



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Assembly

Tuesday, August 7, 2018

6:00 PM

Assembly Chambers

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-1819](#) July 17, 2018 Regular Assembly Meeting Minutes

Attachments: [071718 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS

[KPB-1811](#) Proclamation proclaiming August 12-18, 2018 as "National Health Center Week"

Attachments: [Proclamation - National Health Center Week](#)

PRESENTATIONS WITH PRIOR NOTICE

(20 minutes total)

[KPB-1790](#) Central Peninsula Hospital, Inc. Quarterly Report (10 Minutes)

Attachments: [Central Peninsula General Hospital Quarterly Report](#)

[KPB-1791](#) "Water Trail Update", Dave Brann, Co-Chair Kachemak Bay Water Trail (10 Minutes)

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-1803](#) Mayor's Report to the Assembly

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

1. Assembly Requests/Responses - None.

2. Agreements and Contracts

a. [KPB-1804](#) Authorization to Award a Contract for ITB18-023 Central Emergency Services K-Beach Fire Station Siding Replacement to Polar North Construction, LLC, Soldotna, Alaska.

Attachments: [Authorization to Award Contract for ITB 18-023](#)

b. [KPB-1805](#) Authorization to Award a Contract for ITB18-024 Central Emergency Services Sterling Fire Station Interior Painting to Costal Services, Soldotna, Alaska

Attachments: [Authorization to award contract for ITB18-0024](#)

3. Other

a. [KPB-1806](#) Budget Revision - June 2018

Attachments: [Budget Revisions - June 2018](#)

b. [KPB-1807](#) Revenue - Expenditure Report - June 2018

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

c. [KPB-1808](#) Kenai Peninsula College FY18 Program Report

Attachments: [Kenai Peninsula College FY18 Program Report](#)

- d. [KPB-1809](#) FY18-4Q Senior Center Grant Reports
Attachments: [FY 18-4Q Senior Center Grant Reports](#)
- e. [KPB-1810](#) FY18-4Q Economic Development Grant Reports
Attachments: [FY18-4Q Economic Development Grant Reports](#)

L. ITEMS NOT COMPLETED FROM PRIOR AGENDA

M. PUBLIC HEARINGS ON ORDINANCES

(Testimony limited to 3 minutes per speaker)

Ordinances referred to Finance Committee

[2018-19-02](#) An Ordinance Accepting and Appropriating \$10,010,000 from the State of Alaska Department of Education and Early Development for the Kachemak Selo New K-12 School Construction Project Subject to Voter Approval of the Bonds for the Local Match (Mayor)

Attachments: [Ordinance 2018-19-02](#)
[Memo](#)
[Grant Letter](#)

[2018-19-03](#) An Ordinance Authorizing the Repair of Elevator 5 for the Central Peninsula Hospital and Appropriating \$126,505 from the CPGH, Inc. Plant Replacement and Expansion Fund for the Project (Mayor)

Attachments: [Ordinance 2018-19-03](#)
[Memo](#)
[Central Peninsula General Hospital - Resolution 2018-26](#)

UNFINISHED BUSINESS

O. NEW BUSINESS

1. Resolutions

[2018-032](#) A Resolution Authorizing the Borough to Intervene in the Matter Before the Federal Energy Regulatory Commission Regarding the Alaska Liquefied Natural Gas Project (Mayor, Fischer)

Attachments: [Resolution 2018-032](#)
[Memo](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

[2017-19-27](#) An Ordinance To Record FY2018 Expenditures 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: [Ordinance 2017-19-27](#)
[Amendment Memo](#)
[Memo](#)

[2018-19-04](#) An Ordinance Approving and Appropriating Grant Funds Totaling \$14,937.60 from the Alaska Department of Natural Resources for the Volunteer Fire Assistance Program on Behalf of Anchor Point Fire and Emergency Medical Service Area and Bear Creek Fire Service Area (Mayor)

Attachments: [Ordinance 2018-19-04](#)
[Memo](#)
[Grant Award Letter - Anchor Point Fire and Emergency Service Area](#)
[Grant Award Letter - Bear Creek Fire Service Area](#)

[2018-19-05](#) An Ordinance Accepting and Appropriating \$20,100 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management to Support the Activities of the Kenai Peninsula Borough Local Emergency Planning Committee (Mayor)

Attachments: [Ordinance 2018-19-05](#)
[Memo](#)
[Grant Approval](#)

[2018-19-06](#) An Ordinance Appropriating \$7,500 from the General Government Capital Project Fund for Additional Costs Related to a Required Change in Stack Specification for the Borough Administrative Building Boiler (Mayor)

Attachments: [Ordinance 2018-19-06](#)
[Memo](#)

