



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Assembly

Wayne Ogle, President
Dale Bagley, Vice President
Norm Blakeley
Kenn Carpenter
Kelly Cooper
Willy Dunne
Paul Fischer
Brent Hibbert
Hal Smalley

Tuesday, January 8, 2019

6:00 PM

Betty J. Glick Assembly Chambers

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 will be offered by Kalliste Edeen.]

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. [KPB-1978](#) December 4, 2018 Regular Assembly Meeting Minutes

Attachments: [120418 Regular Assembly Meeting Minutes](#)

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

I. PRESENTATIONS WITH PRIOR NOTICE

(20 minutes total)

1. [KPB-1986](#) Project Homeless Connect 2019, Maggie Winston (10 Minutes)
Attachments: [LAYDOWN Alaska Coalition on Homelessness Update 2019](#)
[LAYDOWN Project Homeless Connect](#)
2. [KPB-1970](#) Tim Johnson, Chair Alaska LNG Advisory Committee – Status Update (10 Minutes)
Attachments: [Memo Update to Assembly](#)

J. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

(3 minutes per speaker; 20 minutes aggregate)

K. MAYOR'S REPORT

Mayor's Report Cover Memo

[KPB-1987](#) Mayor's Report to the Assembly Cover Memo

Attachments: [Mayors Report Cover Memo](#)

1. Assembly Requests/Responses
2. Agreements and Contracts
 - a. [KPB-1988](#) Authorization to Award a Contract for RFP 19-002 Land Trust Land Investment Services to Alaska Permanent Capital Management, Anchorage, AK.
Attachments: [LAYDOWN Corrected Authorization to Award Contract for RFP 19-002](#)
 - b. [KPB-1989](#) Authorization to Award a Contract for ITB 19-009 Tyonek Landfill O&M to Tyonek Contractors, LLC (TCLLC).
Attachments: [Authorization to Award Contract for ITB 19-009](#)
3. Other
 - a. [KPB-1990](#) Revenue – Expenditure Report – November 2018
Attachments: [Revenue-Expenditure Report - November 2018](#)
 - b. [KPB-1991](#) Budget Revisions - November 2018
Attachments: [Budget Revisions - November 2018](#)

L. ITEMS NOT COMPLETED FROM PRIOR AGENDA**M. PUBLIC HEARINGS ON ORDINANCES**

(Testimony limited to 3 minutes per speaker)

N. UNFINISHED BUSINESS**O. NEW BUSINESS**

1. Resolutions

Resolutions referred to Finance Committee

- *a. [2019-002](#) A Resolution Adopting an Alternate Allocation Method for the FY19 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in the Cook Inlet Fisheries Management Area (Mayor)

Attachments:

[Resolution 2019-002](#)

[Memo](#)

[Shared Fisheries Business Tax Program application Letter and backup.pdf](#)

- *b. [2019-003](#) A Resolution Authorizing the Purchase and Installation of a Hill-Rom Navicare Nurse Call System for the South Peninsula Hospital Utilizing Funds Previously Appropriated (Mayor)

Attachments:

[Resolution 2019-003](#)

[Memo](#)

[Call-System Summary](#)

- *c. [2019-004](#) A Resolution Authorizing the Transfer of Funds within the Legal Department to Cover Anticipated Additional Costs Associated with Appeals from Planning Commission Decisions and Collection Case Litigation Costs (Mayor)

Attachments:

[Resolution 2019-004](#)

[Memo](#)

Resolutions referred to Policies and Procedures Committee

- *d. [2019-001](#) A Resolution Endorsing Robert Ruffner's Reappointment to the Alaska Board of Fisheries (Bagley, Ogle)
- Attachments:* [Resolution 2019-001](#)
[LAYDOWN Public Comment](#)
- *e. [2019-005](#) A Resolution Approving the 2019 Labor Negotiation Procedures for a New Collective Bargaining Agreement with the Kenai Borough Employees Association (Mayor)
- Attachments:* [Resolution 2019-005](#)
[Memo](#)
[Negotiation Procedures](#)
- *f. [2019-006](#) A Resolution Directing the Kenai Peninsula Borough Clerk to Establish an Election Stakeholders Group to Explore Implementing Optional Election Models to Better Serve Kenai Peninsula Voters and Ratifying a State of Alaska Commission for Human Rights Conciliation Agreement (Ogle)
- Attachments:* [Resolution 2019-006](#)
[Memo](#)
[Conciliation Agreement](#)
[Conciliation Agreement Approval Letter](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

