



Assembly Action Agenda

June 18, 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 Iris Fontana.]

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. June 4, 2019 Regular Assembly Meeting Minutes

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

- *1. A Resolution Commending South Peninsula Behavioral Health Services (Cooper)

I. PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

1. South Peninsula Hospital Quarterly Report (10 Minutes)
2. Material Site Work Group Presentation, Robert Ruffner, Chair (10 Minutes)

J. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA
(3 minutes per speaker; 20 Minutes aggregate)

K. ITEMS NOT COMPLETED FROM PRIOR AGENDA

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

*1. Ordinance 2018-19-38: Appropriating \$300,000 from the School Fund to the School Capital Project Fund to Provide Funding for Portable Relocation (Mayor) (Referred to Finance Committee)

*2. Ordinance 2019-19-01: Appropriating \$106,674 to the Special Assessment Fund for the Rustic Avenue Road Improvement Special Assessment District (Mayor) (Referred to Finance Committee)

3. **ENACTED AS AMENDED** Ordinance 2019-09: Amending the Borough's Sales Tax Code to Levy a 10 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) (Referred to Finance Committee) **[8 Yes, 0 Absent, 1 Abstention]**

[Clerk's Note: A teleconference site will be established at the Homer City Hall in the Council Chambers, located at 491 E. Pioneer Avenue, Homer, Alaska in order to take public comment on the above referenced ordinance.]

*4. **AS AMENDED** Ordinance 2019-12: 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) (Referred to Lands Committee) **[9 Yes, 0 No, 0 Absent]**

- *5. **AS AMENDED** Ordinance 2019-13: Authorizing Retention or Sale of Certain Real Property Obtained by the Kenai Peninsula Borough Through Tax Foreclosure Proceedings (Mayor) (Referred to Lands Committee) [**9 Yes, 0 No, 0 Absent**]

M. UNFINISHED BUSINESS

N. NEW BUSINESS

1. Resolutions

- *a. Resolution 2019-036: Forming the Rustic Avenue Road Improvement Assessment District and Proceeding with the Improvement (Mayor) (Referred to Finance Committee)
- b. **FAILED TO ADOPT** Resolution 2019-038: Urging the U.S. Army Corps of Engineers to Consider the Economic Impacts to the Bear Viewing Industry in the Pebble Mine Environmental Impact Statement (Dunne) (Referred to Legislative Committee) [**3 Yes, 6 No, 0 Absent**]
- *c. Resolution 2019-039: Changing the Assistant Borough Attorney Position to a Deputy Borough Attorney Position (Mayor) (Referred to Policies and Procedures Committee)

.....**LAYDOWN**

2. Ordinances for Introduction

- *a. Ordinance 2019-19-02: Appropriating \$50,000 in Interest Income from the Spruce Bark Beetle Program to Supplement the Community Wildfire Protection Plans Update Project (Mayor) (Hearing on 07/02/19) (Referred to Finance Committee)
- *b. Ordinance 2019-19-03: Appropriating Funds to Remodel Existing Facilities at Kenai Central High School and Kenai Middle School to Accommodate the Intensive Needs Program to be Moved from the Former Soldotna Prep School to those Facilities (Mayor) (Hearing on 07/02/19) (Referred to Finance Committee)

- *c. Ordinance 2019-19-04: Appropriating Funds for Utilities, Maintenance and Insurance of the Soldotna Prep School Surplus Property for Fiscal Year 2020 (Mayor) (Hearing on 07/02/19) (Referred to Finance Committee)

3. Other

- *a. Approving a Letter of Non-Objection of the Issuance of the New Liquor License as Requested by Alaska Fine Wines; License No. 5800 (Referred to the Finance Committee)

- *b. Petition to Vacate a Section Line Easement and Right-of-Way Including the Associated Utility easement as Follows:
 - a. Vacate a 13 Foot by 54.88 Foot Portion of the Section Line Easement within Lot 1C Block 3 Pilot's Bend Replat (KN 2008-055)
 - b. Vacate the Westerly 23 Feet by the Southerly Approximately 285 Feet of the Glenmore Circle Right-of-way as Dedicated on Pilot's Bend Subdivision Part Three, Play KN 86-71

The Section Line Easement and Right-of-Way Proposed to be Vacated are Undeveloped and Located within the SE ¼ of Section 21, Township 5 South, Range 9 West, Seward Meridian, Kenai Peninsula Borough, Alaska; KPB File No. 2019-056V (Referred to the Lands Committee)

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its May 28, 2019 meeting by unanimous consent.]

- c. **MOTION TO OVERRIDE MAYOR'S VETO FAILED** Mayor's Line Item Veto Ordinance 2019-19 Kenai Peninsula Tourism and Marketing Council Funding **[5 Yes, 4 No, 0 Absent]**

[Clerk's Note: 6 Yes votes are required to override a veto by the mayor.]

O. PUBLIC COMMENTS AND PUBLIC PRESENTATIONS (3 minutes per speaker)

P. MAYOR'S REPORT

1. Assembly Requests/Responses – None
2. Agreements and Contracts
 - a. Authorization to Award a Contract for RFP19-007 Janitorial Services – Maintenance, Purchasing, Roads, and Solid Waste Facility to Kim's Janitorial, Soldotna, AK
3. Other
 - a. Certification for the 2019 Main Roll Assessment
 - b. Revenue-Expenditure Report – May 2019
 - c. Budget Revisions – May 2019

Q. ASSEMBLY COMMENTS

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

1. 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) [Tabled on 04/02/19]
2. Ordinance 2019-11: Repealing KPB 5.18.430(F) Which Requires Voter Approval to Increase the Sales Tax Cap (Carpenter, Cooper) (Hearing on 07/02/19) (Referred to Finance Committee)

S. INFORMATIONAL MATERIALS AND REPORTS

T. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. June 28, 2019
10:00 AM
Election Stakeholders Group
Betty J. Glick Assembly Chambers
Soldotna, Alaska

2. July 2, 2019
6:00 PM

Regular Assembly Meeting
Betty J. Glick Assembly Chambers
Soldotna, Alaska

U. 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.