



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Assembly

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Tuesday, May 5, 2020

6:00 PM

The meeting will be held through Zoom - Meeting ID:  
128 871 931, from the Betty J. Glick Assembly  
Chambers

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### 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 Carrie Henson.]

### 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.)*

### APPROVAL OF MINUTES

[KPB-2591](#) April 21, 2020 Assembly Meeting Minutes

Attachments: [042120 Regular Assembly Meeting Minutes](#)

### COMMENDING RESOLUTIONS AND PROCLAMATIONS

### PRESENTATIONS WITH PRIOR NOTICE

*(20 minutes total)*

### 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

[2020-15](#) An Ordinance 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)

**Attachments:** [Ordinance 2020-15](#)  
[Memo](#)

[2019-19-32](#) An Ordinance 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)

**Attachments:** [Ordinance 2019-19-32](#)  
[Memo](#)

[2020-18](#) An Ordinance of Assessment Confirming the Assessment Roll for the Rustic Avenue Road Improvement Assessment District (Mayor)

**Attachments:** [Ordinance 2020-18](#)  
[Memo](#)  
[Final Assessment Roll Excel PDF](#)

[2020-20](#) An Ordinance 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)

**Attachments:** [Ordinance 2020-20](#)  
[Memo](#)

[2019-19-33](#) An Ordinance To Provide Funding for South Peninsula Hospital Computerized Tomography (CT Scanner) Suite Renovation (Mayor)

**Attachments:** [Ordinance 2019-19-33](#)  
[Memo](#)  
[Service Area Board Recommendation](#)

[2019-19-34](#) An Ordinance Appropriating Funds from the South Peninsula Hospital Service Area Capital Project Fund to Provide Additional Funding for the Deaerator and Steam Plant Improvements (Mayor)

*Attachments:* [Ordinance 2019-19-34](#)  
[Memo](#)  
[Service Area Board Recommendation](#)

[2019-19-35](#) An Ordinance Appropriating \$1,031,035 to the Special Assessment Fund for the South Kalifornsky Beach Road Utility Special Assessment District (Mayor)

*Attachments:* [Ordinance 2019-19-35](#)  
[Memo](#)

Ordinances referred to Policies and Procedures Committee

[2020-16](#) An Ordinance 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)

*Attachments:* [Ordinance 2020-16](#)  
[Planning Commission Recommendation](#)  
[Memo](#)  
[Kenai Hazard Mitigation Plan 2020](#)  
[FEMA Letter](#)  
[Kenai City Council Resolution](#)

## UNFINISHED BUSINESS

Notice to Reconsider

[2019-24](#) An Ordinance Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions (Mayor)

Attachments:

[Ordinance 2019-24 SUB](#)

[Memo SUB](#)

[SUB Dunne Amendment Memo](#)

[SUB REPLACEMENT Amendment Memo \(Dealt with 03/17/20\)](#)

[SUB Amendment Memo 022520 \(Replaced by 03/17/20 Memo\)](#)

[SUB City of Kenai Memo 031720](#)

[Ordinance 2019-24 \(Amended by Substitute\)](#)

[Memo](#)

[City of Soldotna Resolution](#)

[Kachemak City Letter](#)

[City of Kenai Resolution](#)

[City of Homer Resolution](#)

[City of Homer Memorandum](#)

[eComment 100819](#)

[Public Comment 120319](#)

[SUB Planning Commission Recommendations 120319 \(Dealt with 12/03/19\)](#)

[Dunne Amendment Memo \(Dealt with 11/21/19\)](#)

[Planning Commission Recommendations 092319 \(Dealt with 11/21/19\)](#)

[Request for Postponement \(Dealt with on 10/08/19\)](#)

[Public Comments 050520](#)

[O2019-24 ADFG Letter 050520](#)

## **NEW BUSINESS**

### 1. Resolutions

Resolutions referred to Finance Committee

[2020-024](#) A Resolution to Form the South Kalifornsky Beach Road Utility Special Assessment District (USAD) and Proceed with the Improvement of a Natural Gas Main Line Extension (Mayor)

*Attachments:* [Resolution 2020-024](#)  
[Memo](#)  
[Exhibit 1](#)  
[Certification of Petition](#)  
[Objection Letter](#)  
[Public Comment 050520](#)

