



# 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*

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Tuesday, December 3, 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 Tom Anthony.]

### 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.)*

**ACTION ITEMS CURRENTLY ON CONSENT AGENDA**

Resolution 2019-064

Resolution 2019-066

Resolution 2019-070

Resolution 2019-067

Resolution 2019-068

Resolution 2019-069

Resolution 2019-071

Resolution 2019-063

Resolution 2019-065

Ordinance 2019-38

Ordinance 2019-33

Ordinance 2019-34

Ordinance 2019-35

Ordinance 2019-36

Ordinance 2019-37

Ordinance 2019-39

Confirming Appointments to the RSA Board

Confirming Appointments to APFEMSA Board

Confirming Assembly Member's Appointment to the AWHPWG

Approving Mayor's List of Members for AWHPWG

**ACTION ITEMS ELIGIBLE TO BE ADDED TO THE CONSENT AGENDA**

Ordinance 2019-19-18

Ordinance 2019-19-19

Ordinance 2019-19-20

Ordinance 2019-31

Ordinance 2019-32

**APPROVAL OF MINUTES**\*1 [KPB-2394](#) November 5, 2019 Regular Assembly Meeting Minutes*Attachments:* [Minutes](#)**COMMENDING RESOLUTIONS AND PROCLAMATIONS****PRESENTATIONS WITH PRIOR NOTICE***(20 minutes total)*1. [KPB-2390](#) Central Peninsula Hospital Quarterly Report (10 Minutes)*Attachments:* [CPH Borough Assembly Quarterly 120319 LAYDOWN.pdf](#)2. [KPB-2391](#) South Peninsula Hospital Quarterly Report (10 Minutes)*Attachments:* [SPH Quarterly Report LAYDOWN](#)

**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. [2019-19-18](#) An Ordinance Appropriating Additional Funding for the Construction of Nikiski Fire Station Number Three (Mayor)

*Attachments:* [Ordinance 2019-19-18](#)  
[Amendment Memo](#)  
[SAB Recommendations LAYDOWN](#)  
[Memo](#)

2. [2019-19-19](#) An Ordinance Appropriating Phase Two Bond Proceeds for the Purpose of Purchasing Emergency Vehicles in the Central Emergency Service Area (Mayor)

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

3. [2019-19-20](#) An Ordinance Appropriating Additional Funding for the Anchor Point Fire and Emergency Medical Service Area Station One Boiler Replacement (Mayor)

*Attachments:* [Ordinance 2019-19-20](#)  
[Memo](#)

Ordinances referred to Lands Committee

4. [2019-24](#) An Ordinance Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions (Mayor)

[Clerk's Note: A teleconference site will be established at Homer City Hall to take public testimony on the above referenced ordinance and substitute ordinance.]

*Attachments:* [Ordinance 2019-24](#)  
[Dunne Amendment Memo](#)  
[Planning Commission Recommendations 092319](#)  
[Memo](#)  
[Ordinance 2019-24 SUB](#)  
[Memo SUB](#)  
[SUB Dunne Amendment Memo](#)  
[SUB Planning Commission Recommendations 120319](#)  
[City of Homer Memorandum](#)  
[Public Comment LAYDOWN](#)  
[Request for Postponement \(Dealt with on 10/08/19\)](#)  
[eComment 100819](#)

5. [2019-30](#) An Ordinance Amending KPB 21.29, KPB 21.25, and KPB 21.50.055 Regarding Material Site Permits, Applications, Conditions, and Procedures (Mayor)

*Attachments:* [Ordinance 2019-30](#)  
[Memo](#)  
[Ordinance 2019-30 SUB](#)  
[Memo SUB](#)  
[Planning Commission Recommendations](#)  
[Material Site Work Group Sectional Analysis](#)  
[Public Comment LAYDOWN](#)

Ordinances referred to Policies and Procedures Committee

6. [2019-31](#) An Ordinance Adopting the Updated 2019 Kenai Peninsula Borough All-Hazard Mitigation Plan and Removing the Word “All” from KPB 2.80.010 (Mayor)

*Attachments:* [Ordinance 2019-31](#)  
[Memo](#)

7. [2019-32](#) An Ordinance Approving an Operating Agreement with South Peninsula Hospital, Inc. for South Peninsula Hospital and Other Medical Facilities (Mayor)

