



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda

Assembly

Kelly Cooper, President
Hal Smalley, Vice President
Norm Blakeley
Jesse Bjorkman
Kenn Carpenter
Tyson Cox
Willy Dunne
Brent Hibbert
Brent Johnson

Tuesday, April 21, 2020

6:00 PM

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

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 will be offered by Iris Fontana.]

ROLL CALL

COMMITTEE REPORTS

APPROVAL OF AGENDA AND CONSENT AGENDA**Resolution 2020-029****Resolution 2020-028****Ordinance 2020-15****Ordinance 2019-19-32****Ordinance 2020-18****Ordinance 2020-20****Ordinance 2019-19-33****Ordinance 2019-19-34****Ordinance 2019-19-35****Ordinance 2020-17****Ordinance 2020-21****Ordinance 2020-16****Letter of Non-Objection – Cooper Landing Brewing****Ratification of a letter of Non-Objection – Arctic Herbery****Ninilchik/Anchor Point Joint Service Area Work Group****ACTION ITEMS ELIGIBLE TO BE ADDED TO THE CONSENT AGENDA****Ordinance 2019-19-30****Ordinance 2020-09**

(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

- *1. [KPB-2553](#) March 17, 2020 Regular Assembly Meeting Minutes

Attachments: [March 17, 2020 Regular Assembly Meeting Minutes](#)

- *2. [KPB-2554](#) April 3, 2020 Special Assembly Meeting Minutes

Attachments: [April 3, 2020 Special Assembly Meeting Minutes](#)

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

(20 minutes total)

1. [KPB-2535](#) COVID-19 Economic Impact Survey, Tim Dillon, Executive Director, Kenai Peninsula Economic Development District (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

1. [2019-19-30](#) An Ordinance Appropriating \$1,000,000 from the School Fund to the School Capital Project Fund to Provide Funding for Digital Controls at Homer High School and Areawide Theater Lighting (Mayor)

Attachments: [Ordinance 2019-19-30](#)
[LAYDOWN Amendment Memo 042120](#)
[Memo](#)
[KPBSD Letter](#)

2. [2020-09](#) An Ordinance Approving and Accepting Grant Funds from the State of Alaska Division of Homeland Security & Emergency Management to Reimburse Repairs at the Kenai Central High School Resulting from the November 30, 2018 Cook Inlet 7.0 Earthquake (Mayor)

Attachments: [Ordinance 2020-09](#)
[Memo](#)
[FEMA Grant Award Letter](#)

Ordinances referred to Lands Committee

3. [2019-34](#) An Ordinance Amending KPB 21.46.040 to Create the Kalifornsky Center Single Family Residential R-1 Local Option Zoning District on an Approximately 55-Acre Borough-Owned Parcel (Mayor)

Attachments:

[Ordinance 2019-34](#)

[LAYDOWN Amendment Memo 042120](#)

[Memo](#)

[Map](#)

[Plat Prelim](#)

[Public Comment 01072020](#)

[Classification Map and Resolutions](#)

[Kalifornsky APC & Planning Commission Recommendation \(Dealt with on 01/07](#)

[Request for Postponement 031720 \(Dealt with on 03/17/20\)](#)

[Request to Table \(Dealt with 01/07/20\)](#)

4. [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 \(Dealt with on 10/08/19\)](#)

Ordinances referred to Policies and Procedures Committee

5. [2020-10](#) An Ordinance Amending Provisions in KPB 1.24, KPB 5.12, KPB 5.18, KPB 10.18, KPB 10.20, KPB 11.10, KPB 12.08 and KPB 20.10 to Replace Criminal Penalties with Infractions (Mayor)

Attachments: [Ordinance 2020-10](#)
[Memo](#)

6. [2020-11](#) An Ordinance Amending KPB 22.40.010, KPB 22.40.173 and KPB 22.40.175 to Allow the Assembly President to Reschedule a Regular Assembly Meeting and Assembly Members to Attend More than Three Assembly Meetings Telephonically when Necessary Due to a Declared Disaster (Cooper)

Attachments: [Ordinance 2020-11](#)

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

Resolutions referred to Finance Committee

- a. [2020-027](#) A Resolution Determining the Amount to be Provided from Local Sources for School Purposes During Fiscal Year 2021 and Approving the Kenai Peninsula Borough School District Total Budget (Mayor)

