



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Assembly

Tuesday, February 20, 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 offered by Meredith Harber from Christ Lutheran Church, Soldotna, Alaska.]

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-1593](#) February 6, 2018 Regular Assembly Meeting Minutes

Attachments: [020618 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE

(20 minutes total)

[KPB-1588](#) Homer Marine Trades, Kate Mitchell, Board Member and Brian Hawkins, Harbor Master(10 Minutes)

Attachments: [Homer Marine Trades Video](#)
[Homer Marine Trades Brochure](#)

[KPB-1589](#) South Peninsula Hospital, Inc. Quarterly Report

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-1584](#) Mayor's Report Memo to Assembly

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

1. Assembly Requests/Responses - None.

2. Agreements and Contracts - None.

3. Other

a. [KPB-1585](#) Kenai Peninsula Borough Received the Distinguished Budget Presentation Award from GFOA. Certificate of Recognition was Presented to Brandi Harbaugh, Finance Director

Attachments: [KPB Distinguished Budget Award](#)

b. [KPB-1586](#) Revenue - Expenditure Report - January 2018

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

c. [KPB-1587](#) Budget Revisions - January 2018

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

ITEMS NOT COMPLETED FROM PRIOR AGENDA

PUBLIC HEARINGS ON ORDINANCES

(Testimony limited to 3 minutes per speaker)

Ordinances referred to Finance Committee

[2018-08](#) An Ordinance Confirming the Assessment Roll for the Eddy Hill Drive Road Improvement Assessment District (Mayor)

Attachments: [O2018-08](#)
[Memo](#)
[Final Assessment Roll](#)

Ordinances referred to Lands Committee

[2018-06](#) An Ordinance Adopting Amendments to “Community Recommendations on a Land Use Plan for Borough Lands at Cooper Landing, 1992”, an Element of the Comprehensive Plan (Mayor)

Attachments: [O2018-06](#)
[Planning Commission and Cooper Landing APC Recommendations](#)
[Memo](#)
[Plan Amendment](#)
[Cooper Landing Community Club Recommendations](#)
[Moose Pass Advisory Planning Commission Recommendation](#)
[Public Comment 022018](#)

[2018-07](#) An Ordinance Authorizing a Conditional Negotiated Lease at Less than Fair Market Value of Certain Real Property Containing 66.5 Acres More or Less to the Cooper Landing Rifle and Sportsman’s Club for the Development of Shooting Facilities (Mayor)

Attachments: [O2018-07](#)
[Memo](#)
[Lease](#)
[Development Plan](#)
[Appendices A-E](#)
[Appraisal Memo](#)
[Cooper Landing Community Club Recommendations](#)
[Moose Pass Advisory Planning Commission Recommendation](#)
[Cooper Landing Advisory Planning Commission Recommendations](#)
[Public Comment 022018](#)

[2018-10](#) An Ordinance Authorizing the Negotiated Lease of Office and Meeting Space at the Nikiski Community Recreation Center (Mayor)

Attachments: [Q2018-10](#)
 [Memo](#)
 [Planning Commission Recommendations](#)
 [Revised Lease Agreement](#)
 [Lease](#)
 [AGDC Rental Space Map](#)

UNFINISHED BUSINESS

Postponed Items

Unfinished Business referred to Lands Committee

[2018-002](#) A Resolution Classifying 66.5 +/- Acres of Borough Land in the Cooper Landing Area as Recreational (Mayor)

Attachments: [R2018-002](#)
 [Planning Commission and Cooper Landing APC Recommendations](#)
 [Memo](#)
 [Vicinity Map](#)
 [Supporting Documentation](#)
 [Cooper Landing Community Club Recommendations](#)
 [Moose Pass Advisory Planning Commission Recommendation](#)
 [Public Comment 022018](#)

Unfinished Business referred to Policies and Procedures Committee

[2018-008](#) A Resolution Supporting House Bill 287 Providing Early Approval of Funding for Public Education and Student Transportation (Cooper, Smalley)

Attachments: [R2018-008](#)
 [Updated Memo](#)
 [Cooper Amendment](#)
 [Memo](#)
 [House Bill 287](#)
 [Superintendent Memo](#)

NEW BUSINESS

Resolutions

Resolutions referred to Legislative Committee

[2018-007](#) A Resolution Requesting the Alaska Board of Fisheries to Adopt a Policy Rotating the Regular Upper Cook Inlet Finfish Meeting Among the Three Principal Communities of Kenai/Soldotna, Palmer/Wasilla, and Anchorage and Approving Joint Resolution 2018-001(Mayor)

Attachments: [R2018-007](#)
[Memo](#)
[Joint Resolution 2018-001](#)

Resolutions referred to Finance Committee

[2018-009](#) A Resolution Approving a \$26,490 Budget Revision in the 2017/2018 Borough Senior Grant Program for the Nikiski Senior Citizens, Inc. (Mayor)

Attachments: [R2018-009](#)
[Memo](#)
[Authorized Use of Borough Funds](#)
[Senior Citizen Program Grand Amendment Request](#)

[2018-010](#) A Resolution Authorizing the Reestablishment of a Cost Allocation Plan for Service Area Operating Funds and Certain Funds (Mayor)

[Clerk's Note: A teleconference site will be established at the Borough Office in Homer in order to take public testimony on the above referenced Resolution.]

