



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Assembly

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Tuesday, November 20, 2018

6:00 PM

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.*

[Clerk's Note: The invocation will be offered by Dr. Keith Hamilton from Alaska Christian College.]

### 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-1950](#)      October 23, 2018 Regular Assembly Meeting Minutes

Attachments:      [102318 Regular Assembly Meeting Minutes](#)

### COMMENDING RESOLUTIONS AND PROCLAMATIONS

[KPB-1918](#)      A Resolution in Memoriam Commending the Contributions of Jim Dress (Dunne)

Attachments:      [Resolution in Memoriam](#)

### PRESENTATIONS WITH PRIOR NOTICE

*(20 minutes total)*

[KPB-1953](#) Central Peninsula Hospital Quarterly Report (10 Minutes)

Attachments: [Quarterly Report](#)

## **PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**

*(3 minutes per speaker; 20 minutes aggregate)*

## **MAYOR'S REPORT**

[KPB-1936](#) Mayor's Report Cover Memo

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

1. Assembly Requests/Responses - None.

2. Agreements and Contracts

- a. [KPB-1937](#) Authorization to Award a Contract for ITB19-007 Japanese Creek Channel & Culvert Restoration to Great Northern Construction & Management, Soldotna, AK.

Attachments: [Authorization to Award Contract for ITB 19-007](#)

- b. [KPB-1938](#) Authorization to Award a Contract for RFP 19-001 Summer & Winter Road Maintenance for North Region, Unit 5.

Attachments: [Authorization to Award Contract for RFP 19-001](#)

3. Other

- a. [KPB-1939](#) Revenue - Expenditure Report - October 2018

Attachments: [Revenue - Expenditure Report - October 2018](#)

- b. [KPB-1940](#) Budget Revisions - October 2018

Attachments: [Budget Revisions - October 2018](#)

- c. [KPB-1941](#) Investment Portfolio Report

Attachments: [Investment Portfolio Report](#)

- d. [KPB-1942](#) Capital Projects Reports - September 30, 2018

Attachments: [Capital Project Reports - September 30, 2018](#)

- e. [KPB-1943](#) Presentation of the Fiscal Year 2018 Financial Statements

Attachments: [Presentation of the Fiscal Year 2018 Financial Statements](#)

- f. [KPB-1944](#) FY19 - 1st Quarter Senior Center Grant Reports  
*Attachments:* [FY19 - 1st Quarter Senior Center Grant Reports](#)
- g. [KPB-1945](#) FY19 - 1st Quarter Economic Development Grant Reports  
*Attachments:* [FY19 - 1st Quarter Economic Development Grant Reports](#)

## ITEMS NOT COMPLETED FROM PRIOR AGENDA

### PUBLIC HEARINGS ON ORDINANCES

*(Testimony limited to 3 minutes per speaker)*

Ordinances referred to Finance Committee

[2018-19-19](#) An Ordinance Accepting and Appropriating \$63,422 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management State Homeland Security Program Grant (Mayor)

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

[2018-19-20](#) An Ordinance Accepting and Appropriating Additional Funds in the Amount of \$8,850 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management Fiscal Year 2017 State Homeland Security Program Grant (Mayor)

*Attachments:* [Ordinance 2018-19-20](#)  
[Memo](#)  
[Application for Reallocation of Grant Funds](#)  
[Grant Award](#)

Ordinances referred to Lands Committee

[2018-34](#) An Ordinance Authorizing a Subsurface Oil and Gas Lease to Hilcorp Alaska, LLC at 12.5 Percent Royalty Under Five Parcels of Land Near Anchor Point, Containing a Total of 19.1 Acres More or Less (Mayor)

Attachments: [Ordinance 2018-34](#)  
[Memo](#)  
[Planning Commission Recommendations](#)  
[Service Area Board Recommendations](#)  
[Hilcorp Oil and Gas Lease](#)  
[Memorandum of Oil and Gas Lease](#)  
[Oil & Gas Subsurface Lease Parcels](#)  
[Public Comments 112018](#)  
[Public Comments 112018](#)  
[Public Comments 102318](#)  
[eComments](#)

## UNFINISHED BUSINESS

## NEW BUSINESS

### 1. Resolutions

Resolutions referred to Finance Committee

[2018-050](#) A Resolution Authorizing Participation in the Community Development Block Grant Program Provided by the State of Alaska Department of Commerce, Community and Economic Development, Division of Community and Regional Affairs, Supplementing the Purchase of a Fire Pumper/Tanker for the Central Emergency Service Area, Funny River Station (Mayor)

Attachments: [Resolution 2018-050](#)  
[Memo](#)

[2018-051](#) A Resolution Authorizing Community Assistance Program Expenditures for Unincorporated Communities (Mayor)

Attachments: [Resolution 2018-051](#)  
[Amendment Memo](#)  
[Memo](#)

[2018-049](#) A Resolution Approving the Correction of Manifest Clerical Errors on a Real Property Account and Approval of a Refund of Taxes Dating Back More than Five Years (Mayor)

Attachments: [Resolution 2018-049](#)  
[Memo](#)

Resolutions referred to Policies and Procedures Committee

[2018-045](#) Supporting the Siting of the Alaska Gasline Development Corporation's Alaska LNG Liquefaction Plant and Marine Terminal in Nikiski, Alaska (Smalley, Ogle)

