



Assembly Action Agenda

December 4, 2018 - 6:00 PM

Regular Meeting

Betty J. Glick 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 Willy Dunne.]

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. November 20, 2018 Regular Assembly Meeting Minutes

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

- *1. A Resolution Commending Stacey Segura and the Nikiski High School Volleyball Team for Winning the 3A ASAA State Championship Volleyball Tournament (Ogle)

I. PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

1. **RESCHEDULED** South Peninsula Hospital Quarterly Report (10 Minutes)
2. 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 – None.
3. Other – None.

L. ITEMS NOT COMPLETED FROM PRIOR AGENDA

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

- *1. 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) (Referred to Finance Committee)
- *2. Ordinance 2018-35: Authorizing the Assessor to Accept One Late-Filed Application for Disabled Veteran Exemption for 2018 Filed After March 31 (Mayor) (Referred to Policies and Procedures Committee)

N. UNFINISHED BUSINESS

O. NEW BUSINESS

1. Resolutions
 - *a. Resolution 2018-055: 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) (Referred to Legislative Committee).....**LAYDOWN**

2. Ordinances for Introduction – None.
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. 16027 Filed by Ohlson Mountain Gold, 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 Limited Marijuana Cultivation Facility, License No. 10193 Filed by Stoney Creek Cultivators, Subject to the Standard Conditions (Referred to Finance Committee)
 - *c. 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 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.]*

- *d. 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 12 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. (Referred to Lands Committee)

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

- *e. Petition to Vacate 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.]

- *f. Confirming an Appointment to the Kenai Peninsula Borough Board of Equalization (Mayor) (Referred to Policies and Procedures Committee)

Steve Ford Seat A Term to Expire 12/31/2021

- *g. Approving the Appointment of Chief of Staff, James Baisden, as the Administrative Officer (Mayor) (Referred to Policies and Procedures Committee).....**LAYDOWN**

- *h. Request to Extend Disaster Emergency Declaration Issued December 4, 2018 Regarding the 7.0 Magnitude Earthquake of November 30, 2018 (Mayor) (Referred to Legislative Committee)**LAYDOWN**

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

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

- | | | |
|----|------------------------------|---|
| 1. | December 5, 2018
2:00 PM | Material Site Work Group
Betty J. Glick Assembly Chambers
Soldotna, Alaska |
| 2. | December 12, 2018
6:00 PM | AK LNG PAC Meeting
Nikiski Community Recreation Center
Nikiski, Alaska |
| 3. | January 8, 2019
6:00 PM | Regular Assembly Meeting
Betty J. Glick 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 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(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.