



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda

Assembly

Blaine Gilman, President
Brent Johnson, Vice President
Dale Bagley
Kelly Cooper
Willy Dunne
Brandii Holmdahl
Gary Knopp
Wayne Ogle
Stan Welles

Tuesday, February 2, 2016

6:00 PM

Assembly Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

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. 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-0596](#) January 19, 2016 Regular Assembly Meeting Minutes

Attachments: [011916 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS

1. [KPB-0585](#) A Resolution Commending the Homer High School Wrestling Team Small Schools Alaska State Champions for the Year 2015 (Mayor, Cooper)

Attachments: [Homer High Wrestling Team](#)

PRESENTATIONS WITH PRIOR NOTICE

1. [KPB-0595](#) Central Peninsula Hospital Quarterly Report (10 minutes)
Attachments: [CPH Quarterly Report](#)
2. [KPB-0580](#) "The Cannabis Industry, A Visual Journey" Dollynda Phelps (10 minutes)
Attachments: [Marijuana Cultivating, Testing, Manufacturing and Retail](#)

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**MAYOR'S REPORT**

1. Assembly Requests/Responses - None.
2. Agreements and Contracts - None.
3. Other
 - a. [KPB-0588](#) Quarterly and Final Report of the Marijuana Task Force, Leif Abel, Chair
Attachments: [Quarterly and Final Report of the Marijuana Task Force](#)
 - b. [KPB-0589](#) Informational Presentation by Stroudwater Associates - Health Care Consulting Services
Attachments: [Stroudwater Presentation](#)

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

Ordinances referred to Finance Committee

[2015-19-21](#) An Ordinance Authorizing the Acquisition of Real Property Located at 362 Tye Street, Soldotna Alaska on Behalf of Central Peninsula Hospital for Transitional Housing Purposes, Accepting and Appropriating Grant Funds of \$1,105,000, Appropriating \$395,000 from the CPGH, Inc. Plant Replacement and Expansion Fund for the Purchase and Remodel of the Property, and Authorizing an Amendment to the CPGH, Inc. Lease and Operating Agreement (Mayor)

Attachments:

[O2015-19-21](#)

[Planning Commission Recommendations](#)

[Memo](#)

[9th Amendment to Lease and Operating Agreement](#)

[Purchase Agreement](#)

[CPGH Inc. R2015-79](#)

[Survey](#)

[Grant Awards](#)

[Exhibit B Sustainability Plan](#)

[Due Diligence Inspection Memo](#)

[2015-19-22](#) An Ordinance Appropriating Estimated Insurance Proceeds of \$3,543,135 for Costs Associated with the Susan B. English School Shop Restoration Project (Mayor)

Attachments:

[O2015-19-22](#)

[Memo](#)

[O2014-19-49](#)

[O2015-19-02](#)

Ordinances referred to Policies and Procedures Committee

[2015-27](#) An Ordinance Amending KPB 7.10.020 to Change the Method of Measuring the Distance to Match State Statue (Bagley)

Attachments:

[O2015-27](#)
[Knopp Amendment](#)
[PC Recommendations](#)
[Memo](#)
[KPBSD Clarification Letter dated 1-16-16](#)
[Amendments Proposed by Dan Coffey](#)
[Public Comment Debbie Cary](#)
[Additional Public Comment](#)
[Additional Public Comment \(2\)](#)
[KPBSD Letter of Opposition](#)
[Additional Public Comment \(3\)](#)
[Additional Public Comment \(4\)](#)
[Petition in Support of Ninilchik Liquor Store](#)
[Additional Public Comment \(5\)](#)
[Additional Public Comment \(6\)](#)
[Additional Public Comment \(7\)](#)
[Additional Public Comments \(8\)](#)
[Additional Public Comment \(9\)](#)

Ordinances referred to Lands Committee

[2016-01](#) An Ordinance Approving Correia Single-Family Residential Local Option Zoning District, and Amending KPB 21.46.040 (Mayor)

Attachments:

[O2016-01](#)
[PC Recommendations](#)
[Memo](#)
[Petition](#)
[Maps](#)
[Excerpt from KPB 21.44](#)
[Certificate of Publication and Mailing](#)

[2016-03](#) Substitute: An Ordinance Amending KPB Chapters 21.44 and 21.46 Regarding Local Option Zoning, and Repealing KPB 21.50.050 Relating to Fines and Reenacting as KPB 21.50.055 (Mayor, Johnson) (Postponed to 05/03/16)

Attachments:

[O2016-03 \(Mayor, Johnson\) Substitute](#)

[Substitute Planning Commission Recommendations \(dealt with on 04/05/16\)](#)

[Substitute Advisory Planning Commission Recommendations \(dealt with on 04/05/16\)](#)

[Substitute Memo](#)

[Substitute Knopp Amendment \(dealt with on 04/05/16\)](#)

[Advisory Planning Commission Recommendations \(dealt with on 04/05/16\)](#)

[Memo](#)

[Sectional Analysis](#)

[Proposed KPB 21.44 with no legislative format](#)

[Public Comment](#)

[Marijuana Task Force Recommendation Memo](#)

[Planning Commission's Request for Additional Public Hearing and Joint Workse](#)

[Additional Public Comment](#)

[eComments Report](#)

[O2016-03 \(Amended by Substitute on 04/05/16\)](#)

