



Assembly Action Agenda

April 21, 2020 - 6:00 PM

Regular Meeting

This meeting was held through Zoom
Meeting ID: 128 871 931
From the Betty J. Glick Assembly Chambers

Kelly Cooper
Assembly President
Seat 8 – Homer
Term Expires 2020

Harold "Hal" Smalley
Assembly Vice
President
Seat 2 - Kenai
Term Expires 2020

Jesse Bjorkman
Assembly Member
Seat 3 - Nikiski
Term Expires 2022

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

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

Tyson Cox
Assembly Member
Seat 4 - Soldotna
Term Expires 2022

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

Brent Johnson
Assembly Member
Seat 7 – Central
Term Expires 2022

Brent Hibbert
Assembly Member
Seat 1 – Kalifornsky
Term Expires 2021

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 Iris Fontana.]

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. March 17, 2020 Regular Assembly Meeting Minutes
- *2. April 3, 2020 Special Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

1. COVID-19 Economic Impact Survey, Tim Dillon, Executive Director, Kenai Peninsula Economic Development District (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. **ENACTED AS AMENDED** Ordinance 2019-19-30: 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 Remodeling of Chapman Elementary School (Mayor) (Referred to Finance Committee) **[9 Yes, 0 No, 0 Absent]**

- *2. Ordinance 2020-09: 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) (Referred to Finance Committee)

3. **ENACTED AS AMENDED** Ordinance 2019-34: 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) (Referred to Lands Committee) **[9 Yes, 0 No, 0 Absent]**

4. **ENACTED AS AMENDED** Ordinance 2019-24 (Mayor) Substitute: Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions (Mayor) (Referred to Lands Committee) **[5 Yes, 4 No, 0 Absent]**

[Clerk's Note: Assembly Member Dunne gave notice of reconsideration.]

5. **ENACTED** Ordinance 2020-10: 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) (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**

6. **ENACTED** Ordinance 2020-11: 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) (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions
 - a. **ADOPTED** Resolution 2020-027: Determining the Amount to be Provided from Local Sources for School Purposes During Fiscal Year 2021 and Approving the Kenai Peninsula Borough School District Total Budget (Mayor) (Referred to Finance Committee) **[9 Yes, 0 No, 0 Absent]**
 - *b. **AS AMENDED** Resolution 2020-029: Temporarily Suspending Certain Items on the Assembly Agenda During the COVID-19 Disaster (Cooper) (Referred to Policies and Procedures Committee)
 - c. **ADOPTED** Resolution 2020-028: Promoting the 50th Anniversary of Earth Day (Johnson, Dunne) (Referred to Legislative Committee) **[8 Yes, 1 No, 0 Absent]**
 - d. **ADOPTED AS AMENDED** Resolution 2020-030: Recognizing the Successful Efforts of the State Leadership and Alaskan Residents to Slow the Spread of COVID-19 and Encouraging the Governor to Procure Sufficient COVID-19 Testing so he can Rescind or Modify COVID-19 Health Mandates 003: State Wide Closure Restaurants, Bars, Entertainment, 009: Personal Care Services and Gatherings and 012: Intrastate Travel, as soon as Reasonably Practical (Hibbert, Bjorkman) (Referred to Legislative Committee) **[9 Yes, 0 No, 0 Absent]****LAYDOWN**

- *e. Resolution 2020-031: Urging Funding in the Amount of \$3,000,000 by the Economic Development Administration Grant Program in order to Fully Fund Homer’s Port Expansion General Investigation Study (Cooper, Mayor) (Referred to Legislative Committee)**LAYDOWN**
- *f. Resolution 2020-032: Requesting Governor Dunleavy Support Passing on a Portion of Federal Coronavirus Aid, Relief, and Economic Security Act Funding to Local Municipalities that have Experienced Significant Revenue Loss Due to the COVID-19 Pandemic (Mayor, Cooper) (Referred to Legislative Committee)**LAYDOWN**

2. Ordinances for Introduction

- *a. Ordinance 2020-15: Expanding the Scope of Previously Appropriated Land Acquisition Project Funds for the Central Emergency Service Area to Include Site Analysis, Design, Engineering and Overall Station Construction Needs (Mayor) (Hearing on 05/05/20) (Referred to Finance Committee)
- *b. Ordinance 2019-19-32: Appropriating 2014 School Bond Interest Income of \$100,000 from the School Bond Capital Project Fund for the Redoubt Elementary Roof Replacement Project to Provide Additional Funding for a Portion of Roof that is Ineligible for Bond Funds (Mayor) (Hearing on 05/05/20) (Referred to Finance Committee)
- *c. Ordinance 2020-18: Confirming the Assessment Roll for the Rustic Avenue Road Improvement Assessment District (Mayor) (Hearing on 05/05/20) (Referred to Finance Committee)
- *d. Ordinance 2020-20: Approving and Accepting Grant Funds from the State of Alaska Division of Homeland Security and Emergency Management to Reimburse Repairs at the Skyview Middle School and the Kenai Middle School Resulting from the November 30, 2018 Cook Inlet 7.0 Earthquake (Mayor) (Hearing on 05/05/30) (Referred to Finance Committee)

