



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Assembly

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Tuesday, April 3, 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-1629](#) March 6, 2018 Regular Assembly Meeting Minutes

Attachments: [030618 Regular Assembly Meeting Minutes](#)

### COMMENDING RESOLUTIONS AND PROCLAMATIONS

[KPB-1616](#) Mayor's Proclamation Declaring April, 2018 as "Safe Digging Month"

Attachments: [Mayor's Proclamation - "Safe Digging Month"](#)

[KPB-1627](#) Mayor's Proclamation declaring April 2018 as "Sexual Assault Awareness Month"

Attachments: [Mayor's Proclamation - Sexual Assault Awareness Month](#)

**PRESENTATIONS WITH PRIOR NOTICE**

*(20 minutes total)*

[KPB-1617](#) “Person Factors and their Relationship with Marijuana Use”, Eric Gordon and Yan Li, Kenai Peninsula College Student Group and Dr. Kristie Sellers (10 Minutes)

*Attachments:* [Presentation](#)

[KPB-1618](#) "Safe Digging Month", Robin Barry, Manager, ENSTAR Natural Gas Company (10 Minutes)

*Attachments:* [Presentation](#)

**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-1632](#) Mayor's Report Memo

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

1. Assembly Requests/Responses - None.

2. Agreements and Contracts

a. [KPB-1633](#) Authorizing to award a Contract for ITB18-010 Central Peninsula Landfill C&D Disposal Area – Phase 3 Expansion to Anchor Trucking, Anchor Point, Alaska

*Attachments:* [Auth. to award contract for ITB18-010](#)

3. Other

a. [KPB-1634](#) Revenue - Expenditure Report February 2018

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

b. [KPB-1635](#) Budget Revisions February 2018

*Attachments:* [Budget Revisions February 2018](#)

c. [KPB-1636](#) Certification of the 2017 Real Property Supplemental Assessment Roll

*Attachments:* [Certification of the 2017 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

[2017-19-18](#) An Ordinance Appropriating \$100,000 from the Solid Waste Capital Project Fund to Fund a Grant to Alaska Electric Energy Cooperative, Inc. for Landfill Gas to Energy Project and Enacting KPB 10.04.100 (Mayor)

***Attachments:*** [O2017-19-18](#)  
[Amendment Memo](#)  
[Memo](#)  
[Memorandum of Agreement](#)

[2017-19-19](#) An Ordinance Appropriating \$5,000.00 from the Seldovia Recreational Service Area Fund Balance for Payment of Prior Fiscal Year Invoices for Contract Services (Mayor)

***Attachments:*** [Ordinance 2017-19-19](#)  
[Memo](#)  
[Service Area Request](#)  
[Amendment Memo](#)

[2017-19-20](#) Authorizing the Purchase and Implementation of Tomosynthesis Equipment, Software, Installation, and Training and Appropriating \$587,100 from the CPGH, Inc. Plant Replacement and Expansion Fund for the Project (Mayor)

***Attachments:*** [O2017-19-20](#)  
[Memo](#)

[2017-19-21](#) An Ordinance Providing for an Exception to KPB 5.20.080 and Transferring \$3,000,000 from the Land Trust Fund to the General Fund (Mayor) (Reconsideration Given by Fischer)

*Attachments:* [O2017-19-21](#)  
[Memo](#)  
[Public Comment 051518](#)  
[Public Comment 050118](#)  
[Public Comment 041718](#)  
[Public Comment 030118](#)  
[Amendment Memo \(Dealt with on 05/01/18\)](#)  
[Amendment Memo \(Dealt with on 04/03/18\)](#)

[2017-19-22](#) Appropriating the \$443,750 from the CPGH Inc. Plant Replacement and Expansion Fund for the Fiscal Year 2018 Semi-Annual Debt Payment on the 2003 Central Kenai Peninsula Hospital Service Area Refunded General Obligation Bonds (Mayor)

*Attachments:* [O2017-19-22](#)  
[Memo](#)

[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 \(Dealt with on 04/03/18\)](#)

Ordinances referred to Lands Committee

[2018-13](#) An Ordinance Authorizing the Sale of Certain Parcels of Borough Land by Sealed Bid Followed by an Over-The-Counter Sale (Mayor)

*Attachments:* [Ordinance 2018-13](#)  
[Amendment Memo and Planning Commission Recommendations](#)  
[Memo](#)  
[Maps](#)

Ordinances referred to Policies and Procedures Committee

[2018-11](#) An Ordinance Amending KPB 5.12.116 and KPB 19.30.060(B) to Reflect Changes to Alaska Statute 29.45.050 Economic Development Property Tax Exemption (Mayor)

*Attachments:* [Ordinance 2018-11](#)  
[Amendment Memo](#)  
[Memo](#)

