



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Assembly

Tuesday, October 8, 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 Wayne Ogle.]

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.)*

VACANCY, DESIGNATION OR SEATING MEMBERS

Swear-In Newly Elected Assembly Members

APPROVAL OF MINUTES

[KPB-2297](#) September 17, 2019 Regular Assembly Meeting Minutes

Attachments: [091719 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS

[KPB-2305](#) A Resolution Commending the Emergency Responders and Volunteers for Mitigating and Suppressing the Wildfires on the Kenai Peninsula During the 2019 Fire Season (Mayor)

Attachments: [Commending Resolution](#)

PRESENTATIONS WITH PRIOR NOTICE

(20 minutes total)

[KPB-2310](#) Magen James, E.D., Alaska Coalition for Veterans & Military Families (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 Lands Committee

[2019-24](#) An Ordinance Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions (Mayor)

Attachments:

[Ordinance 2019-24 SUB](#)

[Memo SUB](#)

[SUB Dunne Amendment Memo](#)

[SUB REPLACEMENT Amendment Memo \(Dealt with 03/17/20\)](#)

[SUB Amendment Memo 022520 \(Replaced by 03/17/20 Memo\)](#)

[SUB City of Kenai Memo 031720](#)

[Ordinance 2019-24 \(Amended by Substitute\)](#)

[Memo](#)

[City of Soldotna Resolution](#)

[Kachemak City Letter](#)

[City of Kenai Resolution](#)

[City of Homer Resolution](#)

[City of Homer Memorandum](#)

[eComment 100819](#)

[Public Comment 120319](#)

[SUB Planning Commission Recommendations 120319 \(Dealt with 12/03/19\)](#)

[Dunne Amendment Memo \(Dealt with 11/21/19\)](#)

[Planning Commission Recommendations 092319 \(Dealt with 11/21/19\)](#)

[Request for Postponement \(Dealt with on 10/08/19\)](#)

[Public Comments 050520](#)

[O2019-24 ADFG Letter 050520](#)

Ordinances referred to Policies and Procedures Committee

[2019-23](#) An Ordinance Amending KPB Titles 2, 4, and 16 regarding Service Areas to Provide that All Kenai Peninsula Borough Service Area Boards are Appointed Instead of Elected (Dunne, Hibbert)

[Clerk's Note: A teleconference site was established at Homer City Hall to take public testimony on the above referenced ordinance with none being offered.]

Attachments:

[Ordinance 2019-23](#)

[Bjorkman Amendment Memo](#)

[Bjorkman 2 Amendment Memo](#)

[Blakeley Amendment Memo](#)

[Administrative Amendment Memo if Needed](#)

[Service Area Board Recommendations](#)

[Memo](#)

[Election Stakeholders Group Letters of Support](#)

[Election Stakeholders Group Final Report](#)

[North Pen Recreation Letter 110519](#)

[Nikiski Fire Service Area Board Letter](#)

[South Kenai Peninsula Hospital Service Area Board Letter](#)

[Public Comment 110519](#)

[Amendment Memo \(Dealt with on 10/08/19\)](#)

[Public Comments](#)

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

[2019-051](#) A Resolution Certifying the Results of the October 1, 2019 Regular Borough Election (Ogle at the Request of the Borough Clerk)

Attachments:

[Resolution 2019-051](#)

[Jurisdiction Wide Results](#)

[Voter Turnout](#)

[Canvass Board Report](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

[2019-19-12](#) An Ordinance Accepting and Appropriating Funding from the State of Alaska in the Amount of \$426,303 for Community Purposes under the State's 2019/2020 Community Assistance Program (Mayor)

Attachments: [Ordinance 2019-19-12](#)
[Memo](#)

[2019-19-13](#) An Ordinance Accepting Self-Contained Breathing Apparatus Equipment from the City of Kenai through the Assistance to Firefighters Grant Program and Appropriating Matching Funds for the Nikiski Fire Service Area and Central Emergency Service Area Participation (Mayor)

Attachments: [Ordinance 2019-19-13](#)
[Memo](#)
[Award Package](#)
[Memorandum of Agreement](#)
[Service Area Board Recommendations](#)

