



Assembly Action Agenda

June 5, 2018 - 6:00 PM

Regular Meeting

Assembly Chambers
George A. Navarre Kenai Peninsula
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 will be offered by Pastor Brian Wahl, from Birch Ridge Community Church.]

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. May 15, 2018 Regular Assembly Meeting Minutes

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

I. PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

- 1. Kenai Peninsula Borough School District Quarterly Report (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
 - a. Authorization to Award a Contract for ITB18-018 Homer Middle School Gym Floor Replacement 2018 to Alaska Industries, Inc., Wasilla, Alaska.
 - b. Authorization to Award a Contract for ITB18-019 Flooring Replacement 2018 to Aurora Flooring, Anchorage, Alaska.
 - c. Request for Waiver of Formal Bidding per Kenai Peninsula Borough Code of Ordinances 5.28.300 Central Peninsula Hospital Phase VI OB/Cath Lab Project Electrical Feed to HEA.
 - d. Authorization to Award a Contract for RFP18-006 Health Benefits Consultant to Marsh & McLennan Agency, LLC.
3. Other
 - a. Revenue – Expenditure Report – April 2018
 - b. Budget Revisions – April 2018
 - c. Appointment to Alaska Liquefied Natural Gasline Project Advisory Committee – Elizabeth Appleby, Alternate
.....**LAYDOWN**

L. ITEMS NOT COMPLETED FROM PRIOR AGENDA

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

1. **ENACTED AS AMENDED** Ordinance 2018-19: Appropriating Funds for Fiscal Year 2019 (Mayor) (Referred to Finance Committee) **[7 Yes, 2 No, 0 Absent]**

[Clerk's Note: A teleconference site will be established at the Borough Office in Homer in order to take public testimony on the above referenced Ordinance.]

2. **POSTPONED AS AMENDED TO JUNE 19, 2018** Ordinance 2018-20: Amending KPB 5.18.200 to Amend the Seasonal Exemption from Sales Taxes of Nonprepared Food Items to Apply From October 1 to March 31 of Each Year (Bagley) (Referred to Finance Committee) **[9 Yes, 0 No, 0 Absent]**

[Clerk's Note: A teleconference site will be established at the Borough Office in Homer in order to take public testimony on the above referenced Ordinance.]

3. **ENACTED AS AMENDED** Ordinance 2018-21: Providing for the Submission to the Qualified Voters of the Kenai Peninsula Borough the Question of the Issuance of Not to Exceed Five Million Four Hundred Fifty Thousand Dollars (\$5,450,000) of General Obligation Bonds of the Kenai Peninsula Borough to Pay the Local Required Match Portion of the Costs of the Kachemak-Selo New K-12 School Construction Project at an Election in and for the Kenai Peninsula Borough on October 2, 2018 (Mayor) (Referred to Finance Committee) **[9 Yes, 0 No, 0 Absent]**
- *4. **AS AMENDED** Ordinance 2018-22: Authorizing a Community Trail Management Agreement with Kachemak Nordic Ski Club (Mayor, Dunne) (Referred to Lands Committee)

N. UNFINISHED BUSINESS

1. Postponed Items
 - a. **FAILED TO ENACT AS AMENDED** Ordinance 2018-12: Increasing the Borough Sales Tax Rate from 3.0 Percent to 3.5 Percent by Amending KPB 5.18.100, Subject to the Approval by the Voters in the Regular Election on October 2, 2018 (Cooper, Smalley) (Referred to the Finance Committee) **[4 Yes, 5 No, 0 Absent]**

O. NEW BUSINESS

1. Resolutions

- a. **ADOPTED AS AMENDED Resolution 2018-026:** Setting the Rate of Levy for Fiscal Year 2019, Tax Year 2018 (Mayor) (Referred to Finance Committee) **[5 Yes, 4 No, 0 Absent]**
- *b. Resolution 2018-028: Authorizing the Assessor to Accept Two Late-Filed Senior Citizen Exemption Applications and One Late-Filed Proof of Disability for Continuing the Disabled Veteran Exemption (Mayor) (Referred to Policies and Procedures Committee)
- *c. Resolution 2018-027: Supporting Proposals to Name Two Mountain Peaks Located East of Resurrection Bay as Mount Mary and Santa Ana Peak (Carpenter, Dunne) (Referred to Legislative Committee)

2. Ordinances for Introduction

- *a. Ordinance 2018-19-01: Providing for an Exception to KPB 5.20.080 and Transferring \$1,750,000 from the Land Trust Fund to the General Fund (Carpenter) (Hearing on 06/19/18) (Referred to Finance Committee)
- *b. Ordinance 2018-25: Repealing KPB 5.18.430(F) which Requires Voter Approval to Increase the Sales Tax Cap (Carpenter) (Hearing on 07/17/18) (Referred to Finance Committee)

3. Other

- *a. Petition to Vacate the Westernmost 198.22 Feet of the Skein Avenue Right-of-way as Dedicated on Kasilof River Industrial Tracts, Plat KN 81-71. The Portion of the Right-of-way Being Vacated is Unconstructed and Located Within the N1/2 of Section 1, T3N, R12W, S.M., AK, Within the Kenai Peninsula Borough; KPB File 2017-168R1V (Referred to the Lands Committee)

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its May 14, 2018 meeting by unanimous consent.]

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

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. June 6, 2018
7:00 PM AK LNG Project Advisory Committee
Nikiski Community Recreation Center
2. June 19, 2018
6:00 PM Regular Assembly Meeting
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 2017-31: 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]*
2. Ordinance 2018-16: Amending KPB 16.08.010 and 16.24.010 to Move the Common Boundary Between the Central Kenai Peninsula Hospital Service Area and the South Kenai Peninsula Hospital Service Area South, Subject to Approval by the Voters Residing in the Central Kenai Peninsula Hospital Service Area and the Proposed New Area (Bagley) *[Postponed to 06/19/18]* (Referred to Policies and Procedures Committee)

[Clerk's Note: Bagley motion on the floor.]

3. Ordinance 2018-24: Amending the Borough's Sales Tax Code to Levy a 12 Percent Temporary Lodging Tax, Exempt Temporary Lodging Rentals from the General Sales Tax, and Allow Cities that Levy a Similar Separate Sales Tax on Temporary Lodging to Exempt up to One-Half of the Borough Temporary Lodging Tax, Subject to Voter Approval (Bagley) (Hearing on 06/19/18) (Referred to Finance Committee)

4. Ordinance 2018-23: Amending KPB 7.20 and KPB 7.30 Regarding Borough Comments on State Marijuana Licenses (Ogle) (Hearing on 06/19/18) (Referred to Policies and Procedures Committee)

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 June 19, 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(KSKA)-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.kpb.us for copies of the agenda, meeting summaries, ordinances and resolutions.