



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Assembly

Brent Hibbert, President
Brent Johnson, Vice President
Jesse Bjorkman
Kenn Carpenter
Lane Chesley
Tyson Cox
Richard Derkevorkian
Willy Dunne
Bill Elam

Tuesday, August 17, 2021

6:00 PM

Betty J. Glick Assembly Chambers

Zoom ID: 938 6524 5999 Passcode: 886199

Zoom ID: 938 6524 5999 Passcode: 886199

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 Debbie Hamilton.]

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:

KPB 3428 - August 3, 2021 Regular Assembly Meeting Minutes
Resolution 2021-060 – Remote Sales Tax Levied Services
Resolution 2021-061 – Laerdal Medical Sole Source
Resolution 2021-062 – Retention Schedule Update
Resolution 2021-063 – Encouraging Election Participation
Resolution 2021-064 – Spruce Bark Beetle Joint Reso
Ordinance 2021-19-10 - \$18,000 for Incident Training
Ordinance 2021-33 – Late File Farm Use Exemption
KPB 3423 – Bird Homestead Golf Course Liquor License

ACTION ITEMS ELIGIBLE TO BE ADDED TO THE CONSENT AGENDA:

Ordinance 2020-19-37 - Record FY21 PERS Expenditures
Ordinance 2021-19-06 – Appropriating Funds Outside Legal Counsel for Appeal
Ordinance 2021-19-07 – Appropriating \$330,000 Insurance Premium
Ordinance 2021-19-08 – Accepting \$11,403,341 American Rescue Plan
Ordinance 2021-19-09 – WESA Water Fill Site Project
Ordinance 2021-29 - Late Filed Senior Exemption
Ordinance 2021-30 – Late Filed Non-Profit Exemption
Ordinance 2021-31 – Amending Master Lease ADT and Public Facilities
Ordinance 2021-32 – Authorizing Lease with Cozy Inn, Kenai

APPROVAL OF MINUTES

[KPB-3428](#) August 3, 2021 Regular Assembly Meeting Minutes

Attachments: [August 3, 2021 Regular Assembly Meeting Minutes](#)

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

(20 minutes total)

1. [KPB-3429](#) Central Peninsula General Hospital, Inc. Quarterly Report

[Clerk's Note: A quarterly Report was given by Shaun Keef, COO, Central Peninsula Hospital, Inc.]

Attachments: [Quarterly Report](#)

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

[2020-19-37](#) An Ordinance to Record FY2021 Expenditures Paid by the State of Alaska Department of Administration, Division of Retirement & Benefits on Behalf of the Kenai Peninsula Borough toward the Borough's Unfunded PERS Liability (Mayor)

Attachments: [Ordinance 2020-19-37](#)
[Amendment Memo 081721](#)
[Final PERS Statement](#)
[Memo](#)
[State of Alaska Letter](#)

[2021-19-06](#) An Ordinance Appropriating Funds to the Legal Department for the Costs and Fees Associated with Hiring Outside Counsel to Represent the Kenai Peninsula Borough in an Appeal from an Administrative Agency (Mayor)

Attachments: [Ordinance 2021-19-06](#)
[Memo](#)

[2021-19-07](#) An Ordinance Appropriating \$330,000 from the Insurance and Litigation Unrestricted Net Position for Additional Cost of Insurance Premium for FY2022 (Mayor)

Attachments: [Ordinance 2021-19-07](#)
[Memo](#)
[HR Insurance Rates Response](#)

[2021-19-08](#) An Ordinance Approving and Accepting \$11,403,341 from the U.S. Department of Treasury, Coronavirus State and Local Fiscal Recovery Funds Established by the American Rescue Plan Act of 2021 (Mayor)

Attachments: [Ordinance 2021-19-08](#)
[Memo](#)
[Quick Reference Guide](#)

[2021-19-09](#) An Ordinance Appropriating Funds for the Construction of the Western Emergency Service Area Emergency Fire Water Fill Site Project (Mayor)

Attachments: [Ordinance 2021-19-09](#)
[Memo](#)

[2021-29](#) An Ordinance Authorizing the Assessor to Accept One Late-Filed Senior Exemption Application for 2021 Filed After March 31 and Providing an Exception to KPB 5.12.040(B) (Mayor)

Attachments: [Ordinance 2021-29](#)
[Memo](#)
[Reid Late Filed Application](#)

[2021-30](#) An Ordinance Authorizing the Assessor to Accept One Late-Filed Religious Exemption Application for 2021 and Providing an Exception to KPB 5.12.040(B) (Mayor)

Attachments: [Ordinance 2021-30](#)
[Memo](#)
[Public Comment 081721](#)

Ordinances referred to Lands Committee

[2021-31](#) An Ordinance Authorizing an Amendment to a Master Land Lease Development Agreement with Alaska Department of Transportation and Public Facilities in Support of the Sterling Highway MP 45-60 Construction Project Near Cooper Landing to Include a Staging Area at Tract C Quartz Creek Subdivision and Appraisal Provisions (Mayor)

Attachments: [Ordinance 2021-31](#)
[Memo](#)
[Advisory Board Recommendations](#)
[DOT - Quartz Master Lease Amendment](#)
[DOT - Master Lease Attachments 3&4](#)

[2021-32](#) An Ordinance Authorizing a Negotiated Lease at Fair Market Value with Edward and Kathleen Martin, dba Cozy Inn, in Kenai for a Parking Area (Mayor)

Attachments: [Ordinance 2021-32](#)
[Amendment Memo 081721](#)
[Lease Rental Rate 081721](#)
[Advisory Board Recommendations](#)
[Memo](#)
[Cozy Inn Lease](#)
[Cozy Inn Lease Map](#)
[Cozy Inn Development Plan](#)

