



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Assembly

Brent Hibbert, President
Brent Johnson, Vice President
Jesse Bjorkman
Kenn Carpenter
Lane Chesley
Tyson Cox
Richard Derkevorkian
Willy Dunne
Bill Elam

Tuesday, March 2, 2021

6:00 PM

Betty J. Glick Assembly Chambers

Zoom ID: 938 6524 5999 Passcode: 886199

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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 offered by Ty Handley.]

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.)*

ACTION ITEMS CURRENTLY ON CONSENT AGENDA:

Resolution 2021-019 – Emergency Declaration Extension
Resolution 2021-017 – Regional Aquaculture Associations
Resolution 2021-018 – North Pacific Fishery Management Veto
Ordinance 2020-19-23 – Redoubt Roof Project Bond Interest
Ordinance 2020-19-24 – Voting Equipment
Ordinance 2021-010 – KPB 14.06 Road Maintenance Exemption
Ordinance 2021-11 – Communication Lease Vertical Bridge LLC
Petition to Vacate – Government Lot 17
KESA Appointment
APC Appointments

ACTION ITEMS ELIGIBLE TO BE ADDED TO THE CONSENT AGENDA:

Ordinance 2020-19-19 – Community Projects Funding
Ordinance 2020-19-20 – EagleView Imagery Sole Source
Ordinance 2020-19-21 – Homer High Roof Replacement Phase 1
Ordinance 2020-19-22 – Slash Disposal Site Appropriation
Ordinance 2021-07 – Nikiski Fire Equipment Award
Ordinance 2021-08 – River Center Leases

APPROVAL OF MINUTES

[KPB-3013](#) February 16, 2021 Regular Assembly Meeting Minutes

Attachments: [February 16, 2021 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS**PRESENTATIONS WITH PRIOR NOTICE**

(20 minutes total)

1. [KPB-3014](#) Kenai Peninsula Tourism and Marketing Council Update, Debbie Speakman, Executive Director (10 Minutes)

Attachments: [LAYDOWN Presentation](#)

2. [KPB-3011](#) Alaska Long Trail and Land and Water Conservation Fund (LWCF) Alaska Trails Initiative, Mariyam Medovaya (10 Minutes)

Attachments: [Presentation](#)

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

[2020-19-19](#) An Ordinance Accepting and Appropriating Funding from the State of Alaska in the Amount of \$426,303 for Fiscal Year 2021 and Approving Projects to be Completed for Community Purposes Under the State's 2019/2020 and 2020/2021 Community Assistance Programs (Mayor)

Attachments: [Ordinance 2020-19-19](#)
[Memo](#)
[DCCED Letter](#)
[Reference Copy - Ordinance 2019-19-12](#)
[Reference Copy - Resolution 2020-018](#)
[Reference Copy - Resolution 2019-064](#)

[2020-19-20](#) An Ordinance Appropriating \$63,791.65 from the Equipment Replacement Fund for Imagery Acquisition and Approving a Sole Source Award to EagleView™ for the Purchase and Implementation of Pictometry Imagery (Mayor)

Attachments: [Ordinance 2020-19-20](#)
[LAYDOWN Planning Commission Recommendation](#)
[GIS Information](#)
[Memo](#)
[EagleView Quote](#)
[Reference Copy - Resolution 2020-051](#)
[Reference Copy - Resolution 2003-008](#)

[2020-19-21](#) An Ordinance Appropriating General Fund Fund Balance for Design Development of Phase I of the Homer High School Roof Replacement (Mayor)

Attachments: [Ordinance 2020-19-21](#)
[Memo](#)

[2020-19-22](#) An Ordinance Accepting and Appropriating \$9,600 from the State of Alaska Division of Forestry to Supplement Costs to Manage the Slash Disposal Site Located in Cooper Landing (Mayor)

Attachments: [Ordinance 2020-19-22](#)
[Memo](#)
[Alaska Division of Forestry E-Mail](#)

[2021-07](#) An Ordinance Accepting Emergency Response Equipment from the Nikiski Firefighters Association, Inc. on Behalf of Nikiski Fire Service Area (Mayor)

Attachments: [Ordinance 2021-07](#)
[Memo](#)
[LAYDOWN Service Area Board Recommendation](#)
[NFA Equipment Award \(Marathon\) January 2021](#)

Ordinances referred to Lands Committee

[2021-08](#) An Ordinance Authorizing Leases of Space at the Kenai River Center Building with the State of Alaska Department of Fish and Game and Department of Natural Resources and Repealing Ordinance 2020-30 (Mayor)

Attachments: [Ordinance 2021-08](#)
[LAYDOWN Planning Commission Recommendation](#)
[Memo](#)
[Lease DNR](#)
[Lease ADFG](#)
[Reference Copy - Ordinance 2020-30](#)

