



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Assembly

Tuesday, December 4, 2018

6:00 PM

Betty J. Glick 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 given by Willy Dunne.]

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.)*

APPROVAL OF MINUTES

[KPB-1966](#) November 20, 2018 Regular Assembly Meeting Minutes

Attachments: [112018 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS

[KPB-1954](#) A Resolution Commending Stacey Segura and the Nikiski High School Volleyball Team for Winning the 3A ASAA State Championship Volleyball Tournament (Ogle)

Attachments: [Nikiski High Volleyball Team](#)

PRESENTATIONS WITH PRIOR NOTICE

(20 minutes total)

1. [KPB-1951](#) South Peninsula Hospital Quarterly Report (10 Minutes)
Attachments: [Quarterly Report](#)
2. [KPB-1956](#) Kenai Peninsula Borough School District Quarterly Report (10 Minutes)
Attachments: [Kenai Peninsula Borough School District Presentation](#)

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

(3 minutes per speaker; 20 minutes aggregate)

MAYOR'S REPORT

1. Assembly Requests/Responses - None.
2. Agreements and Contracts - None.
3. Other - None.

ITEMS NOT COMPLETED FROM PRIOR AGENDA

M. PUBLIC HEARINGS ON ORDINANCES

(Testimony limited to 3 minutes per speaker)

Ordinances referred to Finance Committee

- [2018-19-22](#) 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 referred to 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 Application](#)

UNFINISHED BUSINESS

O. NEW BUSINESS

1. Resolutions

[2018-055](#) A Resolution Supporting the Efforts of the City of Seldovia to Secure a Community Block Grant Provided by the State of Alaska Department of Commerce, Community and Economic Development (Dunne)

Attachments: [Resloution 2018-055](#)

2. Ordinances for Introduction - None.

3. Other

Other items referred to Finance Committee

[KPB-1957](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Standard Marijuana Cultivation Facility, License No. 16027 Filed by Ohlson Mountain Gold, 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: [16027 - Complete Application](#)
[16027 - Memo to Assembly](#)
[16027 - Planning Memo to Assembly](#)
[16027 - Site Development Plan](#)
[16027 - Acknowledgment Form](#)
[16027 - Aerial Map](#)
[16027 - Land Use Map](#)

[KPB-1958](#)

Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Limited Marijuana Cultivation Facility, License No. 10193 Filed by Stoney Creek Cultivators, 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:

[10193 - New Application](#)

[10193 - Memo to Assembly](#)

[10193 - Planning Memo to Assembly](#)

[10193 - Site Development Plan](#)

[10193 - Acknowledgement Form](#)

[10193 - Aerial Map](#)

[10193 - Land Use Map](#)

[10193 - Public Comment](#)

[KPB-1959](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Retail Marijuana Store, License No. 17176 Filed by State of Mind Cannabis Company, 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:

[17176 - New Application](#)

[17176 - Memo to Assembly](#)

[17176 - Planning Memo to Assembly](#)

[17176 - Site Development Plan](#)

[17176 - Acknowledgment Form](#)

[17176 - Aerial Map](#)

[17176 - Land Use Map](#)

[17176 - Public Comment](#)

Other items referred to Lands Committee

[KPB-1960](#) Petition to Vacate the Marianberry Lane Right-of-way as Dedicated on Hostetter Subdivision No. 2 Amended, Plat HM 2002-7 in the Ninilchik Area and the Associated 10-Foot Wide Utility Easements Adjoining the Marianberry Lane Right-of-way as Granted by Hostetter Subdivision No. 2 Amended, Plat HM 2002-7. Location: Within the South 1/2 South East 1/4 of Section 26, Township 1 South, Range 14 West, Seward Meridian, Alaska, Within the Kenai Peninsula Borough; KPB File 2018-128V.

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its November 13, 2018 meeting by unanimous consent.]

Attachments:

[Petition to Vacate - Marianberry Lane](#)

[KPB-1965](#) Petition to Vacate of the Dedicated Portion of Diamond M Ranch Road Between Lots 3A and 5A as Shown on Carrol Martin Subdivision Diamond M Resort Addition, Plat KN 2008-116. The Right-of-way is not Constructed Within the Dedication and is Located East of Bridge Access Road off Kalifornsky Beach Road Within the North ½ Section 22 and South West 1/4 Section 15, T5N, R11W, Seward Meridian, Alaska, and Within the Kenai Peninsula Borough. KPB File 2017-058V2. Petitioner: Carrol, Joanne, Blair and Ronna Martin of Kenai, AK.

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its November 26, 2018 meeting by unanimous consent.]

Attachments: [Petition to Vacate - Diamond M Ranch](#)

Other items referred to Policies and Procedures Committee

[KPB-1961](#) Confirming an Appointment to the Kenai Peninsula Borough Board of Equalization (Mayor)

Steve Ford, Seat A, Term to Expire 12/31/21

Attachments: [Appointment to Board Of Equalization](#)

[KPB-1967](#) Approving the Appointment of Chief of Staff, James Baisden, as the Administrative Officer (Mayor)

Attachments: [Designation of Administrative Officer](#)

Other items referred to Legislative Committee

[KPB-1969](#) Request to Extend Disaster Emergency Declaration Issued December 4, 2018 Regarding the 7.0 Magnitude Earthquake of November 30, 2018 (Mayor)

Attachments: [Request to Extend Disaster Declaration](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

2. December 12, 2018 AK LNG PAC Meeting
6:00 PM Nikiski Community Recreation Center

3. January 8, 2019 Regular Assembly Meeting
6:00 PM Betty J. Glick Assembly Chambers, Soldotna

ASSEMBLY COMMENTS

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 January 8, 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 for copies of the agenda, meeting summaries, ordinances and resolutions.