



Assembly Action Agenda

January 21, 2020 - 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 was given by Keith Hamilton.]

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. January 7, 2020 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

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 2019-19-22: Redirecting and Appropriating the Remaining Balance of Funds from the Completion of the U.S. Army Corps of Engineers Salmon Creek Section 205 Project and Unused Grant Funds from the State of Alaska Grant Number 15-DC-090 for Seward Bear Creek Flood Service Area Flood Mitigation Projects (Mayor) (Referred to Finance Committee)
2. **ENACTED** Ordinance 2019-19-23: Appropriating Funds to Provide for a Facility Management Strategic Plan (Mayor) (Referred to Finance Committee) **[7 Yes, 1 No, 1 Absent]**
3. **ENACTED** Ordinance 2019-19-24: Appropriating Additional Funds for the Purpose of Purchasing Environmental, Health, and Safety (EHS) Management Software (Mayor) (Referred to Finance Committee) **[8 Yes, 0 No, 1 Absent]**
- *4. Ordinance 2019-19-25: Appropriating Insurance Proceeds and Local Funds for the Purpose of Purchasing a Replacement Fire Truck Deemed a Total Loss (Mayor) (Referred to Finance Committee)
5. **ENACTED** Ordinance 2019-19-26: Appropriating Additional Funds to the Legal Department for the Costs and Fees for Outside Counsel to Continue Representing the Kenai Peninsula Borough in the Application of the Alaska Gasline Development Corporation Filed with the Federal Energy Regulatory Commission (Mayor) (Referred to Finance Committee) **[8 Yes, 0 No, 1 Absent]**

UNFINISHED BUSINESS

1. Postponed Item
 - a. **APPROVED AS AMENDED** Confirming Appointments to the Anadromous Waters Habitat Protection Work Group (Mayor) (Referred to Policies and Procedures Committee) **[8 Yes, 0 No, 1 Absent]**

NEW BUSINESS

1. Resolutions

- *a. Resolution 2020-007: Establishing Kenai Peninsula Borough 2020 State Capital Project Priorities for Public Safety Projects (Mayor) (Referred to Legislative Committee)
- b. **ADOPTED** Resolution 2020-008: Supporting and Calling for an Amendment to the Constitution of the United States to Address Issues that Resulted from Court Decisions such as the United States Supreme Court's Decision in *Citizens United v. Federal Election Commission* (Cox, Johnson) Referred to Legislative Committee) **[6 Yes, 2 No, 1 Absent]**
- *c. Resolution 2020-009: Amending Resolution 2019-058 to Include an At-Large Seat on the Anadromous Waters Habitat Protection Work Group (Carpenter, Mayor) (Referred to Policies and Procedures Committee).....**LAYDOWN**

2. Ordinances for Introduction

- *a. Ordinance 2020-03: Amending KPB 5.18 Sales Tax Code and Enacting KPB 5.19 – Uniform Remote Seller Sales Tax Code (Cooper, Smalley) (Hearing on 02/25/20) (Referred to Finance Committee)
- *b. Ordinance 2020-04: Authorizing the Mayor to Select a Parcel of Land in the City of Kenai Through the Kenai Peninsula Borough's Municipal Entitlement Land Grant and Authorizing the Conveyance of the Parcel to the City of Kenai for a Municipal Park (Mayor) (Hearing on 02/04/20) (Referred to Lands Committee)
- *c. Ordinance 2020-05: Amending the Kenai Peninsula Borough Hazard Mitigation Plan by Deleting Existing Annex A, 2015 City of Homer All Hazards Mitigation Plan Update, and Adopting the City of Homer All Hazards Mitigation 2018 Update as the New Annex A (Mayor) (Hearing on 02/04/20) (Referred to Policies and Procedures Committee)

3. Other

- *a. Approving the Petition to Vacate for the Kenai River Keys Subdivision Pedestrian and Maintenance Easement. KPB File 2019-148V. Petitioner: Frank G. Turpin III and Jacqueline A. Turpin of Sterling, AK. (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its January 6, 2020 meeting by unanimous consent.]

MAYOR'S REPORT

- 1. Assembly Requests/Responses – None.
- 2. Agreements and Contracts
 - a. Vote by Mail Project Analysis Sole Source Waiver, Resource Data
 - b. Purchasing Request for Central Emergency Services Fire Apparatus, Purchasing will be Through the Houston-Galveston Area Council (HGAC Buy) Purchasing Co-Op Contract #FS12-19
 - c. Purchasing Request for Central Emergency Services Ambulance. Purchasing will be Through the Houston-Galveston Area Council (HGAC Buy) Purchasing Co-Op Contract #AM10-18
 - d. Purchasing Request for Central Emergency Services Ambulance Gurney System Through Stryker
- 3. Other
 - a. Litigation Status Report – Quarter Ending 12/31/19

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.)

1. Ordinance 2019-24 (Mayor) Substitute: Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions (Mayor) (Referred to Lands Committee) [*Postponed to 02/25/20*]
2. 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) (Referred to Lands Committee) [*Tabled on 01/07/20*]
3. Ordinance 2020-01: Amending KPB 4.30.010 and KPB 4.30.050 Regarding Candidate Qualification and Review of Candidate Qualifications for Borough Elections (Johnson, Cox) (Hearing on 02/04/20) (Referred to Policies and Procedures Committee)
4. Ordinance 2020-02: Amending KPB 2.54.060 Regarding Response to Requests for Access to Public Records to Increase Time Limits for Response (Cooper at the Request of the Borough Clerk) (Hearing on 02/04/20) (Referred to Policies and Procedures Committee)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

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| 1. February 4, 2020 6:00 PM | Regular Assembly Meeting Betty J. Glick Assembly Chambers Soldotna, Alaska |
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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.