[2021-09](#) An Ordinance Authorizing a Community Trail Management Agreement with Snomads, Inc. (Mayor)

Attachments: [Ordinance 2021-09 Management Plan AMENDED](#)
[Ordinance 2021-09](#)
[Derkevorkian Amendment 030221](#)
[LAYDOWN Dunne Amendment Memo 030221](#)
[LAYDOWN Planning Commission Recommendation](#)
[Memo](#)
[Trail Management Agreement](#)
[Trail Management Plan](#)
[Map](#)

Ordinances referred to Policies and Procedures Committee

[2020-45](#) An Ordinance 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)

Attachments: [Ordinance 2020-45](#)
[Amendment Memo 030221](#)
[Amendment Memo #2 120120 \(Motion on the floor 12/01/20 mtg\)](#)
[Memo](#)
[Sectional Analysis](#)
[Public Comments 120120](#)
[Public Comment 111020](#)
[eComments 120120](#)
[Planning Commission Request for Postponement 011921 \(Dealt with 011921\)](#)
[Amendment Memo #1 102920 \(Dealt with on 12/01/20\)](#)
[Planning Commission Recommendation 111020 \(Dealt with on 12/01/20\)](#)

[2021-06](#) Amending KPB 16.04 - Establishment of Service Areas to Establish Residency Requirements for Appointed Service Area Board Members (Mayor)

Attachments: [Ordinance 2021-06](#)
[Memo](#)

UNFINISHED BUSINESS**NEW BUSINESS**

1. Resolutions

Resolutions referred to Policies and Procedures Committee

[2021-019](#) A Resolution 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 June 30, 2021 (Cox)

Attachments: [Resolution 2021-019](#)
[Memo](#)
[COVID-19 Emergency Declaration](#)
[Reference Copy - Resolution 2020-084](#)
[Public Comments 030221](#)
[eComment](#)

Resolutions referred to Legislative Committee

[2021-017](#) A Resolution Supporting Regional Aquaculture Associations and Opposing Proposed Changes to the Management Plan of Kachemak Bay State Park and State Wilderness Park that would Negatively Impact Tutka Bay Lagoon Hatchery (Chesley)

Attachments: [Resolution 2021-017](#)
[Memo](#)

[2021-018](#) A Resolution Asking the US Secretary of Commerce to Consider Vetoing the North Pacific Fishery Management Council's Adoption of Measures that Will Close Commercial Salmon Fishing in the Cook Inlet Exclusive Economic Zone (Dunne, Johnson, Mayor, Cox, Hibbert, Chesley, Elam, Carpenter, Derkevorkian)

Attachments: [Resolution 2021-018](#)
[eComment](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

[2020-19-23](#) An Ordinance Appropriating School Bond Interest to Cover the Cost of Ineligible Scope of Work on the Redoubt Elementary Roof Project (Mayor) (Hearing on 04/06/21)

Attachments: [Ordinance 2020-19-23](#)
[Memo](#)

[2020-19-24](#) An Ordinance Appropriating Funds and Authorizing the Borough Clerk to Contract for Necessary Voting Machines, Software, and Related Equipment to Provide an Accessible Voting System for Persons with Disabilities (Hibbert, Johnson) (Hearing on 04/20/21)

Attachments: [Ordinance 2020-19-24](#)
[Memo](#)
[LAYDOWN Public Comment 030221](#)

Ordinances for Introduction and referred to the Lands Committee

[2021-10](#) An Ordinance Providing an Exemption from KPB Chapter 14.06 Road Standards to Allow Acceptance of a Non-Conforming Road into the Borough Road Maintenance Program (Mayor) (Hearing on 04/06/21)

Attachments: [Ordinance 2021-10](#)
[Memo](#)
[Extension Map](#)

[2021-11](#) An Ordinance Authorizing a Communications Site Lease Agreement to Vertical Bridge Development, LLC (Mayor) (Hearing on 04/06/21)

Attachments: [Ordinance 2021-11](#)
[Memo](#)
[LEASE](#)
[APPENDIX A](#)
[APPENDIX B](#)
[Attachment A - Map](#)
[Attachment B - IMAGERY](#)

3. Other

Other items referred to Lands Committee

[KPB-3009](#) Petition to Vacate a 30' by 273' Right-of-Way Permit ADL 220394 Adjoining the South Boundary of Government Lot 17 Within Section 34 Township 8 North Range 11 West

[Clerk's Note: The Planning Commission approved the referenced petition at its February 8, 2021 meeting by unanimous consent.]

