



Assembly Action Agenda

November 5, 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

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

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

Tyson Cox
Assembly Member
Seat 4 - Soldotna
Term Expires 2022

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 will be offered by Willy Dunne.]

ROLL CALL

COMMITTEE REPORTS

APPROVAL OF AGENDA AND CONSENT AGENDA

(Action 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.)

APPROVAL OF MINUTES

- *1. October 22, 2019 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

1. Alaska Small Business Development Program Review, Cliff Cochran, Director and Business Advisor (10 Minutes)

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. **ENACTED AS AMENDED** 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) (Referred to Finance Committee) **[9 Yes, 0 No, 0 Absent]**
- *2. 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) (Referred to Finance Committee)
- *3. 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) (Referred to Finance Committee)
4. **ENACTED** Ordinance 2019-25: Amending KPB 2.56.006 and KPB 2.56.007, Adopting the 2019 Kenai Peninsula Borough Comprehensive Plan (Mayor) (Referred to Lands Committee) **[6 Yes, 3 No, 0 Absent]**

[Clerk's Note: Shelly Wade, Project Manager with Agnew::Beck will be giving a brief synopsis on the comprehensive plan.]

5. **FAILED TO ENACT AS AMENDED** 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) (Referred to Policies and Procedures Committee) **[1 Yes, 8 No, 0 Absent]**

[Clerk's Note: A teleconference site was established at Homer City Hall to take public testimony on the above referenced ordinance.]

6. **ENACTED AS AMENDED** Ordinance 2019-26: Amending KPB 2.60.027 to Modify the Designation of Demarcation Points for Delivery of 911 Calls by Carriers (Mayor) (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**
7. **ENACTED AS AMENDED** 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) (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions
 - *a. Resolution 2019-056: Authorizing the Kenai Peninsula Borough to Join the Alaska Remote Seller Sales Tax Commission for the Purpose of Developing, Implementing, and Enforcing a Remote Seller Sales Tax Code and Designating the Commission Representative (Mayor) (Referred to Finance Committee)
 - *b. Resolution 2019-057: Supporting Three Applications to Supplement Eligible Hazard Mitigation Projects Under the Federal Emergency Management Agency and Alaska Division of Homeland Security & Emergency Management "Hazard Mitigation Grant Program (Mayor) (Referred to Finance Committee)
 - c. **ADOPTED AS AMENDED** Resolution 2019-058: Establishing an Anadromous Streams Habitat Protection Work Group (Mayor) (Referred to Lands Committee) **[7 Yes, 2 No, 0 Absent]**
 - d. **ADOPTED** Resolution 2019-059: Approving Labor Negotiation Procedures for a New Collective Bargaining Agreement with the Kenai Peninsula Borough Employees Association (Mayor) (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**

*e. Resolution 2019-060: Urging the Alaska Department of Transportation and Public Facilities to Keep the Silvertip Maintenance Station Open (Assembly) (Referred to Legislative Committee)

*f. Resolution 2019-061: Supporting the Efforts of the Tsalteshi Trails Association to Secure a 2020 Recreational Trails Grant from the State of Alaska (Johnson, Cox) (Referred to Legislative Committee)

.....**LAYDOWN**

*g. Resolution 2019-062: Authorizing the Borough, on Behalf of the South Kenai Peninsula Hospital Service Area, to Amend the Existing Lease Agreement for 4201 Bartlett Street, Homer, Alaska, to Add an Office Space on a Temporary Basis, and Authorize an Amendment to the Sublease and Operating Agreement with South Peninsula Hospital, Inc. (Mayor) (Referred to Lands Committee)**LAYDOWN**

2. Ordinances for Introduction

*a. Ordinance 2019-19-18: Appropriating Additional Funding for the Construction of the Nikiski Fire Station Number Three (Mayor) (Hearing on 12/03/19) (Referred to Finance Committee)

*b. Ordinance 2019-19-19: Appropriating Phase Two Bond Proceeds for the Purpose of Purchasing Emergency Vehicles in the Central Emergency Service Area (Mayor) (Hearing on 12/03/19) (Referred to Finance Committee)