Attachments: [R2018-010](#)
[Memo](#)
[North Peninsula Recreation Service Area Board Comments](#)
[Hyperlink to Reference Copy R2006-036](#)
[Hyperlink to Reference Copy R2013-022](#)

Resolutions referred to Policies and Procedures Committee

[2018-011](#) A Resolution Establishing the Alaska Liquid Natural Gasline Project Advisory Board of the Kenai Peninsula Borough (Mayor) [Clerk's Note: Resolution 2018-011 was amended by Resolutions 2018-012 & 2018-018.]

Attachments: [R2018-011](#)
[Memo](#)
[Appointment Memo](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

[2017-19-14](#) An Ordinance Appropriating Supplemental Funding of \$30,000 from the Nikiski Senior Service Area Fund to the Nikiski Senior Citizens, Inc. for Personnel Costs (Mayor)

Attachments: [O2017-19-14](#)
[Memo](#)
[Service Area Board Recommendations](#)
[Authorized Use of Borough Funds](#)
[Service Area Board Appropriation Request](#)

[2017-19-15](#) An Ordinance Appropriating \$45,000 to the Legal Department to Cover Costs of Hiring Hearing Officers for Code Compliance Hearings and Appeals of Planning Commission Decisions (Mayor)

Attachments: [O2017-19-15](#)
[Amendment Memo](#)
[Memo](#)
[Code Compliance Summary](#)
[Hyperlink to Reference Copy O2016-44](#)
[Hyperlink to Reference Copy O2017-22](#)

[2017-19-16](#) An Ordinance Appropriating \$75,000 from the Nikiski Fire Service Area Capital Project Fund for Septic System Replacement at the Nikiski Fire Service Area, Station 1 (Mayor)

Attachments: [O2017-19-16](#)
[Amendment Memo](#)
[Memo](#)
[Status Update](#)

[2017-19-17](#) An Ordinance Appropriating \$60,000 from the General Government Capital Project Fund for Boiler Replacement at the George A. Navarre Kenai Peninsula Borough Administration Building (Mayor)

Attachments: [O2017-19-17](#)
[Memo](#)

[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](#)

Ordinances for Introduction and referred to the 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](#)

3. Other

[KPB-1590](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Limited Marijuana Cultivation Facility, License No. 14352 Filed by Althea's Morning Bear Cultivation, Subject to the Following Standard Conditions:

[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).]

Attachments:

[14352 - Complete Application from AMCO](#)

[14352 Memo to Assembly](#)

[14352 Planning Memo to Assembly](#)

[14352 - Site Development Plan](#)

[14352 - Acknowledgment Form](#)

[14352 - Aerial Map](#)

[14352 - Land Use Map](#)

[KPB-1592](#) Confirming the Appointment to the Road Service Area Board (Mayor)

Michele Hartline, Northern Region, September 20, 2020

Attachments:

[Road Service Area Board Application](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. February 28, 2018 Material Site Work Group, 2:00 PM
Assembly Chambers, Soldotna, Alaska
2. March 6, 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. [2017-29](#) An Ordinance 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 One-Half 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)

[Clerk's Note: A teleconference site will be established at the Borough Office in Homer in order to take public testimony on the above referenced Ordinance.]

Attachments:

[O2017-29](#)

[Revised Amendment Memo](#)

[Memo](#)

[Public Comment 030618](#)

[eComment 030618](#)

[Public Comment 103117](#)

[Public Comments 112117](#)

[Public Comments 120517](#)

2. [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 \(Dealt with on 12/05/17\)](#)

3. [2018-09](#) An Ordinance Amending the Borough Code to Provide for Financial Support for the Promotion of Tourism and Economic Development Subject to Annual Assembly Appropriation and Voter Approval of a Bed Tax (Bagley)

Attachments: [O2018-09](#)
 [Memo](#)

INFORMATIONAL MATERIALS AND REPORTS

[KPB-1583](#) Records Management Program - Procedures

Attachments: [Memo to Assembly](#)
 [Creating New Files and Boxes](#)
 [Document Imaging Procedures](#)
 [Converting Paper to Microform](#)
 [Forms Management](#)

NOTICE OF NEXT MEETING AND ADJOURNMENT

The next meeting of the Kenai Peninsula Borough Assembly will be held on March 6, 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.