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

Resolutions referred to Finance Committee

[2021-060](#) A Resolution Supporting the Alaska Remote Sellers Sales Tax Commission's Proposed Interpretation of the Definition of Point of Delivery as it Relates to Sourcing for Sales Levied on Services (Mayor)

Attachments: [Resolution 2021-060](#)
[Memo](#)
[Reference Copy 2019-056](#)

[2021-061](#) A Resolution Authorizing the Kenai Peninsula Borough Mayor to Enter into a Sole Source Contract with Laerdal Medical Corporation for the Purchase of EMS Training Simulator Mannequins (Mayor)

Attachments: [Resolution 2021-061](#)
[Memo](#)

Resolutions referred to Policies and Procedures Committee

[2021-062](#) Approving a Quarterly Update to the Borough Retention Schedule (Hibbert at the Request of the Borough Clerk)

Attachments:

[Resolution 2021-062](#)

[Memo](#)

[911 Communications Schedule Update](#)

[Finance Cash Management Schedule Update](#)

[Finance Sales Tax Schedule Update](#)

[Human Resources Schedule Update](#)

[Risk Management Schedule Update](#)

[Additional Schedule Revisions Memo](#)

[Revised Human Resources Schedule Update](#)

[Risk Management Schedule Update](#)

[Service Areas Schedule Update](#)

Resolutions referred to Legislative Committee

[2021-063](#) A Resolution Encouraging all Qualified Residents to Participate Fully in the 2021 Kenai Peninsula Borough Elections (Dunne, Bjorkman, Cox)

Attachments:

[Resolution 2021-063](#)

[Memo](#)

[Public Comments](#)

[Reference Copy Ordinance 2021-18](#)

[2021-064](#) A Resolution Adopting Joint Resolution No. 2021-002 of the Assembly of the Kenai Peninsula Borough and Councils of the Cities of Homer, Kachemak, Kenai, Seldovia, Seward and Soldotna, Supporting a Request for Federal Aid Submitted by the Kenai Peninsula Borough to Alaska's U.S. Congressional Delegation for the Purpose of Spruce Bark Beetle Mitigation (Mayor)

Attachments:

[Resolution 2021-064](#)

[Memo](#)

[Joint Resolution](#)

[City of Kachemak Resolution](#)

[City of Soldotna Resolution](#)

[City of Homer Resolution](#)

[City of Seldovia Reso](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to the Finance Committee

[2021-19-10](#) An Ordinance Accepting and Appropriating an Additional \$18,000 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management for Incident Management Training (Mayor)

Attachments: [Ordinance 2021-19-10](#)
[Memo](#)
[Grant Award Amendment Letter](#)

[2021-33](#) An Ordinance Authorizing the Assessor to Accept One Late Filed Farm Use Deferment Application for 2021 and Providing an Exception to KPB 5.12.040(B) (Mayor)

Attachments: [Ordinance 2021-33](#)
[Memo](#)
[Applicaiton](#)

3. Other

[KPB-3423](#) Approving a Letter of Non-Objection to the Issuance of the New Liquor License as Requested by Bird Homestead Golf Course, License No. 5976

Attachments: [5976 - Complete Application](#)
[5976 - Memo to Assembly](#)
[5976 - Planning Memo to Assembly](#)
[5976 - Aerial Map](#)

MAYOR'S REPORT

[KPB-3430](#) Mayor's Report Cover Memo

Attachments: [Cover Memo](#)

1. Assembly Requests/Responses - None

2. Agreements and Contracts

a. [KPB-3431](#) Authorization to Award a Contract for ITB21-035 Kwechak Creek Maintenance to Andrews and Sons, LLC., Seward, AK

Attachments: [Authorization to Award Contract ITB21-035](#)

- b. [KPB-3432](#) Human Resources / Insight Sole Source Waiver

Attachments: [Human Resources Sole Source](#)

- c. [KPB-3433](#) Hutler Road CIP (S7HLR) Budget

Attachments: [Hutler Road CIP](#)

3. Other

- a. [KPB-3434](#) Litigation Status Report - Quarter Ending 06/30/21

Attachments: [Litigation Status Report](#)

- b. [KPB-3450](#) Sales Tax Update

[Clerk's Note: A presentation was given during Policies and Procedures Committee by Brandi Harbaugh, Finance Director.]

Attachments: [Sales Tax Update](#)

- c. [KPB-3449](#) Overview of 911 Fee for Service Model

[Clerk's Note: A presentation was given during Policies and Procedures Committee by Brandi Harbaugh, Finance Director.]

Attachments: [Overview of 911 Fee](#)

- d. [KPB-3489](#) LAYDOWN Report on 2021 Kenai Peninsula Borough Land Sale

Attachments: [Land Sale Report](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY COMMENTS

PENDING LEGISLATION

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

1. [2021-28](#) An Ordinance Authorizing a Lease to Robert Gibson, dba Alaska Land and Cattle Company of Approximately 280 Acres of Borough Land in the Basargin Road Area for Agricultural Use (Mayor)

Attachments:

[Ordinance 2021-28](#)

[Memo](#)

[Advisory Board Recommendations 080321](#)

[Department Memo and Applicant Amendment 090721](#)

[Department Memo 090721](#)

[Ak Land & Cattle MAP](#)

[AK Land & Cattle Rate MAP](#)

[Lease](#)

[Farm and Rangeland Development Plan](#)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. September 7, 2021 Regular Assembly Meeting
6:00 PM Betty J. Glick Assembly Chambers
Borough Administration Building
Remote participation available through Zoom Meeting ID: 938 6524 5999 Passcode: 886199

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: "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 for copies of the agenda, meeting summaries, ordinances and resolutions.