



Assembly Action Agenda

September 1, 2020 - 6:00 PM

Regular Meeting

The meeting will be 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 Willy Dunne.]

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. August 4, 2020 Regular Assembly Meeting Minutes
- *2. August 11, 2020 Special Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

1. Report of Current Kenai Peninsula Borough COVID-19 Status and Response Actions, Dan Nelson, Emergency Manager (10 Minutes)

2. "Response to my Neighbor", Twyla Mundy, Project Homeless Connect (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. **AS AMENDED** Ordinance 2019-19-43: To Record FY2020 Expenditures Paid by the State of Alaska Department of Administration, Division of Retirement and Benefits on Behalf of the Kenai Peninsula Borough Towards the Borough's Unfunded PERS Liability (Mayor) (Referred to Finance Committee)
- *2. Ordinance 2020-19-02: Appropriating Funds to Pay Fees Associated with Collection of Remote Sales Tax (Mayor) (Referred to Finance Committee)
- *3. **AS AMENDED** Ordinance 2020-19-03: Appropriating Funds from the South Peninsula Hospital Plant Replacement and Expansion Fund for the Homer Medical Clinic Roof Replacement (Mayor) (Referred to Finance Committee)
- *4. Ordinance 2020-19-04: Appropriating \$1,500 for the Costs of Printing and Distributing Information about the Ballot Proposition Seeking Voter Approval to Expand the Anchor Point Fire and Emergency Medical Service Area into the Newly Created Western Emergency Service Area which will Encompass Both Ninilchik and Anchor Point Communities (Johnson) (Referred to Finance Committee)
- *5. Ordinance 2020-35: Authorizing the Assessor to Accept One Late Filed Senior Citizen Exemption Application for 2020 Filed After March 31 and Providing an Exception to KP.B 5.12.040(B) (Mayor) (Referred to Finance Committee)

UNFINISHED BUSINESS

1. Postponed Items

- a. **POSTPONED TO SEPTEMBER 15, 2020** Confirming Appointment to the Kenai Peninsula Borough Planning Commission (Mayor) (Referred to Policies and Procedures Committee) **[7 Yes, 0 No, 2 Absent]**

<u>Appointment</u>	<u>Board Seat</u>	<u>Term Expires</u>
Lou Oliva	Northwest Borough	July 31, 2023

NEW BUSINESS

1. Resolutions

- *a. Resolution 2020-057: Amending the Spending Plan Approved in Resolutions 2020-047 and 2020-056 for CARES Act Coronavirus Relief Funds Received from the State of Alaska (Mayor) (Referred to Finance Committee)
- *b. Resolution 2020-058: Authorizing the Sub-Award of Sub-Subrecipient Agreements for Rural Internet Grants (Mayor) (Referred to Finance Committee)
- *c. Resolution 2020-059: Approving an Automatic Aid Agreement and Operational Plan Between Bear Creek Fire Service Area and Lowell Point Volunteer Fire Department for Fire Response Services (Mayor) (Referred to Policies and Procedures Committee)
- d. **ADOPTED** Resolution 2020-060: 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 December 30, 2020 (Mayor) (Referred to Policies and Procedures Committee) **[6 Yes, 1 No, 2 Absent]**
- *e. **AS AMENDED** Resolution 2020-062: Requesting that the Kenai Peninsula Borough Clerk's Office Utilize Media Sources to Direct Voters to Online Voter Pamphlet Information (Cox, Johnson) (Referred to Policies and Procedures Committee)

f. **POSTPONED TO SEPTEMBER 15, 2020** Resolution 2020-061: In Support of the State's Use of Estimated Student Count Data to Fund K-12 Public Education for Fiscal Year 2021 (Cooper, Cox, Smalley, Dunne, Johnson, Bjorkman) (Referred to Legislative Committee) **[7 Yes, 0 No, 2 Absent]**

