



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Assembly

Tuesday, June 4, 2019

6:00 PM

Betty J. Glick Assembly Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

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.]

ROLL CALL

COMMITTEE REPORTS

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

[KPB-2183](#) May 21, 2019 Regular Assembly Meeting Minutes

Attachments: [052119 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE

(20 minutes total)

[KPB-2180](#) Kenai Peninsula Borough School District Quarterly Report (10 Minutes)

Attachments: [Presentation](#)

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

(3 minutes per speaker; 20 minutes aggregate)

ITEMS NOT COMPLETED FROM PRIOR AGENDA

PUBLIC HEARINGS ON ORDINANCES

(Testimony limited to 3 minutes per speaker)

Ordinances referred to Finance Committee

[2019-19](#)

An Ordinance Appropriating Funds for Fiscal Year 2020 (Mayor)

Attachments:

[Ordinance 2019-19](#)

[Dunne Amendment](#)

[Fischer Carpenter Amendment](#)

[Administration Amendment](#)

[Risk Management Budget Document Replacement Pages](#)

[Solid Waste Tonnage](#)

[Memo](#)

[FY20 Budget Document](#)

[Budget Presentation](#)

[Public Comment 060419](#)

[Public Comments 052119](#)

[Public Comment 050719](#)

[Ogle Amendment \(Acted on 05/21/19\)](#)

[Hibbert Amendment \(Acted on 05/21/19\)](#)

[Smalley Amendment \(Acted on 05/21/19\)](#)

[2019-09](#) An Ordinance Amending the Borough's Sales Tax Code to Levy a 12 Percent Tax on Temporary Lodging, Exempt Temporary Lodging Rentals from the General Sales Tax, and Allow Cities that Levy a Similar Sales Tax on Temporary Lodging to Exempt up to One-Half of the Borough Temporary Lodging Tax, Subject to Voter Approval (Bagley)

Attachments: [Ordinance 2019-09 VETOED](#)
[Bagley Amendment](#)
[Dunne Amendment](#)
[Dunne Amendment Fiscal Note](#)
[Memo](#)
[Seward City Council's Action](#)
[City of Kenai Work Session Request](#)
[City of Kenai Resolution](#)
[City of Soldotna Resolution](#)
[Fiscal Note](#)
[eComments 060419](#)
[eComment Mayors Veto](#)
[Public Comments 061819](#)
[Public Comments 060419](#)
[Public Comments 050719](#)

UNFINISHED BUSINESS

NEW BUSINESS

Resolutions

Resolutions referred to Finance Committee

[2019-037](#) A Resolution Setting the Rate of Levy for Real and Personal Property Taxes for the Kenai Peninsula Borough and for Service Areas Within the Borough for Fiscal Year 2020, Tax Year 2019 (Mayor)

Attachments: [Resolution 2019-037](#)
[Bagley Amendment](#)
[Memo](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to the Finance Committee

[2019-11](#) WITHDRAWN An Ordinance Repealing KPB 5.18.430(F) Which Requires Voter Approval to Increase the Sales Tax Cap (Carpenter, Cooper)

Attachments: [Ordinance 2019-11](#)
[Memo](#)
[Fiscal Note](#)
[City of Kenai Supporting Resolution](#)
[Public Comment 070219](#)
[Public Comment 060419](#)

[2019-19-01](#) An Ordinance Appropriating \$106,674 to the Special Assessment Fund for the Rustic Avenue Road Improvement Special Assessment District (Mayor)

Attachments: [Ordinance 2019-19-01](#)
[Memo](#)

Ordinances for Introduction and referred to the Lands Committee

[2019-12](#) An Ordinance Authorizing the Sale of Certain Real Property Obtained by the Kenai Peninsula Borough Through Tax Foreclosure Proceedings which was Previously Retained for a Public Purpose (Mayor)

Attachments: [Ordinance 2019-12](#)
[Memo](#)
[Parcel Information](#)
[Planning Commission Recommendation](#)

[2019-13](#) An Ordinance Authorizing Retention or Sale of Certain Real Property Obtained by the Kenai Peninsula Borough Through Tax Foreclosure Proceedings (Mayor)

