



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Assembly

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

Tuesday, February 25, 2020

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.

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 2020-015
Resolution 2020-016
Resolution 2020-017
Ordinance 2019-19-28
Ordinance 2019-19-29
Ordinance 2020-07
Ordinance 2020-08
Petition to Vacate – Bonita Avenue

ACTION ITEMS ELIGIBLE TO BE ADDED TO THE CONSENT AGENDA

Ordinance 2019-19-27
Ordinance 2020-06

APPROVAL OF MINUTES

- *1. [KPB-2487](#) February 4, 2020 Regular Assembly Meeting Minutes

Attachments: [February 4, 2020 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS**PRESENTATIONS WITH PRIOR NOTICE**

(20 minutes total)

1. [KPB-2486](#) Kenai Peninsula Economic Development District, Tim Dillon (10 Minutes)

Attachments: [LAYDOWN 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 Finance Committee

1. [2019-19-27](#) An Ordinance Appropriating Matching Funds for the Japanese Creek Levee Flood Risk Mitigation Feasibility Study (Mayor)

Attachments: [Ordinance 2019-19-27](#)
[Memo](#)
[Service Area Board Recommendation](#)

2. [2020-03](#) An Ordinance Amending KPB 5.18 Sales Tax Code and Enacting KPB 5.19 Uniform Remote Seller Sales Tax Code (Cooper, Smalley)

Attachments: [Ordinance 2020-03](#)
[LAYDOWN Replacement Amendment Memo](#)
[Memo](#)
[City of Soldotna Resolution 2020-009](#)
[LAYDOWN City of Homer Resolution](#)
[LAYDOWN City of Kenai Resolution](#)

Ordinances referred to Lands Committee

3. [2020-06](#) An Ordinance Authorizing a Community Trail Management Agreement on Borough Land within the City of Soldotna with Shimai Toshi Garden Trails, Inc. (Mayor)

Attachments: [Ordinance 2020-06](#)
[Memo](#)
[Planning Commission Recommendation](#)
[Community Trail Management Plan](#)
[Trail Plan Map](#)
[Community Trail Management Agreement](#)
[Location Map](#)
[Scope of Application](#)
[LAYDOWN Fair Market Value Analysis](#)
[LAYDOWN Public Comment 022520](#)

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

Attachments:

[Ordinance 2019-24 SUB](#)

[Memo SUB](#)

[SUB Dunne Amendment Memo](#)

[LAYDOWN SUB Amendment Memo 022520](#)

[Ordinance 2019-24 \(Amended by Substitute\)](#)

[Memo](#)

[City of Soldotna Resolution](#)

[Kachemak City Letter](#)

[City of Kenai Resolution](#)

[City of Homer Resolution](#)

[City of Homer Memorandum](#)

[eComment 100819](#)

[Public Comment 120319](#)

[SUB Planning Commission Recommendations 120319 \(Dealt with 12/03/19\)](#)

[Dunne Amendment Memo \(Dealt with 11/21/19\)](#)

[Planning Commission Recommendations 092319 \(Dealt with 11/21/19\)](#)

[Request for Postponement \(Dealt with on 10/08/19\)](#)

UNFINISHED BUSINESS

1. Postponed Items

- a. [2020-01](#) An Ordinance Amending KPB 4.30.010 and KPB 4.30.050 Regarding Candidate Qualification and Review of Candidate Qualifications for Borough Elections (Johnson, Cox)

Attachments:

[Ordinance 2020-01](#)

[Memo](#)

[LAYDOWN Service Area Boards Recommendations](#)

[Amendment Memo \(Dealt with 02/04/20\)](#)

[Public Comment 012120](#)

NEW BUSINESS

1. Resolutions

Resolutions referred to Legislative Committee

- *a. [2020-015](#) A Resolution Supporting the Current Laws and Regulations of the State of Alaska Regarding Oil Spill Prevention and Response (Dunne, Cooper)
- Attachments:* [Resolution 2020-015](#)
[Memo](#)
[LAYDOWN Cook Inlet Regional Citizens Advisory Council Comments](#)
- *b. [2020-016](#) A Resolution Supporting Alaska House Bill 198, an Act Relating to Aggravating Factors Considered at Sentencing (Cooper, Smalley)
- Attachments:* [Resolution 2020-016](#)
[Memo](#)
[House Bill 198](#)
[LAYDOWN Public Comment 022520](#)
- *c. [2020-017](#) A Resolution Requesting the State of Alaska to Provide Necessary Funding to the Alaska Civil Patrol at a Minimum of \$184,300 to Provide Support for Utility Costs, Insurance Premiums and Emergency Roof Repairs (Cooper, Smalley)
- Attachments:* [Resolution 2020-017](#)
[Memo](#)
[Civil Air Patrol Background](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to the Finance Committee