*g. Resolution 2020-063: Providing Authorization for a Sole Source Procurement to Obtain Parts and Services from Federal Signal Corporation (Mayor) (Referred to Finance Committee)**LAYDOWN**

2. Ordinances for Introduction

*a. Ordinance 2020-19-05: Appropriating Funding from the Central Peninsula Hospital Plant Replacement and Expansion Fund for the Handicap Parking and ADA Access Project (Mayor) (Hearing on 09/15/20) (Referred to Finance Committee)

*b. Ordinance 2020-37: Approving and Accepting Grant Funds from the State of Alaska Division of Homeland Security & Emergency Management to Reimburse Repairs at the North Peninsula Recreation Center Resulting from the November 30, 2018 Cook Inlet 7.0 Earthquake (Mayor) (Hearing on 09/15/20) (Referred to Finance Committee)

*c. Ordinance 2020-38: Approving the Revised Kenai Peninsula Borough Emergency Operations Plan (Mayor) (Hearing on 10/13/20) (Referred to Policies and Procedures Committee)

*d. Ordinance 2020-19-06: Appropriating \$111,869.20 to Fund a Former State Dispatch Position at the Soldotna Public Safety Communications Center (Mayor) (Hearing on 09/15/20) (Referred to Finance Committee)**LAYDOWN**

3. Other

*a. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Retail Marijuana Store, License 23810 Filed by Fat Tops, LLC, Subject to the Standard Conditions (Referred to Finance Committee)

[Clerk's Note: Standard Conditions for Commercial Marijuana Facilities are as follows: 1. The marijuana establishment shall conduct their operation consistent with the site plan submitted to the Kenai Peninsula Borough. 2. There shall be no parking in the borough rights-of-way generated by the marijuana establishment. 3. The marijuana establishment shall remain current in all Kenai Peninsula Borough tax obligations consistent with KPB 7.30.020 (A). 4. The marijuana establishment shall not conduct any business on, or allow any consumer to access, the retail marijuana store's licensed premises, between the hours of 2:00 a.m. and 8:00 am.]

- *b. Petition to Vacate a 10-foot Utility Easement within Lot A-2, M. L. Stewart Homestead J King Addition (Plat KN 96-63) Granted by M. L. Stewart Homestead Subdivision Tracts A, B & C (Plat KN 75-124); Within Section 19, Township 5 North, Range 10 West, Seward Meridian, Alaska, Within the Kenai Peninsula Borough. KPB File 2020-071V (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its August 10, 2020 meeting by majority vote.]

MAYOR'S REPORT

1. Assembly Requests/Responses – None.
2. Agreements and Contracts
 - a. Authorization to Award a Contract for ITB20-031 Nikiski Fire Station No. 1 Painting Upgrades to Adams Family Painting, Palmer, Alaska.
 - b. Authorization to Award a Contract for ITB21-001 Kaleidoscope Flooring Replacement to Eastside Carpet Company, Anchorage, Alaska.
 - c. Sole Source for Tyonek Recreation Services Requesting Authorization to Re-New a Two-Year Contract with B&G Club of South Central Alaska for Continued Services to the Village of Tyonek.

- d. Sole Source – ZGEN-36 Hypochlorous Acid Generator to TMI Salt Pure Corp. of Manchester, WA.
 - e. Sole Source – Backup Dispatch Center Radio Equipment, Under the HGAC Cooperative Contract.
 - f. Authorization to Award a Contract for ITB20-034 South Peninsula Hospital CT Suite Remodel to Steiner’s North Star Construction, Inc., Homer, Alaska.
 - g. Authorization to Award a Contract for ITB21-004 CPL Excavation of C&D Expansion to Foster Construction, LLC., Soldotna, Alaska.
3. Other
- a. Budget Revisions – July 2020
 - b. Revenue – Expenditure Report – July 2020
 - c. Capital Project Reports – June 30, 2020
 - d. Investment Report – Quarter Ended

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. September 15, 2020 Regular Assembly Meeting
2:00 PM 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.