



# Assembly Action Agenda

March 2, 2021 - 6:00 PM

Regular Meeting

Betty J. Glick Assembly Chambers  
George A. Navarre Kenai Peninsula  
Borough Administration Building and Through  
Zoom. Meeting ID: 938 6524 5999 Passcode: 886199

Brent Hibbert  
President  
Seat 1 – Kalifornsky  
Term Expires 2021

Brent Johnson  
Vice President  
Seat 7 – Central  
Term Expires 2022

Jesse Bjorkman  
Assembly Member  
Seat 3 - Nikiski  
Term Expires 2022

Kenn Carpenter  
Assembly Member  
Seat 6 – East Peninsula  
Term Expires 2021

Lane Chesley  
Assembly Member  
Seat 8 – Homer  
Term Expires 2023

Tyson Cox  
Assembly Member  
Seat 4 - Soldotna  
Term Expires 2022

Richard Derkevorkian  
Assembly Member  
Seat 2 - Kenai  
Term Expires 2023

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

Bill Elam  
Assembly Member  
Seat 5-Sterling/Funny  
River  
Term Expires 2023

## 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 was given by Ty Handley.]*

## ROLL CALL

## COMMITTEE REPORTS

## APPROVAL OF AGENDA AND CONSENT AGENDA

(Action 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.)

## APPROVAL OF MINUTES

- \*1. February 16, 2021 Regular Assembly Meeting Minutes

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

## PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

- 1. Kenai Peninsula Tourism and Marketing Council Update, Debbie Speakman, Executive Director (10 Minutes)

2. Alaska Long Trail and Land and Water Conservation Fund (LWCF)  
Alaska Trails Initiative, Chris Beck and Jessica Szelag (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. Ordinance 2020-19-19: Accepting and Appropriating Funding from the State of Alaska in the Amount of \$426,303 for Fiscal Year 2021 and Approving Projects to be Completed for Community Purposes Under the State's 2019/2020 and 2020/2021 Community Assistance Programs (Mayor) (Referred to Finance Committee)

*[Clerk's Note: President Hibbert ruled Mr. Johnson had a conflict as he was a board member of the Kasilof Historical Association. Mr. Johnson abstained from the discussion and vote regarding Ordinance 2020-19-19.]*

- \*2. **AS AMENDED** Ordinance 2020-19-20: Appropriating \$63,791.65 from the Equipment Replacement Fund for Imagery Acquisition and Approving a Sole Source Award to EagleView™ for the Purchase and Implementation of Pictometry Imagery (Mayor) (Referred to Finance Committee)
- \*3. Ordinance 2020-19-21: Appropriating General Fund Fund Balance for Design Development of Phase I of the Homer Roof Replacement (Mayor) (Referred to Finance Committee)
- \*4. Ordinance 2020-19-22: Accepting and Appropriating \$9,600 from the State of Alaska Division of forestry to Supplement Costs to Manage the Slash Disposal Site Located in Cooper Landing (Mayor) (Referred to Finance Committee)
- \*5. **AS AMENDED** Ordinance 2021-07: Accepting Emergency Response Equipment from the Nikiski Firefighters Association, Inc. on Behalf of Nikiski Fire Service Area (Mayor) (Referred to Finance Committee)

- \*6. **AS AMENDED** Ordinance 2021-08: Authorizing Leases of Space at the Kenai River Center Building with the State of Alaska Department of Fish and Game and Department of Natural Resources and Repealing Ordinance 2020-30 (Mayor) (Referred to Lands Committee)
7. **ENACTED AS AMENDED** Ordinance 2021-09: Authorizing a Community Trail Management Agreement with Snomads, Inc. (Mayor) (Referred to Lands Committee) **[9 Yes, 0 No, 0 Absent]**
8. **ENACTED AS AMENDED** Ordinance 2020-45: Amending KPB 2.40, Planning Commission, KPB Title 20, Subdivisions, Repealing KPB 20.70 Vacation Requirements, Enacting a New Vacations Chapter KPB 20.65, and Amending KPB 21.20, Hearing and Appeals, to Correct Grammatical Errors, and Clarify and Improve Certain Administrative Procedures (Mayor) (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**
9. **ENACTED** Ordinance 2021-06: Amending KPB 16.04 - Establishment of Service Areas to Establish Residency Requirements for Appointed Service Area Board Members (Mayor) (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**

## UNFINISHED BUSINESS

## NEW BUSINESS

1. Resolutions
  - \*a. Resolution 2021-019: Extending the Disaster Emergency Declaration for the Kenai Peninsula Borough Issued Due to the Current and Expected Imminent Impacts of the COVID-19 Pandemic to June 30, 2021 (Cox) (Referred to Policies and Procedures Committee)
  - \*b. Resolution 2021-017: Supporting Regional Aquaculture Associations and Opposing Proposed Changes to the Management Plan of Kachemak Bay State Park and State Wilderness Park that would Negatively Impact Tutka Bay Lagoon Hatchery (Chesley) (Referred to Legislative Committee)

*[Clerk's Note: President Hibbert ruled Mr. Johnson had a conflict as he was a board member of the Cook Inlet*

*Aquaculture Association. Mr. Johnson abstained from the discussion and vote regarding Resolution 2021-017.]*

- \*c. Resolution 2021-018: Asking the US Secretary of Commerce to Consider Vetoing the North Pacific Fishery Management Council's Adoption of Measures that Will Close Commercial Salmon Fishing in the Cook Inlet Exclusive Economic Zone (Dunne, Johnson, Mayor, Cox, Hibbert, Chesley, Elam, Carpenter, Derkevorkian) (Referred to Legislative Committee)

