



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Assembly

Tuesday, October 22, 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 George Holly, Jr.]

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.)*

ASSEMBLY REORGANIZATION

Election of President and Vice President

APPROVAL OF MINUTES

[KPB-2333](#) October 8, 2019 Regular Assembly Meeting Minutes

Attachments: [100819 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS

[KPB-2321](#) Mayor's Proclamation Declaring October, 2019 as "Domestic Violence Awareness Month"

Attachments: [Proclamation](#)

PRESENTATIONS WITH PRIOR NOTICE

(20 minutes total)

1. [KPB-2331](#) Kenai Peninsula Borough School District Quarterly Report (10 Minutes)

Attachments: [Presentation](#)

2. [KPB-2334](#) LAYDOWN Climate Action Plan in the Kenai Peninsula Borough's Comprehensive Plan (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)

Ordinances referred to Finance Committee

[2019-19-12](#) An Ordinance Accepting and Appropriating Funding from the State of Alaska in the Amount of \$426,303 for Community Purposes under the State's 2019/2020 Community Assistance Program (Mayor)

Attachments: [Ordinance 2019-19-12](#)
[Memo](#)

[2019-19-13](#) An Ordinance Accepting Self-Contained Breathing Apparatus Equipment from the City of Kenai through the Assistance to Firefighters Grant Program and Appropriating Matching Funds for the Nikiski Fire Service Area and Central Emergency Service Area Participation (Mayor)

Attachments: [Ordinance 2019-19-13](#)
[Memo](#)
[Award Package](#)
[Memorandum of Agreement](#)
[Service Area Board Recommendations](#)

[2019-19-14](#) An Ordinance Appropriating Funds to Provide for a Contract and Associated Costs to Burn at the Central Peninsula Landfill (Mayor)

Attachments: [Ordinance 2019-19-14](#)
[Memo](#)
[Public Comment 102219](#)

Ordinances referred to Lands Committee

[2019-27](#) An Ordinance Repealing Ordinance 2019-12 and 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, and Providing Time to Correct a Notice Deficiency Discovered After Enactment of Ordinance 2019-12 (Mayor)

Attachments: [Ordinance 2019-27](#)
[Amendment Memo](#)
[Memo](#)
[Reference Copy of Ordinance 2019-12](#)
[Planning Commission Recommendation](#)

[2019-28](#) An Ordinance Correcting Ordinance 2019-13 by Re-Authorizing Retention or Sale of Certain Real Property Obtained by the Kenai Peninsula Borough through Tax Foreclosure Proceedings and Thereby Providing Time to Correct a Notice Deficiency Discovered After Enactment of Ordinance 2019-13 (Mayor)

Attachments: [Ordinance 2019-28](#)
[Memo](#)
[Exhibit A- Retention Parcels](#)
[Exhibit B - Sale Parcels](#)
[Reference Copy of Ordinance 2019-13](#)
[Planning Commission Recommendation](#)

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

Resolutions referred to Finance Committee

[2019-053](#) A Resolution Accepting \$185,000 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management for Emergency Management Operations (Mayor)

Attachments: [Resolution 2019-053](#)
[Memo](#)
[Award Letter](#)

Resolutions referred to Policies and Procedures Committee

[2019-052](#) A Resolution Authorizing a New Program Manager-Operations Position in the Office of Emergency Management, and Deleting One Administrative Assistant Position (Mayor)

Attachments: [Resolution 2019-052](#)
[Memo](#)
[Job Description](#)

Resolutions referred to Legislative Committee

[2019-054](#) A Resolution Requesting Public Land Managers to Take Reasonable Actions to Prevent, Limit and Mitigate Wildfires and their Impacts on the Kenai Peninsula (Mayor, Cooper, Blakeley, Carpenter)

Attachments: [Resolution 2019-054](#)
[Memo](#)

[2019-055](#) A Resolution Requesting Governor Mike Dunleavy to Support State Funding to Address Seward Area Watershed Issues (Mayor, Carpenter)

Attachments: [Resolution 2019-055](#)
[Memo](#)

Ordinances for Introduction

Ordinances for Introduction and 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](#)

3. Other

Other items referred to Finance Committee

[KPB-2323](#) Approving the Application for a Restaurant Designation Permit Filed by Creekbend Company, License Number 1381

Attachments: [1381 - Memo to Assembly](#)
[1381 - Restaurant Designation Permit Application](#)

Other items referred to Policies and Procedures Committee

[KPB-2313](#) Confirming the Appointment for the Seldovia Recreational Service Area Board (Mayor)

Jennifer Swick, Board Seat D, Term Expires 10/2022

Attachments: [Board Appointment](#)

MAYOR'S REPORT

[KPB-2324](#) Mayor's Report Cover Memo

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

1. Assembly Requests/Responses - None
2. Agreements and Contracts

- a. [KPB-2325](#) Authorization to Award a Contract for ITB20-007 Gravel Road Projects FY2020-South 4 Region to Wolf Co. of Anchor Point, Alaska
Attachments: [Authorization to Award](#)
- b. [KPB-2326](#) Authorization to Award a Contract for ITB20-007 Gravel Road Projects FY2020-South 7 Region to Wolf Co. of Anchor Point, Alaska
Attachments: [Authorization to Award](#)
- c. [KPB-2327](#) Authorization to Award a Contract for ITB20-007 Gravel Road Projects FY2020-West Region to Chumley's Inc. of Nikiski, Alaska
Attachments: [Authorization to Award](#)
- d. [KPB-2328](#) Authorization to Award a Contract for ITB20-007 Gravel Road projects FY2020-North Region to Commercial Automotive Repair and Equipment Service of Kenai, Alaska
Attachments: [Authorization to Award](#)
- e. [KPB-2329](#) Request for Waiver of Formal Bidding: Phase II-Payroll Portion of ERP Software with the Current Provider Harris
Attachments: [Request for Waiver of Formal Bidding](#)
- f. [KPB-2330](#) Authorization to Award a Contract for ITB20-007 Gravel Road Projects FY2020-South 5 Region to Paul's Services of Anchor Point, Alaska
Attachments: [Authorization to Award](#)
3. Other
- a. [KPB-2332](#) Litigation Status Report - Quarter Ending 09/30/19
Attachments: [Litigation Status 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. [2019-25](#) 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](#)

2. [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](#)

3. [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](#)

4. [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](#)

5. [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](#)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

November 5, 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 November 5, 2019 at 6:00 P.M. in the 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.