- *a. [2019-19-28](#) An Ordinance 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) (Hearing on 03/17/20)
- Attachments:* [Ordinance 2019-19-28](#)
[Memo](#)
- *b. [2019-19-29](#) An Ordinance Appropriating Funds for Three New Borough E911 Dispatcher Positions to Replace Three Vacant State E911 Dispatcher Positions (Mayor) (Hearing on 03/17/20)
- Attachments:* [Ordinance 2019-19-29](#)
[Memo](#)

- *c. [2020-07](#) An Ordinance 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) (Hearing on 03/17/20)

Attachments: [Ordinance 2020-07](#)
[Memo](#)
[Hope-Nikiski Schools FEMA Award Letter 1](#)
[Hope-Nikiski Schools FEMA Award Letter 2](#)

Ordinances for Introduction and referred to the Lands Committee

- *d. [2020-08](#) An Ordinance Authorizing the Sale of Certain Parcels of Borough Land by Sealed Bid Followed by an Over-the-Counter Sale (Mayor) (Hearing on 3/17/20)

Attachments: [Ordinance 2020-08](#)
[Memo](#)
[Land Sale Vicinity Map](#)
[Land Sale Maps](#)

3. Other

- *a. [KPB-2488](#) Petition to Vacate the Westerly Approximately 791 feet of Bonita Avenue, a 30-foot right-of-way, Including the Associated 15-foot Utility Easement, as Dedicated on Bremond Farm Estates Norris Addition KN 2005-27. The right-of-way being Vacated in Unconstructed and Located within the NW1/4 SW1/4 of Section 25, Township 5 North, Range 11 West, Seward Meridian, Alaska, Within the Kenai Peninsula Borough. KPB File 2019-132V. (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its January 27, 2020 meeting by unanimous consent.]

Attachments: [Petition to Vacate - Bonita Avenue](#)
[LAYDOWN Maps](#)

MAYOR'S REPORT

[KPB-2475](#) Mayor's Report Cover Memo

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

1. Assembly Requests/Responses

2. Agreements and Contracts

- a. [KPB-2476](#) Authorization to Award a Contract for RFP20-006 Insurance Broker of Record to Marsh and McLennan Agency, LLC., Anchorage, Alaska

Attachments: [Authorization to Award RFP20-006](#)

- b. [KPB-2477](#) Authorization to Award a Contract for RFP19-008 EHS Management Software to Intalex Technologies, Inc., Toronto, Ontario Canada

Attachments: [Authorization to Award RFP19-008](#)

- c. [KPB-2478](#) NC Machinery Sole Source Waiver for Repairs on the CPL Cat D8T.

Attachments: [NC Machinery Sole Source](#)

- d. [KPB-2479](#) Sole Source Waiver for a 27-Foot Enclosed Cargo Trailer to White Spruce Trailer Sales, Anchorage, Alaska

Attachments: [Sole Source White Spruce Trailer Sales](#)

- e. [KPB-2480](#) Authorization to Award a Contract for RFP20-009 KPB Community Wildfire Protection Plan Update to SWCA Environmental Consultants, Broomfield, CO.

Attachments: [Authorization to award RFP20-009](#)

- f. [KPB-2481](#) Purchasing Request for CES Fire Apparatus Through Hughes Fire Equipment, Pierce Manufacturing.

Attachments: [Purchase Request CES Fire Apparatus](#)

- g. [KPB-2482](#) NPRSA Digital Control Retrofit to Siemens Industry, Under the Government General Services Administration (GSA) Contract.

Attachments: [NPRSA Contract](#)

3. Other

- a. [KPB-2483](#) Capital Project Report - December 30, 2019

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

- b. [KPB-2484](#) Revenue - Expenditure Report - January 2020
Attachments: [Revenue - Expenditure Report](#)
- c. [KPB-2489](#) Budget Revisions - January 2020
Attachments: [Budget Revisions - January 2020](#)
- d. [KPB-2485](#) Planning Department Awarded 2019 Public Engagement Award
Attachments: [Planning Award](#)
- e. [KPB-2491](#) LAYDOWN Letter to Governor Dunleavy regarding Proposed 2021 DPS Anchorage Emergency Communication Center Project
Attachments: [LAYDOWN Letter to Governor](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY COMMENTS

PENDING LEGISLATION

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

1. [2019-34](#) 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) [Tabled on 01/07/20]
Attachments: [Ordinance 2019-34](#)
[Request to Table](#)
[Kalifornsky APC & Planning Commission Recommendation](#)
[Memo](#)
[Map](#)
[Plat Prelim](#)
[Public Comment 01072020](#)
[Classification Map and Resolutions](#)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. March 17, 2020 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 for copies of the agenda, meeting summaries, ordinances and resolutions.