



# Assembly Action Agenda

February 20, 2018 - 6:00 PM

Regular Meeting

Assembly Chambers, Borough Administration Building

Wayne Ogle  
Assembly President  
Seat 3 - Nikiski  
Term Expires 2019

Dale Bagley  
Assembly Vice President  
Seat 4 - Soldotna  
Term Expires 2019

Norm Blakeley  
Seat 5-Sterling/Funny  
River  
Term Expires 2020

Kenn Carpenter  
Assembly Member  
Seat 6 – East Peninsula  
Term Expires 2018

Kelly Cooper  
Assembly Member  
Seat 8 – Homer  
Term Expires 2020

Willy Dunne  
Assembly Member  
Seat 9 - South Peninsula  
Term Expires 2018

Paul Fischer  
Assembly Member  
Seat 7 – Central  
Term Expires 2019

Brent Hibbert  
Assembly Member  
Seat 1 – Kalifornsky  
Term Expires 2018

Harold "Hal" Smalley  
Assembly Member  
Seat 2 - Kenai  
Term Expires 2020

**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 was offered by Pastor Meredith Harber from Christ Lutheran Church, Soldotna, Alaska.]*

**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. February 6, 2018 Regular Assembly Meeting Minutes

**H. COMMENDING RESOLUTIONS AND PROCLAMATIONS**

**I. PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)**

1. Homer Marine Trades, Kate Mitchell, Board Member and Brian Hawkins, Harbor Master (10 Minutes)
2. South Peninsula Hospital, Inc. Quarterly Report, Holly Torres, CFO (10 Minutes)

**J. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**  
(3 minutes per speaker; 20 Minutes aggregate)

**K. MAYOR'S REPORT**

1. Assembly Requests/Responses - None
2. Agreements and Contracts - None
3. Other
  - a. Kenai Peninsula Borough received the Distinguished Budget Presentation Award from (GFOA). Certificate of Recognition was Presented to Brandi Harbaugh, Finance Director
  - b. Revenue – Expenditure Report – January 2018
  - c. Budget Revisions – January 2018

**L. ITEMS NOT COMPLETED FROM PRIOR AGENDA**

**M. PUBLIC HEARINGS ON ORDINANCES** (Testimony limited to 3 minutes per speaker)

- \*1. Ordinance 2018-08: Confirming the Assessment Roll for the Eddy Hill Drive Road Improvement Assessment District (Mayor) (Referred to the Finance Committee)
2. ***ENACTED AS AMENDED*** Ordinance 2018-06: Adopting Amendments to “Community Recommendations on a Land Use Plan for Borough Lands at Cooper Landing, 1992”, an Element of the Comprehensive Plan (Mayor) (Referred to Lands Committee) [***9 Yes, 0 No, 0 Absent***]
3. ***ENACTED*** Ordinance 2018-07: Authorizing a Conditional Negotiated Lease at Less than Fair Market Value of Certain Real Property Containing 66.5 Acres More or Less to the Cooper Landing Rifle and Sportsman’s Club for the Development of Shooting Facilities (Mayor) (Referred to the Lands Committee) [***8 Yes, 1 No, 0 Absent***]
- \*5. ***AS AMENDED*** Ordinance 2018-10: Authorizing the Negotiated Lease of Office and Meeting Space at the Nikiski Community Recreation Center (Mayor) (Referred to the Lands Committee)

## N. UNFINISHED BUSINESS

### 1. Postponed Items

- a. ***ADOPTED AS AMENDED*** Resolution 2018-002: Classifying 66.5 +/- Acres of Borough Land in the Cooper Landing Area as Recreational (Mayor) (Referred to Lands Committee) [**9 Yes, 0 No, 0 Absent**]
- b. ***ADOPTED AS AMENDED*** Resolution 2018-008: Supporting House Bill 287 Providing Early Approval of Funding for Public Education and Student Transportation (Cooper) (Referred to Policies and Procedures Committee) [**9 Yes, 0 No, 0 Absent**]

## O. NEW BUSINESS

### 1. Resolutions

- \*a. Resolution 2018-007: Requesting the Alaska Board of Fisheries to Adopt a Policy to Rotating regular the Upper Cook Inlet Finfish Meetings Among the Three Principle Communities of Kenai/Soldotna, Palmer/Wasilla, and Anchorage and Approving Joint Resolution 2018-001 (Mayor and Assembly Members) (Referred to Legislative Committee)
- \*b. Resolution 2018-009: Approving a \$26,490 Budget Revision in the 2017/2018 Borough Senior Grant Program for the Nikiski Senior Citizens, Inc. (Mayor) (Referred to Finance Committee)
- c. ***POSTPONED TO MARCH 6, 2018*** Resolution 2018-010: Authorizing the Reestablishment of a Cost Allocation Plan for Service Area Operating Funds and Certain Funds (Mayor) (Referred to Finance Committee) [**9 Yes, 0 No, 0 Absent**]
- \*d. ***AS AMENDED*** Resolution 2018-011: Establishing The Alaska Liquid Natural Gasline Project Advisory Board of the Kenai Peninsula Borough (Mayor)..... **LAYDOWN**

