



Assembly Action Agenda

March 17, 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 Annette Pankoski.]

ROLL CALL

COMMITTEE REPORTS

APPROVED Motion to Cancel the April 7, 2020 Assembly Meeting and all of the Ordinances that are Introduced and Set for Public Hearing for the April 7, 2020 Assembly Meeting are Automatically Set for Public Hearing at the Next Scheduled Meeting. An Additional Meeting will be Scheduled in 2020, if necessary to comply with KPB 22.40.010. **[9 Yes, 0 No, 0 Absent]**

APPROVED Motion to Change the Venue of the April 21, 2020 Assembly Meeting from Seward City Hall in Seward to the Assembly Chambers in Soldotna if it is Held as Scheduled **[9 Yes, 0 No, 0 Absent]**

APPROVED Motion to Keep Future Assembly Agenda Items Related to Time-Sensitive Borough Business Only and that the Assembly President will have Discretion Regarding any Exceptions. This will sunset with the Disaster Emergency Declaration **[9 Yes, 0 No, 0 Absent]**

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. February 25, 2020 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

1. **CANCELLED** Kenai Peninsula School District Quarterly Report (10 minutes)
2. **CANCELLED** South Peninsula Hospital Quarterly Report (10 Minutes)
3. Update of COVID-19 Pandemic, Dan Nelson, Senior Manager, Office of Emergency Management

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 2019-19-28: Appropriating Funds from Nikiski Fire Service Area and Approving the Purchase of Safety-Rated Belts for Self-Contained Breathing Apparatus Equipment for Central Emergency Service Area and Nikiski Fire Service Area (Mayor) (Referred to Finance Committee)
- 2. **ENACTED** Ordinance 2019-19-29: Appropriating Funds for Three New Borough E911 Dispatcher Positions to Replace Three Vacant State E911 Dispatcher Positions (Mayor) (Referred to Finance Committee)
[9 Yes, 0 No, 0 Absent]

- *3. Ordinance 2020-07: Approving and Accepting Grant Funds from the State of Alaska Division of Homeland Security & Emergency Management to Reimburse Repairs at the Hope School and the Nikiski Junior/Senior High School Resulting from the November 30, 2018 Cook Inlet 7.0 Earthquake (Mayor) (Referred to Finance Committee)
- *4. **AS AMENDED** Ordinance 2020-08: Authorizing the Sale of Certain Parcels of Borough Land by Sealed Bid Followed by an Over-the-Counter Sale (Mayor) (Referred to Lands Committee)

UNFINISHED BUSINESS

1. Postponed Items

- a. **POSTPONED AS AMENDED TO APRIL 21, 2020** 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]* **[9 Yes, 0 No, 0 Absent]**

[Clerk's Note: Assembly member Johnson gave notice of consideration at the February 25, 2020 meeting per request from the Administration.]

- b. **ENACTED** Ordinance 2020-06: Authorizing a Community Trail Management Agreement on Borough Land within the City of Soldotna with Shimai Toshi Garden Trails, Inc. (Mayor) (Referred to Lands Committee) **[7 Yes, 2 No, 0 Absent]**
- c. **POSTPONED AS AMENDED TO APRIL 21, 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]**

NEW BUSINESS

1. Resolutions

- *a. Resolution 2020-018: Approving Twenty-Seven Unincorporated Communities for Participation in the State's Fiscal Year 2021 Community Assistance Program (Mayor) (Referred to Finance Committee)

[Clerk's Note: Assembly Member Johnson declared a conflict with Resolution 2020-018 as he was the president of Kasilof Regional Historical Association.]