Attachments: [Petition to Vacate](#)

Other items referred to Policies and Procedures Committee

[KPB-3010](#) Confirming an Appointment to the Kachemak Emergency Service Area Board

Jeffrey Serio, Seat B, Term Expires October, 2021

Attachments: [Appointment](#)

[KPB-3003](#) Confirming the Appointments to the Kenai Peninsula Borough Advisory Planning Commissions

Anchor Point APC, Sonshine D. Konovalov; Seat A; Term Expires September 30, 2023

Kalifornsky APC, Kathryn A. Medcoff; Seat A; Term Expires September 30, 2023

Kalifornsky APC, Krista Schooley; Seat C; Term Expires September 30, 2023

Attachments: [Appointments](#)

[KPB-3015](#) LAYDOWN Petition to Vacate Utility Easement: PC Resolution 2021-01 - Vacating a 5' x 5' Area, Centered on the Existing Well, Within the 5' Underground Utility Easement Adjoining the South Boundary of Lot 14, Block 2, Granted by Mackey Lake Subdivision Addition No. 1 Part 3 (Plat KN 74-92); within Section 14, Township 5 North, Range 10 West, Seward Meridian, Alaska; KPB File 2021-001V.

[Clerk's Note: At its regularly scheduled meeting of February 22, 2021 the Kenai Peninsula Borough Planning Commission granted approval of the above vacations by unanimous consent.]

Attachments: [LAYDOWN Petition to Vacate](#)

[KPB-3019](#) LAYDOWN Petition to Vacate Utility Easement Vacating a 10' Utility Easement and Anchor Easement within Lot 6 and Lot 7 Kimbrel Subdivision KN 82-63 Granted by Kimbrel Subdivision KN 76-68 Located within Section 27, Township 4 North, Range 11 West, Seward Meridian, Alaska, Within the Kenai Peninsula borough. KPB File 2020-150V.

[Clerk's Note: At its regularly scheduled meeting of February 22, 2021 the Kenai Peninsula Borough Planning Commission granted approval of the above vacations by unanimous consent.]

Attachments: [LAYDOWN Petition to Vacate](#)

MAYOR'S REPORT

[KPB-2996](#) Mayor's Report Cover Memo

Attachments: [Cover Memo](#)

1. Assembly Requests/Responses - None.

2. Agreements and Contracts

a. [KPB-2997](#) Authorization to Award a Contract for ITB21-018 Gravel Road Project - Escape Route N2 Region to Foster Construction, LLC., Soldotna, AK

Attachments: [Authorization to Award Contract for ITB21-018](#)

3. Other

a. [KPB-2998](#) Revenue - Expenditure Report - January 2021

Attachments: [Revenue - Expenditure Report - January 2021](#)

b. [KPB-2999](#) Budget Revisions - January 2021

Attachments: [Budget Revisions - January 2021](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY COMMENTS

PENDING LEGISLATION

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

1. [2020-19-07](#) An Ordinance Appropriating Refinanced 2013 Bear Creek Fire Service Area General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor) Tabled as amended

Attachments:

[Ordinance 2020-19-07](#)

[Memo](#)

[Admin's Request to Table \(Dealt with on 12/01/20\)](#)

[Amendment Memo \(Dealt with 10/13/20\)](#)

[Reference copy: Resolution 2020-044](#)

[Reference copy: Resolution 2012-091](#)

2. [2020-19-08](#) An Ordinance Appropriating Refinanced 2013 School General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor) Tabled as amended

Attachments:

[Ordinance 2020-19-08](#)

[Memo](#)

[Admin's Request to Table \(Dealt with on 12/01/20\)](#)

[Amendment Memo \(Dealt with 10/13/20\)](#)

[Reference copy: Resolution 2013-071](#)

[Reference copy: Resolution 2020-042](#)

3. [2020-19-09](#) An Ordinance Appropriating Refinanced 2011 Hospital General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor) Tabled as amended

Attachments:

[Ordinance 2020-19-09](#)

[Memo](#)

[Admin's Request to Table \(Dealt with on 12/01/20\)](#)

[Amendment Memo \(Dealt with 10/13/20\)](#)

[Reference copy: Resolution 2011-073](#)

[Reference copy: Resolution 2020-043](#)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. April 6, 2021 Regular Assembly Meeting

6:00 PM This meeting will be held through Zoom Meeting ID: 938 6524 5999 Passcode: 886199

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: 938 6524 5999 Passcode: 886199 and in-person from the Betty J. Glick Assembly Chambers, Borough Administration Building, Soldotna, Alaska. COVID-19 mitigation protocols will be observed. To join the meeting from a computer, visit <https://zoom.us/j/93865245999>. To attend the Zoom meeting by telephone call toll free 1-888-788-0099 or 1-877-853-5247 and enter the Meeting ID: 938 6524 5999 Passcode: 886199. 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.