[2020-033](#) A Resolution Approving the Kenai Peninsula Borough's Participation in a Proposed Refinancing by the Alaska Municipal Bond Bank of its General Obligation Bonds that Provided Funds to Purchase the General Obligation School Bond, Series 2010B (Taxable Recovery Zone Economic Development Direct Payment) of the Kenai Peninsula Borough, Under a Loan Agreement Between the Kenai Peninsula Borough and the Alaska Municipal Bond Bank; and Authorizing the Kenai Peninsula Borough's Mayor or Designee to Approve a Revised Schedule of Principal and Interest Payments on the Kenai Peninsula Borough's 2010B Bond, in Accordance with the Loan Agreement, if the Alaska Municipal Bond Bank Successfully Refinances its Bonds (Mayor)

*Attachments:* [Resolution 2020-033](#)  
[Memo](#)

[2020-034](#) A Resolution Authorizing the Kenai Peninsula Borough to Participate in the Alaska Municipal League Joint Insurance Association's Loss Control Incentive Program for Fiscal Year 2020 (Mayor)

*Attachments:* [Resolution 2020-034](#)  
[Memo](#)

Resolutions referred to Policies and Procedures Committee

[2020-035](#) A Resolution Approving the Collective Bargaining Agreement (Mayor)

*Attachments:* [Resolution 2020-035](#)  
[Memo](#)  
[Tentative Agreement - Highlighted](#)  
[Summary of Changes](#)

2. Ordinances for Introduction

## Ordinances for Introduction and referred to Finance Committee

[2020-19](#) An Ordinance Appropriating Funds for Fiscal Year 2021 (Mayor)

**Attachments:** [Ordinance 2020-19](#)  
[Cox Amendment Memo](#)  
[Cox Amendment 1](#)  
[Cox Amendment 2](#)  
[Cox Amendment 3](#)  
[Memo](#)  
[FY21 Mayor Proposed budget](#)  
[Mayor's Budget Presentation](#)  
[Back up Documentation 060220](#)  
[Public Comment 060220](#)  
[eComments 060220](#)  
[eComments 051920](#)  
[Public Comments 051920](#)

[2019-19-36](#) An Ordinance Approving and Appropriating Grant Funds Totaling \$18,023.65 from the Alaska Department of Natural Resource for the Volunteer Fire Assistance Program on Behalf of Anchor Point Fire and Emergency Services, Kachemak Emergency Service Area, and Nikiski Fire Service Area (Mayor)

**Attachments:** [Ordinance 2019-19-36](#)  
[Memo](#)  
[Grant Award Letter](#)

[2019-19-37](#) An Ordinance Appropriating \$77,000 to the Office of Emergency Management to Cover Costs Associated with Mitigation for the COVID-19 Disaster Declaration (Mayor)

**Attachments:** [Ordinance 2019-19-37](#)  
[Memo](#)

## Ordinances for Introduction and referred to the Lands Committee

[2020-22](#) An Ordinance Authorizing the Negotiated Lease of Rental Space at the Nikiski Community Recreation Center with the Kenaitze Indian Tribe (Mayor)

**Attachments:** [Ordinance 2020-22](#)  
[Memo](#)  
[Lease](#)  
[Floor Plan Leased Area](#)  
[Planning Commission Recommendation](#)

[2020-23](#) An Ordinance Authorizing a One-Time Extension of KPB 20.70.130 Which Sets a One-Year Deadline to Record a Final Plat Following Vacation Approval (Mayor)

**Attachments:** [Ordinance 2020-23](#)  
[Amendment Memo 051920](#)  
[Memo](#)  
[Planning Commission Recommendation](#)

[2020-25](#) An Ordinance Establishing the Resilience and Security Advisory Commission for the Kenai Peninsula Borough (Cooper, Cox, Smalley, Dunne)

**Attachments:** [Ordinance 2020-25](#)  
[Amendment Memo 061620](#)  
[Planning Commission Recommendation](#)  
[Cooper Landing Advisory Planning Commission Minutes](#)  
[City of Kenai Resolution](#)  
[City of Homer Resolution](#)  
[City of Seldovia Resolution](#)  
[Presentation](#)  
[Supporting Documents for Presentation](#)  
[eComments 061620](#)  
[Public Comment 070720](#)  
[Public Comments 061620](#)  
[Public Comment 060220](#)  
[Public Comment 050520](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

[2020-24](#) An Ordinance Amending KPB Title 4 Regarding Borough Elections to Provide for Vote by Mail Elections, for More Time Between a Regular Election and a Run-Off Election, and to Remove Proposition Statements (Cox, Dunne, Hibbert, Smalley)

[Clerk's Note: Assembly Member Carpenter gave notice of reconsideration at the June 2, 2020 assembly meeting.]