- *b. Resolution 2020-020: Classifying Certain Parcels of Borough Owned Land in Kalifornsky, Sterling, and Homer Areas (Mayor) (Referred to Lands Committee)
- *c. Resolution 2020-019: Authorizing Three New Dispatcher I Positions in the Soldotna Public Safety Communications Center (Mayor) (Referred to Policies and Procedures Committee)
- *d. Resolution 2020-021: Extending the Deadline for Submission of the Anadromous Waters Habitat Protection Work Group's Final Report (Mayor) (Referred to Policies and Procedures Committee)
- *e. Resolution 2020-022: Encouraging the U.S. Senate and U.S. House of Representatives to Fully Fund Kachemak Bay National Estuarine Research Reserve Which Provides Vital Support to the Economy of the Kenai Peninsula Borough (Dunne, Johnson) (Referred to Legislative Committee)
- *f. Resolution 2020-023: Supporting Three Applications to Supplement Eligible Response and Resiliency Projects Under the Economic Development Administration, "2019 Disaster Supplemental Grant" (Mayor) (Referred to Legislative Committee)

- *g. Resolution 2020-025: Establishing a Work Group to Develop Recommendations Regarding Potentially Forming a Fire and Emergency Medical Service Area to Provide Services in Ninilchik (Johnson) (Referred to Policies and Procedures Committee)**LAYDOWN**
- *h. Resolution 2020-026: Extending the Disaster Emergency Declaration for the Kenai Peninsula Borough Issued Due to the Current and Expected Imminent Impacts of the COVID-19 Pandemic (Mayor) (Referred to Policies and Procedures Committee)**LAYDOWN**

2. Ordinances for Introduction

- *a. Ordinance 2019-19-30: Appropriating \$1,000,000 from the School Fund to the School Capital Project Fund to Provide Funding for Digital Controls at Homer High School and Areawide Theater Lighting (Mayor) (Hearing on 04/21/20) (Referred to Finance Committee)
- *b. Ordinance 2020-09: Approving and Accepting Grant Funds from the State of Alaska Division of Homeland Security & Emergency Management to Reimburse Repairs at the Kenai Central High School Resulting from the November 30, 2018 Cook Inlet 7.0 Earthquake (Mayor) (Hearing on 04/21/20) (Referred to Finance Committee)
- *c. Ordinance 2020-10: Amending Provisions in KPB 1.24, KPB 5.12, KPB 5.18, KPB 10.18, KPB 10.20, KPB 11.10, KPB 12.08 and KPB 20.10 to Replace Criminal Penalties with Infractions (Mayor) (Hearing on 04/21/20) (Referred to Policies and Procedures Committee)
- *d. Ordinance 2020-11: Amending KPB 22.40.010, KPB 22.40.173 and KPB 22.40.175 to Allow the Assembly President to Reschedule a Regular Assembly Meeting and Assembly Members to Attend More than Three Assembly Meetings Telephonically when Necessary Due to a Declared Disaster Emergency (Cooper) (Hearing on 04/21/20) (Referred to Policies and Procedures)**LAYDOWN**

3. Other

- *a. Authorizing a Letter of Non-Objection for a Restaurant Designation Permit filed by Trail Lake Lodge, License Number 3113 (Referred to Finance Committee)
- *b. Petition to Vacate the entire 66-foot-wide Culhane Avenue right-of-way between Hostetter Street and Issermoyer Street Running East to West, Including all Associated Utility Easements Adjoining the Right-of-Way as Granted per Right-of-way Map Recorded as Plat No. 84-115 in the Homer Recording District. The Right-of-way Being Vacated is Unconstructed and Located within the SW ¼ NW ¼ & NW ¼ SW ¼ of Section 20, Township 2 South, Range 12 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2020-014V. Petitioner: Rick Bailey and Jerri Chivers of Soldotna, Alaska. (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its February 24, 2020 meeting by unanimous consent.]

MAYOR'S REPORT

- 1. Assembly Requests/Responses – None.
- 2. Agreements and Contracts
 - a. Sole Source Waiver – Lenel Security System Training
 - b. Authorization to Award a Contract for RFP 20-007 Redoubt Elementary School Roof Professional Design Services to K+A Design Studios, Kenai, AK
- 3. Other
 - a. Investment Report Quarter Ended 12/31/19
 - b. Certification of the 2019 Real Property Supplemental Assessment Roll

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. April 21, 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).

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.