

# *Assembly Action Agenda*

May 2, 2017 - 6:00 PM

Regular Meeting

Assembly Chambers, Borough Administration Building

*Kelly Cooper*  
Assembly President  
Seat 8-Homer  
Term Expires 2017

*Wayne Ogle*  
Assembly Vice President  
Seat 3 - Nikiski  
Term Expires 2019

*Dale Bagley*  
Assembly Member  
Seat 4 – Soldotna  
Term Expires 2019

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

*Paul Fischer*  
Assembly Member  
Seat 7 – Central  
Term Expires 2019

*Jill Schaefer*  
Assembly Member  
Seat 2 - Kenai  
Term Expires 2017

*Brent Hibbert*  
Assembly Member  
Seat 1 – Kalifornsky  
Term Expires 2017

*Kenn Carpenter*  
Assembly Member  
Seat 6 – East Peninsula  
Term Expires 2017

*Stan Welles*  
Assembly Member  
Seat 5-Sterling/Funny  
River  
Term Expires 2017

**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. Keith Hamilton of the Alaska Christian College.]*

**D. ROLL CALL**

**E. COMMITTEE REPORTS**

*[Clerk's Note: Assembly Member Ogle's motion to approve the Borough Clerk and Deputy Clerk's salaries and authorize one-time equity adjustments passed unanimously.]*

**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. April 18, 2017 Regular Assembly Meeting Minutes

**H. COMMENDING RESOLUTIONS AND PROCLAMATIONS**

- 1. Mayor's Proclamation Declaring May 2017 as "National Water Safety Month"

**I. PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)**

- 1. Kenai Peninsula Tourism Marketing Council 3<sup>rd</sup> Quarter Report, Shanon Davis, Executive Director (10 minutes)

2. Cook Inlet Aquaculture Association’s Salmon Enhancement Program, Gary Fandrei, Executive Director (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 Contracts for RFP17-009 Summer and Winter Maintenance for Central Region, Units 1, 2,4,10 and West Regions, Units 4,5 and 6 to the following:  
  
Central 1 ..... Hammond Trucking, Soldotna, AK  
Central 2 ..... Alaska Scrap, Soldotna, AK  
Central 4 ..... Alaska Scrap, Soldotna, AK  
Central 10 ..... Alaska Scrap, Soldotna, AK  
West 4 ..... Captain Cook Construction, Clam Gulch, AK  
West 5 ..... Captain Cook Construction, Clam Gulch, AK  
West 6 ..... River City Construction, Soldotna, AK
  - b. Authorization to Award Contracts for ITB17-010 Summer and Winter Maintenance for South Region, Units 3, 4, 7 & 8 to the following:  
  
South 3 ..... Paul’s Services, Anchor Point, AK  
South 4 ..... Paul’s Services, Anchor Point, AK  
South 7 ..... East End Services, Homer, AK  
South 8 ..... East End Services, Homer, AK
  - c. Authorization to Award Contract for ITB17-019 Nikiski Fire Service Area Roadway Emergency Warning Signs to Kachemak Electric Co., Inc., Kenai, AK
  - d. Request for Waiver of Formal Bidding – Summer & Winter Road Maintenance, South Region, Unit 9: Seldovia Area to be awarded to Red Mountain Contractor’s, LLC, Seldovia, AK
  - e. Authorization to Award Contract for ITB17-025 Abatement 2017 to Satori Group, Anchorage, AK

3. Other
  - a. Revenue-Expenditure Report – March 2017
  - b. Brandi Harbaugh Appointment as Acting Finance Director
  - c. LNG Project Update..... **LAYDOWN**

