



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Assembly

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Tuesday, January 16, 2018

6:00 PM

Assembly Chambers

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### 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 Carrie Henson, from Last Frontier Freethinkers, 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-1543](#) January 2, 2018 Regular Assembly Meeting Minutes

Attachments: [010218 Regular Assembly Meeting Minutes](#)

### COMMENDING RESOLUTIONS AND PROCLAMATIONS

### PRESENTATIONS WITH PRIOR NOTICE

*(20 minutes total)*

1. [KPB-1530](#) Project Homeless Connect Update, Jodi Stuart (10 Minutes)

Attachments: [KP PHC 2018 Presentation](#)

2. [KPB-1531](#) Borough Practices and Procedures, Kristine Schmidt (RESCHEDULED)

## 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-1539](#) Mayor's Report Memo to the Assembly

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

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
  - a. [KPB-1540](#) Authorization to Award Purchase of Calcium Chloride, ITB 18-008 from Univar USA, Inc., Seattle, Washington.  
Attachments: [Authorization to Purchase Calcium Chloride, ITB 18-008](#)
3. Other
  - a. [KPB-1541](#) Litigation Status Report - Quarter Ending 12/31/17  
Attachments: [Litigation Status Report - Quarter Ending 123117](#)
  - b. [KPB-1542](#) Andeavor/Tesoro Foundation Award and Project Update  
Attachments: [Andeavor - Tesoro Foundation Award and Project Update](#)
  - c. [KPB-1546](#) General Fund - Fund Balance Report  
Attachments: [General Fund - Fund Balance Chart](#)

## ITEMS NOT COMPLETED FROM PRIOR AGENDA

## PUBLIC HEARINGS ON ORDINANCES

*(Testimony limited to 3 minutes per speaker)*

Ordinances referred to Finance Committee

[2017-19-13](#) An Ordinance Appropriating \$44,555 from the Kenai Health Center Major Maintenance Fund for Boiler Replacement at the Kenai Health Center (Mayor)

*Attachments:* [Ordinance 2017-19-13](#)  
[Memo](#)  
[Central Peninsula Hospital Resolution 2017-66](#)

Ordinances referred to Lands Committee

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

Ordinances referred to Policies and Procedures Committee

[2017-32](#) An Ordinance Amending KPB Title 16 to Authorize Certain Volunteers to Serve on their Respective Service Area Board (Dunne, Fischer, Carpenter)

*Attachments:* [Ordinance 2017-32](#)  
[Dunne Amendment Memo](#)  
[Memo](#)  
[Service Area Board Recommendations 01/02/18 \(Dealt with on 01/02/18\)](#)  
[Amendment Memo \(Dealt with on 01/02/18\)](#)  
[Service Area Board Recommendations \(Dealt with on 12/05/17\)](#)

[2018-01](#) An Ordinance 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)

*Attachments:* [Ordinance 2018-01](#)  
[Memo](#)  
[Exemption Application](#)

**UNFINISHED BUSINESS**

**NEW BUSINESS**

## Resolutions

## Resolutions 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](#)

[2018-004](#) A Resolution Establishing a Material Site Work Group (Mayor)

**Attachments:**

[Resolution 2018-004 \(Mayor\) Substitute](#)

[Mayor Substitute Memo](#)

[Resolution 2018-004](#)

[Memo](#)

## Resolutions referred to Legislative Committee

[2018-003](#) A Resolution Establishing Kenai Peninsula Borough 2018 State Capital Project Priorities for Public Safety (Mayor)

**Attachments:**

[R2018-003](#)

[Memo](#)

[Central Emergency Service Area Capital Project](#)

[Anchor Point Fire and Emergency Medical Service Area Capital Project](#)

## 2. Ordinances for Introduction

## Ordinances for Introduction and referred to the Finance Committee

[2018-05](#) An Ordinance of Assessment Confirming the Assessment Roll for the Clarence Drive Road Improvement Assessment District (Mayor)

Attachments: [O2018-05](#)  
[Memo](#)  
[Final Assessment Roll](#)

Ordinances for Introduction and referred to the 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](#)

### 3. Other

Other Items referred to Finance Committee

[KPB-1532](#) 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 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:*

[Complete Application - 12572](#)

[Memo to Assembly - 12572](#)

[Planning Memo to Assembly - 12572](#)

[Site Development Plan - 12572](#)

[Acknowledgement Form - 12572](#)

[Aerial Map - 12572](#)

[Land Use Map - 12572](#)

[KPB-1533](#) 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

[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:**

[Complete Application - 12989](#)

[Memo to Assembly - 12989](#)

[Planning Memo to Assembly - 12989](#)

[Site Development Plan - 12989](#)

[Acknowledgement Form - 12989](#)

[Aerial Map - 12989](#)

[Land Use Map - 12989](#)

[KPB-1534](#) 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

**Attachments:**

[Complete Application - 5609](#)

[Memo to Assembly - 5609](#)

[Planning Memo - 5609](#)

[Aerial Map - 5609](#)

[Land Use Map - 5609](#)

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

## **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

February 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. [2018-02](#) An Ordinance 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)

Attachments:

[O2018-02](#)

[Memo](#)

[Mayor Navarre letter to Service Area Boards](#)

3. [2018-03](#) An Ordinance Amending the Borough Code to Provide that the Assembly Shall Schedule at Least two Meetings Per Month for Six Months Each Year (Bagley)

Attachments:

[O2018-03](#)

[Memo](#)

4. [2018-04](#) An Ordinance 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)

Attachments:

[O2018-04](#)

[Memo](#)

[Service Area Board Recommendations](#)

[Public Comment](#)

[Mayor Navarre Letter to Service Area Boards](#)

## INFORMATIONAL MATERIALS AND REPORTS

### NOTICE OF NEXT MEETING AND ADJOURNMENT

*The next meeting of the Kenai Peninsula Borough Assembly will be held on February 6, 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](http://www.borough.kenai.ak.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*