Ordinances for Introduction and referred to the Lands Committee

[2019-27](#) An Ordinance Repealing Ordinance 2019-12 and 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, and Providing Time to Correct a Notice Deficiency Discovered After Enactment of Ordinance 2019-12 (Mayor)

Attachments: [Ordinance 2019-27](#)
[Amendment Memo](#)
[Memo](#)
[Reference Copy of Ordinance 2019-12](#)
[Planning Commission Recommendation](#)

[2019-28](#) An Ordinance Correcting Ordinance 2019-13 by Re-Authorizing Retention or Sale of Certain Real Property Obtained by the Kenai Peninsula Borough through Tax Foreclosure Proceedings and Thereby Providing Time to Correct a Notice Deficiency Discovered After Enactment of Ordinance 2019-13 (Mayor)

Attachments: [Ordinance 2019-28](#)
[Memo](#)
[Exhibit A- Retention Parcels](#)
[Exhibit B - Sale Parcels](#)
[Reference Copy of Ordinance 2019-13](#)
[Planning Commission Recommendation](#)

[2019-25](#) An Ordinance Amending KPB 2.56.006 and KPB 2.56.007, Adopting the 2019 Kenai Peninsula Borough Comprehensive Plan (Mayor)

[Clerk's Note: Shelly Wade, Project Manager with Agnew::Beck gave a brief synopsis on the comprehensive plan at the regular meeting.]

Attachments: [Ordinance 2019-25](#)
[Amendment Memo Staff Technical Corrections](#)
[Memo](#)
[2019 Comprehensive Plan](#)
[City of Seldovia Climate Mitigation Supporting Resolution](#)
[City of Homer Supporting Resolution](#)
[Public Comments 110519](#)
[Public Comments 102219](#)
[Public Comment 100919](#)
[Agnew::Beck Short Presentation](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

[2019-26](#) An Ordinance Amending KPB 2.60.027 to Modify the Designation of Demarcation Points for Delivery of 911 Calls by Carriers (Mayor)

Attachments: [Ordinance 2019-26](#)
[Memo](#)

[2019-29](#) An Ordinance Establishing the Appeal Procedure before the Borough Assembly for the Appeal Filed by Echo Trading Company, LLC of a Planning Commission Decision (Mayor)

Attachments: [Ordinance 2019-29](#)
[Memo](#)
[Public Comments 110519](#)
[Public Comment 100819](#)

[2019-19-14](#) An Ordinance Appropriating Funds to Provide for a Contract and Associated Costs to Burn at the Central Peninsula Landfill (Mayor)

Attachments: [Ordinance 2019-19-14](#)
[Memo](#)
[Public Comment 102219](#)

3. Other

Other items referred to Policies and Procedures Committee

[KPB-2306](#) Confirming Appointments to the Kenai Peninsula Borough Service Area Boards (Mayor)

Anchor Point Fire and Emergency Service Area
Robert Craig, Seat B, Term Expires 10/2022

Bear Creek Fire Service Area
Jena Peterson, Seat E, Term Expires 10/2022

Eastern Peninsula Highway Emergency Service Area
Riley Shurtleff, Seat B, Term Expires 10/2022
Sean Carrington, Seat C, Term Expires 10/2022

Kachemak Emergency Service Area
Donald F. Cotogno, Seat D, Term Expires 10/2022
Matthew Schneyer, Seat E, Term Expires 10/2022

Attachments: [Board Appointments](#)

MAYOR'S REPORT

[KPB-2307](#) Mayor's Report Cover Memo

Attachments: [Mayor's Report Cover Memo](#)

1. Assembly Requests/Responses - None
2. Agreements and Contracts - None
3. Other
 - a. [KPB-2308](#) Revenue - Expenditure Report - August 2019
Attachments: [Revenue - Expenditure Report - August 2019](#)
 - b. [KPB-2309](#) Budget Revisions - August 2019
Attachments: [Budge Revisions - August 2019](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

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

October 22, 2019 Regular Assembly Meeting
6:00 PM Betty J. Glick Assembly Chambers, Soldotna, Alaska

ADJOURNMENT

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.