**L. ITEMS NOT COMPLETED FROM PRIOR AGENDA**

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

1. ***FAILED TO ENACTED AS AMENDED*** Ordinance 2016-19-36: Authorizing the Purchase of a 4.3 Acre Drainage Easement at Karluk Avenue and Appropriating \$60,000 from the Land Trust Fund for the Acquisition (Mayor) (Referred to Finance Committee) [**3 Yes, 6 No, 0 Absent**]
- \*2. ***AS AMENDED*** Ordinance 2016-19-37: Redirecting Funds Previously Appropriated for Various South Peninsula Hospital Equipment Purchases and Authorizing the Purchase of Other Needed Equipment (Mayor) (Referred to Finance Committee)
- \*3. Ordinance 2016-19-38: Appropriating \$40,813.20 From the Eagle Lake Reclamation Account For Reclamation Work Completed At The Eagle Lake Material Site During the 2016 Operating Season (Mayor) (Referred to Finance Committee)
- \*4. Ordinance 2016-19-39: Amending Ordinance 2001-19-11 to Authorize the Expenditure of \$15,494 by the Cook Inlet Regional Citizens Advisory Council from Previously Awarded Grant Funds to Use Towards Performing an Assessment of the Oil and Gas Pipelines in Cook Inlet (Mayor) (Referred to Finance Committee)
- \*5. ***AS AMENDED*** Ordinance 2017-07: Authorizing the Conveyance of Real Property Known as the Old Hope School to Hope, Inc. at Less than Fair Market Value (Mayor) (Referred to Lands Committee)
- \*6. ***AS AMENDED*** Ordinance 2017-08: Authorizing a Community Trail Management Agreement with Tsalteshi Trails Association, Inc. (Mayor) (Referred to Lands Committee)
7. ***ENACTED AS AMENDED*** Ordinance 2017-06: Amending KPB Chapter 22.40 to Add Provisions Governing Telephonic Participation in Assembly Meetings by Assembly Members (Cooper, Ogle) (Referred to Policies and Procedures Committee) [**9 Yes, 0 No, 0 Absent**]

## N. UNFINISHED BUSINESS

### 1. Postponed Item

- a. ***APPROVED*** Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Retail Marijuana Store License Application Filed by Fat Tops, LLC, Sterling, AK  
Subject to the following conditions:
  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 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. [**7 Yes, 2 No, 0 Absent**]  
(Referred to Finance Committee)

## O. NEW BUSINESS

### 1. Resolutions

- a. ***ADOPTED AS AMENDED*** Resolution 2017-035: Determining the Amount to be Provided from Local Sources for School Purposes During Fiscal Year 2018 and Approving the Kenai Peninsula Borough School District Total Budget (Mayor) (Referred to Finance Committee) [**9 Yes, 0 No, 0 Absent**]
- \*b. Resolution 2017-036: Accepting Grant Funds from the Alaska Division of Homeland Security and Emergency Management in the amount of \$2,340.41 and from the Alaska Division of Forestry in the amount of \$7,021.23 for the 2015 Card Street Wildfire Response (Mayor) (Referred to Finance Committee)

### 2. Ordinances for Introduction

- \*a. Ordinance 2016-19-40: Appropriating \$5,999,365.15 in Bond Proceeds for the Purpose of Planning, Designing, Site Preparation, Constructing and Equipping the Solid Waste Disposal Facilities (Mayor) (Hearing on 05/16/17) (Referred to Finance Committee)

- \*b. Ordinance 2016-19-41: Appropriating \$4,795,699.85 in Bond Proceeds for the Purpose of Planning, Designing, Constructing and Equipping South Peninsula Hospital Facilities and the Homer Medical Center (Mayor) (Hearing on 05/16/17) (Referred to Finance Committee)
- c. ***INTRODUCED AND SET FOR PUBLIC HEARING*** Ordinance 2017-19: Appropriating Funds for Fiscal Year 2018 (Mayor) (Hearings on 05/16/17 and 06/06/17) (Referred to Finance Committee) [***9 Yes, 0 No, 0 Absent***]
- \*d. Ordinance 2017-10: Authorizing the Exchange of Certain Lands with James Roukema and Elizabeth Ehama Near Milepost 7.8 Kalifornsky Beach Road (Mayor) (Hearing on 05/16/17) (Referred to Lands Committee)
- \*e. Ordinance 2016-19-42: Appropriating \$25,000 for Legal Services to Advise the Board of Equalization (Mayor) (Hearing on 05/16/17) (Referred to Finance Committee)..... **LAYDOWN**

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

**Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. May 16, 2017 Budget Work Session #3 Time TBD  
Borough Assembly Chambers, Soldotna, Alaska
2. May 16, 2017 Regular Assembly Meeting 6:00 PM  
Borough 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 2017-09: Creating the Eastern Peninsula Highway Emergency Service Area ("EPHESA") (Mayor, Cooper) (Hearing on 05/16/17) (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 May 16, 2017, 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](http://www.borough.kenai.ak.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*