



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda

### Assembly

*Norm Blakeley*  
*Jesse Bjorkman*  
*Kenn Carpenter*  
*Kelly Cooper*  
*Tyson Cox*  
*Willy Dunne*  
*Brent Hibbert*  
*Brent Johnson*  
*Hal Smalley*

---

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 will be offered 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

1. Election of President and Vice President

### APPROVAL OF MINUTES

- \*1. [KPB-2333](#) October 8, 2019 Regular Assembly Meeting Minutes

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

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

1. [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: [LAYDOWN 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

1. [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](#)

2. [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](#)  
[LAYDOWN Service Area Board Recommendations](#)

3. [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](#)

Ordinances referred to Lands Committee

4. [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](#)  
[LAYDOWN Amendment Memo](#)  
[Memo](#)  
[Reference Copy of Ordinance 2019-12](#)  
[LAYDOWN Planning Commission Recommendation](#)

5. [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](#)  
[LAYDOWN Planning Commission Recommendation](#)

## UNFINISHED BUSINESS

## NEW BUSINESS

### 1. Resolutions

Resolutions referred to Finance Committee

- \*a. [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

- \*b. [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](#)  
[LAYDOWN Job Description](#)

Resolutions referred to Legislative Committee

- \*c. [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)

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

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

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

## 2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

- \*a. [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) (Hearing on 11/05/19)

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

- \*b. [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) (Hearing on 11/05/19)

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

- \*c. [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) (Hearing on 11/05/19)

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

## 3. Other

Other items referred to Finance Committee

- \*a. [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

- \*b. [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) (Hearing on 11/05/19)

Attachments: [Ordinance 2019-25](#)  
[Memo](#)  
[2019 Comprehensive Plan](#)  
[Public Comment 100919](#)  
[Public Comment 102219](#)

2. [2019-24](#) An Ordinance Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions (Mayor) (Hearing on 12/03/19)

Attachments: [Ordinance 2019-24](#)  
[Request for Postponement](#)  
[Planning Commission Recommendations](#)  
[Memo](#)  
[eComment 100819](#)

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) (Hearing on 11/05/19)
- Attachments: [Ordinance 2019-23](#)  
[Amendment Memo](#)  
[Memo](#)  
[Election Stakeholders Group Letters of Support](#)  
[Election Stakeholders Group Final Report](#)  
[South Kenai Peninsula Hospital Service Area Board Recommendation](#)  
[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) (Hearing on 11/05/19)
- 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) (Hearing on 11/05/19)
- Attachments: [Ordinance 2019-29](#)  
[Memo](#)  
[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](http://www.kpb.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*