

Kenai Peninsula Borough

Assembly Action Agenda

February 6, 2018 - 6:00 PM

Regular Meeting

Assembly Chambers, Borough Administration Building

Wayne Ogle
Assembly President
Seat 3 - Nikiski
Term Expires 2019

Dale Bagley
Assembly Vice President
Seat 4 - Soldotna
Term Expires 2019

Norm Blakeley
Seat 5-Sterling/Funny
River
Term Expires 2020

Kenn Carpenter
Assembly Member
Seat 6 – East Peninsula
Term Expires 2018

Kelly Cooper
Assembly Member
Seat 8 – Homer
Term Expires 2020

Willy Dunne
Assembly Member
Seat 9 - South Peninsula
Term Expires 2018

Paul Fischer
Assembly Member
Seat 7 – Central
Term Expires 2019

Brent Hibbert
Assembly Member
Seat 1 – Kalifornsky
Term Expires 2018

Harold “Hal” Smalley
Assembly Member
Seat 2 - Kenai
Term Expires 2020

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. 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 Dr. Keith Hamilton from Alaska Christian College, Soldotna, Alaska.]

D. ROLL CALL

E. COMMITTEE REPORTS

F. 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.)

G. APPROVAL OF MINUTES

- *1. January 16, 2018 Regular Assembly Meeting Minutes

H. COMMENDING RESOLUTIONS AND PROCLAMATIONS

- *1. A Resolution Commending the Soldotna High School Cheerleaders (Bagley)

I. PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

- 1. Kenai Peninsula Tourism Marketing Council – Impact Tourism has on the Kenai Peninsula Borough, Summer Lazenby, Executive Director (10 Minutes)

2. Central Peninsula General Hospital, Inc. Quarterly Report (10 Minutes)

J. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA
(3 minutes per speaker; 20 Minutes aggregate)

K. MAYOR'S REPORT

1. Assembly Requests/Responses - None
2. Agreements and Contracts - None
3. Other
 - a. Equipment Grant Award and Department Match Confirmation
 - b. Project Reports – December 31, 2018
 - c. Revenue – Expenditure Report – December 2017
 - d. Budget Revisions – December 2017
 - e. FY18-2nd Quarter Senior Center Grant Reports
 - f. FY18-2nd Quarter Economic Development Grant Reports
 - g. Emergency Alert Systems.....**LAYDOWN**

L. ITEMS NOT COMPLETED FROM PRIOR AGENDA

M. PUBLIC HEARINGS ON ORDINANCES (Testimony limited to 3 minutes per speaker)

- *1. Ordinance 2018-05: Confirming the Assessment Roll for the Clarence Drive Road Improvement Assessment District (Mayor) (Referred to Finance Committee)
2. **ENACTED** Ordinance 2018-02: Amending the Borough Code to Provide that Vacancies in Service Area Boards may be Filled by Appointed Candidates to Serve for the Remainder of the Term Instead of Until the Next Election (Bagley) (Referred to Policies and Procedures Committee) **[8 Yes, 0 No, 1 Absent]**
3. **ENACTED** Ordinance 2018-03: Amending the Borough Code to Provide that the Assembly Shall Schedule at Least two Meetings Per Month for Six Months Each Year (Bagley) (Referred to Policies and Procedures Committee) **[8 Yes, 0 No, 1 Absent]**

4. ***ENACTED AS AMENDED*** Ordinance 2018-04: Amending KPB Chapters 16.20 and 16.55 to Provide for Appointed Members to Serve on the Kachemak Emergency Service Area Board and the Seldovia Recreational Service Area Board (Dunne) (Referred to Policies and Procedures Committee) [*8 Yes, 0 No, 1 Absent*]

N. UNFINISHED BUSINESS – None.

O. NEW BUSINESS

1. Resolutions

- *a. Resolution 2018-005: Approving a \$10,000 Budget Revision in the 2017/2018 Borough Senior Grant Program for the Homer Citizens, Inc. (Mayor) (Referred to the Finance Committee)
- *b. Resolution 2018-006: Designating the Newspaper and Authorizing Award of a Contract for the Publication of the 2018 Foreclosure List, and the Delinquent Leasehold, Mobile Homes, Personal Property and Other Tax Lists for the Tax Year 2017 (Mayor) (Referred to the Finance Committee)
- c. ***POSTPONED TO FEBRUARY 20, 2018*** Resolution 2018-008: Supporting House Bill 287 Providing Early Approval of Funding for Public Education and Student Transportation (Cooper, Smalley) (Referred to Policies and Procedures Committee) [*8 Yes, 0 No, 1 Absent*]..... **LAYDOWN**

2. Ordinances for Introduction

- *a. Ordinance 2018-08: Confirming the Assessment Roll for the Eddy Hill Drive Road Improvement Assessment District (Mayor) (Hearing on 02/20/18) (Referred to the Finance Committee)
- *b. Ordinance 2018-07: Authorizing a Conditional Negotiated Lease at Less than Fair Market Value of Certain Real Property Containing 66.5 Acres More or Less to the Cooper Landing Rifle and Sportsman's Club for the Development of Shooting Facilities (Mayor) (Hearing on 02/20/18) (Referred to the Lands Committee)
- *c. Ordinance 2018-09: Amending the Borough Code to Provide for Financial Support for the Promotion of Tourism and Economic Development Subject to Annual Assembly Appropriation and to Voter Approval of a Bed Tax (Bagley) (Hearing on 03/06/18) (Referred to Policies and Procedures Committee)