*Attachments:* [Ordinance 2019-32](#)  
[Amendment Memo](#)  
[Overview of Changes](#)  
[SPH Inc Recommendations LAYDOWN](#)  
[Consent to Sublease LAYDOWN](#)  
[Memo](#)  
[Operating Agreement](#)

## UNFINISHED BUSINESS

## NEW BUSINESS

### 1. Resolutions

Resolutions referred to Finance Committee

- \*a. [2019-064](#) A Resolution Authorizing Community Assistance Program Expenditures for Unincorporated Communities (Mayor)

*Attachments:* [Resolution 2019-064](#)  
[Memo](#)

- \*b. [2019-066](#) A Resolution Redirecting Project Funds Previously Appropriated for the Former Soldotna Prep Building and Campus Operational Costs to be Utilized for Design and Feasibility Analysis (Mayor)

*Attachments:* [Resolution 2019-066](#)  
[Memo](#)

Resolutions referred to Lands Committee

- \*c. [2019-070](#) A Resolution Authorizing the Borough to Enter into a Resource Exchange Agreement with TriMark Earth Reserve, LLC for the Construction of a Road to and through Borough Property (Mayor)

*Attachments:* [Resolution 2019-070](#)  
[PC Recommendations LAYDOWN](#)  
[Memo](#)  
[TriMark Exchange Agreement](#)  
[TriMark Map](#)  
[Project Overview Map](#)

Resolutions referred to Policies and Procedures Committee

- \*d. [2019-067](#) A Resolution Approving an Automatic Aid Agreement and Operational Plan Between Anchor Point Fire & Emergency Service Area and the

City of Homer Volunteer Fire Department for Fire Response Services (Mayor)

**Attachments:** [Resolution 2019-067](#)  
[Memo](#)  
[Automatic Aid Agreement](#)  
[Operational Plan](#)

- \*e. [2019-068](#) A Resolution Approving a Mutual Aid Agreement and Operational Plan Between Anchor Point Fire & Emergency Medical Service Area and the City of Homer Volunteer Fire Department for Fire Response Services (Mayor)

**Attachments:** [Resolution 2019-068](#)  
[Memo](#)  
[Mutual Aid Agreement](#)  
[Operational Plan](#)

- \*f. [2019-069](#) A Resolution Authorizing the Borough, on Behalf of the South Kenai Peninsula Hospital Service Area, to Enter into a Long-Term Lease Agreement for a Professional Office Building at 4201 Bartlett Street, Homer, Alaska (Mayor)

**Attachments:** [Resolution 2019-069](#)  
[PC Recommendations LAYDOWN](#)  
[Memo](#)  
[Lease](#)  
[Parcel Map](#)

- \*g. [2019-071](#) Confirming Appointments to Non-Borough Committees and Boards (Cooper)

**Attachments:** [Resolution 2019-071](#)

Resolutions referred to Legislative Committee

- \*h. [2019-063](#) A Resolution Requesting the State of Alaska Legislature Approve a Coastal Infrastructure General Obligation Bond for the 2020 Election (Cooper, Smalley, Cox)

**Attachments:** [Resolution 2019-063](#)

- \*i. [2019-065](#) A Resolution Supporting the Transportation Priorities to be Considered for Grant Funding to be Submitted to the State of Alaska Department of Transportation and Public Facilities (Mayor)

**Attachments:**      [Resolution 2019-065](#)  
[Memo](#)

## 2. Ordinances for Introduction

Ordinances for Introduction and referred to the Finance Committee

- \*a.    [2019-38](#)      An Ordinance Approving and Accepting \$13,738.95 from the State of Alaska Division of Homeland Security and Emergency Management to Reimburse Repairs at the Tebughna School Resulting from the November 30, 2018 Cook Inlet 7.0 Earthquake (Mayor) (Hearing on 01/07/19)

**Attachments:**      [Ordinance 2019-38](#)  
[Memo](#)  
[FEMA Award Letter](#)

Ordinances for Introduction and referred to the Lands Committee

- \*b    [2019-33](#)      An Ordinance Amending KPB 20.10.030 and KPB 20.90.010 to Clarify Applicability of Subdivision Requirements (Mayor) (Hearing on 01/07/20)

**Attachments:**      [Ordinance 2019-33](#)  
[Memo](#)

- \*c.    [2019-34](#)      An Ordinance 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) (Hearing on 01/07/20)

