



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Assembly

*Wayne Ogle, President*  
*Dale Bagley, Vice President*  
*Norm Blakeley*  
*Kenn Carpenter*  
*Kelly Cooper*  
*Willy Dunne*  
*Paul Fischer*  
*Brent Hibbert*  
*Hal Smalley*

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Tuesday, October 8, 2019

6:00 PM

Betty J. Glick Assembly Chambers

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### 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 will be offered by Angela Roland.]

### 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.)*

### VACANCY, DESIGNATION OR SEATING MEMBERS

1. Swear-In Newly Elected Assembly Members

### APPROVAL OF MINUTES

- \*1. [KPB-2297](#) September 17, 2019 Regular Assembly Meeting Minutes

*Attachments:* [091719 Regular Assembly Meeting Minutes](#)

### COMMENDING RESOLUTIONS AND PROCLAMATIONS

- \*1. [KPB-2305](#) A Resolution Commending the Emergency Responders and Volunteers for Mitigating and Suppressing the Wildfires on the Kenai Peninsula During the 2019 Fire Season (Mayor)

*Attachments:* [Commending Resolution](#)

### PRESENTATIONS WITH PRIOR NOTICE

*(20 minutes total)*

1. [KPB-2310](#) Magen James, E.D., Alaska Coalition for Veterans & Military Families (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 Lands Committee

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

*Attachments:* [Ordinance 2019-24](#)  
[Request for Postponement](#)  
[Planning Commission Recommendations](#)  
[Memo](#)

Ordinances referred to Policies and Procedures Committee

2. [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)

Attachments: [Ordinance 2019-23](#)  
[LAYDOWN Amendment Memo](#)  
[Memo](#)  
[Election Stakeholders Group Letters of Support](#)  
[Election Stakeholders Group Final Report](#)  
[LAYDOWN Public Comments](#)

## UNFINISHED BUSINESS

### NEW BUSINESS

#### 1. Resolutions

- \*a. [2019-051](#) LAYDOWN A Resolution Certifying the Results of the October 1, 2019 Regular Borough Election (Ogle at the Request of the Borough Clerk)

Attachments: [LAYDOWN Resolution 2019-051](#)  
[LAYDOWN Jurisdiction Wide Results](#)  
[LAYDOWN Voter Turnout](#)  
[LAYDOWN Canvass Board Report](#)

#### 2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

- \*a. [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) (Hearing on 10/22/19)

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

- \*b. [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) (Hearing on 10/22/19)

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

Ordinances for Introduction and referred to the Lands Committee

- \*c. [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) (Hearing on 10/22/19)

Attachments: [Ordinance 2019-27](#)  
[Memo](#)  
[Ordinance 2019-12](#)

- \*d. [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) (Hearing on 10/22/19)

Attachments: [Ordinance 2019-28](#)  
[Memo](#)  
[Exhibit A- Retention Parcels](#)  
[Exhibit B - Sale Parcels](#)  
[Ordinance 2019-13](#)

- \*e. [2019-25](#) An Ordinance Amending KPB 2.56.006 and KPB 2.56.007, Adopting the 2019 Kenai Peninsula Borough Comprehensive Plan (Mayor) (Hearing on 11/05/19)

Attachments: [Ordinance 2019-25](#)  
[Memo](#)  
[2019 Comprehensive Plan](#)

## Ordinances for Introduction and referred to the Policies and Procedures Committee

- \*f. [2019-26](#) An Ordinance Amending KPB 2.60.027 to Modify the Designation of Demarcation Points for Delivery of 911 Calls by Carriers (Mayor) (Hearing on 11/05/19)
- Attachments:* [Ordinance 2019-26](#)  
[Memo](#)
- \*g. [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) (Hearing on 11/05/19)
- Attachments:* [Ordinance 2019-29](#)  
[Memo](#)
- h. [2019-19-14](#) LAYDOWN An Ordinance Appropriating Funds to Provide for a Contract and Associated Costs to Burn at the Central Peninsula Landfill (Mayor) (Hearing on 11/05/19)
- Attachments:* [LAYDOWN Ordinance 2019-19-14](#)  
[LAYDOWN Memo](#)

## 3. Other

## Other items referred to Policies and Procedures Committee

- \*a. [KPB-2306](#) Confirming Appointments to the Kenai Peninsula Borough Service Area Boards (Mayor)
- Anchor Point Fire and Emergency Service Area  
Robert Craig, Seat B, Term Expires 10/2022
- Bear Creek Fire Service Area  
Jena Peterson, Seat E, Term Expires 10/2022
- Eastern Peninsula Highway Emergency Service Area  
Riley Shurtleff, Seat B, Term Expires 10/2022  
Sean Carrington, Seat C, Term Expires 10/2022
- Kachemak Emergency Service Area  
Donald F. Cotogno, Seat D, Term Expires 10/2022  
Matthew Schneyer, Seat E, Term Expires 10/2022
- Attachments:* [Board Appointments](#)

**MAYOR'S REPORT**

[KPB-2307](#) Mayor's Report Cover Memo

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

1. Assembly Requests/Responses - None
2. Agreements and Contracts - None
3. Other
  - a. [KPB-2308](#) Revenue - Expenditure Report - August 2019  
Attachments: [Revenue - Expenditure Report - August 2019](#)
  - b. [KPB-2309](#) Budget Revisions - August 2019  
Attachments: [Budge Revisions - August 2019](#)

**PUBLIC COMMENTS AND PUBLIC PRESENTATIONS****ASSEMBLY COMMENTS****PENDING LEGISLATION**

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

1. [2019-05](#) An Ordinance Authorizing a Memorandum of Agreement and Cooperative Sale and Exchange of Interests in Lands with the State of Alaska Department of Transportation and Public Facilities Regarding Certain Borough and State Maintained Roads (Mayor) (Referred to Lands Committee) [Tabled on 04/02/19]  
Attachments: [Ordinance 2019-05](#)  
[Memo](#)  
[Road Swap Memorandum of Agreement](#)  
[Department of Transportation Road Swap Letter](#)  
[Maps](#)  
[Planning Commission Recommendation \(Acted on 3/05/19\)](#)  
[Request to Table \(Acted on 04/02/19\)](#)

**INFORMATIONAL MATERIALS AND REPORTS****ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

October 22, 2019 Regular Assembly Meeting

6:00 PM 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-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](http://www.kpb.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*