



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda

Assembly

Kelly Cooper, President
Wayne Ogle, Vice President
Dale Bagley
Kenn Carpenter
Willy Dunne
Paul Fischer
Brent Hibbert
Jill Schaefer
[Vacant, District 5]

Tuesday, September 5, 2017

6:00 PM

Assembly Chambers

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.

[Clerk's Note: The invocation was delivered by Chaplain Frank Alioto from Central Peninsula Hospital and Central Emergency Services.]

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-1386](#) August 15, 2017 Regular Assembly Meeting Minutes

Attachments: [081517 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS

[KPB-1412](#) A Commending Resolution Declaring August 16, 2017 as "Dick Morgan Day" (Shaefer, Mayor)

Attachments: [Mr. Morgan Commending Resolution](#)

[KPB-1405](#) Mayor's Proclamation Declaring September 5, 2017 as "KSRM 920 AM Appreciation Day"

Attachments: [Mayor's Proclamation - KSRM 920 AM Appreciation Day](#)

[KPB-1413](#) Mayor's Proclamation Declaring the week of September 16-23 2017 as "National Estuaries Week"

Attachments: [Mayor's Proclamation - National Estuaries Week](#)

[KPB-1414](#) LAYDOWN Mayor's Proclamation Declaring the month of September 2017 as "Hunger Action Month"

Attachments: [Mayor's Proclamation - Hungre Action Month](#)

PRESENTATIONS WITH PRIOR NOTICE

(20 minutes total)

[KPB-1411](#) Kenai Peninsula Borough School District Quarterly Report (10 minutes)

Attachments: [KPBSD Presentation](#)

[KPB-1404](#) Kenai Peninsula Economic Development District Quarterly Update (10 minutes)

Attachments: [KPEDD Presentation](#)

[Kenai Peninsula Borough CEDS fy18 Update](#)

[2017 S&P Kenai Summary](#)

[2017 S&P Soldotna Summary](#)

[2017 S&P Homer Summary](#)

[2017 S&P Seward Summary](#)

[2017 S&P Kenai Peninsula Borough Summary](#)

[2017 S&P Seldovia Summary](#)

[Economic Overview - Kenai Peninsula Borough 3rd Quarter 08-15-2017](#)

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-1391](#) Mayor's Report Memo

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

1. Assembly Requests/Responses - None.

2. Agreements and Contracts

a. [KPB-1392](#) Request for Waiver of Formal Bidding: Mobile Vehicle Lifts

Attachments: [Request for Waiver of Formal Bidding](#)

b. [KPB-1393](#) Authorization to Award Contract for FRP17-013, Professional Design Services for Road Service Area Capital Improvement Projects.

Attachments: [Authorization to award contract for RFP17-013](#)

c. [KPB-1394](#) Authorization to Award Contract for ITB-003 CPH Parking and Site Improvements

Attachments: [Authorization to award contract for ITB18-003](#)

d. [KPB-1395](#) Authorization to Award Contract for ITB18-001 North Peninsula Recreation Center Sidewalk Repairs

Attachments: [Authorization to award contract for ITB18-001](#)

e. [KPB-1396](#) Authorization to Award Contract for ITB18-002 Gravel Projects 2017-North Region (Dallas Avenue & Thomas Street)

Attachments: [Authorization to award contract for ITB18-002- North Region](#)

f. [KPB-1397](#) Authorization to Award Contract for ITB18-002 Gravel Projects 2017-Central Region (Lake Road)

Attachments: [Authorization to award contract for ITB18-002 - Central Region](#)

g. [KPB-1398](#) Authorization to Award Contract for ITB18-002 Gravel Projects 2017-South Region (Cape Ninilchik Avenue & Katafya Road)

Attachments: [Authorization to award contract for ITB18-002 - South Region](#)

h. [KPB-1399](#) Authorization to Award Contract for ITB18-002 Gravel Projects 2017-West Region (Birchrim Lane, Wildberry Court & Cranwood Place)

Attachments: [Authorization to award contract for ITB18-002 - West Region](#)

