



Assembly Action Agenda

May 15, 2018 - 6:00 PM

Regular Meeting

Assembly Chambers
George A. Navarre Kenai Peninsula
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 will be offered by Dr. Jim Hamilton from Arctic Barnabas Ministries.]

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. May 1, 2018 Regular Assembly Meeting Minutes

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

- 1. Mayor's Proclamation Declaring the week of May 19-25, 2018 as "National Safe Boating Week"

I. PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

1. South Peninsula Hospital Quarterly Report (10 Minutes)
2. Kenai Peninsula Economic Development District Quarterly Report (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 a Contract for ITB 18-009 Central Peninsula Hospital Phase VI Obstetrics/Cathertization Lab to Dawson Construction, LLC., Bellingham Washington
 - b. Authorization to Award a Contract for ITB18-016 Kilcher Road Project No. S7KIL to JC Johnson & Sons, Anchor Point, Alaska
 - c. Authorization to Award a Contract for ITB18-017 Morrison Drive Project No. S8MOD to Arno Construction, Homer, Alaska
3. Other
 - a. Investment Portfolio Report

L. ITEMS NOT COMPLETED FROM PRIOR AGENDA

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

- *1. Ordinance 2017-19-26: Approving and Appropriating Grant Funds Totaling \$14,179.14 from the Alaska Department of Natural Resource for the Volunteer Fire Assistance Program on Behalf of Kachemak Emergency Services and Nikiski Fire Service Area (Mayor) (Referred to Finance Committee)

2. **POSTPONED AS AMENDED TO JUNE 5, 2018** Ordinance 2018-19: Appropriating Funds for Fiscal Year 2019 (Mayor) (Referred to Finance Committee) (Final Hearing on 06/05/18)

[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.]

N. UNFINISHED BUSINESS

1. Postponed Items

- *a. **AS AMENDED** Resolution 2018-021: Requesting the Department of Transportation and Public Facilities Reduce the Speed Limit Between Milepost 50.8 and 53.2 of the Sterling Highway to 35 Miles per Hour (Carpenter) (Referred to Policies and Procedures Committee)
- b. **POSTPONED AS AMENDED TO JUNE 5, 2018** Ordinance 2018-12: Increasing the Borough Sales Tax Rate from 3.0 Percent to 3.5 Percent by Amending KPB 5.18.100, Subject to the Approval by the Voters in the Regular Election on October 2, 2018 (Cooper, Smalley) (Referred to the Finance Committee)

2. Notices to Reconsider

- a. **MOTION TO RECONSIDER FAILED** Ordinance 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*) **[4 Yes, 5 No, 0 Absent]**

O. NEW BUSINESS

1. Resolutions

- *a. **AS AMENDED** Resolution 2018-025: Extending the Deadline for Submission of the Material Site Working Group's Final Report (Ogle) (Referred to Policies and Procedures Committee)

2. Ordinances for Introduction

- *a. Ordinance 2018-21: An Ordinance Providing for the Submission to the Qualified Voters of the Kenai Peninsula Borough the Question of the Issuance of Not to Exceed Three Million Five Hundred Thousand Dollars (\$3,500,000) of General Obligation Bonds of the Kenai Peninsula Borough to Pay the Local Required Match Portion of the Costs of the Kachemak-Selo New K-12 School Construction Project at an Election in and for the Kenai Peninsula Borough on October 2, 2018 (Mayor) (Hearing on 06/05/18) (Referred to Finance Committee)
- *b. Ordinance 2018-22: An Ordinance Authorizing a Community Trail Management Agreement with Kachemak Nordic Ski Club (Mayor, Dunne) (Hearing on 06/05/18) (Referred to Lands Committee)
- *c. Ordinance 2018-23: Amending KPB 7.20 and KPB 7.30 Regarding Borough Comments on State Marijuana Licenses (Ogle) (Hearing on 06/19/18) (Referred to Policies and Procedures Committee)
- *d. Ordinance 2018-24: Amending the Borough's Sales Tax Code to Levy a 12 Percent Temporary Lodging Tax, Exempt Temporary Lodging Rentals from the General Sales Tax, and Allow Cities that Levy a Similar Separate Sales Tax on Temporary Lodging to Exempt up to One-Half of the Borough Temporary Lodging Tax, Subject to Voter Approval (Bagley, Dunne) (Hearing on 06/19/18) (Referred to Finance Committee)**LAYDOWN**

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. 13615 Filed by Volcano Flower. Subject to the following 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).]*

*b. Assembly Meeting Schedule Amendment (Bagley)
(Referred to Policies and Procedures Committee)

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

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. June 5, 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 2017-31: Approving McKinley Single-Family Residential R-1 Local Option Zoning District and Amending KPB 21.46.040 (Mayor) (Referred to Lands Committee) [*Tabled on 01/16/18*]
2. Ordinance 2018-19: Appropriating Funds for Fiscal Year 2019 (Mayor) (Final Hearing on 06/05/18) (Referred to Finance Committee)
3. Ordinance 2018-20: Amending KPB 5.18.200 to Repeal the Seasonal Exemption from Sales Taxes of Nonprepared Food Items (Bagley) (Hearing on 06/05/18) (Referred to Finance Committee)

4. Ordinance 2018-16: Amending KPB 16.08.010 and 16.24.010 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 the Voters Residing in the Central Kenai Peninsula Hospital Service Area and the Proposed New Area (Bagley) [Postponed to 06/19/18] (Referred to Policies and Procedures Committee)

[Clerk's Note: Bagley motion on the floor.]

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 June 5, 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(KSKA)-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.kpb.us for copies of the agenda, meeting summaries, ordinances and resolutions.