

Assembly Action Agenda

July 18, 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: A moment of silence was offered by Assembly Member Dunne.]

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. June 20, 2017 Regular Assembly Meeting Minutes

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

I. PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

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
2. Agreements and Contracts
 - a. Authorization to Award Contract for ITB17-024 Electrical Supplies Contract to Crescent Electric Supply, Kenai, Alaska
 - b. Authorization to Award Contract for ITB17-043 Skyview Middle School & Nikiski Middle High School Planter Removal to Eberline Building & Supply, Soldotna, Alaska
 - c. Authorization to Award Contract for ITB17-044 Central Emergency Services Lighting Improvement Project Phase I to Kachemak Electric Co., Inc., Kenai, Alaska
 - d. Authorization to Award Contract for ITB17-045 Fire Alarm System Parts to Amped Fire & Security, Fairbanks, Alaska
 - e. Authorization to Award Contract for RFP17-014 Assessment Mass Mailings to The Data Center, Salt Lake City, Utah
 - f. Authorization to Award Contract for RFP17-012 Central Peninsula Hospital Heliport Design to Wince-Corthell-Bryson, Consulting Engineers, Kenai, Alaska
3. Other
 - a. Revenue –Expenditure Report – May 2017
 - b. Budget Revisions – May 2017
 - c. FY18 Joint Funding Agreement for USGS River Gages
 - d. Intent to Terminate Ladd Landing Lease between the Kenai Peninsula Borough and PacRim Coal, LLC
 - e. Litigation Status Report

L. ITEMS NOT COMPLETED FROM PRIOR AGENDA

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

- *1. Ordinance 2017-19-01: Approving and Appropriating Grant Funds Totaling \$34,559.67 from the Alaska Department of Natural Resources for the Volunteer Fire Assistance Program on Behalf of Anchor Point Fire and Emergency Medical Service Area, Bear Creek Fire Service Area, Central Emergency Service Area, Kachemak Emergency Service Area and Nikiski Fire Service Area (Mayor) (Referred to Finance Committee)
2. ***POSTPONED AS AMENDED TO AUGUST 1, 2017*** Ordinance 2017-14: Approving an Operating Agreement with Central Peninsula General Hospital, Inc. for Central Peninsula Hospital and Other Medical Facilities (Mayor) (First of Two Public Hearings) (Referred to Finance Committee) ***[8 Yes, 0 No, 1 Absent]***

N. UNFINISHED BUSINESS – None.

O. NEW BUSINESS

1. Resolutions

- *a. Resolution 2017-047: Accepting Equipment from the Southern Region Emergency Medical Services Council, Inc. on Behalf of Anchor Point Fire & Emergency Medical Service Area (Mayor) (Referred to Finance Committee)
- *b. Resolution 2017-048: Accepting Emergency Response Equipment from the Southern Region Emergency Medical Services Council, Inc. on Behalf of Nikiski Fire Service Area (Mayor) (Referred to Finance Committee)
- *c. Resolution 2017-049: Transferring Funds from a Completed Previously Appropriated Capital Project to be Used to Address Changes to the Structural Scope in Central Peninsula Hospital Radiology Phases III, IV and V Renovation Projects (Mayor) (Referred to Finance Committee)

2. Ordinances for Introduction

- *a. Ordinance 2017-19-02: Appropriating \$1,500 for Costs of Printing and Distributing Information about the Ballot Proposition for the Proposed Debt Issuance of \$5 Million to Finance Replacing the Borough Administration Building's Heating, Ventilation and Air Conditioning Systems to Ensure Compliance with Legal Restrictions on the Use of Borough Funds and Assets Related to

Ballot Propositions (Mayor) (Hearing on 08/01/17) (Referred to Finance Committee)

