



Assembly Action Agenda

December 3, 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 Assembly observed a moment of silence.]

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. November 5, 2019 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

1. Central Peninsula Hospital Quarterly Report (10 Minutes)
2. South Peninsula Hospital Quarterly Report (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. **AS AMENDED** Ordinance 2019-19-18: Appropriating Additional Funding for the Construction of the Nikiski Fire Station Number Three (Mayor) (Referred to Finance Committee)
- *2. Ordinance 2019-19-19: Appropriating Phase Two Bond Proceeds for the Purpose of Purchasing Emergency Vehicles in the Central Emergency Service Area (Mayor) (Referred to Finance Committee)
- *3. Ordinance 2019-19-20: Appropriating Additional Funding for the Anchor Point Fire and Emergency Medical Service Area Station One Boiler Replacement (Mayor) (Referred to the Finance Committee)
4. **AMENDED BY SUBSTITUTE** Ordinance 2019-24: Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions (Mayor) (Referred to Lands Committee) **[9 Yes, 0 No, 0 Absent]**

POSTPONED TO FEBRUARY 25, 2020 Ordinance 2019-24 (Mayor) Substitute: Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions (Mayor) (Referred to Lands Committee) **[9 Yes, 0 No, 0 Absent]**

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

5. **AMENDED BY SUBSTITUTE** Ordinance 2019-30: Amending KPB 21.29, KPB 21.25, and KPB 21.50.055 Regarding Material Site Permits, Applications, Conditions, and Procedures (Mayor) (Referred to Lands Committee) **[9 Yes, 0 No, 0 Absent]**

FAILED TO ENACT Ordinance 2019-30 (Mayor) Substitute: Amending KPB 21.29, KPB 21.25, and KPB 21.50.055 Regarding Material Site Permits, Applications, Conditions, and Procedures (Mayor) (Referred to Lands Committee) **[3 Yes, 6 No, 0 Absent]**

[Clerk's Note: Bjorkman gave notice of reconsideration.]

6. **ENACTED** 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) (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**
- *7. **AS AMENDED** Ordinance 2019-32: Approving an Operating Agreement with South Peninsula Hospital, Inc. for South Peninsula Hospital and Other Medical Facilities (Mayor) (Referred to Policies and Procedures Committee)

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions
 - *a. Resolution 2019-064: Authorizing Community Assistance Program Expenditures for Unincorporated Communities (Mayor) (Referred to Finance Committee)

[Clerk's Note: Johnson declared a possible conflict with Resolution 2019-064 as he was the President of the Kasilof Regional Historical Society who was a grant recipient of the Community Assistance Program. President Cooper ruled a conflict existed and Mr. Johnson abstained from the discussion and vote on Resolution 2019-064.]
 - b. **ADOPTED** Resolution 2019-066: Redirecting Project Funds Previously Appropriated for the Former Soldotna Prep Building Campus Operational Costs to be Utilized for Design and Feasibility Analysis (Mayor) (Referred to Finance Committee) **[8 Yes, 1 No, 0 Absent]**
 - c. **POSTPONED TO JANUARY 7, 2020** Resolution 2019-070: Authorizing the Borough to Enter into a Resource Exchange Agreement with Trimark Earth Reserve, LLC for the Construction of a Road to and through Borough Property (Mayor) (Referred to Lands Committee) **[9 Yes, 0 No, 0 Absent]**

- *d. Resolution 2019-067: Approving an Automatic Aid Agreement and Operational Plan Between Anchor Point Fire and Emergency Medical Service Area and the City of Homer Volunteer Fire Department for Fire Response Services (Mayor) (Referred to Policies and Procedures Committee)
- *e. Resolution 2019-068: Approving a Mutual Aid Agreement and Operational Plan Between Anchor Point Fire and Emergency Medical Service Area and the City of Homer Volunteer Fire Department for Fire Response Services (Mayor) (Referred to Policies and Procedures Committee)
- *f. **AS AMENDED** Resolution 2019-069: Authorizing the Borough, on Behalf of the South Kenai Peninsula Hospital Service Area, to Enter into a Long-Term Lease Agreement for a Professional Office Building 4201 Bartlett Street, Homer, Alaska (Mayor) (Referred to Policies and Procedures Committee)
- *g. Resolution 2019-071: Confirming Appointments to Non-Borough Committees and Boards (Cooper) (Referred to Policies and Procedures Committee)
- *h. **AS AMENDED** Resolution 2019-063: Requesting the Alaska State Legislature Approve a Coastal Infrastructure General Obligation Bond for the 2020 Election (Cooper, Smalley, Cox, Johnson) (Referred to Legislative Committee)
- *i. Resolution 2019-065: Supporting the Transportation Priorities to be Considered for Grant Funding to be Submitted to the State of Alaska Department of Transportation and Public Facilities (Mayor) (Referred to Legislative Committee)

[Clerk's Note: Hibbert declared a possible conflict with Resolution 2019-065 as he owns Alaska Cab that provides transportation services for the Independent Living Center. President Cooper ruled a conflict existed and Mr. Hibbert abstained from the discussion and vote on Resolution 2019-065.]