[01/25/16 Amendment Memo \(not moved\)](#)

[02/02/16 Bagley Amendment \(not moved\)](#)

[02/11/16 Mayor Johnson Amendment \(not moved\)](#)

[02/23/16 Welles Amendment \(not moved\)](#)

[03/24/16 Welles Amendment \(dealt with on 04/05/16\)](#)

UNFINISHED BUSINESS

NEW BUSINESS

Resolutions

Resolutions referred to Finance Committee

[2016-005](#) A Resolution Designating the Newspaper and Authorizing Award of a Contract for the Publication of the 2016 Foreclosure List, and the Delinquent Leasehold, Mobile Homes, Personal and Other Tax Lists for the Tax Year 2015 (Mayor)

Attachments:

[R2016-005](#)

[Memo](#)

[2016-006](#) A Resolution Approving the Second Amendment To Loan Agreement Between the Kenai Peninsula Borough and the City of Homer Regarding Financing a Utility Special Assessment District (Mayor)

Attachments: [R2016-006](#)
[Memo](#)
[Second Amendment to Loan Agreement](#)

Resolutions referred to Policies and Procedures Committee

[2016-007](#) A Resolution Establishing a Temporary Senior Citizens Advisory Task Force (Cooper, Ogle)

Attachments: [R2016-007](#)
[Memo](#)
[Mayor's Veto](#)

Resolutions referred to Legislative Committee

[2016-008](#) A Resolution Establishing Corrected Kenai Peninsula Borough State Capital Project Priorities for the Year 2016 (Mayor)

Attachments: [R2016-008](#)
[Memo](#)
[KPBSD FY2016 6 Year Plan](#)
[R2016-001](#)

[2016-009](#) LAYDOWN A Resolution Supporting Senate Bill 23 Relating to Opioid Overdose Drugs and to Immunity for Prescribing, Providing, or Administering Opioid Overdoes Drugs (Dunne)

Attachments: [R2016-009](#)
[Senate Bill 23](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

[2015-19-23](#) An Ordinance Appropriating \$2,795,137.58 in Bond Proceeds for the Purpose of Purchasing Emergency Response Vehicles in the Central Emergency Service Area (Mayor)

Attachments: [O2015-19-23](#)
[Memo](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

[2016-07](#) An Ordinance Amending KPB Chapter 7.20 and Enacting KPB Chapter 7.30 Regarding Local Protests of State Marijuana Licenses, Amending KPB 21.25 and Enacting KPB Chapter 21.30 Regarding Permit Requirements for Marijuana Establishments, and Amending KPB 21.50 Regarding Violations and Enforcement (Mayor, Ogle, Gilman)

Attachments: [O2016-07](#)
[O2016-07 \(Mayor, Ogle, Gilman\)](#)
[Sub PC Recommendations](#)
[\(Mayor, Ogle, Gilman\) Sub Memo](#)
[Memo](#)
[KPBSD Letter of Support](#)
[02/23/16 Bagley Sub Amendment](#)
[02/23/16 Knopp Sub Amendment](#)
[Public Comments](#)

3. Other

Other items referred to Finance Committee

[KPB-0594](#) Authorizing an Application for a Liquor License Relocation and Transfer of Ownership filed by Gwin's Resorts, LLC dba Gwin's Lodge

Attachments: [Memo](#)
[Application](#)

Other items referred to Lands Committee

[KPB-0599](#) LAYDOWN Petition to Vacate the Two 33-foot portions (approximately 215 feet) of the Section Line Easements between Cohoe Lake Drive and Lower Cohoe Lake that intersect Lots 2, 3, and 4, Block 2 of Cohoe Lakes Subdivision (Plat KN-1430). All portions of the requested vacation are located within Sections 22 & 27, Township 3 North, Range 12 West, Seward Meridian, Alaska and within the Kenai Peninsula Borough; KPB File 2016-005

[Clerk's Note: The Planning Commission approved the referenced vacation by unanimous consent at its meeting of January 25, 2016.]

Attachments:

[Memo](#)

[Unapproved PC Minutes](#)

[Plats](#)

[Maps](#)

[Application and backup](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. February 3, 2016 Health Care Task Force Meeting 6:30 PM Assembly Chambers, Borough Administration Building
2. February 17, 2016 Health Care Task Force "Provider/Delivery Subcommittee" Meeting 6:30 PM Seward Library - Community Room 239 6th Ave., Seward, AK
3. February 23, 2016 Regular Assembly Meeting 6:00PM Assembly Chambers, Borough Administration Building

ASSEMBLY COMMENTS

S. PENDING LEGISLATION

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

1. [2016-05](#) An Ordinance Enacting KPB Chapter 7.20 – Marijuana Regulation, and Designating the Planning Commission as the Local Regulatory Authority Within the Kenai Peninsula Borough Under Alaska Statute Chapter 17.38 for Marijuana Establishments (Mayor)

Attachments:

[O2016-05](#)

[Planning Commission Recommendations](#)

[Memo](#)

[Public Comments](#)

[02/23/16 Bagley Amendment](#)

INFORMATIONAL MATERIALS AND REPORTS

NOTICE OF NEXT MEETING AND ADJOURNMENT

The next meeting of the Kenai Peninsula Borough Assembly will be held on February 23, 2016, 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.kpb.us for copies of the agenda, meeting summaries, ordinances and resolutions.