Attachments: [Resolution 2020-027](#)
[Memo](#)
[KPBSD Letter to Assembly](#)

Resolutions referred to Policies and Procedures Committee

- *b. [2020-029](#) A Resolution Temporarily Suspending Certain Items on the Assembly Agenda During the COVID-19 Disaster (Cooper)

Attachments: [Resolution 2020-029](#)
[Memo](#)

Resolutions referred to Legislative Committee

- *c. [2020-028](#) A Resolution Promoting the 50th Anniversary of Earth Day (Johnson, Dunne)

Attachments: [Resolution 2020-028](#)
[Memo](#)

- d. [2020-030](#) LAYDOWN A Resolution Recognizing the Successful Efforts of the State Leadership and Alaskan Residents to Slow the Spread of COVID-19 and Encouraging the Governor to Rescind or Modify COVID-19 Health Mandate 003: State Wide Closure Restaurants, Bars, Entertainment, 009: Personal Care Services and Gatherings and 012: Interstate Travel, as soon as Reasonably Practical (Hibbert)

Attachments: [LAYDOWN Resolution 2020-030](#)

- e. [2020-031](#) LAYDOWN A Resolution Urging Full Funding in the Amount of \$3,000,000 by the Economic Development Administration Grant Program Funded Through the Coronavirus Aid, Relief and Economic Security Act in order to Fully Fund Homer's Port Expansion General Investigation Study (Cooper, Mayor)

Attachments: [LAYDOWN Resolution 2020-031](#)
[LAYDOWN Memo](#)
[LAYDOWN Homer Capital Improvement Plan Updated](#)
[LAYDOWN Homer Capital Improvement Plan](#)

- f. [2020-032](#) LAYDOWN A Resolution Requesting Governor Mike Dunleavy Support Passing on a Portion of Federal Coronavirus Aid, Relief, and Economic Security Act Funding to Local Municipalities that have Experienced Significant Revenue Loss Due to the COVID-19 Pandemic (Mayor, Cooper)

Attachments: [LAYDOWN Resolution 2020-032](#)
[LAYDOWN Memo](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to the Finance Committee

- *a. [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) (Hearing on 05/05/20)

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

- *b. [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) (Hearing on 05/05/20)

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

- *c. [2020-18](#) An Ordinance of Assessment Confirming the Assessment Roll for the Rustic Avenue Road Improvement Assessment District (Mayor) (Hearing on 05/05/20)

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

- *d. [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) (Hearing on 05/05/20)

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

- *e. [2019-19-33](#) An Ordinance To Provide Funding for South Peninsula Hospital Computerized Tomography (CT Scanner) Suite Renovation (Mayor) (Hearing on 05/05/20)

Attachments: [Ordinance 2019-19-33](#)
[Memo](#)

- *f. [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) (Hearing on 05/05/20)

Attachments: [Ordinance 2019-19-34](#)
[Memo](#)

- *g. [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) (Hearing on 05/05/20)

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

Ordinances for Introduction and referred to the Lands Committee

- *h. [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) (Hearing on 05/19/20)

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

Ordinances for Introduction and referred to the Policies and Procedures Committee

- *i. [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) (Hearing on 05/19/20)

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

- *j. [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) (Hearing on 05/05/20)

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

3. Other

Other items referred to Finance Committee

- *a. [KPB-2527](#) Approving a Letter of Non-Objection Regarding the Transfer of Location for Cooper Landing Brewing Company Liquor License #5573

Attachments: [5573 - Complete Application](#)
[5573 - Memo to Assembly](#)

- *b. [KPB-2549](#) Ratifying a Letter of Non-Objection for Arctic Herbery New Retail Marijuana Store License #23777

Attachments: [23777 - Memo to Assembly Retroactive Approval](#)
[23777 - Letter of Non Objection](#)
[23777 - Complete Application](#)
[23777 - Planning Staff Report](#)
[23777 - Site Development Plan](#)
[23777 - Acknowledgement Form](#)
[23777 - Aerial Map](#)
[23777 - Land Use Permit](#)
[23777 - Radius Notice](#)

- *c. [KPB-2550](#) Confirming Appointments to the Ninilchik - Anchor Point Joint Service Area Work Group (Mayor)

