



Assembly Action Agenda

October 22, 2019 - 6:00 PM

Regular Meeting

Betty J. Glick Assembly Chambers
George A. Navarre Kenai Peninsula
Borough Administration Building

Kelly Cooper
Assembly President
Seat 8 – Homer
Term Expires 2020

Harold "Hal" Smalley
Assembly Vice
President
Seat 2 - Kenai
Term Expires 2020

Jesse Bjorkman
Assembly Member
Seat 3 - Nikiski
Term Expires 2022

Tyson Cox
Assembly Member
Seat 4 - Soldotna
Term Expires 2022

Norm Blakeley
Assembly Member
Seat 5-Sterling/Funny
River
Term Expires 2020

Kenn Carpenter
Assembly Member
Seat 6 – East Peninsula
Term Expires 2021

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

Brent Johnson
Assembly Member
Seat 7 – Central
Term Expires 2022

Brent Hibbert
Assembly Member
Seat 1 – Kalifornsky
Term Expires 2021

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 George Holly, Jr.]

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.)

ASSEMBLY REORGANIZATION

- Election of President and Vice President
KELLY COOPER, PRESIDENT
HAROLD "HAL" SMALLEY, VICE PRESIDENT

APPROVAL OF MINUTES

- *1. October 8, 2019 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

- Mayor's Proclamation Declaring October, 2019 as "Domestic Violence Awareness Month"

PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

1. Kenai Peninsula Borough School District Quarterly Report (10 minutes)
2. Climate Action Plan in the Kenai Peninsula Borough's Comprehensive Plan (10 minutes)**LAYDOWN**

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)

- *1. Ordinance 2019-19-12: 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) (Referred to Finance Committee)

[Clerk's Note: Through advice of counsel, President Cooper ruled Mr. Johnson had a conflict with Ordinance 2019-19-12, as he was the president of Kasilof Historical Society, who was a grant applicant.]

- *2. **AS AMENDED** Ordinance 2019-19-13: Accepting Self-Contained Breathing Apparatus Equipment from the City of Kenai through the Assistance to Firefighters Grant Program and Appropriating Matching Funds for Nikiski Fire Service Area and Central Emergency Service Area Participation (Mayor) (Referred to Finance Committee)
3. **ENACTED** Ordinance 2019-19-14: Appropriating Funds to Provide for a Contract and Associated Costs to Burn at the Central Peninsula Landfill (Mayor) (Referred to Finance Committee) **[8 Yes, 1 No, 0 Absent]**
- *4. **AS AMENDED** Ordinance 2019-27: 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) (Referred to Lands Committee)

[Clerk's Note: Through the advice of counsel, President Cooper ruled Mr. Blakeley had a conflict with Ordinance 2019-27, as he was the contracted auctioneer for the land sale outcry auction.]

- *5. **AS AMENDED** Ordinance 2019-28: 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) (Referred to Lands Committee)

[Clerk's Note: Through the advice of counsel, President Cooper ruled Mr. Blakeley had a conflict with Ordinance 2019-27, as he was the contracted auctioneer for the borough's land sale outcry auction.]

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

- *a. Resolution 2019-053: Accepting \$185,000 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management for Emergency Management Operations (Mayor) (Referred to Finance Committee)
- *b. Resolution 2019-052: Authorizing a New Program Manager-Operations Position in the Office of Emergency Management, and Deleting One Administrative Assistant Position (Mayor) (Referred to Policies and Procedures Committee)
- *c. **AS AMENDED** Resolution 2019-054: Requesting Public Land Managers to Take Reasonable Actions to Prevent, Limit and Mitigate Wildfires and their Impacts on the Kenai Peninsula (Mayor, Cooper, Blakeley, Carpenter) (Referred to Legislative Committee)
- *d. Resolution 2019-055: Requesting Governor Mike Dunleavy to Support State Funding to Address Seward Area Watershed Issues (Mayor, Carpenter) (Referred to Legislative Committee)