*c. Ordinance 2019-19-20: Appropriating Additional Funding for the Anchor Point Fire and Emergency Medical Service Area Station One Boiler Replacement (Mayor) (Hearing on 12/03/19) (Referred to the Finance Committee)

*d. Ordinance 2019-30: Amending KPB 21.29, KPB 21.25, and KPB 21.50.055 Regarding Material Site Permits, Applications, Conditions, and Procedures (Mayor) (Hearing on 12/03/19) (Referred to Lands Committee)

- *e. Ordinance 2019-31: Adopting the Updated 2019 Kenai Peninsula Borough All-Hazard Mitigation Plan and Removing the Word "All" from KPB 2.80.010 (Mayor) (Hearing on 12/03/19) (Referred to Policies and Procedures Committee)
- *f. Ordinance 2019-32: Approving an Operating Agreement with South Peninsula Hospital, Inc. for South Peninsula Hospital and Other Medical Facilities (Mayor) (Hearing on 12/03/19) (Referred to Policies and Procedures Committee)

3. Other

- a. **APPROVED** Approval of the 2020 Assembly Meeting Schedule (Cooper) (Referred to Policies and Procedures) **[9 Yes, 0 No, 0 Absent]**
- *b. Confirming Appointments to Kenai Peninsula Borough Advisory Planning Commissions (Mayor) (Referred to Policies and Procedures Committee)

Kalifornsky Beach Advisory Planning Commission

Geoffrey E. Knuth	Seat C	Term Expires 09/30/20
Gary "Rusty" Swan	Seat D	Term Expires 09/30/21
Aaron Dolifka	Seat E	Term Expires 09/30/21
Richard R. Homan	Seat F	Term Expires 09/30/22
Robin Davis	Seat G	Term Expires 09/30/22

Anchor Point Advisory Planning Commission

Donna White	Seat D	Term Expires 09/30/22
Raymond Drake	Seat E	Term Expires 09/30/22
Chris Platter	Seat F	Term Expires 09/30/21

Cooper Landing Advisory Planning Commission

Janette Cadieux	Seat A	Term Expires 09/30/22
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Chris Degernes Seat B Term Expires 09/30/22

Laura Johnson Seat G Term Expires 09/30/22

Hope/Sunrise Advisory Planning Commission

Peter Smith Jr. Seat D Term Expires 09/30/22

Moose Pass Advisory Planning Commission

John C. Smart Seat B Term Expires 09/30/20

Jeff Hetrick Seat G Term Expires 09/30/22

Kristin Bates Seat F Term Expires 09/30/22

Funny River Advisory Planning Commission

Richard Galloway Seat F Term Expires 09/30/22

Michael Masters Seat G Term Expires 09/30/22

- *c. Petition to Vacate a 50-foot Section Line Easement (running north-south) – 50 feet in width on the east side of the NE ¼ NE ¼ Section 35, Township 5 North, Range 10 West Seward Meridian approximately 1,265 feet; Vacate a 50-foot Section Line Easement (running north-south) – 50 feet in width on the west side of the NW ¼ NW ¼ Section 36, Township 5 North, Range 10 West, Seward Meridian approximately 1,315 feet; Vacate 33-foot Mountain Ash Street Right-of-Way (running north-south) and a portion of the intersection with Paper Birch Lane, including the adjoining 10-foot utility easement within Section 36, Township 5 North, Range 10 West, dedicated by Forest Hills Lookout Sub Amended KPB 86-204. KPB File 2019-117V. Petitioner: Cody R. McLane of Soldotna.....**LAYDOWN**

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

MAYOR'S REPORT

1. Assembly Requests/Responses – None.
2. Agreements and Contracts
 - a. Authorization to Award a Contract for RFP20-003 Kenai Peninsula Borough Communication Strategy and Implementation Plan to Agnew::Beck Consulting, Inc.
3. Other
 - a. Revenue- Expenditure Report – September 2019
 - b. Budget Revisions – September 2019
 - c. FY20 – 1Q Senior Grant Reports
 - d. FY20 – Economic Development Center
 - e. FY20 – 1Q Land Trust Investment Fund – Investment Report

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 2019-24: Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions (Mayor) (Hearing on 12/03/19) (Referred to Lands Committee)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. December 3, 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.