



Assembly Action Agenda

July 6, 2021 - 6:00 PM

Regular Meeting

Betty J. Glick Assembly Chambers
George A. Navarre Kenai Peninsula
Borough Administration Building and Through
Zoom. Meeting ID: 938 6524 5999 Passcode: 886199

Brent Hibbert
President
Seat 1 – Kalifornsky
Term Expires 2021

Brent Johnson
Vice President
Seat 7 – Central
Term Expires 2022

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

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: A moment of silence was observed.]

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. June 15, 2021 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

- 1. Mayor's Proclamation declaring July 2021 as "Parks and Recreation Month"
- *2. A Resolution Commending Colette Thompson for Her Contributions, Dedication, and Many Years of Public Service to the Borough (Mayor) **LAYDOWN**

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)

- *1. Ordinance 2021-19-01: Redirecting Previously Appropriated Bond Proceeds from the 2014 General Obligation School Bonds to Phase One of the Homer High School Roof Replacement Project in the Bond Capital Project Fund (Mayor) (Referred to Finance Committee)
- *2. Ordinance 2021-19-02: Redirecting Nikiski Fire Service Area Capital Project Funds of \$135,221 from Previously Appropriated Projects to the Nikiski Fire Station #1 Air Quality and Station #2 Lighting Fixture Replacement Projects (Mayor) (Referred to Finance Committee)
- *3. **AS AMENDED** Ordinance 2021-19-03: Appropriating Refinanced 2011 School General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor) (Referred to Finance Committee)
4. **FAILED TO ENACT** Ordinance 2021-22: Authorizing the Assessor to Assess a Low-Income Housing Tax Credit Property Based on Restricted Rents (Mayor) (Referred to Finance Committee) **[0 Yes, 8 No, 1 Absent]**
5. **ENACTED AS AMENDED** Ordinance 2021-23: Authorizing the Sale of Certain Parcels of Borough Owned Land by Outcry Auction Followed by an Over-the-Counter Land Sale (Mayor) (Referred to Lands Committee) **[7 Yes, 1 No, 1 Absent]**

UNFINISHED BUSINESS

1. Postponed Items
 - a. **REMOVED FROM THE TABLE AND ENACTED AS AMENDED** 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) *[Tabled as amended on 12/01/20]* **[8 Yes, 0 No, 1 Absent]**

[Clerk's Note: The Administration has given notice of consideration, see related memo dated June 24, 2021.]

- b. **REMOVED FROM THE TABLE AND ENACTED AS AMENDED** 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) [Tabled as amended on 12/01/20] **[8 Yes, 0 No, 1 Absent]**

[Clerk's Note: The Administration has given notice of consideration, see related memo dated June 24, 2021.]

- c. **REMOVED FROM THE TABLE AND ENACTED AS AMENDED** 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) [Tabled as amended on 12/01/20] **[8 Yes, 0 No, 1 Absent]**

[Clerk's Note: The Administration has given notice of consideration, see related memo dated June 24, 2021.]

- d. **ADOPTED AS AMENDED** Resolution 2021-048: Approving an Updated Management Agreement for the Sea Otter Community Center on Behalf of the Seldovia Recreational Service Area (Mayor) (Referred to Policies and Procedures Committee) [Postponed on 06/15/21] **[8 Yes, 0 No, 1 Absent]**

NEW BUSINESS

1. Resolutions

- *a. Resolution 2021-051: Extending the Deadline to Expend Funds According to the Amended Coronavirus Relief Fund Spending Plan from June 30, 2021 to December 31, 2021 (Mayor) (Referred to Finance Committee)
- *b. Resolution 2021-052: Authorizing the Sole Source Purchase of Two Ambulances through HGAC-Buy Purchasing Cooperative (Mayor) (Referred to Finance Committee)

- *c. Resolution 2021-057: Authorizing a Sole Source Procurement to Obtain a 9-1-1 Call Management System Replacement (Mayor) (Referred to Finance Committee)
 - *d. **AS AMENDED** Resolution 2021-053: Authorizing the Mayor to Sign a Certificate of Support for the Cooper Landing Volunteer Ambulance, Inc. Purchase of a Pumper Truck (Carpenter) (Referred to Finance Committee)
 - e. **ADOPTED AS AMENDED** Resolution 2021-054: Classifying Certain Parcels of Borough Owned Land Pursuant to KPB 17.10.080 (Mayor) (Referred to Lands Committee) **[6 Yes, 2 No, 1 Absent]**
- [Clerk's Note: Mr. Dunne gave notice of reconsideration at the July 6, 2021 meeting.]*
- *f. Resolution 2021-055: Adopting Joint Resolution No. 2021-001 of the Assembly of the Kenai Peninsula Borough and Councils of the Cities of Homer, Kenai, Seldovia, Seward and Soldotna, for the Purpose of Intergovernmental Administration of Borough and City Elections (Hibbert) (Referred to Policies and Procedures Committee)
 - *g. Resolution 2021-056: Authorizing the Mayor to Execute an Agreement with the USDA, Forest Service, Chugach National Forest, for Services Provided by the Borough Soldotna Public Safety Communications Center (Mayor) (Referred to Policies and Procedures Committee)

