



Assembly Action Agenda

May 5, 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 Carrie Henson.]

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. April 21, 2020 Regular Assembly Meeting Minutes
..... **LAYDOWN**

COMMENDING RESOLUTIONS AND PROCLAMATIONS

None.

PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

None.

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 2020-15: 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) (Referred to Finance Committee)
- *2. Ordinance 2019-19-32: 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) (Referred to Finance Committee)
- *3. Ordinance 2020-18: Confirming the Assessment Roll for the Rustic Avenue Road Improvement Assessment District (Mayor) (Referred to Finance Committee)
- *4. Ordinance 2020-20: 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) (Referred to Finance Committee)
- *5. **AS AMENDED** Ordinance 2019-19-33: Providing Funding for South Peninsula Hospital Computerized Tomography (CT Scanner) Suite Renovation (Mayor) (Referred to Finance Committee)
- *6. **AS AMENDED** Ordinance 2019-19-34: Appropriating Funds from the South Peninsula Hospital Service Area Capital Project Fund to Provide Additional Funding for the Deaerator and Steam Plant Improvements (Mayor) (Referred to Finance Committee)
- *7. Ordinance 2019-19-35: Appropriating \$1,031,035 to the Special Assessment Fund for the South Kalifornsky Beach Road Utility Special Assessment District (Mayor) (Referred to Finance Committee)

- *8. **AS AMENDED** Ordinance 2020-16: 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) (Referred to Policies and Procedures Committee)

UNFINISHED BUSINESS

1. Notice to Reconsider
- a. **RECONSIDERED AND ENACTED AS AMENDED** Ordinance 2019-24 (Mayor) Substitute: Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions (Mayor) (Referred to Lands Committee) **[6 Yes, 3 No, 0 Absent]**

[Clerk's Note: Assembly Member Dunne gave notice of reconsideration at the April 21, 2020 assembly meeting.]

NEW BUSINESS

1. Resolutions
- *a. Resolution 2020-024: Forming the South Kalifornsky Beach Road Utility Special Assessment District and Proceeding with the Improvement of a Natural Gas Main Line (Mayor) (Referred to Finance Committee)
- *b. Resolution 2020-033: 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) (Referred to Finance Committee)

- *c. Resolution 2020-034: 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) (Referred to Finance Committee)
- d. **ADOPTED** Resolution 2020-035: Approving a New Collective Bargaining Agreement (Mayor) (Referred to Policies and Procedures Committee) **[8 Yes, 1 No, 0 Absent]**

2. Ordinances for Introduction

- *a. Ordinance 2020-19: Appropriating Funds for Fiscal Year 2021 (Mayor) (Hearings on 05/19/20 & 06/02/20) (Referred to Finance Committee)
- *b. Ordinance 2019-19-36: 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 Medical Service Area, Kachemak Emergency Service Area, and Nikiski Fire Service Area (Mayor) (Hearing on 05/19/20) (Referred to Finance Committee)
- *c. Ordinance 2019-19-37: Appropriating \$77,000 to the Office of Emergency Management to Cover Costs Associated with Mitigation for the COVID-19 Disaster Declaration (Mayor) (Hearing on 05/19/20) (Referred to Finance Committee)
- *d. Ordinance 2020-22: Authorizing the Negotiated Lease of Rental Space at the Nikiski Community Recreation Center with the Kenaitze Indian Tribe (Mayor) (Hearing on 05/19/20) (Referred to Lands Committee)
- *e. Ordinance 2020-23: 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) (Hearing on 05/19/20) (Referred to Lands Committee)
- *f. Ordinance 2020-25: Establishing the Resilience and Security Advisory Commission for the Kenai Peninsula Borough (Cooper, Cox, Smalley) (Hearing on 06/16/20) (Referred to Lands Committee)

- *g. Ordinance 2020-24: 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) (Hearing on 06/02/20) (Referred to Policies and Procedures Committee)

3. Other

- *a. 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.]

- b. **VETOED ACTION OF PLANNING COMMISSION** 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) **[7 Yes, 2 No, 0 Absent]**

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

MAYOR'S REPORT

1. Assembly Requests/Responses – None.
2. Agreements and Contracts
 - a. 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.
 - b. Authorization to Award a Contract for ITB20-019 Nikiski Fire Station #3 Diesel Fire Water Pump to Northwest Pump & Equipment, Anchorage, Alaska.
 - c. ZOOM Video Conferencing, Emergency Procurement Authorization.
3. Other – None.

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 2020-17: 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) (Hearing on 05/19/20) (Referred to Lands Committee)
2. Ordinance 2020-21: 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) (Hearing on 05/19/20) (Referred to Policies and Procedures Committee)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. May 19, 2020
6:00 PM
Regular Assembly Meeting
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.