Applicant, Seat
Troy Laky, Seat A - Ninilchik Resident
Debbie Cary, Seat B - Ninilchik Resident
Dawson Slaughter, Seat C - Anchor Point FESA Resident
Jolayne Soplanda, Seat D - Anchor Point FESA Resident
Lara McGinnis, Seat E - At Large
Conrad V. Matuoka, Alternate A/B - Ninilchik Resident
Bradley D. Smith, Seat C/D - Anchor Point FESA Resident

Attachments: [Appointments, Memo and Applications](#)
[LAYDOWN Smith Application](#)

- d. [KPB-2556](#) LAYDOWN Confirming Appointments to Advisory Planning Commissions (Mayor)

Kalifornsky Beach APC

Stephen Ford, Seat B, Term Expires September 30, 2020

Hope/Sunrise APC

Flip Foldager, Seat A, Term Expires September 30, 2020

G. Johnny Sorenson, Seat C, Term Expires September 20, 2022

Kachemak Bay APC

Eric Knudtson

Joseph (Jeff) Middleton

Louise Sequela

Tim Whip

Anna Germundson

[Clerk's Note: The Kachemak Bay APC has been inactive since 2003. Members shall draw for seats at its initial meeting, per KPB 21.02.080(C).]

Attachments: [LAYDOWN Appointments and Applications](#)

- e. [KPB-2557](#) LAYDOWN Authorizing the Assembly President and Vice President to sign the letter to Congressman Don Young Regarding Secure Rural School (SRS) and Payment in Lieu of Taxes (PILT) Funding (Smalley, Cooper)

Attachments: [LAYDOWN Letter to Don Young](#)

MAYOR'S REPORT

[KPB-2536](#) Mayor's Report Cover Memo

Attachments: [Mayor's Report Cover Memo](#)

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

[KPB-2537](#) Authorization to Award a Contract for ITB-20-017 Funny River Transfer Site Expansion.

Attachments: [Authorization to award contract ITB20-017](#)

[KPB-2538](#) Authorization to Award a Contract for ITB-016 Area 2 Solid Waste and Recycle Container Hauling.

Attachments: [Authorization to Award Contract ITB20-016](#)

[KPB-2539](#) Authorization to Award a Contract for ITB-20-015 Area 1 Solid Waste and Recycle Container Hauling.

Attachments: [Authorization to Award Contract ITB20-015](#)

[KPB-2540](#) Nikiski Fire Station No. 3 Emergency Alerting System (G2) Install Contract

Attachments: [Nikiski Fire Station No. 3 Emergency Alerting System](#)

[KPB-2541](#) Authorization to Award a Contract for ITB-018 North Peninsula Recreation Service Area Boiler Replacement.

Attachments: [Authorization to Award Contract ITB20-018](#)

[KPB-2542](#) Sole Source Waiver to Enter into a Contract with Love Inc. of the Kenai Peninsula.

Attachments: [Love Inc. Sole Source Waiver](#)

[KPB-2543](#) Authorization to Award a Contract for ITB20-020 Gym Floor Refinishing 2020.

Attachments: [Authorization to Award Contract ITB20-020](#)

3. Other

[KPB-2544](#) Revenue - Expenditure Report - February, 2020.

Attachments: [Revenue - Expenditure Report February 2020](#)

[KPB-2545](#) Budget Revisions - February, 2020.

Attachments: [Budget Revisions - February 2020](#)

[KPB-2546](#) Revenue - Expenditure Report - March, 2020.

Attachments: [Revenue - Expenditure Report March 2020](#)

[KPB-2547](#) Budget Revisions - March, 2020.

Attachments: [Budget Revisions - March 2020](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY COMMENTS

PENDING LEGISLATION

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

INFORMATIONAL MATERIALS AND REPORTS**ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. May 5, 2020 Regular Assembly Meeting
6:00 PM Betty J. Glick Assembly Chambers, Soldotna, Alaska

ADJOURNMENT

This meeting will be broadcast on KDLL-FM 91.9 (Central Peninsula), KBBI-AM 890 (South Peninsula), K201AO-FM 88.1 (East Peninsula).

Copies of agenda items are available at the Borough Clerk's Office in the Meeting Room just prior to the meeting. 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.