



Meeting Agenda Assembly

Tuesday, November 5, 2019

6:00 PM

Betty J. Glick Assembly Chambers

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 Willy Dunne.]

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.)*

ACTION ITEMS CURRENTLY ON THE CONSENT AGENDA

Resolution 2019-056

Resolution 2019-057

Resolution 2019-058

Resolution 2019-059

Resolution 2019-060

Ordinance 2019-19-18

Ordinance 2019-19-19

Ordinance 2019-19-20

Ordinance 2019-30

Ordinance 2019-31

Ordinance 2019-32

Approval of 2020 Assembly Meeting Schedule

Confirming Appointments to KPB APC's

ACTION ITEMS ELIGIBLE TO BE ADDED TO THE CONSENT AGENDA

Ordinance 2019-19-16

Ordinance 2019-19-17

APPROVAL OF MINUTES

[KPB-2358](#) October 22, 2019 Assembly Regular Meeting Minutes

Attachments: [102219 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS**PRESENTATIONS WITH PRIOR NOTICE**

(20 minutes total)

[KPB-2356](#) Alaska Small Business Development Program Review, Cliff Cochran, Director and Business Advisor (10 Minutes)

Attachments: [Presentation](#)

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)

Ordinances referred to Finance Committee

[2019-19-15](#) An Ordinance Appropriating Funds to Award a Grant to the Kenai Peninsula Tourism Marketing Council to Support its Planned Projects to Promote the Borough (Hibbert)

Attachments: [Ordinance 2019-19-15](#)
[Memo](#)
[Public Comment 102219](#)

[2019-19-16](#) An Ordinance 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)

Attachments: [Ordinance 2019-19-16](#)
[Memo](#)

[2019-19-17](#) An Ordinance 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)

Attachments: [Ordinance 2019-19-17](#)
[Memo](#)
[Award Letter](#)

Ordinances referred to Lands Committee

[2019-25](#) An Ordinance Amending KPB 2.56.006 and KPB 2.56.007, Adopting the 2019 Kenai Peninsula Borough Comprehensive Plan (Mayor)

[Clerk's Note: Shelly Wade, Project Manager with Agnew::Beck gave a brief synopsis on the comprehensive plan at the regular meeting.]

Attachments: [Ordinance 2019-25](#)
[Amendment Memo Staff Technical Corrections](#)
[Memo](#)
[2019 Comprehensive Plan](#)
[City of Seldovia Climate Mitigation Supporting Resolution](#)
[City of Homer Supporting Resolution](#)
[Public Comments 110519](#)
[Public Comments 102219](#)
[Public Comment 100919](#)
[Agnew::Beck Short Presentation](#)

Ordinances referred to Policies and Procedures Committee

[2019-23](#) An Ordinance 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)

[Clerk's Note: A teleconference site was established at Homer City Hall to take public testimony on the above referenced ordinance with none being offered.]

Attachments:

[Ordinance 2019-23](#)
[Bjorkman Amendment Memo](#)
[Bjorkman 2 Amendment Memo](#)
[Blakeley Amendment Memo](#)
[Administrative Amendment Memo if Needed](#)
[Service Area Board Recommendations](#)
[Memo](#)
[Election Stakeholders Group Letters of Support](#)
[Election Stakeholders Group Final Report](#)
[North Pen Recreation Letter 110519](#)
[Nikiski Fire Service Area Board Letter](#)
[South Kenai Peninsula Hospital Service Area Board Letter](#)
[Public Comment 110519](#)
[Amendment Memo \(Dealt with on 10/08/19\)](#)
[Public Comments](#)

[2019-26](#) An Ordinance Amending KPB 2.60.027 to Modify the Designation of Demarcation Points for Delivery of 911 Calls by Carriers (Mayor)

Attachments:

[Ordinance 2019-26](#)
[Memo](#)