- *b. Ordinance 2017-19-03: Appropriating \$1,500 for Costs of Printing and Distributing Information about the Ballot Proposition Seeking Voter Approval to Adopt an Additional Sales Tax on Temporary Lodging Facilities to Ensure Compliance with Legal Restrictions on the Use of Borough Funds and Assets Related to Ballot Propositions (Mayor) (Hearing on 08/15/17) (Referred to Finance Committee)
- *c. Ordinance 2017-15: Amending KPB 5.28.500 (D), Procurement and Purchasing, to Authorize a Reduction in the Duration of Surplus Property Notices to Borough Agencies (Mayor) (Hearing on 08/15/17) (Referred to Finance Committee)
- *d. Ordinance 2017-16: Providing for Submission to the Qualified Voters of the Kenai Peninsula Borough, Alaska, the Question of Authorizing the Issuance of General Obligation Debt not to Exceed Five Million Dollars (\$5,000,000) of the Kenai Peninsula Borough to Pay Costs of Planning, Designing, Constructing and Equipping the George A. Navarre Kenai Peninsula Borough Administration Building's Heating, Ventilation and Air Conditioning Mechanical System Replacement and Other Necessary Code-Required Components, at an Election in and for the Kenai Peninsula Borough on October 3, 2017 (Mayor) (Hearing on 08/01/17) (Referred to Finance Committee)
- *e. Ordinance 2017-17: Amending KPB Chapter 5.18 to Establish an 8 Percent Areawide Sales Tax on Temporary Lodging and Providing for an Exemption of Up to 4 Percent of the Levy on Temporary Lodging 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, 3, 2017 (Mayor) (Hearings on 08/01/17 and 08/15/17) (Referred to Finance Committee)
- *f. Ordinance 2017-18: Amending KPB 2.56.050 to Adopt Volumes I and II of the Seward 2030 Comprehensive Plan Update as the Official Comprehensive Plan for the Portion of the Borough within the Boundaries of the City of Seward (Mayor, Carpenter) (Hearing on 08/15/17) (Referred to Lands Committee)

- *g. Ordinance 2017-20: Authorizing Retention or Sale of Certain Real Property Obtained by the Kenai Peninsula Borough through Tax Foreclosure Proceedings (Mayor) (Hearing on 08/01/17) (Referred to Lands Committee)

3. Other

- *a. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Standard Marijuana Cultivation Facility License Application Filed by Alaska Harvest Company in Kasilof, Subject to Standard Conditions (Referred to Finance Committee)
- *b. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Retail Marijuana Store License Application Filed by Alaska Native Cannabis Company, LLC in Sterling, Subject to Standard Conditions (Referred to Finance Committee)
- *c. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Limited Marijuana Cultivation Facility License Application Filed by Green Thumb Solutions in Soldotna, Subject to the Standard Conditions (Referred to Finance Committee)
- *d. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Limited Marijuana Cultivation Facility License Application Filed by Lady Gray Growing in Soldotna, Subject to the Standard Conditions (Referred to Finance Committee)
- *e. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Standard Marijuana Cultivation Facility License Application Filed by Greenstar, Inc. in Nikiski, Subject to the Standard Conditions (Referred to Finance Committee)
- *f. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Standard Marijuana Cultivation Facility License Application Filed by High Tide Distributors in Nikiski, Subject to the Standard Conditions (Referred to Finance Committee)

- *g. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the Renewal of the Limited Marijuana Cultivation Facility License No. 10041 filed by Peace Frog Botanicals, LLC in Nikiski, Subject to the Standard Conditions (Referred to Finance Committee)
- *h. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the Renewal of the Limited Marijuana Cultivation Facility License No. 10210 filed by Cannaboyd in Homer, Subject to the Standard Conditions (Referred to Finance Committee)
- *i. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the Renewal of the Standard Marijuana Cultivation Facility License No. 10015 filed by Greatland Ganja in Kasilof, Subject to the Standard Conditions (Referred to Finance Committee)
- *j. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the Renewal of the Standard Marijuana Cultivation Facility License No. 11214 filed by Budding Alaska in Seward, Subject to the Standard Conditions (Referred to Finance Committee)
- *k. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the Renewal of the Limited Marijuana Cultivation Facility License No. 10086 filed by Terra House, LLC in Soldotna, Subject to the Standard Conditions (Referred to Finance Committee)

[Clerk's Note: Standard Conditions for Commercial 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 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. *Additional Standard for Retail Marijuana Stores: 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.]*

- *l. Authorizing a Letter of Non-objection to the Issuance of the new Liquor License and Approve the Restaurant Designation Permit as Requested by Ninilchik 132.6 Cabins & RV Park (Referred to Finance Committee)
- *m. Confirming the Appointment of Brent Johnson to the Board of Adjustment, Alternate Seat B, Term to Expire December 31, 2017 (Referred to Policies and Procedures Committee)
- *n. Confirming Appointments to the Planning Commission (Mayor) (Referred to Policies and Procedures Committee)

<u>Appointment</u>	<u>Board Seat</u>	<u>Term Expires</u>
Cindy Ecklund	City of Seward	July 31, 2020
Paul Whitney	City of Soldotna	July 31, 2020
Robert Ernst	Northwest Borough	July 31, 2020
Rick Foster	Southwest Borough	July 31, 2020

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

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

- 1. August 1, 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 2017-14: Approving an Operating Agreement with Central Peninsula General Hospital, Inc. for Central Peninsula Hospital and Other Medical Facilities (Mayor) (Final Hearing on 08/01/17) (Referred to Finance 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 August 1, 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 for copies of the agenda, meeting summaries, ordinances and resolutions.