10086](#)

[SOA Fire Marshals Approval of Plan Review](#)

[KPB-901](#)

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 Alpha Kilo LLC, Seward, 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 - 10176](#)
[PLN Memo to Assembly - 10176](#)
[Planning Staff Report - 10176](#)
[Complete Application Package - 10176](#)
[Acknowledgement Form - 10176](#)
[Site Development Plan - 10176](#)
[Aerial Map - 10176](#)
[Land Use Map - 10176](#)
[Public Notice - 10176](#)
[Comment Niemi - 10176](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. October 25, 2016 Regular Assembly Meeting 6:00 PM Assembly Chambers, Borough Administration Building
2. October 26, 2016 Health Care Task Force Meeting 6:30 PM Assembly Chambers, Borough Administration Building

ASSEMBLY COMMENTS

T. PENDING LEGISLATION

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

1. [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](#)
[Amendment Memo](#)
[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 25, at 6:00 P.M. in the George A. Navarre Borough Administration Building, in 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.