



# Assembly Action Agenda

February 19, 2019 - 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 Jim Hamilton.]*

**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. February 5, 2019 Regular Assembly Meeting Minutes

**H. COMMENDING RESOLUTIONS AND PROCLAMATIONS**

**I. PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)**

- 1. Central Peninsula Hospital Quarterly Report (10 Minutes)
- 2. South 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
2. Agreements and Contracts
  - a. Authorization to Award a Contract for ITB19-014 Calcium Chloride Application – 2019 – East Region
  - b. Authorization to Award a Contract for ITB19-014 Calcium Chloride Application – 2019 – West Region
  - c. Authorization to Award a Contract for ITB19-014 Calcium Chloride Application – 2019 – North Region
  - d. Authorization to Award a Contract for ITB19-014 Calcium Chloride Application – 2019 – South Region
  - e. Authorization to Award a Contract for ITB19-014 Calcium Chloride Application – 2019 – Central Region
3. Other
  - a. Revenue – Expenditure Report – December 2018
  - b. Capital Project Report – December 31, 2018
  - c. Budget Revisions – December 2018
  - d. Budget Revisions – January 2019
  - e. Revenue – Expenditure Report – January 2019
  - f. Litigation Status Report – Quarter Ending 12/31/18

**L. ITEMS NOT COMPLETED FROM PRIOR AGENDA**

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

- \*1. Ordinance 2018-19-29: Appropriating Supplemental Funding to Pay Legal Fees and Costs to the Prevailing Party in the Hunt et al v. Kenai Peninsula Borough Lawsuit (Ogle) (Referred to Finance Committee)
2. **ENACTED AS AMENDED** Ordinance 2018-19-30: Appropriating \$1,244,308 from the Central Peninsula Hospital Plant Replacement and Expansion Fund for the Obstetrics/Catheterization Lab Project at Central Peninsula Hospital (Mayor) (Referred to Finance Committee) **[9 Yes, 0 No, 0 Absent]**
3. **ENACTED AS AMENDED** Ordinance 2019-01: Amending KPB 2.56.030 to Adopt the 2018 Homer Comprehensive Plan as the Official Comprehensive Plan for that Portion of the Borough within the Boundaries of the City of Homer (Mayor) (Referred to Lands Committee) **[9 Yes, 0 No, 0 Absent]**
4. **ENACTED** Ordinance 2019-02: Amending KPB Title 3 to Enact Local Provisions for Protection of Whistleblowers (Cooper, Smalley) (Referred to Policies and Procedures Committee) **[8 Yes, 1 No, 0 Absent]**

**N. UNFINISHED BUSINESS**

**O. NEW BUSINESS**

1. Resolutions
  - \*a. Resolution 2019-016: Approving a One-Year Extension of the Collective Bargaining Agreement (Mayor) (Referred to Policies and Procedures Committee)

2. Ordinances for Introduction
  - \*a. Ordinance 2019-06: Clarifying the Exemption of Sales of Nonprepared Food Items Applies to Certain Nonprepared Food Sellers in Addition to Currently Eligible Vendors and Convenience Stores, Alphabetizing the Definitions in the Sales Tax Code and Clarifying the Definition of Time of Sale (Mayor) (Hearing on 04/02/19) (Referred to Finance Committee)
  - \*b. Ordinance 2019-05: 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) (Hearing on 03/05/19) (Referred to Lands Committee)
  - \*c. Ordinance 2019-04: Amending KPB 16.41.030 to Remove the Requirement that the Road Service Area Board Agenda be Published in a Newspaper and Distributed to Each Board Member by Mail or Telephone (Mayor) (Hearing on 04/02/19) (Referred to Policies and Procedures Committee)
3. Other
  - \*a. Petition to Vacate in the Happy Valley Area of a 66-foot Wide Public Access Easement, Mislabeled as a Section Line Easement, Centered on the Section Line Crossing Lot 9A Block 1 Angler's Crest Subdivision No. 4 (Plat HM 2010-12) and Lots 2 and 4 Block 2 Angler's Crest Subdivision No. 3 (Plat HM 2008-62) as Granted on Angler's Crest Subdivision, Plat HM 2008-62. The Public Access Easement Being Vacated is Unconstructed and Located within the SW 1/4 of Section 4 and the NW 1/4 of Section 9, Township 2 South, Range 14 West, Seward Meridian, Kenai Peninsula Borough, Alaska. KPB File 2029-002V. Petitioner: Ninilchik Native Association, Inc. of Ninilchik, AK. (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its February 4, 2019 meeting by unanimous consent.]

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

**Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. February 22, 2019  
2:00 PM Election Stakeholder Group  
Betty J. Glick Assembly Chambers,  
Soldotna, Alaska
  
2. February 27, 2019  
2:00 PM Material Site Work Group  
Betty J. Glick Assembly Chambers,  
Soldotna, Alaska
  
3. March 5, 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.)

1. Ordinance 2019-03: Authorizing the Sale of Certain Parcels of Borough Land by Sealed Bid Followed by an Over-the-Counter Sale (Mayor) (Public Hearing on 03/05/19) (Referred to Lands Committee)

**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 March 5, 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](http://www.kpb.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*