2. Ordinances for Introduction

- *a. Ordinance 2019-38: Approving and Accepting \$13,738.95 from the State of Alaska Division of Homeland Security and Emergency Management to Reimburse Repairs at the Tebughna School Resulting from the November 30, 2018 Cook Inlet 7.0 Earthquake (Mayor) (Hearing on 01/07/20) (Referred to Finance Committee)
- *b. Ordinance 2019-33: Amending KPB 20.10.030 and KPB 20.90.010 to Clarify Applicability of Subdivision Requirements (Mayor) (Hearing on 01/07/20) (Referred to Lands Committee)
- *c. Ordinance 2019-34: Amending KPB 21.46.040 to Create the Kalifornsky Center Single Family Residential R-1 Local Option Zoning District on an Approximately 55-Acre Borough-Owned Parcel (Mayor) (Hearing on 01/07/20) (Referred to Lands Committee)
- *d. Ordinance 2019-35: Approving C & H Estates Single-Family Residential R-1 Local Option Zoning District and Amending KPB 21.46.040 (Mayor) (Hearing on 01/07/20) (Referred to Lands Committee)
- *e. Ordinance 2019-36: Authorizing the Negotiated Lease of Garage Space at the Bear Creek Fire Station with Alaska State Troopers A Detachment North (Mayor) (Hearing on 01/07/20) (Referred to Lands Committee)
- *f. Ordinance 2019-37: Amending KPB 17.10.120, Terms of a Land Sale, to Address Kenai Peninsula Borough Employee and Contractor Participation in Certain Land Disposal Methods (Mayor) (Hearing on 01/07/20) (Referred to Lands Committee)
- *g. Ordinance 2019-39: Repealing KPB 12.06 and Enacting 12.08 Junk and Abandoned Vehicles (Mayor) (Hearing on 01/07/20) (Referred to Policies and Procedures Committee)

3. Other

- *a. Confirming an Appointment to the Road Service Area Board (Mayor) (Referred to Policies and Procedures Committee)

Larry Smith Seat At-Large Term Expires 09/30/2022

- *b. Confirming an Appointment to the Anchor Point Fire and Emergency Medical Service Area Board (Mayor) (Referred to Policies and Procedures Committee)

Edward Jolly Seat C Term Expires 10/2021

- *c. Confirming the Appointment of Assembly Member Brent Johnson to the Anadromous Waters Habitat Protection Work Group (Cooper) (Referred to Policies and Procedures Committee)

- d. **POSTPONED TO JANUARY 21, 2020** Approving the Mayor's List of Members to the Anadromous Waters Habitat Protection Work Group (Mayor) (Referred to Policies and Procedures Committee)

North Seat Wayne Ogle, Past Assembly President

West Seat Branden Bornemann, Kenai Watershed Forum

East Seat Ed Oberts, Local Realtor

South Seat Dawson Slaughter, Anchor Point Planning Commission

Central Seat Kaitlin Vadla, Soldotna Planning Commissioner

- e. **MOTION TO OVERRIDE MAYOR'S VETO PASSED** Mayor's Veto of 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 (Referred to Finance Committee) LAYDOWN
[6 Yes, 3 No, 0 Absent]

[Clerk's Note: 6 Yes votes are required to override a veto by the mayor. If the motion to override is not successful or no motion is made, the veto will stand.]

MAYOR'S REPORT

1. Assembly Requests/Responses – None.
2. Agreements and Contracts
 - a. Authorization to Award a Contract for ITB20-009 Homer High School Boiler Replacement to Mechanical Specialists, Inc., Wasilla, AK.
 - b. Authorization to Award a Contract for ITB20-014 Central Peninsula Landfill (CPL) Brush Burning 2019 to Evergreen Alaska, Inc., Kasilof, AK.
 - c. Authorization to Award a Contract for RFP20-005 North Peninsula Recreation Service Area Remodel Professional Designs Services to Architects Alaska, Inc., Anchorage, AK.
3. Other
 - a. Capital Project Reports – September 30, 2019
 - b. Budget Revisions – October 2019
 - c. Revenue – Expenditure Report – October, 2019
 - d. Quarterly Investment Report
 - e. Investment Report Quarter Ended 09/30/19

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.)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. January 7, 2020
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).

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