[2018-14](#) An Ordinance Amending KPB Chapter 16.60 to Provide for Appointed Members to Serve on the Anchor Point Fire and Emergency Medical Service Area Board (Dunne)

*Attachments:* [Ordinance 2018-14](#)  
[Memo](#)

[2018-15](#) Amending KPB 2.45.010 to Replace the Emergency Management Director Position with a Senior Manager of the Office of Emergency Management Position (Mayor)

*Attachments:* [Ordinance 2018-15](#)  
[Memo](#)  
[Draft Organization Chart](#)  
[Seward Bear Creek Flood Service Area Board Recommendation](#)

## UNFINISHED BUSINESS

## NEW BUSINESS

Resolutions

Resolutions referred to Finance Committee

[2018-014](#) A Resolution Approving Twenty-Seven Unincorporated Communities for Participation in the State's Fiscal Year 2019 Community Assistance Program (Mayor)

*Attachments:* [Resolution 2018-014](#)  
[Memo](#)  
[Fiscal Year 2019 Grant Award](#)

Resolutions referred to Lands Committee

[2018-017](#) A Resolution Classifying Certain Parcels of Borough Owned Land in the Nikiski, North Kenai, Ciechanski, Kalifornsky, Ninilchik, Happy Valley and Beluga Areas (Mayor)

*Attachments:* [R2018-017](#)  
[Planning Commission Recommendation](#)  
[Amendment Memo](#)  
[Memo](#)  
[Staff Report](#)  
[Classification Definitions](#)  
[Public Comments](#)

Resolutions referred to Policies and Procedures Committee

[2018-018](#) A Resolution Amending Resolution 2018-011 to Enable the Alaska Liquefied Natural Gasline Project Advisory Committee to Make Recommendations to the Assembly and/or the Administration Regarding the Alaska Liquefied Natural Gasline Project (Ogle)

*Attachments:* [Resolution 2018-018](#)  
[Cooper Amendment](#)  
[Memo](#)

Resolutions referred to Legislative Committee

[2018-015](#) A Resolution Recognizing 2018 as "The Year of the Bird" (Dunne)

*Attachments:* [R2018-015](#)

[2018-016](#) A Resolution Requesting the Alaska Alcohol and Marijuana Control Office Expeditiously Work with the Elks Lodge #2425 to Reinstate or Renew its Liquor License and Provide Improved Public Outreach and Communication Services (Smalley)

Attachments: [R2018-016](#)  
[Memo](#)

## 2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

[2017-19-23](#) An Ordinance Appropriating \$599,102.29 from the CPGH, Inc. Plant Replacement and Expansion Fund for the Fiscal Year 2018 Semi-Annual Debt Payment on the 2017 Central Kenai Peninsula Hospital Service Area Revenue Bonds (Mayor) (Hearing on 04/17/18)

Attachments: [O2017-19-23](#)  
[Amendment Memo](#)  
[Memo](#)

[2017-19-24](#) An Ordinance Appropriating Commercial Passenger Vessel Tax Proceeds Received from the State of Alaska in the Amount of \$489,697.50 and Allocating \$458,165 to the City of Seward and \$31,532.50 to the City of Homer (Mayor) (Hearing on 04/17/18)

Attachments: [O2017-19-24](#)  
[Memo](#)  
[City of Seward's Request](#)  
[City of Homer's Request](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

[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 \(Dealt with on 05/01/18\)](#)



- [2018-17](#) An Ordinance Amending KPB 5.35.155 and KPB 14.31.145 to Authorize the Mayor to Accept Late-Filed Applications for a Deferred Payment of Principal for a Utility Special Assessment or Road Improvement Assessment District (Mayor)

Attachments: [O2018-17](#)  
[Memo](#)

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

### **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. April 2, 2018 AK LNG Project Advisory Committee  
7:00 PM Nikiski Community Recreation Center
2. April 5, 2018 Material Site Work Group Public Hearing  
6:00 PM Assembly Chambers, Soldotna, Alaska
3. April 7, 2018 Material Site Work Group Public Hearing  
1:00 PM Chapman Elementary, Anchor Point, Alaska
4. April 11, 2018 Material Site Work Group meeting  
2:00 PM Assembly Chambers, Soldotna, Alaska
5. April 17, 2018 Regular Assembly Meeting  
6:00 PM Seward City Council Chambers, Seward, 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 \(Dealt with on 12/05/17\)](#)

### **INFORMATIONAL MATERIALS AND REPORTS**

**NOTICE OF NEXT MEETING AND ADJOURNMENT**

*The next meeting of the Kenai Peninsula Borough Assembly will be held on April 17, 2018, at 6:00 P.M. in the Seward City Council Chambers, Seward, 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.us](http://www.borough.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*