- *e. Ordinance 2019-19-33: Providing Funding for South Peninsula Hospital Computerized Tomography (CT Scanner) Suite Renovation (Mayor) (Hearing on 05/05/20) (Referred to Finance Committee)
- *f. Ordinance 2019-19-34: Appropriating Funds from the South Peninsula Hospital Service Area Capital Project Fund to Provide Additional Funding for the Deaerator and Steam Plant Improvements (Mayor) (Hearing on 05/05/20) (Referred to Finance Committee)
- *g. Ordinance 2019-19-35: Appropriating \$1,031,035 to the Special Assessment Fund for the South Kalifornsky Beach Road Utility Special Assessment District (Mayor) (Hearing on 05/05/20) (Referred to Finance Committee)
- *h. Ordinance 2020-17: Authorizing a Lease to New Cingular Wireless PCS LLC for Approximately 1,600 Square Feet of Borough Land in Kenai for a Communications Site (Mayor) (Hearing on 05/19/20) (Referred to Lands Committee)
- *i. Ordinance 2020-21: Amending KPB 21.02.050 to Change the Kachemak Bay Advisory Planning Commission Membership by Removing the City of Homer Ex Officio Non-Voting Member (Dunne) (Hearing on 05/19/20) (Referred to Policies and Procedures Committee)
- *j. Ordinance 2020-16: Amending the Kenai Peninsula Borough Hazard Mitigation Plan by Deleting Existing Annex C, 2010 City of Kenai Hazard Mitigation Plan Update and Adopting the City of Kenai Hazard Mitigation Plan 2020 Update as the New Annex C (Mayor) (Hearing on 05/05/20) (Referred to Policies and Procedures Committee)

3. Other

- *a. Approving a Letter of Non-Objection regarding the Transfer of Location for Cooper Landing Brewing Company Liquor License #5573 (Referred to Finance Committee)

- *b. Ratifying a Letter of Non-Objection for Arctic Herbery New Retail Marijuana Store License #23777 (Referred to Finance Committee)
- *c. Confirming Appointments to the Ninilchik - Anchor Point Joint Service Area Work Group (Mayor) (Referred to Policies and Procedures Committee)

<u>Applicant</u>	<u>Seat</u>
Troy Laky	Seat A – Ninilchik Resident
Debbie Cary	Seat B – Ninilchik Resident
Dawson Slaughter	Seat C – Anchor Point FESA Resident
Jolayne Soplanda	Seat D – Anchor Point FESA Resident
Lara McGinnis	Seat E – At Large
Conrad V. Matuoka	Alternate Seat A/B – Ninilchik Resident
Bradley D. Smith	Alternate Seat C/D – Anchor Point FESA Resident

- *d. Confirming Appointments to Advisory Planning Commissions (Mayor) (Referred to Policies and Procedures Committee)

.....**LAYDOWN**

<u>Kalifornsky Beach APC</u>	<u>Seat</u>	<u>Term Expires</u>
Stephen Ford	B	September 30, 2020

<u>Hope/Sunrise APC</u>	<u>Seat</u>	<u>Term Expires</u>
Flip Foldager	A	September 30, 2021
G. Johnny Sorenson	C	September 20, 2022

Kachemak Bay APC
 Eirc Knudtson
 Joseph (Jeff) Middleton
 Louise Sequela
 Tim Whip
 Anna Germundson

[Clerk's Note: The Kachemak Bay APC has been inactive since 2003. Members shall draw for seats at its initial meeting, per KPB 21.02.080(C).]

- *e. Authorizing the Assembly President and Vice President to sign the letter to Congressman Don Young regarding Secure Rural School (SRS) and Payment in Lieu of Taxes (PILT) Funding (Smalley, Cooper) (Referred to Legislative Committee).....**LAYDOWN**

MAYOR'S REPORT

1. Assembly Requests/Responses – None.
2. Agreements and Contracts
 - a. Authorization to Award a Contract for ITB20-017 Funny River Transfer Site Expansion to CIC, Inc., Soldotna, Alaska.
 - b. Authorization to Award a Contract for ITB20-016 Area 2 Solid Waste and Recycle Container Hauling to Moore & Moore Services, Inc., dba Quick Sanitation, Homer, Alaska.
 - c. Authorization to Award a Contract for ITB20-015 Area 1 Solid Waste and Recycle Container Hauling to Alaska Waste – Kenai Peninsula LLC., Soldotna, Alaska.
 - d. Ninkski Fire Station No. 3 Emergency Alerting System (G2) Install Contracted to Kachemak Electric.
 - e. Authorization to Award a Contract for ITB20-018 North Peninsula Recreation Service Area Boiler Replacement to Peninsula Construction, Inc., Kenai, Alaska.
 - f. Soul Source Waiver to Enter into a Contract with Love Inc. of the Kenai Peninsula.
 - g. Authorization to Award a Contract for ITB20-020 Gym Floor Refinishing 2020 to Alaskan Industries, Wasilla, Alaska
3. Other
 - a. Revenue – Expenditure Report – February, 2020

- b. Budget Revisions – February, 2020
- c. Revenue – Expenditure Report – March, 2020
- d. Budget Revisions – March, 2020

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.)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

- 1. May 5, 2020
6:00 PM
Regular Assembly Meeting
This meeting will be held through Zoom:
Meeting ID: 128 871 931
From the Betty J. Glick Assembly Chambers

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: 128 871 931. To join the meeting from a computer, visit <https://zoom.us/j/128871931>. To attend the Zoom meeting by telephone call toll free 1-888-788-0099 or 1-877-853-5247 and enter the Meeting ID: 128 871 931. 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.