### 2. Ordinances for Introduction

- \*a. Ordinance 2017-19-14: Appropriating Supplemental Funding of \$30,000 from the Nikiski Senior Service Area Fund to the Nikiski Senior Citizens, Inc. for Personnel Costs (Mayor) (Hearing on 03/06/18) (Referred to Finance Committee)

- \*b. Ordinance 2017-19-15: Appropriating \$45,000 to the Legal Department to Cover Costs of Hiring Hearing Officers for Code Compliance Hearings (Mayor) (Hearing on 03/06/18) (Referred to Finance Committee)
- \*c. Ordinance 2017-19-16: Appropriating \$50,000 from the Nikiski Fire Service Area Capital Project Fund for Septic System Replacement at the Nikiski Fire Service Area, Station 1 (Mayor) (Hearing on 03/06/18) (Referred to Finance Committee)
- \*d. Ordinance 2017-19-17: Appropriating \$60,000 from the General Government Capital Project Fund for Half of the Cost for Boiler Replacement at the George A. Navarre Kenai Peninsula Borough Administration Building (Mayor) (Hearing on 03/06/18) (Referred to Finance Committee)
- \*e. Ordinance 2017-19-18: Appropriating \$100,000 from the Solid Waste Capital Project Fund to Fund a Grant to Alaska Electric Energy Cooperative, Inc. for Landfill Gas to Energy Project and Enacting KPB 10.04.100 (Mayor) (Hearing on 04/03/18) (Referred to Finance Committee)
- \*f. Ordinance 2018-11: Amending KPB 5.12.116 and KPB 19.30.060(B) to Reflect Changes to Alaska Statute 29.45.050 Economic Development Property Tax Exemption (Mayor) (Hearing on 04/03/18) (Referred to Policies and Procedures Committee)

### 3. Other

- \*a. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Limited Marijuana Cultivation Facility, License No. 14352 Filed by Althea's Morning Bear Cultivation, Subject to the following Standard Conditions; (Referred to Finance Committee)

*[Clerk's Note: Standard Conditions for 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).]*

- \*b. Confirming the Appointment to the Road Service Area Board (Mayor) (Referred to Policies and Procedures)

<u>Applicant</u>	<u>Board Seat</u>	<u>Term Expires</u>
Michele Hartline	Northern Region	September 20, 2020

**P. PUBLIC COMMENTS AND PUBLIC PRESENTATIONS** (3 minutes per speaker)

**Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. February 28, 2018 Material Site Work Group 2:00 PM  
Assembly Chambers, Soldotna, Alaska
2. March 6, 2018 Regular Assembly Meeting 6:00 PM  
Assembly Chambers, Soldotna, Alaska

**R. ASSEMBLY COMMENTS**

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

1. Ordinance 2017-29: Amending KPB Chapter 5.18 to Establish a 6 Percent Areawide Sales Tax on Temporary Lodging and Overnight Camping Facilities and Providing for an Exemption of Up to 3 Percent of the Levy on Temporary Lodging and Overnight Camping within the Boundaries of Cities in the Borough that Levy a Similar Sales Tax in Addition to an Existing General Sales Tax, Subject to Approval by the Voters in the Regular Election on October 2, 2018 (Bagley) (Hearing on 03/06/18) (Referred to Finance Committee)
2. Ordinance 2017-31: Approving McKinley Single-Family Residential R-1 Local Option Zoning District and Amending KPB 21.46.040 (Mayor) (Referred to Lands Committee) [Tabled on 01/16/18]
3. Ordinance 2018-09: Amending the Borough Code to Provide for Financial Support for the Promotion of Tourism and Economic Development Subject to Annual Assembly Appropriation and to Voter Approval of a Bed Tax (Bagley) (Hearing on 03/06/18) (Referred to Policies and Procedures Committee)

**T. INFORMATIONAL MATERIALS AND REPORTS**

1. Records Management Program - Procedures

**U. NOTICE OF NEXT MEETING AND ADJOURNMENT**

The next meeting of the Kenai Peninsula Borough Assembly will be held on March 6, 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 and 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](http://www.borough.kenai.ak.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*