7. [2019-29](#) An Ordinance Establishing the Appeal Procedure before the Borough Assembly for the Appeal Filed by Echo Trading Company, LLC of a Planning Commission Decision (Mayor)

Attachments:

[Ordinance 2019-29](#)
[Memo](#)
[Public Comments 110519](#)
[Public Comment 100819](#)

UNFINISHED BUSINESS

NEW BUSINESS

Resolutions

Resolutions referred to Finance Committee

[2019-056](#) A Resolution 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)

Attachments: [Resolution 2019-056](#)
[Memo](#)
[Intergovernmental Agreement](#)
[City of Seldovia Supporting Resolution](#)

[2019-057](#) A Resolution 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)

Attachments: [Resolution 2019-057](#)
[Memo](#)

Resolutions referred to Lands Committee

[2019-058](#) A Resolution Establishing an Anadromous Streams Habitat Protection Work Group (Mayor)

Attachments: [Resolution 2019-058](#)
[Memo](#)
[Amendment Memo](#)

Resolutions referred to Policies and Procedures Committee

[2019-059](#) A Resolution Approving Labor Negotiation Procedures for a New Collective Bargaining Agreement with the Kenai Borough Employees Association (Mayor)

Attachments: [Resolution 2019-059](#)
[Memo](#)
[Negotiation Ground Rules](#)

Resolutions referred to Legislative Committee

[2019-060](#) A Resolution Urging the Alaska Department of Transportation and Public Facilities to Keep the Silvertip Maintenance Station Open (Assembly)

Attachments: [Resolution 2019-060](#)
[Easter Peninsula Highway Emergency Service Area Letter to DOT](#)

[2019-061](#) A Resolution Supporting the Efforts of the Tsalteshi Trails Association to Secure a 2020 Recreational Trails Grant from the State of Alaska (Johnson, Cox)

Attachments: [Resolution 2019-061](#)
[Notice of Intent](#)
[Trails Map](#)

[2019-062](#) A Resolution 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 Authorizing an Amendment to the Sublease and Operating Agreement with South Peninsula Hospital, Inc. (Mayor)

Attachments: [Resolution 2019-062](#)
[Memo](#)
[Amendment to Medical Clinic Lease Agreement](#)
[4201 Barlett Parcel Map](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

[2019-19-18](#) An Ordinance Appropriating Additional Funding for the Construction of Nikiski Fire Station Number Three (Mayor)

Attachments: [Ordinance 2019-19-18](#)
[Amendment Memo](#)
[SAB Recommendations](#)
[Memo](#)

[2019-19-19](#) An Ordinance Appropriating Phase Two Bond Proceeds for the Purpose of Purchasing Emergency Vehicles in the Central Emergency Service Area (Mayor)

Attachments: [Ordinance 2019-19-19](#)
[Memo](#)

[2019-19-20](#) An Ordinance Appropriating Additional Funding for the Anchor Point Fire and Emergency Medical Service Area Station One Boiler Replacement (Mayor)

Attachments: [Ordinance 2019-19-20](#)
[Memo](#)

Ordinances for Introduction and referred to the Lands Committee

[2019-30](#) An Ordinance Amending KPB 21.29, KPB 21.25, and KPB 21.50.055 Regarding Material Site Permits, Applications, Conditions, and Procedures (Mayor)

[Clerk's Note: Bjorkman gave notice of reconsideration at the 12/03/19 assembly meeting.]

