



# Assembly Action Agenda

March 5, 2019 - 6:00 PM

Regular Meeting

Betty J. Glick Assembly Chambers  
George A. Navarre Kenai Peninsula  
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 2021

Kelly Cooper  
Assembly Member  
Seat 8 – Homer  
Term Expires 2020

Willy Dunne  
Assembly Member  
Seat 9 - South  
Peninsula  
Term Expires 2021

Paul Fischer  
Assembly Member  
Seat 7 – Central  
Term Expires 2019

Brent Hibbert  
Assembly Member  
Seat 1 – Kalifornsky  
Term Expires 2021

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 Debbie Hamilton.]*

**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. February 19, 2019 Regular Assembly Meeting Minutes

**H. COMMENDING RESOLUTIONS AND PROCLAMATIONS**

**I. PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)**

- 1. Kenai Peninsula Economic Development District, Inc. (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. Investment Report - Quarter Ended 12/31/18

**L. ITEMS NOT COMPLETED FROM PRIOR AGENDA**

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

1. **AMENDED BY SUBSTITUTE** Ordinance 2019-03: Authorizing the Sale of Certain Parcels of Borough Land by Sealed Bid Followed by an Over-the-Counter Sale (Mayor) (Referred to Lands Committee) **[8 Yes, 0 No, 1 Absent]**

**POSTPONED AS AMENDED TO APRIL 2, 2019** Ordinance 2019-03 (Mayor, Bagley, Hibbert) Substitute: Authorizing the Sale of Certain Parcels of Borough Land by Sealed Bid Followed by an Over-the-Counter Sale (Mayor, Bagley, Hibbert) (Referred to Lands Committee) **[8 Yes, 0 No, 1 Absent]**

2. **POSTPONED AS AMENDED TO APRIL 2, 2019** Ordinance 2019-05: Authorizing a Memorandum of Agreement and Cooperative Sale and Exchange of Interests in Lands with the State of Alaska Department of Transportation and Public Facilities Regarding Certain Borough and State Maintained Roads (Mayor) (Referred to Lands Committee) **[8 Yes, 0 No, 1 Absent]**

**N. UNFINISHED BUSINESS**

## O. NEW BUSINESS

### 1. Resolutions

- \*a. Resolution 2019-017: Authorizing the Mayor to Apply for Assistance through the State of Alaska Division of Homeland Security and Emergency Management for Damages Due to the October 2018 Flood/Storm Event identified under the State Disaster Declaration Number AK-18-264 (Mayor) (Referred to Finance Committee)
- \*b. Resolution 2019-018: Authorizing the Mayor to Apply for Assistance through the State of Alaska Division of Homeland Security and Emergency Management and the Federal Emergency Management Agency for Damages Due to the November 30, 2018 Cook Inlet 7.0 Earthquake Identified under the Federal Disaster Declaration Numbers EM-3410 and DR-4413 (Mayor) (Referred to Finance Committee)
- \*c. Resolution 2019-019: Approving Twenty-Seven Unincorporated Communities for Participation in the State's Fiscal Year 2020 Community Assistance Program (Mayor) (Referred to Finance Committee)
- d. **POSTPONED AS AMENDED TO APRIL 2, 2019** Resolution 2019-020: Classifying Certain Parcels of Borough Owned Land in Nikiski, North Kenai, Ciechanski, Kalifornsky, Tote Road, Anchor Point, and Diamond Ridge Areas (Mayor) (Referred to Lands Committee) **[8 Yes, 0 No, 1 Absent]**
- \*e. Resolution 2019-022: Confirming the Appointment of Mako Haggerty to The Prince William Sound Regional Citizen's Advisory Council (Ogle) (Referred to Policies and Procedures Committee)
- f. **ADOPTED AS AMENDED** Resolution 2019-023: In Support of Modifying SB 57 and HB 59 to Allow Local Municipalities to Tax a Maximum of 15 Mills on Oil and Gas Property Taxable Under AS 43.46 (Mayor, Bagley, Ogle) (Referred to Legislative Committee) **[8 Yes, 0 No, 1 Absent]**

- \*g. Resolution 2019-021: Supporting the Kenai Peninsula College (Bagley, Smalley, Ogle) (Referred to Legislative Committee)
2. Ordinances for Introduction
    - \*a. Ordinance 2019-07: Amending KPB 21.46.040 Zoning a 160-Acre Parcel Creating the Murwood South Single Family Residential R-1 Local Option Zoning District (Bagley, Mayor) (Hearing on 04/02/19) (Referred to Lands Committee)
  3. Other
    - \*a. Authorizing the Approval of the Restaurant Designation Permit Filed by Anchor River Inn (Referred to Finance Committee)

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

**Q. ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. March 12, 2019  
6:00 PM                      AK LNG Project Advisory Committee  
North Peninsula Recreation Center  
Nikiski, Alaska
2. March 13, 2019  
2:00 PM                      Material Site Work Group  
Betty J. Glick Assembly Chambers,  
Soldotna, Alaska
3. March 15, 2019  
10:00 AM                    Election Stakeholders Group  
Betty J. Glick Assembly Chambers,  
Soldotna, Alaska
4. March 27, 2019  
2:00 PM                      Material Site Work Group  
Betty J. Glick Assembly Chambers,  
Soldotna, Alaska
5. March 29, 2019  
10:00 AM                    Election Stakeholders Group  
Betty J. Glick Assembly Chambers,  
Soldotna, Alaska

6. April 2, 2019 Regular Assembly Meeting  
6:00 PM Betty J Glick 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 2019-06: Clarifying the Exemption of Sales of Nonprepared Food Items Applies to Certain Nonprepared Food Sellers in Addition to Currently Eligible Vendors and Convenience Stores, Alphabetizing the Definitions in the Sales Tax Code and Clarifying the Definition of Time of Sale (Mayor) (Hearing on 04/02/19) (Referred to Finance Committee)
2. Ordinance 2019-04: Amending KPB 16.41.030 to Remove the Requirement that the Road Service Area Board Agenda be Published in a Newspaper and Distributed to Each Board Member by Mail or Telephone (Mayor) (Hearing on 04/02/19) (Referred to Policies and Procedures 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 April 2, 2019 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(KSKA)-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.kpb.us](http://www.kpb.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*