- *d. Ordinance 2018-10: Authorizing the Negotiated Lease of Office and Meeting Space at the Nikiski Community Recreation Center (Mayor) (Hearing on 02/20/18) (Referred to Lands Committee)
..... **LAYDOWN**

3. Other

- *a. Petition to Vacate the Western 400 Foot Portion of the Mark Ross Ct. Right-of-way Adjoining Lots 4 & 5 Ross Retreat Three, Plat SL 92-7, as Dedicated on Ross Retreat Too, Plat SL 92-2. The Right-of-way Being Vacated is Unconstructed and Located Within the NW 1/4 and SW 1/4 of Section 15, Township 8 South, Range 14 West, SM AK within the KPB. File 2017-172V. Petitioners: Christopher J. Pollack, Amelia R. Pollack, and Stephen J. Pollack IV of Seldovia, Alaska.

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its January 8, 2018 meeting by unanimous consent.]

- *b. Petition to Vacate Public Rights-of-way and Utility Easements in the Cohoe Area Described as Follows:
- Vacation of the eastern portion (approximately 620 feet) of the Saskatoon Avenue right-of-way as dedicated on Crooked Creek Subdivision, Plat KN 75-35. The right-of-way being vacated is unconstructed;
 - Vacation of the ten-foot-wide utility easement adjoining the western boundary of Tract 2A 1 Crooked Creek Subdivision 2004 Addition, Plat KN 2005-25, as originally granted on Crooked Creek Subdivision 1977 Subdivision of Tract A, Plat KN 85-1 08;
 - Vacation of the five-foot-wide utility easement located thirty-five feet north of, and running parallel to, the Saskatoon Ave right-of-way across the entire width of Tract 2A 1 Crooked Creek Subdivision 2004 Addition, Plat KN 2005-25, as originally granted on Crooked Creek Subdivision 1977 Subdivision of Tract A, Plat KN 85-1 08;
 - Vacation of the twenty-foot-wide utility easement adjoining the northern boundary of Tract 2-C Crooked Creek Subdivision Marsh 1984 Subdivision of Tract C, Plat KN 84-228
 - Vacation of the ten-foot-wide utility easement adjoining the western boundary of Tract 2-C Crooked Creek Subdivision Marsh 1984 Subdivision of Tract C, Plat KN 84-228;
 - Vacation of the ten-foot-wide utility easements on the north and south sides of the shared boundary between Tract 2-C Crooked Creek Subdivision Marsh 1984 Subdivision of Tract

C, Plat KN 84- 228, and Tract D Crooked Creek Subdivision, Plat KN 75-35, as originally granted on Crooked Creek Subdivision 1977 Subdivision of Tract A, Plat KN 85-108.

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its January 8, 2018 meeting by unanimous consent.]

- *c. Petition to Vacate a portion of the Willy Avenue right-of-way east of Brody Road adjoining the northernmost portion of the northern boundary of Tract B1A Kinrod 2003 Addition, Plat HM 2004-74, as dedicated on Kinrod 1998 Addition, Plat HM 99-8. The right-of-way being vacated is unconstructed and located within the SW1/4 of S31, T01S, R13W, SM, AK, within the KPB; KPB File 2017-166V.

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its January 8, 2018 meeting by unanimous consent.]

P. PUBLIC COMMENTS AND PUBLIC PRESENTATIONS (3 minutes per speaker)

Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. February 20, 2018 Regular Assembly Meeting 6:00 PM
Assembly Chambers, Soldotna, Alaska

R. ASSEMBLY COMMENTS

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

1. Ordinance 2017-29: Amending KPB Chapter 5.18 to Establish a 6 Percent Areawide Sales Tax on Temporary Lodging and Overnight Camping Facilities and Providing for an Exemption of Up to 3 Percent of the Levy on Temporary Lodging and Overnight Camping within the Boundaries of Cities in the Borough that Levy a Similar Sales Tax in Addition to an Existing General Sales Tax, Subject to Approval by the Voters in the Regular Election on October 2, 2018 (Bagley) (Hearing on 03/06/18) (Referred to Finance Committee)
- 2.. Ordinance 2017-31: Approving McKinley Single-Family Residential R-1 Local Option Zoning District and Amending KPB 21.46.040 (Mayor) (Referred to Lands Committee) *[Tabled on 01/16/18]*

3. Ordinance 2018-06: Adopting Amendments to “Community Recommendations on a Land Use Plan for Borough Lands at Cooper Landing, 1992”, an Element of the Comprehensive Plan (Mayor) (Hearing on 02/20/18) (Referred to Lands Committee)
4. Resolution 2018-002: Classifying 66.5 +/- Acres of Borough Land in the Cooper Landing Area as Recreational (Mayor) (Referred to Lands Committee)

T. INFORMATIONAL MATERIALS AND REPORTS

U. NOTICE OF NEXT MEETING AND ADJOURNMENT

The next meeting of the Kenai Peninsula Borough Assembly will be held on February 20, 2018, at 6:00 P.M. in the 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 and 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.borough.kenai.ak.us for copies of the agenda, meeting summaries, ordinances and resolutions.