2. Ordinances for Introduction

- *a. Ordinance 2021-19-04: Appropriating Funding from the Central Peninsula Hospital Plant Replacement and Expansion Fund for the Central Peninsula Hospital Hot Lab Upgrade to ISO Cleanroom Project (Mayor) (Hearing on 08/03/21) (Referred to Finance Committee)
- *b. Ordinance 2021-27: Authorizing a WISP Tower and Ground Lease Agreement at Certain Locations with SpitwSpots, Inc. (Mayor) (Hearing on 08/03/21) (Referred to Lands Committee)

- *c. Ordinance 2021-28: Authorizing a Lease to Robert Gibson, dba Alaska Land and Cattle Company of Approximately 280 Acres of Borough Land in the Basargin Road Area for Agricultural Use (Mayor) (Hearing on 08/03/21) (Referred to Lands Committee)

3. Other

- *a. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Marijuana Cultivation Facility, License 27777 filed by Smoking Joe's Terps Co., 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).]

- *c. Confirming an Appointment to the Eastern Peninsula Highway Emergency Service Area Board (Referred to Policies and Procedures Committee)

Jared Fink Seat D Term Expires October, 2023

- *d. Confirming Appointments to the KPB Planning Commission (Mayor) (Referred to Policies and Procedures Committee)

Jeremy Brantley Sterling Seat Term Expires 07/31/24

Blair Martin K-Beach Seat Term Expires 07/31/24

MAYOR'S REPORT

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

3. Other
 - a. Authorization to Award a Contract for ITB21-030 Application of Crack Sealant 2021 to Alaska Sure Seal, Inc.
 - b. Authorization to Award a Contract for ITB21-029 Basargin Road Phase II CIP to East Road Services, Inc., Homer, Alaska.
 - c. Authorization to Award a Contract for ITB21-034 Central Peninsula Hospital Heated Handicap Parking to Orion Construction, Inc., Wasilla, Alaska.
 - d. Authorization to Award a Contract for ITB21-025 Central Peninsula Landfill Leachate Tank Cleaning Inspection and Repairs to CCI Industrial Services, Kenai, Alaska.
 - e. Authorization to Award a Contract for ITB21-028 Summer and Winter Road Maintenance – East Region Unit 3 to Metco Alaska, LLC., Seward, Alaska.
 - f. Authorization to Award a Contract for RFP21-008 Ambulance Billing Services to Systems Design West, Poulsbo, Washington.
 - g. Purchase of a Zamboni 546 through the Zamboni Company, under the SourceWell Contract.

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS (3 minutes per speaker)

ASSEMBLY COMMENTS

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

1. Resolution 2021-046: Classifying 420 Acres of Borough Land Located within Section 1, T5S, R14W, Seward Meridian, Alaska as Rural and Agriculture (Mayor) (Referred to Lands Committee) (Postponed to 08/03/21)
2. Ordinance 2021-24: Amending KPB 22.40.080 to Limit Assembly Members' Closing Comments to Three Minutes (Derkevorkian, Carpenter) (Hearing on 08/03/21) (Referred to Policies and Procedures Committee)

3. Ordinance 2021-25: Amending KPB 2.58.058(A) to Clarify that Assembly Members may Serve on the Board of Equalization (Mayor) (Hearing on 08/03/21) (Referred to Policies and Procedures Committee)
4. Ordinance 2021-26: Amending KPB 2.24.010 to Modify the Risk Management Committee School District Member's Requirements (Mayor) (Hearing on 08/03/21) (Referred to Policies and Procedures Committee)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. August 3, 2021 Regular Assembly Meeting
6:00 PM Betty J. Glick Assembly Chambers
 Borough Administration Building
 Remote participation available through Zoom
 Meeting ID: 938 6524 5999 Passcode: 886199

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.