- *a. [2018-19-23](#) An Ordinance Appropriating \$425,000 from the General Fund for the Design and Replacement of the Boiler Plant at Homer High School (Mayor) (Hearing on 01/22/19)
- Attachments:* [Ordinance 2018-19-23](#)
[Memo](#)
- *b. [2018-19-24](#) An Ordinance Approving the Lease Purchase of Two Diagnostic Ultrasound Machines for the South Peninsula Hospital and Appropriating \$375,000 from the South Peninsula Hospital Service Area Capital Project Fund (Mayor) (Hearing on 01/22/19)
- Attachments:* [Ordinance 2018-19-24](#)
[Memo](#)
[Ultrasound Lease](#)

- *c. [2018-19-25](#) An Ordinance Accepting and Appropriating \$10,010,000 from the State of Alaska Department of Education & Early Development for the Kachemak Selo New K-12 School Construction Project (Mayor) (Hearing on 01/22/19)

Attachments:

[Ordinance 2018-19-25](#)

[Memo](#)

[KPB Letter to Department of Education and Early Development](#)

[Department of Education and Early Development Letter to KPB](#)

- *d. [2018-19-26](#) An Ordinance Appropriating Funds from the General Fund for Earthquake Response Under the locally Declared Disaster Emergency Within the Kenai Peninsula (Mayor) (Hearing on 01/22/19)

Attachments:

[Ordinance 2018-19-26](#)

[Memo](#)

- *e. [2018-19-27](#) An Ordinance Appropriating \$10,000 from the General Fund for Contribution to the Alaska Municipal League to Support a Working Group that will be Charged with Establishing a Centralized Sales Tax Administrator for Remote Sellers (Mayor) (Hearing on 01/22/19)

Attachments:

[Ordinance 2018-19-27](#)

[Memo](#)

3. Other

Other items referred to Finance Committee

- *a. [KPB-1971](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Standard Marijuana Cultivation Facility, License No. 17811 Filed by North Road Buds, LLC, Subject to the Following Standard Conditions:

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:

[17811 - Application](#)
[LAYDOWN 17811 - Memo to Assembly](#)
[LAYDOWN 17811 - Planning Memo to Assembly](#)
[17811 - Planning Staff Report](#)
[17811 - Site Development Plan](#)
[17811 - Acknowledgement Form](#)
[17811 - Aerial Map](#)
[17811 - Land Use Map](#)

- *b. [KPB-1972](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Standard Marijuana Cultivation Facility, License No. 16511 Filed by Smoking Joe's Terps Co. Subject to the Following Standard Conditions:

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:

[16511 - Application](#)
[LAYDOWN 16511 - Memo to Assembly](#)
[LAYDOWN 16511 - Planning Memo to Assembly](#)
[16511 - Planning Staff Report](#)
[16511 - Site Development Plan](#)
[16511 - Acknowledgement Form](#)
[16511 - Aerial Map](#)
[16511 - Land Use Map](#)

- *c. [KPB-1973](#) Authorizing a Letter of Non-Objection of the Issuance of the New Liquor License as Requested by Mt. Marathon Brewing Company, License No. 5730

Attachments: [5730 - Application](#)
[LAYDOWN - 5730 Memo to Assembly](#)
[5730 - Memo](#)
[5730 - Aerial Map](#)
[5730 - Land Use Map](#)

Other items referred to Lands Committee

- *d. [KPB-1992](#) Petition to Vacate the Anchor Point Area of Five Rights-of-ways and Associated Easements as Follows:

a. Vacate the 33-foot Wide Portions of the Stoddard Avenue and Wardell Street Rights-of-way and the Associated 10-foot Wide Utility Easements, Dedicated on Hamiltons Countryside Estates, Plat HM 87-31.

b. Vacate the 50-foot Wide Portion of the Stoddard Avenue, the Portion of the 60-foot Wide Peck Street Rights-of-way and the Associated 20-foot Wide Roadway Construction and Maintenance Easement and the Associated 10-foot Utility Easement Dedicated on Starichkof Cape Estates, Plate HM 77-28.

c. Vacate the Portion of the 33-foot Wide Stoddard Avenue, the Portion of the 33-foot wide Wardell Street (Excluding that portion adjoining lot 2 Block 3 Stariski Estates), the 60-foot Wide and 30-foot wide Portions of the Peck Street, the 60-foot Wide Portion of the Aven Avenue, the 60-foot-wide and 30-foot-wide Portions of the Custitan Avenue Rights-of-way and Associated 5-foot Wide Utility Easements Dedicated by Stariski Estates, Plat HM 76-99. (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its December 10, 2018 meeting by unanimous consent.]

Attachments: [Petition to Vacate](#)

P. PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. January 15, 2019 AK LNG PAC Meeting
6:00 PM Nikiski Community Recreation Center
2. January 16, 2019 Material Site Work Group
2:00 PM Betty J. Glick Assembly Chambers
3. January 22, 2019 Regular Assembly Meeting
6:00 PM Betty J. Glick Assembly Chambers

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 22, 2019, 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.