[2018-19-07](#) WITHDRAWN An Ordinance Authorizing the Acquisition of Real Property Located at East Redoubt Avenue and Homestead Lane in Soldotna, Alaska on Behalf of Central Emergency Services for the Purchase of a Site to Replace CES Station 1, through a 10-year Interfund Loan to Central Emergency Services and Appropriating \$1,530,306 from the CES Capital Project Fund for the Purchase of the Property (Mayor)

Attachments: [Ordinance 2018-19-07 Withdrawn](#)
[Request to Withdraw](#)
[Memo](#)
[CES Station #1 Design](#)
[CES Station #1 Proposed Site Map](#)
[REVISED CES Station #1 Land Purchase Agreement](#)
[CES Station #1 Land Purchase Agreement](#)

[2018-19-08](#) An Ordinance Appropriating \$12,000 from the Road Service Area Fund to Support the Preliminary Engineer's Estimates for FY2019 Proposed Road Improvement Assessment Districts (Mayor)

Attachments: [Ordinance 2018-19-08](#)
[RSA Recommendations](#)
[Memo](#)

[2018-29](#) An Ordinance Establishing the Land Trust Investment Fund, and Setting Parameters for Funding, Uses, and Investments of the Fund (Mayor)

Attachments: [Ordinance 2018-29](#)
[Memo](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

[2018-27](#) An Ordinance Amending KPB 20.60, KPB 5.35, and KPB 14.31 Creating a New Requirement that Property Owners Pay Off the Remaining Balance or Prepay Estimated Costs of Any Special Assessments on Property to be Subdivided Before a Final Plat is Recorded and Providing Notice of the Requirement (Mayor)

Attachments: [Ordinance 2018-27](#)
[Planning Commission Recommendation](#)
[Road Service Area Board Recommendations](#)
[Memo](#)

[2018-28](#) An Ordinance Enacting KPB Chapter 5.16 Establishing a Borough-wide Excise Tax on Cigarettes and Other Tobacco Products (Dunne)

Attachments: [O2018-28 Failed to Enact](#)
[Memo](#)
[Fiscal Note](#)
[Tobacco Excise Taxes in Other Jurisdictions](#)
[Additional Comparative Data](#)

[2018-30](#) An Ordinance Amending KPB 2.34, Risk Management Office, to Change the Title of the Risk Manager to Claims Manager, Clarify the Safety Manager Administers the Safety Program, and Describe the Environmental Compliance Manager's Role (Mayor) (Hearing on 09/04/18)

Attachments: [Ordinance 2018-30](#)
[Memo](#)

3. Other

Other items referred to Finance Committee

[KPB-1792](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Retail Marijuana Store, License No. 15916 Filed by K Beach Reef, Subject to the following Standard Conditions:

[Clerk's Note: Standard Conditions for Commercial Marijuana Facilities are as follows:

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 the 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:

[15916 - Complete Application](#)

[15916 - Memo to Assembly](#)

[15916 - Planning Memo to Assembly](#)

[15916 - Planning Staff Report](#)

[15916 - Site Development Plan](#)

[15916 - Acknowledgement Form](#)

[15916 - Aerial Map](#)

[15916 - Land Use Map](#)

[KPB-1793](#) Authorizing a Letter of Non-Objection of the Issuance of the New Liquor License and Approve the Restaurant Designation Permit as Requested by Big Daddy's Pizza, License Number 5685 in Kenai, Alaska

Attachments:

[5685 - Complete Application](#)

[5685 - Aerial Map](#)

[5685 - Land Use](#)

[KPB-1794](#) Authorizing the Approval of the Restaurant Designation Permit as Requested by The Place Bar & Motel, License Number 897, Kenai, Alaska

Attachments:

[Memo to Assembly](#)

[Complete Application and Restaurant Designation Permit](#)

Other Items referred to Policies and Procedures Committee

[KPB-1813](#) Approval of the Proposition Summary to be included in the Voter Pamphlet for Proposition No. 1 – General Obligation Bonds to Pay the Local Required Match Portion of the Costs of the Kachemak-Selo New K-12 School

Attachments: [Proposition 1](#)

[KPB-1814](#) Approval of the Proposition Summary to be included in the Voter Pamphlet for Proposition No. 2 – 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

Attachments: [Proposition 2](#)

[KPB-1815](#) Approval of the Proposition Summary to be included in the Voter Pamphlet for Proposition No. 3 – Expanding the South Kenai Peninsula Hospital Service Area to Include the Land South of Kachemak Bay Excluding the City of Seldovia

Attachments: [Proposition 3](#)

[KPB-1798](#) Approving an Update to the Assembly Manual - Attachment C, “Committee Chair Roles and Responsibilities Policy” (Ogle)

Attachments: [Memo](#)
[Role and Responsibility of the Committee Chair](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

September 4, 2018 Regular Assembly Meeting
6:00 PM Assembly Chambers, Soldotna, 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 September 4, 2018, 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.