



Assembly Action Agenda

December 1, 2020 - 6:00 PM

Regular Meeting

The meeting will be held through
Zoom Meeting ID: 128 871 931
From the Borough Administration Building

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 David Thompson.]

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. November 10, 2020 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

1. Central Peninsula Hospital Quarterly Report (10 Minutes)
2. North Road Extension Update, John Hedges, Purchasing and Contracting Director (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. **TABLED AS AMENDED** 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) (Referred to Finance Committee) **[9 Yes, 0 No, 0 Absent]**
2. **TABLED AS AMENDED** Ordinance 2020-19-08: Appropriating Refinanced 2013 School General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor) (Referred to Finance Committee) **[9 Yes, 0 No, 0 Absent]**
3. **TABLED AS AMENDED** Ordinance 2020-19-09: Appropriating Refinanced 2011 Hospital General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor) (Referred to Finance Committee) **[9 Yes, 0 No, 0 Absent]**
- *4. Ordinance 2020-19-12: Transferring Remaining Plant Replacement Expansion Funds from the South Peninsula Hospital Service Area Special Revenue Fund to the South Peninsula Hospital Capital Project Fund (Mayor) (Referred to Finance Committee)
- *5. **AS AMENDED** Ordinance 2020-19-13: Appropriating Funds from the Seldovia Recreational Service Area Fund Balance for the Cost of a Small Onsite Storage Building (Dunne) (Referred to Finance Committee)
- *6. Ordinance 2020-19-14: Re-Appropriating North Peninsula Recreation Service Area Capital Project Funds of \$610,512.97 from Previously Appropriated Projects to the Nikiski Pool Roof Replacement Fund (Mayor) (Referred to Finance Committee)
7. **ENACTED** Ordinance 2020-46: Amending KPB 5.12.150(D) "Home Port" Definition and Defining "Boatyard" for Personal Property Tax Purposes (Mayor) (Referred to Finance Committee) **[9 Yes, 0 No, 0 Absent]**

- *8. **AS AMENDED** Ordinance 2020-47: Authorizing an Amendment to the Tsalteshi Trails Association Lease to Provide a Ten-Year Extension of the Term (Mayor, Cox) (Referred to Lands Committee)
- *9. **AS AMENDED** Ordinance 2020-48: Authorizing a Communications Site Lease Agreement at Nikiski Station 3 with SPITwSPOTS, Inc. (Mayor) (Referred to Lands Committee)

UNFINISHED BUSINESS

- 1. Postponed Item
 - a. **POSTPONED AS AMENDED TO JANUARY 19, 2021** Ordinance 2020-45: Amending KPB 2.40, Planning Commission, KPB Title 20 Subdivisions, and KPB 21.20, Hearing and Appeals, to Correct Grammatical Errors, and Clarify and Improve Certain Administrative Procedures (Mayor) (Referred to Policies and Procedures Committee) **[5 Yes, 4 No, 0 Absent]**

NEW BUSINESS

- 1. Resolutions
 - *a. Resolution 2020-079: Confirming Appointments to Non-Borough Boards (Hibbert) (Referred to Policies and Procedures Committee)
 - *b. Resolution 2020-080: Requesting the Alaska Department of Transportation and Public Facilities to Initiate Safety and Speed Limit Studies on Ohlson Mountain Road Near Homer (Dunne, Chesley) (Referred to Legislative Committee)
 - c. **ADOPTED** Resolution 2020-081: Asking the North Pacific Fishery Management Council not to Adopt the Alternative 4, which would Prohibit Commercial Fishing in the Cook Inlet Exclusive Economic Zone (Borough Assembly) (Referred to Legislative Committee) **[9 Yes, 0 No, 0 Absent]**
 - *d. Resolution 2020-082: Supporting the Transportation Priorities to be Considered for Grant Funding to be Submitted to the State of Alaska Department of Transportation and Public Facilities (Mayor) (Referred to Legislative Committee)

- *e. **AS AMENDED** Resolution 2020-083: Amending the Spending Plan for Cares Act Coronavirus Relief Funds Received from the State Of Alaska, to Supplement Audio Video Capabilities to Allow Remote Meetings at the Donald E. Gilman Kenai River Center, Kenai Peninsula Borough School District Telephony Project, Student Home-To-School Transportation Costs and Funding to Support Presumed COVID-19 Education-Related Expenditures (Mayor) (Referred to Finance Committee)

2. Ordinances for Introduction

- *a. Ordinance 2020-49: Approving the Transfer of Assets from Ninilchik Emergency Services, Inc. to the Borough on Behalf of the Newly Expanded Fire & Emergency Medical Service Area (Hearing on 01/05/21) (Referred to Finance Committee)

3. Other

- *a. Confirming Appointments to the Western Emergency Service Area Board (Mayor) (Referred to Policies and Procedures Committee)

<u>Appointment</u>	<u>Seat</u>	<u>Term Expires</u>
Cherie Richter	(A) Anchor Point	October, 2023
Dawson Slaughter	(B) Anchor Point	October, 2022
Kathryn Lopeman	(C) Ninilchik	October, 2023
Katherine Covey	(D) Ninilchik	October, 2022
James Lee Kenshalo	(E) At-Large	October, 2021

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

Hope/Sunrise Advisory Planning Commission

Jessie Maguire	Seat F	Term Expires September 30, 2023
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Kachemak Bay Advisory Planning Commission

Bruce Robinson Seat B Term Expires September 30, 2022

- *c. Confirming Appointments to the Board of Equalization (Mayor)
 (Referred to Policies and Procedures Committee)

Tyson R. Cox Seat C Term Expires December 31, 2023

Barbara Belluomini Seat D Term Expires December 31, 2023

Wenda J. Kennedy Alternate Seat B Term Expires December 31, 2023

Brett DeMeter Alternate Seat C Term Expires December 31, 2023

- d. **VETO ACTION OF THE PLANNING COMMISSION FAILED** Petition to Vacate Portions of Universe Avenue, Komsomol Street and Markoka Avenue Right-of-Ways and Vacate all of Planet Place Right-of-Way, including all Associated Clearing and Underground Utility Easements and Anchor Easements as Dedicated on Terrace View, Plat HM 74-2194. The Rights-of-Way being Vacated are Mostly Unconstructed and Located Within Section 22, Township 4 South, Range 14 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2019-150VR1 (Mayor) (Referred to Lands Committee) **[8 No, 1 Yes, 0 Absent]**.**LAYDOWN**

[Clerk's Note: At its regular meeting of November 30, 2020, the Planning Commission approved the referenced petition to vacate by unanimous consent.]

MAYOR'S REPORT

- 1. Assembly Requests/Responses – None.
- 2. Agreements and Contracts
 - a. Sole Source: Theater Rigging Inspection/Training with Stagecraft Industries, Inc., Portland, Oregon
 - b. Sole Source: Repairs to the SANY 215 Excavator, Solid Waste Department to Totem Equipment Supply, Anchorage, Alaska

- c. Authorization to Award a Contract for the Nanwalek Teacherage Demolition and Disposal to East Road Services, Inc.
3. Other
- a. Revenue – Expenditure Report, October, 2020
 - b. Budget Revisions, October, 2020
 - c. Joint Letter to Acting Attorney Regarding Second Class Borough Limitations
 - d. Status Report on Soldotna Prep Building
 - e. 20CAR Summary Reports as of 11/19/20

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. January 5, 2021 Regular Assembly Meeting
6:00 PM
- This meeting will be held through Zoom
Meeting ID: TBD
- 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: 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.