Attachments:

[Ordinance 2020-24](#)

[Fiscal Note](#)

[Memo](#)

[Timeline of Events](#)

[City of Seward Resolution](#)

[Cost Comparison Document](#)

[Municipality of Anchorage Letter](#)

[City of Seldovia Resolution](#)

[City of Soldotna Resolution](#)

[City of Homer Resolution](#)

[Feasibility Study](#)

[Amendment Memo \(Dealt with 060220\)](#)

[Blakeley Amendment \(Dealt with 060220\)](#)

[Public Comments 061620](#)

[Public Comments 060220](#)

[eComments2 060220](#)

[Public Comments 060320](#)

[Public Comments 051920](#)

[eComments 051920](#)

[eComments 061620](#)

[Public Comments 070720](#)

### 3. Other

Other items referred to Lands Committee



[KPB-2562](#) Petition to Vacate the Easterly Portion of Kayeway Road, a 60-foot right-of-way Approximately 520 Feet in Length Including the Associated Utility Easements, as Dedicated on Betty Goodrich Best Addition Phase 1, plat KN 2008-131. The Right-of-way Being Vacated is Unconstructed and Located within the SW1/4 of Section 2, Township 4 North, Range 11 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2020-020V. Petitioners: Megan Best and Amanda Best of Kenai, AK. (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its April 13, 2020 meeting by majority vote.]

Attachments: [Petition to Vacate](#)

[KPB-2563](#) Petition to Vacate a 40-foot Width of the 100-foot-wide East End Road right-of-way, Including Associated 20-foot Utility Easement, Adjacent to Lots 1-A and 1-B Voznesenka 2006 (HM2008-94) as Dedicated and Granted by Voznesenka (HM 85-31). The Right-of-way Being Vacated is Developed. Right-of -way Vacation and Utility Easement Vacations Are Located within the N 1/2 of Section 36, Township 4 South, Range 11 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2020-016V. Petitioners: Voznesenka Community Council Inc., and Nazary and Anastasia Basargin of Homer, Alaska. (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its April 13, 2020 meeting by majority vote.]

Attachments: [Petition to Vacate](#)

## MAYOR'S REPORT

[KPB-2571](#) Mayor's Report Cover Memo

Attachments: [Cover Memo](#)

1. Assembly Requests/Responses - None.
2. Agreements and Contracts

- a. [KPB-2572](#) COVID-19 Sole Source Contract Status
1. John Mohorcich Consulting, Operations Specialist Approx. \$3,200/Week. Not to Exceed \$25,600.
  2. Life in Limbo/Johnson, Public Information. Approx. \$2700/Week. Not to Exceed \$21,600.
- Attachments:* [COVID-19 Sole Source Contract](#)
- b. [KPB-2573](#) Authorization to Award a Contract for ITB20-019 Nikiski Fire Station #3 Diesel Fire Water Pump to Northwest Pump & Equipment, Anchorage, Alaska.
- Attachments:* [Authorization to Award Contract ITB20-019](#)
- c. [KPB-2574](#) ZOOM Video Conferencing, Emergency Procurement Authorization.
- Attachments:* [ZOOM Procurement Authorization](#)
3. Other - None.

## PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

## ASSEMBLY COMMENTS

## PENDING LEGISLATION

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

[2020-17](#) An Ordinance 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)

*Attachments:* [Ordinance 2020-17](#)  
[Memo](#)  
[Lease](#)  
[Appendix A](#)  
[Map](#)  
[Lease Area Overview](#)  
[Planning Commission Recommendation](#)

[2020-21](#) An Ordinance 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)

*Attachments:* [Ordinance 2020-21](#)  
[Memo](#)

## INFORMATIONAL MATERIALS AND REPORTS

### ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

#### 1. May 19, 2020 Regular Assembly Meeting

6:00 PM This meeting will be held through Zoom: Meeting ID: 128 871 931 from the Betty J. Glick Assembly Chambers

### ADJOURNMENT

*The next meeting of the Kenai Peninsula Borough Assembly will be held on January 21, 2014, at 6:00 P.M. in the Borough Assembly Chambers, Soldotna, Alaska.*

*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](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.*