3. Other

- a. [KPB-1400](#) Investment Portfolio Report
Attachments: [Investment Portfolio Report](#)
- b. [KPB-1401](#) Revenue Expenditure Report - July 2017
Attachments: [Revenue Expenditure Report](#)
- c. [KPB-1402](#) Budget Revisions - July 2017
Attachments: [Budget Revisions](#)
- d. [KPB-1403](#) Project Reports - June 30, 2017
Attachments: [Project Reports](#)

ITEMS NOT COMPLETED FROM PRIOR AGENDA

PUBLIC HEARINGS ON ORDINANCES

(Testimony limited to 3 minutes per speaker)

Ordinances referred to Finance Committee

- [2017-19-05](#) An Ordinance Appropriating \$222,098.76 to the Special Assessment Fund for the South Kasilof Utility Special Assessment District
Attachments: [O2017-19-05](#)
[Memo](#)

- [2017-19-06](#) An Ordinance 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)
Attachments: [O2017-19-06](#)
[Memo](#)
[Grant Award Letter](#)

Ordinances referred to Lands Committee

[2017-24](#) An Ordinance Recommending Decertification of Approximately 1,060 Feet of Betty Lou Drive, West of Fields Road (Mayor)

Attachments: [O2017-24](#)
[Road Service Area Board Recommendations](#)
[Memo](#)
[Back Up Documents](#)
[Map & Plat](#)

Ordinances referred to Policies and Procedures Committee

[2017-21](#) An Ordinance 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)

Attachments: [O2017-21](#)
[Memo](#)

[2017-22](#) An Ordinance 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)

Attachments: [O2017-22](#)
[Memo](#)
[Planning Commission Recommendations](#)

UNFINISHED BUSINESS - None.

O. NEW BUSINESS

1. Resolutions

[2017-051](#) A Resolution to Form the South Kasilof Utility Special Assessment District and Proceed with the Improvement of a Natural Gas Main Line (Mayor)

Attachments: [R2017-051](#)
[Memo](#)
[Exhibit 1](#)
[Exhibit 2](#)
[Public Comments](#)

2. Ordinances for Introduction

[2017-19-07](#) An Ordinance Appropriating Funds for the Eastern Peninsula Highway Emergency Service Area (Mayor)

Attachments: [Ordinance 2017-19-07](#)
[Memo](#)

[2017-26](#) An Ordinance 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)

Attachments: [Ordinance 2017-26](#)
[Memo](#)

[2017-27](#) An Ordinance 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)

Attachments: [Ordinance 2017-27](#)
[Memo](#)
[Exhibit A](#)
[Exhibit A - Map](#)

3. Other

[KPB-1408](#)

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 following Standard Conditions:

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

Attachments:

[10273 Renewal Package](#)

[10273 Memo to Assembly](#)

[10273 Planning Memo to Assembly 082817](#)

[KPB-1409](#)

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 following Standard Conditions:

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

Attachments:

[10137 Renewal Package](#)

[10137 Memo to Assembly](#)

[10137 Planning Memo to Assembly 082817](#)

- [KPB-1410](#) 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 following Standard Conditions:
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

Attachments: [12783 Complete Application Package](#)
[12783 Memo to Assembly](#)
[12783 Planning Memo to Assembly 082817](#)
[12783 Planning Staff Report](#)
[12783 Site Development Plan](#)
[12783 Acknowledgment Form](#)
[12783 Aerial Map](#)
[12783 Land Use Map](#)

[KPB-1416](#) LAYDOWN Amendment to 2017 Assembly Meeting Schedule

Attachments: [2017 Assembly Meeting Schedule Amendment](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

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

ASSEMBLY COMMENTS

S. PENDING LEGISLATION

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

1. [2017-050](#) A Resolution Supporting the Incorporation of the Nikiski Area (Ogle)
Tabled 08/01/17

Attachments: [Resolution 2017-050](#)
[Memo](#)
[eComment 081517](#)
[Public Comment 080117](#)
[eComment 080117](#)

2. [2017-25](#) An Ordinance 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
Facilities (Mayor)

Attachments: [Ordinance 2017-25](#)
[Memo](#)

INFORMATIONAL MATERIALS AND REPORTS

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 PM in the City Council Chambers, Homer City Hall, Homer, AK

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.borough.kenai.ak.us for copies of the agenda, meeting summaries, ordinances and resolutions.