



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, March 17, 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.

[Clerk's Note: The invocation will be offered by Annette Pankoski.]

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 2020-018
Resolution 2020-020
Resolution 2020-019
Resolution 2020-021
Resolution 2020-022
Resolution 2020-023
Ordinance 2019-19-30
Ordinance 2020-09
Ordinance 2020-10
Trail Lake Lodge RDP
Petition to Vacate – Culhane Ave.

ACTION ITEMS ELIGIBLE TO BE ADDED TO THE CONSENT AGENDA

Ordinance 2019-19-28
Ordinance 2019-19-27
Ordinance 2020-07
Ordinance 2020-08

APPROVAL OF MINUTES

- *1. [KPB-2501](#) February 27, 2020 Regular Assembly Meeting Minutes

Attachments: [February 27, 2020 Regular Assembly Meeting Minutes](#)

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

(20 minutes total)

1. [KPB-2510](#) *CANCELED* Kenai Peninsula School District Quarterly Report (10 Minutes)
2. [KPB-2511](#) *CANCELED* South Peninsula Hospital Quarterly Report (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)

1. [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)

Attachments: [Ordinance 2019-19-28](#)
[LAYDOWN Service Area Board Recommendations](#)
[Memo](#)

2. [2019-19-29](#) An Ordinance Appropriating Funds for Three New Borough E911 Dispatcher Positions to Replace Three Vacant State E911 Dispatcher Positions (Mayor)

Attachments: [Ordinance 2019-19-29](#)
[Memo](#)

3. [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)

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

4. [2020-08](#) An Ordinance Authorizing the Sale of Certain Parcels of Borough Land by Sealed Bid Followed by an Over-the-Counter Sale (Mayor)

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

UNFINISHED BUSINESS

1. Postponed Items

- a. [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](#)
[LAYDOWN Request for Postponement 031720](#)
[Request to Table \(Dealt with 01/07/20\)](#)
[Kalifornsky APC & Planning Commission Recommendation](#)
[Memo](#)
[Map](#)
[Plat Prelim](#)
[Public Comment 01072020](#)
[Classification Map and Resolutions](#)

- b. [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](#)
[Modified Trail Plan](#)
[Community Trail Management Plan](#)
[Trail Plan Map](#)
[Community Trail Management Agreement](#)
[Location Map](#)
[Scope of Application](#)
[Fair Market Value Analysis](#)
[Planning Commission Recommendation \(Dealt with on 02/25/20\)](#)
[Public Comment 022520](#)

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

Attachments:

[Ordinance 2019-24 SUB](#)
[SUB REPLACEMENT Amendment Memo 031720](#)
[SUB Amendment Memo 022520 \(Replaced by 03/17/20 Memo\)](#)
[Memo SUB](#)
[SUB Dunne Amendment Memo](#)
[LAYDOWN SUB City of Kenai Memo 031720](#)
[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 \(Dealt with on 10/08/19\)](#)

NEW BUSINESS

1. Resolutions

Resolutions referred to Finance Committee

- *a. [2020-018](#) A Resolution Approving Twenty-Seven Unincorporated Communities for Participation in the State's Fiscal Year 2021 Community Assistance Program (Mayor)

Attachments:

[Resolution 2020-018](#)
[Memo](#)

Resolutions referred to Lands Committee

- *b. [2020-020](#) A Resolution Classifying Certain Parcels of Borough Owned Land in Kalifornsky, Sterling, and Homer Areas (Mayor)

Attachments: [Resolution 2020-020](#)
[Memo](#)
[Staff Report](#)
[Planning Commission Recommendation](#)
[Property Owner Letter - PIN 06314145](#)

Resolutions referred to Policies and Procedures Committee

- *c. [2020-019](#) A Resolution Authorizing Three New Dispatcher I Positions in the Soldotna Public Safety Communications Center (Mayor)

Attachments: [Resolution 2020-019](#)
[Memo](#)

- *d. [2020-021](#) A Resolution Extending the Deadline for Submission of the Anadromous Waters Habitat Protection Work Group's Final Report (Mayor)

Attachments: [Resolution 2020-021](#)
[Memo](#)
[LAYDOWN Amendment Memo](#)

Resolutions referred to Legislative Committee

- *e. [2020-022](#) A Resolution 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)

Attachments: [Resolution 2020-022](#)

- *f. [2020-023](#) A Resolution Supporting Three Applications to Supplement Eligible Response and Resiliency Projects Under the Economic Development Administration, "2019 Disaster Supplemental Grant" (Mayor)

Attachments: [Resolution 2020-023](#)
[Memo](#)

- g.** [2020-025](#) LAYDOWN A Resolution Establishing a Work Group to Develop Recommendations Regarding Potentially Forming a Fire and Emergency Medical Service Area to Provide Services in Ninilchik (Johnson)

Attachments: [LAYDOWN Resolution 2020-025](#)
 [LAYDOWN Memo](#)

- h.** [2020-026](#) LAYDOWN A Resolution 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)

Attachments: [LAYDOWN Resolution 2020-026](#)
 [LAYDOWN Emergency Declaration](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

- *a.** [2019-19-30](#) An Ordinance 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 04/07/10)

Attachments: [Ordinance 2019-19-30](#)
 [Memo](#)
 [KPBSD Letter](#)

- *b.** [2020-09](#) An Ordinance 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 04/07/20)

Attachments: [Ordinance 2020-09](#)
 [Memo](#)
 [FEMA Grant Award Letter](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

- *c. [2020-10](#) An Ordinance 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)

Attachments: [Ordinance 2020-10](#)
[Memo](#)

- d. [2020-11](#) LAYDOWN An Ordinance 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 (Cooper) (Shortened Hearing on 04/07/20)

Attachments: [LAYDOWN Ordinance 2020-11](#)

3. Other

Other items referred to Finance Committee

- *a. [KPB-2502](#) Authorizing a Letter of Non-Objection for a Restaurant Designation Permit filed by Trail Lake Lodge, License Number 3113

Attachments: [3113 - Memo to Assembly](#)
[3113 - Restaurant Designation Permit Application](#)

Other items referred to Lands Committee

- *b. [KPB-2500](#) 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.

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

Attachments: [Petition to Vacate](#)

MAYOR'S REPORT

[KPB-2505](#) Mayor's Report Cover Memo

Attachments: [Cover Memo](#)

1. Assembly Requests/Responses - None.

2. Agreements and Contracts

a. [KPB-2506](#) Sole Source Waiver - Lenel Security System Training

Attachments: [Sole Source Waiver - Lenel Security System Training](#)

b. [KPB-2507](#) Authorization to Award a Contract for RFP 20-007 Redoubt Elementary School Roof Professional Design Services to K+A Design Studios, Kenai, Alaska.

Attachments: [Authorization to Award Contract for RFP 20-007](#)

3. Other

a. [KPB-2508](#) Investment Report Quarter Ended - 12/31/19

Attachments: [Investment Report Quarter Ended - 123119](#)

b. [KPB-2509](#) Certification of the 2019 Real Property Supplemental Assessment Roll

Attachments: [2019 Real Property Supplemental Assessment Roll](#)

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. April 7, 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.