**Attachments:**      [Ordinance 2019-34](#)  
[Memo](#)  
[Map](#)  
[Plat Prelim LAYDOWN](#)

- \*d.    [2019-35](#)      An Ordinance Approving C & H Estates Single-Family Residential R-1 Local Option Zoning District and Amending KPB 21.46.040 (Mayor) (Hearing on 01/07/20)

**Attachments:**      [Ordinance 2019-35](#)  
[Memo](#)  
[Map](#)

- \*e.    [2019-36](#)      An Ordinance Authorizing the Negotiated Lease of Garage Space at the Bear Creek Fire Station with the Alaska State Troopers a Detachment North (Mayor) (Hearing on 01/07/20)

*Attachments:* [Ordinance 2019-36](#)  
[Memo](#)  
[Lease](#)

- \*f. [2019-37](#) An Ordinance Amending KPB 17.10.120, Terms of a Land Sale, to Address Kenai Peninsula Borough Employee and Contractor Participation in Land Disposal Methods (Mayor) (Hearing on 01/07/20)

*Attachments:* [Ordinance 2019-37](#)  
[Memo](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

- \*g. [2019-39](#) An Ordinance Repealing KPB 12.06 and Enacting KPB 12.08 Junk and Abandoned Vehicles (Mayor) (Hearing on 01/07/20)

*Attachments:* [Ordinance 2019-39](#)  
[Memo](#)

### 3. Other

Other items referred to Policies and Procedures Committee

- \*a. [KPB-2375](#) Confirming an Appointment to the Road Service Area Board (Mayor)

Larry Smith, Seat At-Large, Term Expires 09/30/2022

*Attachments:* [Appointment](#)

- \*b. [KPB-2389](#) Confirming an Appointment to the Anchor Point Fire and Emergency Medical Service Area Board (Mayor)

Edward Jolly, Seat C, Term Expires 10/2021

*Attachments:* [Appointment](#)

- \*c. [KPB-2373](#) Confirming the Appointment of Assembly Member Brent Johnson to the Anadromous Waters Habitat Protection Work Group (Cooper)

*Attachments:* [Appointment](#)

- \*d. [KPB-2395](#) Approving the Mayor's List of Members to the Anadromous Waters Habitat Protection Work Group (Mayor)

*Attachments:* [Appointments](#)

- e. [KPB-2396](#) LAYDOWN Mayor's Veto of Ordinance 2019-19-15, Appropriating Funds to Award a Grant to the Kenai Peninsula Tourism Marketing Council to Support its Planned Projects to Promote the Borough

[Clerk's Note: 6 Yes votes are required to override a veto by the mayor. If the motion to override is not successful or no motion is made, the veto will stand.]

Attachments: [O2019-19-15 Mayor's Veto LAYDOWN](#)  
[O2019-19-15 Hyperlink](#)

## MAYOR'S REPORT

[KPB-2376](#) Mayor's Report Cover Memo

Attachments: [Cover Memo](#)

1. Assembly Requests/Responses - None.

2. Agreements and Contracts

a. [KPB-2377](#) Authorization to Award a Contract for ITB20-009 Homer High School Boiler Replacement to Mechanical Specialist, Inc., Wasilla, AK.

Attachments: [Authorization to Award ITB20-009](#)

b. [KPB-2380](#) Authorization to Award a Contract for ITB20-014 Central Peninsula Landfill (CPL) Brush Burning 2019 to Evergreen Alaska, Inc., Kasilof, AK

Attachments: [Authorization to Award ITB20-014](#)

c. [KPB-2381](#) Authorization to Award a Contract for RFP20-005 North Peninsula Recreation Service Area Remodel Professional Designs Services to Architects Alaska, Inc. Anchorage, AK.

Attachments: [Authorization to Award RFP20-005](#)

3. Other

a. [KPB-2382](#) Capital Project Reports - September 30, 2019

Attachments: [Capital Project Reports - September 30, 2019](#)

b. [KPB-2383](#) Budget Revisions - October 2019

Attachments: [Budget Revisions - October 2019](#)

c. [KPB-2384](#) Revenue - Expenditure Report - October 2019

Attachments: [Revenue Expenditure Report - October 2019](#)

d. [KPB-2388](#) Investment Report Quarter Ended 09/30/19

Attachments:      [Investment Report Quarter ended 093019](#)

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

### **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. January 7, 2020 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 January 7, 2020 at 6:00 P.M. in the Betty J. Glick 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.*