

Assembly Action Agenda

September 5, 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

VACANT
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 was delivered by Chaplain Frank Alioto from Central Peninsula Hospital and Central Emergency Services.]

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. August 15, 2017 Regular Assembly Meeting Minutes

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

- *1. Commending Resolution Declaring August 16, 2017 as “Dick Morgan Day” (Shaefer, Mayor)
- 2. Mayor’s Proclamation Declaring September 5, 2017 as “KSRM 920 AM Appreciation Day”

3. Mayor's Proclamation Declaring the week of September 16-23, 2017 as "National Estuaries Week"
4. Mayor's Proclamation Declaring the month of September 2017 as "Hunger Action Month" **LAYDOWN**

I. PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

1. Kenai Peninsula Borough School District Quarterly Update (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
2. Agreements and Contracts
 - a. Request for Waiver of Formal Bidding: Mobile Vehicle Lifts
 - b. Authorization to Award Contract for RFP17-013 Professional Design Services for Road Service Area Capital Projects
 - c. Authorization to Award Contract for ITB-003 CPH Parking and Site Improvements
 - d. Authorization to Award Contract for ITB18-001 North Peninsula Recreation Center Sidewalk Repairs
 - e. Authorization to Award Contract for ITB18-0002 Gravel Projects 2017 – North Region (Dallas Avenue & Thomas Street)
 - f. Authorization to Award Contract for ITB18-0002 Gravel Projects 2017 – Central Region (Lake Road)
 - g. Authorization to Award Contract for ITB18-002 Gravel Projects 2017 – South Region (Cape Ninilchik Avenue & Kutafya Road)

- h. Authorization to Award Contract for ITB18-002 Gravel Projects 2017 – West Region (Birchrim Lane, Wildberry Court & Cranwood Place)
- 3. Other
 - a. Investment Portfolio Report
 - b. Revenue Expenditure Report – July 2017
 - c. Budget Revisions – July 2017
 - d. Project Reports – June 30, 2017

L. ITEMS NOT COMPLETED FROM PRIOR AGENDA

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

- *1. Ordinance 2017-19-05: Appropriating \$222,098.76 to the Special Assessment Fund for the South Kasilof Utility Special Assessment District (Mayor) (Referred to Finance Committee)
- *2. Ordinance 2017-19-06: Accepting and Appropriating \$19,200 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management to Support the Activities of the Kenai Peninsula Borough Local Emergency Planning Committee (Mayor) (Referred to Finance Committee)
- *3. **AS AMENDED** Ordinance 2017-24: Recommending Decertification of Approximately 1,060 Feet of Betty Lou Drive, West of Fields Road (Mayor) (Referred to Lands Committee)
- 4. **ENACTED** Ordinance 2017-21: Amending the Purchasing Code at KPB 5.28.260(A) to Align the Code with State Statute Regarding School Boards and the Acquisition of Other Professional Services for Service Areas (Mayor) (Referred to Policies and Procedures Committee) **[8 Yes, 0 No, 0 Absent]**
- 5. **ENACTED** Ordinance 2017-22: Amending KPB 20.25.120 – Review and Appeals, KPB 21.06.060(A)(3) – Exceptions Procedure, KPB 21.20 – Hearing and Appeals and KPB 21.25.100 – Appeals (Mayor) (Referred to Policies and Procedures Committee) **[8 Yes, 0 No, 0 Absent]**

N. UNFINISHED BUSINESS – None.

O. NEW BUSINESS

1. Resolutions

- *a. Resolution 2017-051: Forming the South Kasilof Utility Special Assessment District and Proceed with the Improvement of a Natural Gas Main Line (Mayor) (Referred to Finance Committee)

2. Ordinances for Introduction

- *a. Ordinance 2017-19-07: Appropriating Funds for the Eastern Peninsula Highway Emergency Service Area (Mayor) (Hearing on 09/19/17) (Referred to Finance Committee)
- *b. Ordinance 2017-26: Amending KPB 5.18.200(A) and KPB 5.18.900 to Exempt Freight Hauling Services from Sales Taxes (Mayor) (Hearing on 10/10/17) (Referred to Finance Committee)
- *c. Ordinance 2017-27: Amending Ordinance 2016-19-12 Which, Among Other Things, Authorized the Issuance of Not to Exceed \$28,955,000 of Central Kenai Peninsula Hospital Service Area Hospital Revenue Bonds and Authorizing the Mayor to Execute an Agreement Relating to the Bonds (Mayor) (Hearing on 09/19/17) (Referred to Finance Committee)

3. Other

- *a. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the Renewal of the Retail Marijuana Store License No. 10273 Filed by Croy's Enterprises LLC in Soldotna, Subject to the Standard Conditions (Referred to Finance Committee)
- *b. 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. 10137 Filed by Pine Street Cannabis Company in Soldotna, Subject to the Standard Conditions (Referred to Finance Committee)

- *c. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Standard Marijuana Cultivation Facility License No. 12783 Filed by Homer Budz, LLC in Homer, 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.]*

- *d. Amending the 2017 Assembly Meeting Schedule (Cooper) (Referred to Policies and Procedures Committee)..... **LAYDOWN**

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

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. September 19, 2017 Regular Assembly Meeting 6:00 PM
City Council Chambers, Homer City Hall, Homer, Alaska

R. ASSEMBLY COMMENTS

S. PENDING LEGISLATION (This item lists legislation which will be addressed at a later date as noted.)

1. Resolution 2017-050: Supporting the Incorporation of the Nikiski Area (Ogle) (Referred to Policies and Procedures Committee)
Tabled 08/01/17

2. Ordinance 2017-25: Eliminating the Requirement of Offering Authorship Advocating Approval and Rejection of Ballot Propositions for Ordinances 2017-16, 2017-17 And 2017-23 and Eliminating the Statement of Borough Costs and Revenues for Proposition 1 Presenting a Local Option Election Regarding Commercial Marijuana (Mayor) (Hearing on 09/19/17) (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 September 19, 2017, at 6:00 P.M. in the City Council Chambers, Homer City Hall, Homer, 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.