*[Clerk's Note: President Hibbert ruled Mr. Bjorkman had a conflict as he was a commercial fisherman that fished in the Cook Inlet exclusive economic zone. Mr. Bjorkman abstained from the discussion and vote regarding Resolution 2021-018.]*

## 2. Ordinances for Introduction

- \*a. Ordinance 2020-19-23: Appropriating School Bond Interest to Cover the Cost of Ineligible Scope of Work on the Redoubt Elementary Roof Project (Mayor) (Hearing on 04/06/21) (Referred to Finance Committee)
- \*b. Ordinance 2020-19-24: Appropriating Funds and Authorizing the Borough Clerk to Contract for Necessary Voting Machines, Software, and Related Equipment to Provide an Accessible Voting System for Persons with Disabilities (Hibbert, Johnson) (Hearing on 04/20/21) (Referred to Finance Committee)
- \*c. Ordinance 2021-10: Providing an Exemption from KPB Chapter 14.06 Road Standards to Allow Acceptance of a Non-Conforming Road into the Borough Road Maintenance Program (Mayor) (Hearing on 04/06/21) (Referred to Lands Committee)
- \*d. Ordinance 2021-11: Authorizing a Communications Site Lease Agreement to Vertical Bridge Development, LLC (Mayor) (Hearing on 04/06/21) (Referred to Lands Committee)

## 3. Other

- \*a. Petition to Vacate a 30' by 273' Right-of-Way Permit ADL 220394 Adjoining the South Boundary of Government Lot 17 Within Section 34 Township 8 North Range 11 West (Referred to Lands Committee)

*[Clerk's Note: The Planning Commission approved the referenced petition at its February 8, 2021 meeting by unanimous consent.]*

- \*b. Confirming an Appointment to the Kachemak Emergency Service Area Board (Referred to Policies and Procedures Committee)

Jeffrey Serio                      Seat B                      Term Expires October, 2021

- \*c. Confirming Appointments to Kenai Peninsula Borough's Advisory Planning Commissions (Referred to Policies and Procedures Committee)

<u>Anchor Point APC</u>	<u>Seat</u>	<u>Expires</u>
Sonshine D. Konovalov	A	September 30, 2023

<u>Kalifornsky APC</u>	<u>Seat</u>	<u>Expires</u>
Kathryn A. Medcoff	A	September 30, 2023
Krista Schooley	C	September 30, 2023

- \*d. Petition to Vacate Utility Easement: PC Resolution 2021-01 - Vacating a 5' x 5' Area, Centered on the Existing Well, Within the 5' Underground Utility Easement Adjoining the South Boundary of Lot 14, Block 2, Granted by Mackey Lake Subdivision Addition No. 1 Part 3 (Plat KN 74-92); within Section 14, Township 5 North, Range 10 West, Seward Meridian, Alaska; KPB File 2021-001V.....**LAYDOWN**

*[Clerk's Note: The Planning Commission approved the referenced petition at its February 22, 2021 by unanimous consent.]*

- \*e. Petition to Vacate Utility Easement Vacating a 10' Utility Easement and Anchor Easement within Lot 6 and Lot 7 Kimbrel Subdivision KN 82-63 Granted by Kimbrel Subdivision KN 76-68 Located within Section 27, Township 4 North, Range 11 West, Seward Meridian, Alaska, Within the Kenai Peninsula borough. KPB File 2020-150V.....**LAYDOWN**

*[Clerk's Note: The Planning Commission approved the referenced petition at its February 22, 2021 by unanimous consent.]*

## **MAYOR'S REPORT**

1. Assembly Requests/Responses - None
2. Agreements and Contracts
  - a. Authorization to Award a Contract for ITB21-018 Gravel Road Project – Escape Route N2 Region to Foster Construction, LLC., Soldotna, Alaska.
3. Other
  - a. Revenue – Expenditure Report – January 2021
  - b. Budget Revisions – January 2021

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS** (3 minutes per speaker)

## **ASSEMBLY COMMENTS**

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

1. Ordinance 2020-19-07: Appropriating Refinanced 2013 Bear Creek Fire Service Area General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor) *[Tabled as amended on 12/01/20]*
2. Ordinance 2020-19-08: Appropriating Refinanced 2013 School General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor) *[Tabled as amended on 12/01/20]*
3. Ordinance 2020-19-09: Appropriating Refinanced 2011 Hospital General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor) *[Tabled as amended on 12/01/20]*

## **INFORMATIONAL MATERIALS AND REPORTS**

## **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. April 6, 2021 Regular Assembly Meeting

6:00 PM

This meeting will be held through Zoom  
Meeting ID: 938 6524 5999  
Passcode: 886199

And in person from the  
Betty J. Glick Assembly Chambers  
Borough Administration Building

## **ADJOURNMENT**

*This meeting will be broadcast on KDLL-FM 91.9 (Central Peninsula), KBBI-AM 890 (South Peninsula), K201AO(KSKA)-FM 88.1 (East Peninsula).*

*The meeting will be held through Zoom, the Meeting ID: 938 6524 5999 Passcode: 886199 and in-person from the Betty J. Glick Assembly Chambers, Borough Administration Building, Soldotna, Alaska. COVID-19 mitigation protocols will be observed. To join the meeting from a computer, visit <https://zoom.us/j/93865245999>. To attend the Zoom meeting by telephone call toll free 1-888-788-0099 or 1-877-853-5247 and enter the Meeting ID: 938 6524 5999 Passcode: 886199. Detailed instructions will be posted on at the Kenai Peninsula Borough's main page at [kpb.us](http://kpb.us): "Meeting and Public Notices" "Current Assembly Agenda".*

*Copies of the agenda and ordinances to be considered can be viewed on the website referenced above or at the Public Bulletin Board located on the window right of the double doors in the back of the Borough Administration Building. 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.*