



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Assembly

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Tuesday, March 5, 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 Debbie Hamilton.]

### 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-2066](#) February 19, 2019 Regular Assembly Meeting Minutes

Attachments: [021919 Regular Assembly Meeting Minutes](#)

### COMMENDING RESOLUTIONS AND PROCLAMATIONS

### PRESENTATIONS WITH PRIOR NOTICE

*(20 minutes total)*

[KPB-2063](#) Kenai Peninsula Economic Development District, Inc. (10 Minutes)

Attachments: [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-2061](#) Mayor's Report Cover Memo

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

1. Assembly Requests/Responses - None.

2. Agreements and Contracts - None.

3. Other

a. [KPB-2062](#) Investment Report Quarter Ended 12/31/18

*Attachments:* [Investment Report](#)

b. [KPB-2067](#) Municipal Impact Statement Regarding the State of Alaska FY20 Proposed Budget.

*Attachments:* [Municipal Impact Statement](#)

**ITEMS NOT COMPLETED FROM PRIOR AGENDA****PUBLIC HEARINGS ON ORDINANCES**

*(Testimony limited to 3 minutes per speaker)*

Ordinances referred to Lands Committee

[2019-03](#) An Ordinance (Mayor, Bagley, Hibbert) Substitute Authorizing the Sale of Certain Parcels of Borough Land by Sealed Bid Followed by an Over-the-Counter Sale (Mayor, Bagley, Hibbert)

Attachments:

[Ordinance 2019-03 SUB](#)  
[Substitute Amendment Memo](#)  
[Substitute Amendment Memo Cooper 040219](#)  
[Substitute Planning Commission Recommendation](#)  
[Substitute Memo](#)  
[Substitute Land Sale Maps](#)  
[Appraisal Lrg Tracks](#)  
[Public Comments 030519](#)  
[Amendment Memo Removing 40 Acres \(Acted on 03/05/19\)](#)  
[Amendment Memo New Section 6 \(Acted on 03/05/19\)](#)  
[Ordinance 2019-03 Amended by Substitute](#)  
[Planning Commission Recommendation](#)  
[Memo](#)  
[Maps](#)  
[eComments 030519](#)

[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 \(Acted on 04/02/19\)](#)

## UNFINISHED BUSINESS

## NEW BUSINESS

Resolutions

Resolutions referred to Finance Committee

[2019-017](#) A Resolution Authorizing the Mayor to Apply for Assistance through the State of Alaska Division of Homeland Security and Emergency Management for Damages Due to the October 2018 Flood/Storm Event identified under the State Disaster Declaration Number AK-18-264 (Mayor)

Attachments: [Resolution 2019-017](#)  
[Memo](#)

[2019-018](#) A Resolution Authorizing the Mayor to Apply for Assistance through the State of Alaska Division of Homeland Security and Emergency Management and the Federal Emergency Management Agency for Damages Due to the November 30, 2018 Cook Inlet 7.0 Earthquake Identified under the Federal Disaster Declaration Numbers EM-3410 and DR-4413 (Mayor)

Attachments: [Resolution 2019-018](#)  
[Memo](#)

[2019-019](#) A Resolution Approving Twenty-Seven Unincorporated Communities for Participation in the State's Fiscal Year 2020 Community Assistance Program (Mayor)

Attachments: [Resolution 2019-019](#)  
[Memo](#)

Resolutions referred to Lands Committee

[2019-020](#) A Resolution Classifying Certain Parcels of Borough Owned Land in Nikiski, North Kenai, Ciechanski, Kalifornsky, Tote Road, Anchor Point, and Diamond Ridge Areas (Mayor)

Attachments: [Resolution 2019-020](#)  
[Amendment Memo Cooper 040219](#)  
[Planning Commission Recommendation](#)  
[Memo](#)  
[Map Package](#)  
[Revision Maps](#)  
[Staff Report](#)  
[Public Comments](#)  
[Public Comments 030519](#)  
[Amendment Memo \(Acted on 03/05/19\)](#)

Resolutions referred to Policies and Procedures Committee

[2019-022](#) A Resolution Confirming the Appointment of Mako Haggerty to the Prince William Sound Regional Citizen's Advisory Council (Ogle)

Attachments: [Resolution 2019-022](#)

Resolutions referred to Legislative Committee

[2019-023](#) A Resolution in Support of Modifying SB 57 and HB 59 to Allow Local Municipalities to Tax a Maximum of 10 Mills on Oil and Gas Property Taxable Under AS 43.46 (Mayor, Bagley, Ogle)

Attachments: [Resolution 2019-023](#)

[2019-021](#) A Resolution Supporting the Kenai Peninsula College (Bagley, Smalley, Ogle)

Attachments: [Resolution 2019-021](#)

## 2. Ordinances for Introduction

Ordinances for Introduction and referred to the Lands Committee

[2019-07](#) An Ordinance Amending KPB 21.46.040 Zoning a 120-Acre Parcel Creating the Murwood South Single Family Residential R-1 Local Option Zoning District (Bagley, Mayor)

Attachments: [Ordinance 2019-07](#)  
[Amendment Memo](#)  
[Planning Commission Recommendation](#)  
[Memo](#)  
[Map](#)

## 3. Other

Other items referred to Finance Committee

[KPB-2058](#) Approving the Application for a Restaurant Designation Permit filed by Anchor River Inn, License Number 1309.

Attachments: [Memo to Assembly](#)  
[Restaurant Designation Permit Application](#)  
[Transfer License Application](#)

## PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

## ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. March 12, 2019 AK LNG Project Advisory Committee  
6:00 PM North Peninsula Recreation Center
2. March 13, 2019 Material Site Work Group  
2:00 PM Betty J. Glick Assembly Chambers
3. March 15, 2019 Election Stakeholders Group  
10:00 AM Betty J. Glick Assembly Chambers
4. March 27, 2019 Material Site Work Group  
2:00 PM Betty J. Glick Assembly Chambers
5. March 29, 2019 Election Stakeholders Group  
10:00 AM Betty J. Glick Assembly Chambers
6. April 2, 2019 Regular Assembly Meeting  
6:00 PM Betty J. Glick Assembly Chambers

## ASSEMBLY COMMENTS

## S. PENDING LEGISLATION

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

1. [2019-06](#) An Ordinance 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)

**Attachments:** [Ordinance 2019-06](#)  
[Memo](#)

2. [2019-04](#) An Ordinance 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)

**Attachments:** [Ordinance 2019-04](#)  
[Service Area Board Recommendation](#)  
[Memo](#)

## INFORMATIONAL MATERIALS AND REPORTS

## NOTICE OF NEXT MEETING AND ADJOURNMENT

*The next meeting of the Kenai Peninsula Borough Assembly will be held on April 2, 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.*