



## Meeting Agenda Assembly

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Tuesday, May 7, 2019

6:00 PM

Betty J. Glick Assembly Chambers

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### 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 Peggy Peterson.]

### 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-2111](#) April 16, 2019 Regular Assembly Meeting Minutes

Attachments: [041619 Regular Assembly Meeting Minutes](#)

### COMMENDING RESOLUTIONS AND PROCLAMATIONS

[KPB-2119](#) Mayor's Proclamation Declaring May, 2019 as "National Water Safety Month"

Attachments: [Mayor's Proclamation - National Water Safety Month](#)

### PRESENTATIONS WITH PRIOR NOTICE

*(20 minutes total)*

[KPB-2121](#) Central Peninsula Hospital Quarterly Report (10 Minutes)

*Attachments:* [Central Peninsula Hospital Quarterly Report](#)

## **PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**

*(3 minutes per speaker; 20 minutes aggregate)*

## **MAYOR'S REPORT**

Mayor's Report Cover Memo

[KPB-2122](#) Mayor's Report Cover Memo

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

1. Assembly Requests/Responses - None.

2. Agreements and Contracts

a. [KPB-2123](#) Single Source for Purchase of Rockwell Automation, Enpac 2500 Data Collector to North Coast Electric.

*Attachments:* [Single Source Purchase - North Coast Electric](#)

b. [KPB-2124](#) Authorization to Award a Contract for ITB19-019 Sweeping and Removal of Sand, Gravel and Debris from Various Borough Facility Parking Lots:

Steam on Wheels (In Soldotna)  
Group 1 (Soldotna) \$ 5,999.00  
Group 2 (Kenai) \$ 2,799.00  
Group 3 (Nikiski) \$ 2,599.00  
Dutch Boy Landscaping (In Homer)  
Group 4 (Homer) \$ 6,475.00  
Steam on Wheels (In Soldotna)  
Group 5 (Seward) \$ 4,999.00  
Total: \$22,871.00

*Attachments:* [Authorization to Award Contract for ITB19-019](#)

c. [KPB-2125](#) Authorization to Award a Contract for RFP 19-004 Homer Landfill Phase 2 Closure to HDR Engineering Inc., Anchorage, AK.

*Attachments:* [Authorization to Award Contract for RFP19-004](#)

3. Other

a. [KPB-2131](#) LAYDOWN Material Site Work Group's Final Report

Attachments: [MSWG Cover Memo](#)  
[Chair Ruffner's Final MSWG Report](#)  
[MSWG Prosed Code Change - Ordinance Draft](#)

## ITEMS NOT COMPLETED FROM PRIOR AGENDA

### M. PUBLIC HEARINGS ON ORDINANCES

*(Testimony limited to 3 minutes per speaker)*

Ordinances referred to Finance Committee

[2018-19-34](#) An Ordinance Approving the Purchase and Installation of 33 Patient Monitors for the South Peninsula Hospital and Appropriating \$756,000 from the South Peninsula Hospital Service Area Plant Replacement and Expansion Fund (Mayor)

Attachments: [Ordinance 2018-19-34](#)  
[SAB Recommendations](#)  
[Memo](#)  
[SPH Request](#)  
[SPH Resolution 2019-03](#)

## UNFINISHED BUSINESS

### NEW BUSINESS

Resolutions

Resolutions referred to Policies and Procedures Committee

[2019-029](#) A Resolution Encouraging the Administration's Efforts to Fill Vacancies in Borough Staff (Bagley)

Attachments: [Resolution 2019-029](#)  
[Budget Information \(updated\)](#)

Resolutions referred to Legislative Committee

[2019-030](#) A Resolution Adopting a Policy to Affirmatively Further Fair Housing (Mayor)

*Attachments:* [Resolution 2019-030](#)  
[Memo](#)  
[Reference Copy of Resolution 2013-058](#)

[2019-031](#) A Resolution Supporting Moose Pass School (Carpenter)

*Attachments:* [Resolution 2019-031](#)  
[Carpenter Amendment Memo](#)  
[Moose Pass School Photo](#)  
[Letter of Support](#)  
[1993 Moose Pass Comprehensive Plan](#)

## 2. Ordinances for Introduction

Ordinances for Introduction and referred to the Finance Committee

[2018-19-35](#) An Ordinance Appropriating Funds to the Legal Department for Costs Associated with Hiring Outside Counsel to Represent the Kenai Peninsula Borough in the Tariff Revision Designated as TA310-4 Filed by Enstar Natural Gas Company with the Regulatory Commission of Alaska, Matter Number U-19-04 (Cooper, Dunne)

*Attachments:* [Ordinance 2018-19-35](#)  
[Memo](#)

[2018-19-36](#) An Ordinance Appropriating Commercial Passenger Vessel Tax Proceeds Received from the State of Alaska in the Amount of \$558,070 and Allocating \$522,255 to the City of Seward and \$35,815 to the City of Homer (Mayor)

*Attachments:* [Ordinance 2018-19-36](#)  
[Memo](#)  
[Seward Cruise Tax Request](#)  
[Homer Cruise Tax Request](#)

[2018-19-37](#) An Ordinance Approving a Sole Source and Appropriating Funds for the Purchase of a Tanker/Pumper from the Kachemak Emergency Service Area Capital Project Fund (Mayor)

*Attachments:* [Ordinance 2018-19-37](#)  
[Memo](#)

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](#)

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

Ordinances for Introduction and referred to the Lands Committee

[2019-10](#) An Ordinance Authorizing the Negotiated Lease of Office Space at the Nikiski Community Recreation Center with Tesoro Alaska Company LLC (Mayor)

Attachments:

[Ordinance 2019-10](#)  
[Planning Commission Recommendation](#)  
[Memo](#)  
[Tesoro Lease Agreement](#)  
[Tesoro Floor Plan with Lease Space](#)

3. Other

Other items referred to Finance Committee

[KPB-2118](#) Authorizing a Letter of Non-Objection of the Transfer of Ownership and Location of Vitus Energy, LLC, License Number 2795

Attachments:

[2795 - Complete Application](#)

[2795 - Memo to Assembly](#)

[2795 - Protest Memo to Assembly](#)

[2795 - Protest Planning Memo to Assembly](#)

[2795 - Aerial Map](#)

[2795 - Land Use Map](#)

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

### **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. May 10, 2019 Election Stakeholders Group  
10:00 AM Betty J. Glick Assembly Chambers, Soldotna, Alaska
2. May 20, 2019 Budget Work Session #3  
10:00 AM Betty J. Glick Assembly Chambers, Soldotna, Alaska
3. May 21, 2019 Budget Work Session #4  
10:00 AM Betty J. Glick Assembly Chambers, Soldotna, Alaska
4. May 21, 2019 Regular Assembly Meeting  
6:00 PM Betty J. Glick Assembly Chambers, Soldotna, Alaska

### **ASSEMBLY COMMENTS**

### **S. 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 \(Acted on 04/02/19\)](#)

2. [2019-08](#) An Ordinance Amending KPB 22.40.080 to Have the Mayor's Report Heard Later on the Agenda (Bagley, Cooper)

Attachments: [Ordinance 2019-08](#)  
[Memo](#)

## INFORMATIONAL MATERIALS AND REPORTS

## NOTICE OF NEXT MEETING AND ADJOURNMENT

*The next regular meeting of the Kenai Peninsula Borough Assembly will be held on May 21, 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](http://www.kpb.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*