Attachments: [Resolution 2018-045](#)

[2018-046](#) Naming the Kenai Peninsula Borough Assembly Chambers the Betty J. Glick Assembly Chambers (Bagley)

Attachments: [Resolution 2018-046](#)

[2018-047](#) Confirming Appointments of Assembly Members to Non-Borough Boards (Ogle)

Attachments: [Resolution 2018-047](#)

[2018-053](#) A Resolution Amending the Assembly Policy Regarding Invocations Before the Borough Assembly Meetings (Cooper, Ogle, Bagley)

Attachments: [Resolution 2018-053](#)  
[Memo](#)  
[Amendment Memo](#)  
[Final Proposed Version of Invocation Policy](#)  
[Public Comments 112018](#)  
[eComments](#)

Resolutions referred to Legislative Committee

[2018-048](#) A Resolution Supporting the Transportation Priorities to be Considered for Grant Funding to be Submitted to the State of Alaska Department of Transportation and Public Facilities (Mayor, Cooper)

Attachments: [Resolution 2018-048](#)  
[Memo](#)

[2018-052](#) A Resolution Declaring a Local Economic Disaster and Requesting that the Governor of the State of Alaska Declare an Economic Disaster for the Upper Cook Inlet Fisheries Region and Supporting a Recovery Plan (Mayor)

Attachments: [Resolution 2018-052](#)  
[Memo](#)  
[Supporting Documents](#)  
[Public Comment](#)

Resolutions referred to Finance Committee

[2018-054](#) A Resolution Amending Resolution 2018-044 Approving Three Memorandum of Agreements to be Included in the Federal Emergency Management Agency, Assistance to Firefighters Regional Grant Applications (Mayor)

Attachments: [Resolution 2018-054](#)  
[Memo](#)  
[Reference Copy Resolution 2018-044](#)

## 2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

[2018-19-22](#) An Ordinance Appropriating \$500,000 from the Insurance and Litigation Fund Balance for Additional Costs of Insurance Premiums and Claims Incurred in FY2019 (Mayor)

Attachments: [Ordinance 2018-19-22](#)  
[Memo](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

[2018-35](#) An Ordinance Authorizing the Assessor to Accept One Late-Filed Application for Disabled Veteran Exemption for 2018 Filed After March 31 (Mayor)

Attachments: [Ordinance 2018-35](#)  
[Memo](#)  
[Exemption Applicaiton](#)

## 3. Other

Other Items referred to Finance Committee

[KPB-1921](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Retail Marijuana Store, License No. 16529 Filed by Good Buds, LLC, Subject to the following 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:**

[16529 - Complete Application](#)

[16529 - Memo to Assembly](#)

[16529 - Planning Memo to Assembly](#)

[16529 - Site Plan](#)

[16529 - Acknowledgement Form](#)

[16529 - Aerial Map](#)

[16529 - Land Use Map](#)

[KPB-1922](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Standard Cultivation Facility, License No. 15519 Filed by Peace Frog Botanicals II, LLC, Subject to the Following 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).].

Attachments:

[15519 - Complete Application](#)

[15519 - Memo to Assembly](#)

[15519 - Memo to Assembly](#)

[15519 - Site Development Plan](#)

[15519 - Acknowledgment Form](#)

[15519 - Aerial Map](#)

[15519 - Land Use Map](#)

Other items referred to Policies and Procedures Committee

[KPB-1923](#) Approval of the 2019 Assembly Meeting Schedule (Ogle)

Attachments:

[2019 Meeting Schedule](#)

[KPB-1930](#) Confirming Appointments to the Kenai Peninsula Borough Service Area Boards (Mayor)

Kachemak Emergency Service Area Board  
Donald F. Cotogno, Seat D, Term Expires 10/2019

Seldovia Recreational Service Area Board  
Linda Hedgecloth, Seat B, Term Expires 10/2020  
Sherri Burt, Seat D, Term Expires 10/2019

Eastern Peninsula Highway Emergency Service Area Board  
Michelle Stewart, Seat A, Term Expires 10/2021

Attachments:

[Appointments](#)



[KPB-1925](#) Confirming Appointments to the Alaska Liquefied Natural Gasline Project Advisory Committee (Mayor)

John Czarnezki, Soldotna, Alternate Seat  
Brian Olson, K-Beach , Alternate Seat  
Tina Wagner, Sterling, Alternate Seat

Attachments: [Appointments](#)

[KPB-1947](#) Confirming the Appointment to the Kenai Peninsula Borough Advisory Planning Commission (Mayor)

Dawson Slaughter, Anchor Point Seat G, Term Expires 09/2021

Attachments: [Appointment](#)

[KPB-1927](#) Confirming the Appointment to the Kenai Peninsula Borough Planning Commission (Mayor)

Jeremy Brantley, Sterling, Term Expires 07/31/2021

Attachments: [Appointment](#)

[KPB-1949](#) Authorizing the Administration to Appeal the Judgment in Hunt et al v. Kenai Peninsula Borough, Case No. 3AN-16-10652 Cl

Attachments: [Appeal](#)

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

## **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. December 4, 2018 Regular Assembly Meeting  
6:00 P.M. 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**

## **NOTICE OF NEXT MEETING AND ADJOURNMENT**

*The next meeting of the Kenai Peninsula Borough Assembly will be held on December 4, 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 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.*