Attachments: [Ordinance 2019-30 SUB](#)
[Memo SUB](#)
[Dunne Amendment](#)
[Ordinance 2019-30 \(Amended by Sub\)](#)
[Memo](#)
[Planning Commission Recommendations](#)
[Material Site Work Group Sectional Analysis](#)
[Public Comment](#)
[eComment 120319](#)
[Public Comments 01072020](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

[2019-31](#) An Ordinance Adopting the Updated 2019 Kenai Peninsula Borough All-Hazard Mitigation Plan and Removing the Word "All" from KPB 2.80.010 (Mayor)

Attachments: [Ordinance 2019-31](#)
[Memo](#)

[2019-32](#) An Ordinance Approving an Operating Agreement with South Peninsula Hospital, Inc. for South Peninsula Hospital and Other Medical Facilities (Mayor)

Attachments: [Ordinance 2019-32](#)
[Amendment Memo](#)
[Overview of Changes](#)
[SPH Inc Recommendations](#)
[Consent to Sublease](#)
[Memo](#)
[Operating Agreement](#)

Other

Other items referred to Policies and Procedures Committee

[KPB-2348](#) Approval of the 2020 Assembly Meeting Schedule (Cooper)

Attachments: [2020 Meeting Schedule](#)

[KPB-2347](#) Confirming Appointments to the Kenai Peninsula Borough advisory Planning Commissions (Mayor)

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
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

Attachments: [Appointments](#)

[KPB-2360](#) A petition to Vacate a 50-foot Section Line Easement (Running North-South) - 50 Feet in Width on the East Side of the NE1/4 NE1/4 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 NW1/4 N1/4 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 KN86-204.KPB

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

Attachments: [Petition to Vacate](#)

MAYOR'S REPORT

[KPB-2349](#) Mayor's Report Cover Memo

Attachments: [Cover Memo](#)

1. Assembly Requests/Responses - None.

2. Agreements and Contracts

a. [KPB-2351](#) Authorization to Award a Contract for RFP20-003 KPB Communication Strategy and Implementation Plan to Agnew::Beck Consulting, Inc.

Attachments: [Authorization to Award Contract RFP20-003](#)

3. Other

a. [KPB-2350](#) Revenue-Expenditure Report - September 2019

Attachments: [Revenue - Expenditure Report - September 2019](#)

b. [KPB-2352](#) Budget Revisions - September 2019

Attachments: [Budget Revisions](#)

- c. [KPB-2353](#) FY20-1Q Senior Grant Reports
Attachments: [FY20-1Q Senior Grant Reports](#)
- d. [KPB-2354](#) FY20 - Economic Development Center
Attachments: [FY20 - Economic Development Center](#)
- e. [KPB-2355](#) FY20-1Q Land Trust Investment Fund - Investment Report
Attachments: [FY20-1Q Land Trust Investment Fund - Investment Report](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY COMMENTS

PENDING LEGISLATION

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

1. [2019-24](#) An Ordinance Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions (Mayor)

Attachments:

[Ordinance 2019-24 SUB](#)

[Memo SUB](#)

[SUB Dunne Amendment Memo](#)

[SUB REPLACEMENT Amendment Memo \(Dealt with 03/17/20\)](#)

[SUB Amendment Memo 022520 \(Replaced by 03/17/20 Memo\)](#)

[SUB City of Kenai Memo 031720](#)

[Ordinance 2019-24 \(Amended by Substitute\)](#)

[Memo](#)

[City of Soldotna Resolution](#)

[Kachemak City Letter](#)

[City of Kenai Resolution](#)

[City of Homer Resolution](#)

[City of Homer Memorandum](#)

[eComment 100819](#)

[Public Comment 120319](#)

[SUB Planning Commission Recommendations 120319 \(Dealt with 12/03/19\)](#)

[Dunne Amendment Memo \(Dealt with 11/21/19\)](#)

[Planning Commission Recommendations 092319 \(Dealt with 11/21/19\)](#)

[Request for Postponement \(Dealt with on 10/08/19\)](#)

[Public Comments 050520](#)

[O2019-24 ADFG Letter 050520](#)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. December 3, 2019 Regular Assembly Meeting
6:00 PM Betty J. Glick Assembly Chambers, Soldotna, Alaska

ADJOURNMENT

The next meeting of the Kenai Peninsula Borough Assembly will be held on December 3, 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 for copies of the agenda, meeting summaries, ordinances and resolutions.

