

Assembly Action Agenda

January 16, 2018 - 6:00 PM

Regular Meeting

Assembly Chambers, Borough Administration Building

Wayne Ogle
Assembly President
Seat 3 - Nikiski
Term Expires 2019

Dale Bagley
Assembly Vice President
Seat 4 - Soldotna
Term Expires 2019

Norm Blakeley
Seat 5 - Sterling/Funny
River
Term Expires 2020

Kenn Carpenter
Assembly Member
Seat 6 - East Peninsula
Term Expires 2018

Kelly Cooper
Assembly Member
Seat 8 - Homer
Term Expires 2020

Willy Dunne
Assembly Member
Seat 9 - South Peninsula
Term Expires 2018

Paul Fischer
Assembly Member
Seat 7 - Central
Term Expires 2019

Brent Hibbert
Assembly Member
Seat 1 - Kalifornsky
Term Expires 2018

Harold "Hal" Smalley
Assembly Member
Seat 2 - Kenai
Term Expires 2020

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. 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 offered by Carrie Henson, from Last Frontier Freethinkers, Soldotna, Alaska.]

D. ROLL CALL

E. COMMITTEE REPORTS

F. 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

- *1. January 2, 2018 Regular Assembly Meeting Minutes

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

I. PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

- 1. Project Homeless Connect Update, Jodi Stuart (10 Minutes)
- 2. **RESCHEDULED** Borough Practices and Procedures, Kristine Schmidt (10 Minutes)

J. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA
(3 minutes per speaker; 20 Minutes aggregate)

K. MAYOR’S REPORT

1. Assembly Requests/Responses – None.
2. Agreements and Contracts
 - a. Authorization to Award Purchase of Calcium Chloride, ITB 18-008 from Univar USA, Inc., Seattle, Washington
3. Other
 - a. Litigation Status Report – Quarter Ending 12/31/17
 - b. Andeavor / Tesoro Foundation Award and Project Update
 - c. General Fund – Fund Balance Chart..... **LAYDOWN**

L. ITEMS NOT COMPLETED FROM PRIOR AGENDA

M. PUBLIC HEARINGS ON ORDINANCES (Testimony limited to 3 minutes per speaker)

- *1. Ordinance 2017-19-13: Appropriating \$44,555 from the Kenai Health Center Major Maintenance Fund for Boiler Replacement at the Kenai Health Center (Mayor) (Referred to Finance Committee)
2. ***TABLED*** Ordinance 2017-31: Approving McKinley Single-Family Residential R-1 Local Option Zoning District and Amending KPB 21.46.040 (Mayor) (Referred to Lands Committee) [***8 Yes, 0 No, 1 Absent***]
3. ***ENACTED AS AMENDED*** Ordinance 2017-32: Amending KPB Title 16 to Authorize Certain Volunteers to Serve on their Respective Service Area Board (Dunne, Fischer, Carpenter) (Referred to Policies and Procedures Committee) [***8 Yes, 0 No, 1 Absent***]
- *4. Ordinance 2018-01: Authorizing the Assessor to Accept One Late-Filed Senior Citizen Exemption Application for 2017, Filed After March 31 and Providing an Exception to KPB 5.12.040(B) (Mayor) (Referred to Policies and Procedures Committee)

N. UNFINISHED BUSINESS – None.

O. NEW BUSINESS

1. Resolutions

a. ***POSTPONED TO 02/20/18*** Resolution 2018-002: Classifying 66.5 +/- Acres of Borough Land in the Cooper Landing Area as Recreational (Mayor) (Referred to Lands Committee) ***[8 Yes, 0 No, 1 Absent]***

b. ***AMENDED BY SUBSTITUTE*** Resolution 2018-004: Establishing a Material Site Work Group (Mayor) (Referred to Lands Committee) ***[8 Yes, 0 No, 1 Absent]***

ADOPTED Resolution 2018-004 (Mayor) Substitute: Establishing a Material Site Work Group (Mayor) (Referred to Lands Committee) ***[8 Yes, 0 No, 1 Absent]***..... **LAYDOWN**

*c. Resolution 2018-003: Establishing Kenai Peninsula Borough 2018 State Capital Project Priorities for Public Service (Mayor) (Referred to Legislative Committee)

2. Ordinances for Introduction

*a. Ordinance 2018-05: Confirming the Assessment Roll for the Clarence Drive Road Improvement Assessment District (Mayor) (Hearing on 02/06/18) (Referred to Finance Committee)

*b. Ordinance 2018-06: Adopting Amendments to “Community Recommendations on a Land Use Plan for Borough Lands at Cooper Landing, 1992”, an Element of the Comprehensive Plan (Mayor) (Hearing on 02/20/18) (Referred to Lands Committee)

3. Other

*a. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Limited Marijuana Cultivation Facility, License No. 12572 Filed by Henley’s Happy Harvest, Subject to the Standard Conditions (Referred to Finance Committee)

*b. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Limited Marijuana Cultivation Facility, License No. 12989 Filed by Pinnacle Projects, Subject to the Standard Conditions (Referred to Finance Committee)

[Clerk's Note: Standard Conditions for 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).]*
- *c. Authorizing a Letter of Non-Objection of the Issuance of the New Liquor License as requested by Seward Salmon Bake, License No. 5609 in Seward (Referred to Finance Committee)

P. PUBLIC COMMENTS AND PUBLIC PRESENTATIONS (3 minutes per speaker)

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. February 6, 2018 Regular Assembly Meeting 6:00 PM
Assembly Chambers, Soldotna, Alaska

R. ASSEMBLY COMMENTS

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

1. Ordinance 2017-29: Amending KPB Chapter 5.18 to Establish a 6 Percent Areawide Sales Tax on Temporary Lodging and Overnight Camping Facilities and Providing for an Exemption of Up to 3 Percent of the Levy on Temporary Lodging and Overnight Camping within the Boundaries of Cities in the Borough that Levy a Similar Sales Tax in Addition to an Existing General Sales Tax, Subject to Approval by the Voters in the Regular Election on October 2, 2018 (Bagley) (Hearing on 03/06/18) (Referred to Finance Committee)
2. Ordinance 2018-02: Amending the Borough Code to Provide that Vacancies in Service Area Boards may be Filled by Appointed Candidates to Serve for the Remainder of the Term Instead of Until the Next Election (Bagley) (Hearing on 02/06/18) (Referred to Policies and Procedures Committee)

3. Ordinance 2018-03: Amending the Borough Code to Provide that the Assembly Shall Schedule at Least two Meetings Per Month for Six Months Each Year (Bagley) (Hearing on 02/06/18) (Referred to Policies and Procedures Committee)
4. Ordinance 2018-04: Amending KPB Chapters 16.20 and 16.55 to Provide for Appointed Members to Serve on the Kachemak Emergency Service Area Board and the Seldovia Recreational Service Area Board (Dunne) (Hearing on 02/06/18) (Referred to Policies and Procedures Committee)

T. INFORMATIONAL MATERIALS AND REPORTS

U. NOTICE OF NEXT MEETING AND ADJOURNMENT

The next meeting of the Kenai Peninsula Borough Assembly will be held on February 6, 2018, at 6:00 P.M. in the 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 and 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.