

Assembly Action Agenda

December 5, 2017 - 6:00 PM

Regular Meeting

Assembly Chambers, Borough Administration Building

Wayne Ogle
Assembly President
Seat 3 - Nikiski
Term Expires 2019

Dale Bagley
Assembly Vice President
Seat 4 - Soldotna
Term Expires 2019

Norm Blakeley
Seat 5 - Sterling/Funny
River
Term Expires 2020

Kenn Carpenter
Assembly Member
Seat 6 - East Peninsula
Term Expires 2018

Kelly Cooper
Assembly Member
Seat 8 - Homer
Term Expires 2020

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

Paul Fischer
Assembly Member
Seat 7 - Central
Term Expires 2019

Brent Hibbert
Assembly Member
Seat 1 - Kalifornsky
Term Expires 2018

Harold "Hal" Smalley
Assembly Member
Seat 2 - Kenai
Term Expires 2020

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 Paul Hartley from Church of the Nazarene, Soldotna, Alaska.]

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. November 21, 2017 Regular Assembly Meeting Minutes

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

I. PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

- 1. Kenai Peninsula Borough School District Quarterly Report (10 Minutes)
- 2. South Peninsula Hospital, Inc. 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**
- L. ITEMS NOT COMPLETED FROM PRIOR AGENDA**
- M. PUBLIC HEARINGS ON ORDINANCES** (Testimony limited to 3 minutes per speaker)
1. ***POSTPONED TO MARCH 6, 2018*** Ordinance 2017-29: 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 Up to 3 Percent 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) (Final Hearing on 03/06/18) (Referred to Finance Committee) [**9 Yes, 0 No, 0 Absent**]
 2. ***ENACTED*** Ordinance 2017-33: Confirming the Assessment Roll for the South Kasilof Utility Special Assessment District and Establishing the Method for Terminating Assessments and Making Refunds to Property Owners (Mayor) (Referred to Finance Committee) [**9 Yes, 0 No, 0 Absent**]
 - *3. Ordinance 2017-19-10: Appropriating Additional Funds from the Anchor Point Fire and Emergency Service Area Capital Project Fund to Cover Costs in Excess of the Budgeted Amount for Purchase of an Incident Command Vehicle (Mayor) (Referred to Finance Committee)
 - *4. ***AS AMENDED*** Ordinance 2017-19-11: Appropriating Revenue Bond Proceeds and Authorizing the Use of \$3,153,200 from the \$10,000,000, that was Appropriated from the Central Peninsula Hospital Plant Replacement and Expansion Fund for the Design and Construction of the Obstetrics Facility, Cardiac Catheterization Laboratory and Related Projects at Central Peninsula Hospital (Mayor) (Referred to Finance Committee)
 5. ***POSTPONED TO JANUARY 16, 2018*** Ordinance 2017-31: Approving McKinley Single-Family Residential R-1 Local Option Zoning District and Amending KPB 21.46.040 (Mayor) (Referred to Lands Committee) [**9 Yes, 0 No, 0 Absent**]
 6. ***POSTPONED AS AMENDED TO JANUARY 2, 2018*** Ordinance 2017-32: Amending KPB Title 16 to Authorize Certain Volunteers to Serve on their Respective Service Area Board (Dunne, Fischer, Carpenter) (Referred to Policies and Procedures Committee) [**9 Yes, 0 No, 0 Absent**]

N. UNFINISHED BUSINESS – None.

O. NEW BUSINESS

1. Ordinances for Introduction

- *a. Ordinance 2017-19-12: Appropriating \$15,000 from the Kachemak Emergency Service Area Capital Project Fund for Winterization of the Diamond Ridge Fire Station (Mayor) (Referred to Finance Committee) (Hearing on 01/02/18)
- *b. Ordinance 2017-34: Amending KPB 2.04.030 Regarding the Designation of an Administrative Officer to Align the Code with State Statutes by Requiring Assembly Approval of the Designation (Mayor) (Referred to Policies and Procedures Committee) (Hearing on 01/02/18)

2. Other

- *a. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Marijuana Product Manufacturing Facility, License No. 12254 Filed by Lady Gray Gourmet Medibles, 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 New Marijuana Product Manufacturing Facility License No. 13175 Filed by Fire Eater, 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. 12618 Filed by Hempco, LLC, Subject to the Standard Conditions (Referred to Finance Committee)

[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).]*

*d. Petition to Vacate the 40 Foot Wide Public Access Easement Crossing Tract 3, Parkinson Tracts, as Granted on Parkinson Tracts, Plat HM 78-63; Location: off Seaward Avenue, Anchor Point, within the NE 1/4 NE 1/4 of Section 8, Township 5 South, Range 15 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough; KPB File 2017-156V (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its November 13, 2017 meeting by unanimous consent.]

*e. **AS AMENDED** Confirming Appointments to the Board of Equalization (Mayor) (Referred to Policies and Procedures Committee)

<u>Applicant</u>	<u>Seat</u>	<u>Term Expires</u>
Tyson Cox	C	December 31, 2020
Barbara Belluomini	D	December 31, 2020
Wenda Kennedy	Alternate Seat B	December 31, 2020
Brett DeMeter	Alternate Seat C	December 31, 2020

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

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. January 2, 2018 Regular Assembly Meeting 6:00 PM
Assembly Chambers, Soldotna, Alaska

R. ASSEMBLY COMMENTS

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

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 January 2, 2018, 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.