Attachments: [Ordinance 2019-13](#)
[Amendment Memo](#)
[Planning Commission Recommendation](#)
[Memo](#)
[Parcel Information](#)
[Tax Foreclosure Authorization Exhibit A- Retention Parcels](#)
[Tax Foreclosure Authorization Retained Parcel Maps Retention Map](#)
[Tax Foreclosure Authorization Exhibit B](#)
[Tax Foreclosure Authorization Sale Parcel Maps](#)

[2018-19-38](#) An Ordinance Appropriating \$300,000 from the School Fund to the School Capital Project Fund to Provide Funding for Portable Relocation (Mayor)

Attachments: [Ordinance 2018-19-38](#)
[Request for Funds](#)
[Memo](#)

3. Other

Other items referred to Finance Committee

[KPB-2182](#) Approving a Letter of Non-Objection of the Issuance of the New Liquor License as Requested by Cove Peaks Lodge, License No. 5779

Attachments: [5779 - Complete Application](#)
[5779 - Memo to Assembly](#)
[5779 - Planning Memo to Assembly](#)
[5779 - Aerial Map](#)
[5779 - Land Use Map](#)

Other items referred to Lands Committee

[KPB-2181](#) Petition to Vacate the 60-Foot-Wide Public Access Easement Running South Approximately 1,450 Feet from Triple Crown Road to Scott Avenue as Granted on the Right-of-Way Easement, Recorded at Book 69, Page 420, Homer Recording District. Said Public Access Easement is Within or Adjacent to the Triple Crown Road Right-of-way, the Scott Road Right-of-way, Lots 3, 4, 5, 6, 7, and 8, Block 4 and Lots 1 and 4, Block 3, Triple Crown Estates No. 2 (Plat HM 2014-16); Location: off Triple Crown Road, Fritz Creek Area Within the SE ¼ of Section 28, Township 5 South, Range 10 West, Seward Meridian, Kenai Peninsula Borough, Alaska. KPB File 2019-044V. Petitioners: Triple Crown Investments, LLC of Homer, Alaska and Erik Bakke of Fritz Creek, Alaska.

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its May 13, 2019 meeting by unanimous consent.]

Attachments: [Petition to Vacate](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

MAYOR'S REPORT

[KPB-2177](#) Mayor's Report Cover Memo

Attachments: [Cover Memo](#)

1. Assembly Requests/Responses - None
2. Agreements and Contracts
 - a. [KPB-2178](#) Authorization to Award a Contract for RFP 19-005 Summer & Winter Road Maintenance - North Region, Unit 2 to Chumley's Inc.

Attachments: [Authorization to Award Contract for RFP19-005](#)
 - b. [KPB-2179](#) Authorization to Award a Contract for RFP 19-006 Summer & Winter Road Maintenance - East Region, Unit 4 to AG & BLD Supply.

Attachments: [Authorization to Award Contract for RFP19-006](#)
3. Other - None

ASSEMBLY COMMENTS**PENDING LEGISLATION**

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

1. [2019-05](#) An Ordinance Authorizing a Memorandum of Agreement and Cooperative Sale and Exchange of Interests in Lands with the State of Alaska Department of Transportation and Public Facilities Regarding Certain Borough and State Maintained Roads (Mayor) (Referred to Lands Committee) [Tabled on 04/02/19]

Attachments: [Ordinance 2019-05](#)
[Memo](#)
[Road Swap Memorandum of Agreement](#)
[Department of Transportation Road Swap Letter](#)
[Maps](#)
[Planning Commission Recommendation \(Acted on 3/05/19\)](#)
[Request to Table \(Acted on 04/02/19\)](#)

INFORMATIONAL MATERIALS AND REPORTS**ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. June 14, 2019 Election Stakeholders Group
10:00 AM Betty J. Glick Assembly Chambers, Soldotna, Alaska
2. June 18, 2019 Regular Assembly Meeting
6:00 PM Betty J. Glick Assembly Chambers, Soldotna, Alaska

ADJOURNMENT

The next meeting of the Kenai Peninsula Borough Assembly will be held on June 18, 2019 at 6:00 P.M. in the Betty J. Glick 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.