



Assembly Action Agenda

November 20, 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 2021

Kelly Cooper
Assembly Member
Seat 8 – Homer
Term Expires 2020

Willy Dunne
Assembly Member
Seat 9 - South
Peninsula
Term Expires 2021

Paul Fischer
Assembly Member
Seat 7 – Central
Term Expires 2019

Brent Hibbert
Assembly Member
Seat 1 – Kalifornsky
Term Expires 2021

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 given by Dr. Keith Hamilton from Alaska Christian College.]

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.)

[Clerk's Note: Bagley moved to suspend the rules and address Agenda Item O.3.h. prior to Agenda Item O.1.g. The vote passed unanimously.]

G. APPROVAL OF MINUTES

- *1. October 23, 2018 Regular Assembly Meeting Minutes

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

- *1. A Resolution in Memoriam Commending the Contributions of Jim Dress (Dunne)

I. PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

1. Central Peninsula Hospital 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 ITB19-007 Japanese Creek Channel & Culvert Restoration to Great Northern Construction & Management, Soldotna, AK
 - b. Authorization to Award a Contract for RFP 19-001 Summer & Winter Road Maintenance for North Region, Unit 5
3. Other
 - a. Revenue-Expenditure Report – October 2018
 - b. Budget Revisions – October 2018
 - c. Investment Portfolio Report
 - d. Capital Projects Reports – September 30, 2018
 - e. Presentation of the Fiscal Year 2018 Financial Statements
 - f. FY19-1st Quarter Senior Center Grant Reports
 - g. FY19-1st Quarter Economic Development Grant Reports

L. ITEMS NOT COMPLETED FROM PRIOR AGENDA

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

- *1. Ordinance 2018-19-19: 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) (Referred to Finance Committee)
- *2. Ordinance 2018-19-20: 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) (Referred to Finance Committee)
- 3. **ENACTED AS AMENDED** Ordinance 2018-34: 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) (Referred to Lands Committee) **[8 Yes, 1 No, 0 Absent]**

N. UNFINISHED BUSINESS

O. NEW BUSINESS

- 1. Resolutions
 - *a. Resolution 2018-050: 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) (Referred to Finance Committee)
 - *b. **AS AMENDED** Resolution 2018-051: Authorizing Community Assistance Program Expenditures for Unincorporated Communities (Mayor) (Referred to Finance Committee)

- *c. Resolution 2018-049: 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) (Referred to Finance Committee)
- *d. Resolution 2018-045: Supporting the Siting of the Alaska Gasline Development Corporation's Alaska LNG Liquefaction Plant and Marine Terminal in Nikiski, Alaska (Smalley, Ogle) (Referred to Policies and Procedures Committee)
- *e. Resolution 2018-046: Naming the Kenai Peninsula Borough Assembly Chambers the Betty J. Glick Assembly Chambers (Bagley) (Referred to Policy and Procedures Committee)
- *f. Resolution 2018-047: Confirming Appointments of Assembly Members to Non-Borough Boards (Ogle) (Referred to Policies and Procedures Committee)
- 3. h. **FAILED** Authorizing the Administration to Appeal the Judgment in *Hunt et al v. Kenai Peninsula Borough*, Case No. 3AN-16-10652 CI (Referred to Policies and Procedures Committee) **[4 Yes, 5 No, 0 Absent]**
- g. **ADOPTED** Resolution 2018-053: Amending the Assembly Policy Regarding Invocations Before the Borough Assembly Meetings (Cooper, Ogle, Bagley) (Referred to Policies and Procedures Committee) **[7 Yes, 2 No, 0 Absent]**
- *h. Resolution 2018-048: 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) (Referred to Legislative Committee) **[8 Yes, 0 No, 1 Abstention]**

[Clerk's Note: Mr. Hibbert declared a conflict as he contracts with Independent Living Center, Inc. President Ogle ruled a conflict did exist and Mr. Hibbert abstained from voting.]

- *i. Resolution 2018-052: 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) (Referred to Legislative Committee)
- *j. Resolution 2018-054: Amending Resolution 2018-044 Approving Three Memorandum of Agreements to be Included in the Federal Emergency Management Agency, Assistance to Firefighters Regional Grant Application (Mayor) (Referred to Finance Committee)

.....**LAYDOWN**

2. Ordinances for Introduction

- *a. Ordinance 2018-19-22: Appropriating \$500,000 from the Insurance and Litigation Fund Balance for Additional Costs of Insurance Premiums and Claims Incurred in FY2019 (Mayor) (Hearing on 12/04/18) (Referred to Finance Committee)
- *b. Ordinance 2018-35: Authorizing the Assessor to Accept One Late-Filed Application for Disabled Veteran Exemption for 2018 Filed After March 31 (Mayor) (Hearing on 12/04/18) (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 Retail Marijuana Store, License No. 16529 Filed by Good Buds, LLC, Subject to the Standard Conditions (Referred to Finance Committee)
- *b. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Standard Marijuana Cultivation Facility, License No. 15519 Filed by Peace Frog Botanicals II, LLC, Subject to the Standard Conditions (Referred to Finance Committee)

[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.]*

*c. Approval of the 2019 Assembly Meeting Schedule (Ogle)
(Referred to Policies and Procedures Committee)

*d. Confirming Appointments to the Kenai Peninsula Borough
Service Area Boards (Mayor) (Referred to Policies and
Procedures Committee)

Kachemak Emergency Service Area Board

Donald F. Cotogno	Seat D	Term Expires 10/2019
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Seldovia Recreational Service Area Board

Linda Hedgecloth	Seat B	Term Expires 10/2020
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Sherri Burt	Seat D	Term Expires 10/2019
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Eastern Peninsula Highway Emergency Service Area Board

Michelle Stewart	Seat A	Term Expires 10/2021
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*e. Confirming Appointments to the Alaska Liquefied Natural
Gasline Project Advisory Committee (Mayor) (Referred to
Policies and Procedures Committee)

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

- *f. Confirming Appointments to the Anchor Point Advisory Planning Commissions (Mayor) (Referred to Policies and Procedures Committee)

Dawson Slaughter Seat G Term Expires 09/2021

- *g. Confirming the Appointment to the Kenai Peninsula Borough Planning Commission (Mayor) (Referred to Policies and Procedures Committee)

Jeremy Brantley Sterling Term Expires 07/31/2021

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

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

- 1. December 4, 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.)

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 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(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.