



Assembly Action Agenda

November 10, 2020 - 6:00 PM

Regular Meeting

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

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

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 George Holly.]

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. Election of President and Vice President
BRENT HIBBERT, PRESIDENT
BRENT JOHNSON, VICE PRESIDENT

APPROVAL OF MINUTES

- *1. October 13, 2020 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

1. Kenai Peninsula Borough School District Quarterly Report (10 Minutes)

[Clerk's Note: John O'Brien, Superintendent and Dave Jones, Assistant Superintendent gave a quarterly report to the assembly.]

2. **RESCHEDULED TO DECEMBER 1, 2020 MEETING** North Road Extension Update, Dil Uhlin, KPB Roads 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. Ordinance 2019-19-44: Accepting and Appropriating Grant Funds for the Nikiski Fire Service Area and Central Emergency Service Area for the Self-Contained Breathing Apparatus Equipment Provided by the City of Kenai through the Assistance to Firefighters Grant Program (Mayor) (Referred to Finance Committee)
- *2. **AS AMENDED** Ordinance 2020-19-10: Appropriating Funds from the General Fund for Flood Response Under the Declared Local Disaster Emergency within the Kenai Peninsula Borough (Mayor) (Referred to Finance Committee)
- *3. Ordinance 2020-19-11: Accepting and Appropriating \$221,493 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management Functional Exercise and Air Compressor Unit (Mayor) (Referred to Finance Committee)
- *4. Ordinance 2020-42: Confirming the Assessment Roll for the South Kalifornsky Beach Road Utility Special Assessment District and Establishing the Method for Terminating Assessments and Making Refunds to Property Owners (Mayor) (Referred to Finance Committee)

5. **ENACTED AS AMENDED** Ordinance 2020-43: Amending KPB 21.44.110, Nonconforming Uses, to Clarify Expansion Related to Agricultural Purposes, that a Nonconforming Use Runs with the Land, and to Extend the Nonconforming Use Application Deadline for C & H Estates (Mayor) (Referred to Lands Committee) **[5 Yes, 4 No, 0 Absent]**
- *6. **AS AMENDED** Ordinance 2020-44: Authorizing the Lease of Approximately 2,500 Square Feet of Borough Owned Land to Atlas Tower 1 LLC for the Construction and Maintenance of a Communication Tower Site (Mayor) (Referred to Lands Committee)
7. **POSTPONED TO DECEMBER 1, 2020** 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) **[9 Yes, 0 No, 0 Absent]**

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions
 - a. **ADOPTED AS AMENDED** Resolution 2020-076: Amending the Spending Plan Approved for CARES Act Coronavirus Relief Funds Received from the State of Alaska, to Supplement Fire and Emergency Service Area Personnel Costs, Hospital Costs for Air Purification Project, and the Technology Communications Tower Site Development Project (Mayor) (Referred to Finance Committee) **[9 Yes, 0 No, 0 Absent]**
 - *b. **AS AMENDED** Resolution 2020-077: Approving an Automatic Aid Agreement and Operational Plan Between the Kenai Peninsula Borough on Behalf of Central Emergency Service Area, Nikiski Fire Service Area and the City of Kenai on Behalf of the Kenai Fire Department (Mayor) (Referred to Policies and Procedures Committee)

- c. **ADOPTED AS AMENDED** Resolution 2020-078: Supporting Kenai Peninsula Borough Residents to Receive a COVID-19 Vaccine on Prioritized and Optional Basis (Mayor, Bjorkman, Elam) (Referred to Legislative Committee) **[8 Yes, 1 No, 0 Absent]**

2. Ordinances for Introduction

- *a. 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) (Hearing on 12/01/20) (Referred to Finance Committee)
- *b. Ordinance 2020-19-13: Appropriating Funds from the Seldovia Recreational Service Area Fund Balance for the Cost of a Small Onsite Storage Building (Dunne) (Hearing on 12/01/20) (Referred to Finance Committee)
- *c. 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) (Hearing on 12/01/20) (Referred to Finance Committee)
- *d. Ordinance 2020-46: Amending KPB 5.12.150(D) "Home Port" Definition and Defining "Boatyard" for Personal Property Tax Purposes (Mayor) (Hearing on 12/01/20) (Referred to Finance Committee)
- *e. Ordinance 2020-47: Authorizing an Amendment to the Tsalteshi Trails Association Lease to Provide a Ten-Year Extension of the Term (Mayor) (Hearing on 12/01/20) (Referred to Lands Committee)
- *f. Ordinance 2020-48: Authorizing a Communications Site Lease Agreement at Nikiski Fire Station 3 with SPITwSPOTS, Inc. (Mayor) (Public Hearing on 12/01/20) (Referred to Lands Committee)

.....**LAYDOWN**

3. Other

- *a. Approval of the 2021 Assembly Meeting Schedule (Hibbert) (Referred to Policies and Procedures Committee)
- *b. Confirming the Re-Appointments to the Road Service Area Board (Mayor) (Referred to Policies and Procedures Committee)

<u>Appointment</u>	<u>Board Seat</u>	<u>Term Expires</u>
Michele Hartline	North Region	September 30, 2023
Robert Ruffner	West Region	September 30, 2023

MAYOR'S REPORT

1. Assembly Requests/Responses - None
2. Agreements and Contracts
 - a. Authorization to Award a Contract for RFP21-004 Kenai Peninsula Borough Assembly Chamber AV Upgrades to Key Code Media, Inc., Kent, WA
 - b. Authorization to Award a Contract for ITB21-014 FY21 Brushing Vegetation Control, South Region, Units 3, 4 and 5 to Moore & Moore Services, Inc., Homer, Alaska
 - c. Authorization to Award a Contract for ITB21-007 Bulk Fuel Supply.
 - d. Authorization to Award a Contract for ITB21-011 Snow Removal and/or Sanding of Various Borough Schools and Facilities.
 - e. Sole Source Waiver – Municipal Emergency Services, Inc., to replace BCFSA SCBA Cylinders
 - f. Authorization to Award a Contract for ITB21-006 Sawmill Creek Channel Extraction to Metco Alaska, LLC

3. Other
 - a. Revenue-Expenditure Report – September, 2020
 - b. Budget Revisions – September, 2020
 - c. Capital Project Reports – September 30, 2020
 - d. Investment Report Quarter Ended 09/30/20
 - e. FY21-1Q Economic Development Grant Reports
 - f. FY21-1Q Senior Center Grant Reports

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.)

1. 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) (Postponed to 12/01/20 meeting)
2. 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) (Postponed to 12/01/20 meeting)
3. 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) (Postponed to 12/01/20 meeting)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. December 1, 2020 Regular Assembly Meeting
6:00 PM This meeting will be held through Zoom
Meeting ID: 128 871 931
From the 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.