2. Ordinances for Introduction

- a. **INTRODUCED AND SET FOR PUBLIC HEARING** Ordinance 2019-19-15: Appropriating Funds to Award a Grant to the Kenai Peninsula Tourism Marketing Council to Support its Planned Projects to Promote the Borough (Hibbert) (Hearing on 11/05/19) (Referred to Finance Committee) **[9 Yes, 0 No, 0 Absent]**

[Clerk's Note: Through the advice of counsel, Vice President Smalley ruled Ms. Cooper did not have a conflict with Ordinance 2019-19-15, as her business was part of a large hospitality group.]

- *b. Ordinance 2019-19-16: Appropriating Funds for the Cost of Hiring a Part Time Administrative Assistant to Provide Administrative Functions for the Print Shop and Cross Departmental Coverage (Mayor) (Hearing on 11/05/19) (Referred to Finance Committee)
- *c. Ordinance 2019-19-17: Accepting and Appropriating \$55,784 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management for the Cybersecurity Vulnerability Assessment and Disaster Management Training (Mayor) (Hearing on 11/05/19) (Referred to Finance Committee)

3. Other

- *a. Approving the Application for a Restaurant Designation Permit Filed by Creekbend Company, License Number 1381 (Referred to Finance Committee)
- *b. Confirming the Appointment for the Seldovia Recreational Service Area Board (Mayor) (Referred to Policies and Procedures Committee)

<u>Applicant</u>	<u>Board Seat</u>	<u>Term Expires</u>
Jennifer Swick	D	10/2022

MAYOR'S REPORT

1. Assembly Requests/Responses - None
2. Agreements and Contracts
 - a. Authorization to Award a Contract for ITB20-007 Gravel Road Projects FY2020-South 4 Region to Wolf Co. of Anchor Point, Alaska.
 - b. Authorization to Award a Contract for ITB20-007 Gravel Road Projects FY2020-South 7 Region to Wolf Co. of Anchor Point, Alaska.
 - c. Authorization to Award a Contract for ITB20-007 Gravel Road Projects FY2020-west Region to Chumley's Inc. of Nikiski, Alaska.
 - d. Authorization to Award a Contract for ITB20-007 Gravel Road Projects FY2020-North Region to Commercial Automotive Repair & Equipment Service of Kenai, Alaska.
 - e. Request for Waiver of Formal Bidding: Phase II-Payroll Portion of ERP Software with the Current Provider Harris.
 - f. Authorization to Award a Contract for ITB20-007 gravel Road Projects FY2020-South 5 Region to Paul's Services of Anchor Point, Alaska.
3. Other
 - a. Litigation Status Report – Quarter Ending 09/30/19

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS (3 minutes per speaker)

ASSEMBLY COMMENTS

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

1. Ordinance 2019-25: Amending KPB 2.56.006 and KPB 2.56.007, Adopting the 2019 Kenai Peninsula Borough Comprehensive Plan (Mayor) (Hearing on 11/05/19) (Referred to Lands Committee)

2. Ordinance 2019-24: Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions (Mayor) (Hearing on 12/03/19) (Referred to Lands Committee)
3. Ordinance 2019-23: 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) (Hearing on 11/05/19) (Referred to Policies and Procedures Committee)
4. Ordinance 2019-26: Amending KPB 2.60.027 to Modify the Designation of Demarcation Points for Delivery of 911 Calls by Carriers (Mayor) (Hearing on 11/05/19) (Referred to Policies and Procedures Committee)
5. Ordinance 2019-29: Establishing the Appeal Procedure before the Borough Assembly for the Appeal Filed by Echo Trading Company, LLC of a Planning Commission Decision (Mayor) (Hearing on 11/05/19) (Referred to Policies and Procedures Committee)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. November 5, 2019
6:00 PM
Regular Assembly Meeting
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(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.