



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Assembly

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Tuesday, January 22, 2019

6:00 PM

Betty J. Glick 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.*

The invocation was given by Barbara McNinch.

### 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-2001](#) January 8, 2019 Regular Assembly Meeting Minutes

Attachments: [010819 Regular Assembly Meeting Minutes](#)

### COMMENDING RESOLUTIONS AND PROCLAMATIONS

### PRESENTATIONS WITH PRIOR NOTICE

*(20 minutes total)*

### 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-2005](#) Mayor's Report Cover Memo

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

1. Assembly Requests/Responses - None.

2. Agreements and Contracts

a. [KPB-2006](#) Authorization to Award a Contract for ITB19-010 Calcium Chloride Purchase to NorthStar Supply, LLC, Palmer, Alaska.

Attachments: [Authorization to Award Contract for ITB19-010](#)

b. [KPB-2007](#) Authorization to Award a Contract for ITB19-011 Emergency Response Rescue River Boat to Woodridge Boats, Inc., Seattle, Washington.

Attachments: [Authorization to Award Contract for ITB19-011](#)

3. Other

a. [KPB-2008](#) Tesoro Foundation Grant – 2018 Final Installment of \$75,000.

Attachments: [Tesoro Foundation Grant](#)

**ITEMS NOT COMPLETED FROM PRIOR AGENDA****M. PUBLIC HEARINGS ON ORDINANCES**

*(Testimony limited to 3 minutes per speaker)*

Ordinances referred to Finance Committee

[2018-19-23](#) An Ordinance Appropriating \$425,000 from the General Fund for the Design and Replacement of the Boiler Plant at Homer High School (Mayor)

Attachments: [Ordinance 2018-19-23](#)  
[Memo](#)

[2018-19-24](#) An Ordinance Approving the Lease Purchase of Two Diagnostic Ultrasound Machines for the South Peninsula Hospital and Appropriating \$375,000 from the South Peninsula Hospital Service Area Capital Project Fund (Mayor)

*Attachments:* [Ordinance 2018-19-24](#)  
[Memo](#)  
[Ultrasound Lease](#)  
[Service Area Board Recommendation](#)

[2018-19-25](#) An Ordinance Accepting and Appropriating \$10,010,000 from the State of Alaska Department of Education & Early Development for the Kachemak Selo New K-12 School Construction Project (Mayor)

*Attachments:* [Ordinance 2018-19-25](#)  
[Memo](#)  
[KPB Letter to Department of Education and Early Development](#)  
[Department of Education and Early Development Letter to KPB](#)  
[Lease Agreements](#)

[2018-19-26](#) An Ordinance Appropriating Funds from the General Fund for Earthquake Response Under the Locally Declared Disaster Emergency Within the Kenai Peninsula (Mayor)

*Attachments:* [Ordinance 2018-19-26](#)  
[Memo](#)

[2018-19-27](#) An Ordinance Appropriating \$10,000 from the General Fund for Contribution to the Alaska Municipal League to Support a Working Group that will be Charged with Establishing a Centralized Sales Tax Administrator for Remote Sellers (Mayor)

*Attachments:* [Ordinance 2018-19-27](#)  
[Memo](#)

## UNFINISHED BUSINESS

### O. NEW BUSINESS

#### 1. Resolutions

Resolutions referred to Policies and Procedures Committee

[2019-008](#) A Resolution Approving a Quarterly Update to the Borough Retention Schedule (Ogle at the Request of the Borough Clerk)

Attachments: [Resolution 2019-008](#)  
[Memo](#)  
[Records Retention Revisions](#)

Resolutions referred to Legislative Committee

[2019-007](#) A Resolution Establishing Kenai Peninsula Borough 2019 State Capital Project Priorities for Road Projects (Mayor)

Attachments: [Resolution 2019-007](#)  
[Memo](#)  
[Roads North-2019 Capital Project Request](#)  
[Roads South-2019 Capital Project Request](#)  
[Roads East-2019 Capital Project Request](#)  
[Roads West-2019 Capital Project Request](#)  
[Roads Central-2019 Capital Project Request](#)  
[Service Area Board Recommendations](#)

[2019-009](#) A Resolution Establishing Kenai Peninsula Borough 2019 State Capital Project Priorities for Public Safety Projects (Mayor)

Attachments: [Resolution 2019-009](#)  
[Amendment Memo and Amended KPFCFA](#)  
[Memo](#)  
[Capital Project APFEMSA](#)  
[Capital Project CES](#)  
[Capital Project BCFSA](#)  
[Capital Project KESA](#)  
[Capital Project KPFCFA](#)

## 2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

[2018-19-28](#) An Ordinance Appropriating \$2,322,000 in Closure/Postclosure Funds for Costs Associated with Phase II Closure of the Homer Landfill (Mayor)

Attachments: [Ordinance 2018-19-28](#)  
[Memo](#)

## Ordinances for Introduction and referred to the Lands Committee

[2019-01](#) An Ordinance Amending KPB 2.56.030 to Adopt the 2018 Homer Comprehensive Plan as the Official Comprehensive Plan for that Portion of the Borough within the Boundaries of the City of Homer (Mayor)

**Attachments:** [Ordinance 2019-01](#)  
[Planning Commission Recommendation](#)  
[Memo](#)  
[City Planner's Memo to Homer City Council dated October 4, 2018](#)  
[2018 Homer Comprehensive Plan](#)

## Ordinances for Introduction and referred to the Policies and Procedures Committee

[2019-02](#) An Ordinance Amending KPB Title 3 to Enact Local Provisions for Protection of Whistleblowers (Cooper, Smalley)

**Attachments:** [Ordinance 2019-02](#)  
[Cooper Clarification of Intent](#)  
[Memo](#)  
[eComment 021919](#)

## 4. Other

Other Items referred to Finance Committee

[KPB-2004](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Retail Marijuana Store, License No. 17204 Filed by Mary's Garden, Subject to the Standard Conditions

[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 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).
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.]

Attachments: [17204 - Complete Application](#)

[17204 - Memo to Assembly](#)

[17204 - Planning Memo to Assembly](#)

[17204 - Site Development Plan](#)

[17204 - Acknowledgement Form](#)

[17204 - Aerial Map](#)

[17204 - Land Use Map](#)

Other items referred to Policies and Procedures Committee

[KPB-2003](#) Confirming Kim Saner as the Human Resources Director (Mayor)

Attachments: [Saner Confirmation](#)

[KPB-2002](#) Confirming Melanie Aeschliman as Borough Assessor (Mayor)

Attachments: [Aeschliman Confirmation](#)

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

## **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. January 30, 2019 Material Site Work Group  
2:00 PM Betty J. Glick Assembly Chambers, Soldotna, Alaska
2. February 5, 2019 Regular Assembly Meeting  
6:00 PM Betty J. Glick Assembly Chambers, Soldotna, Alaska

## ASSEMBLY COMMENTS

### S. PENDING LEGISLATION

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

### INFORMATIONAL MATERIALS AND REPORTS

1. [KPB-2000](#) Records Management Program - Procedures

Attachments: [Memo to Assembly](#)  
[Destruction Procedures](#)  
[Litigation Hold Procedures](#)

### NOTICE OF NEXT MEETING AND ADJOURNMENT

*The next meeting of the Kenai Peninsula Borough Assembly will be held on February 5, 2019, at 6:00 P.M. in the Betty J. Glick 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.kpb.us](http://www.kpb.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*