



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, June 2, 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 was given by Debbie Hamilton.]

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.)*

APPROVAL OF MINUTES

[KPB-2645](#) May 19, 2020 Regular Assembly Meeting Minutes

Attachments: [May 19, 2020 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE

(20 minutes total)

1. [KPB-2647](#) Kenai Peninsula Borough School District Quarterly Report (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

- [2019-19-40](#) An Emergency Ordinance Appropriating Funds from the Central Peninsula Hospital Plant Replacement Fund to Purchase a High Capacity Molecular Testing Platform in Order to Better Ensure Testing Resources Necessary to Protect the Borough Residents and Businesses from the Novel Coronavirus Disease During and After Reopening the Borough, and Authorizing a Proprietary Procurement (Mayor) (Hearing on 06/02/20)

Attachments: [Ordinance 2019-19-40](#)
[Memo](#)
[CPGH Resolution 2020-21](#)
[CPGH Inc. Board Recommendation](#)

- [2020-19](#) An Ordinance Appropriating Funds for Fiscal Year 2021 (Mayor)

Attachments: [Ordinance 2020-19](#)
[Cox Amendment Memo](#)
[Cox Amendment 1](#)
[Cox Amendment 2](#)
[Cox Amendment 3](#)
[Memo](#)
[FY21 Mayor Proposed budget](#)
[Mayor's Budget Presentation](#)
[Back up Documentation 060220](#)
[Public Comment 060220](#)
[eComments 060220](#)
[eComments 051920](#)
[Public Comments 051920](#)

[2020-26](#) An Ordinance Providing for an Exception to the Operating Agreement Between the Kenai Peninsula Borough and Central Peninsula General Hospital, Inc. to Allow Cash in Excess of 90 Days to be Retained by Central Peninsula General Hospital, Inc. as of June 30, 2020 Due to the COVID-19 Pandemic (Mayor)

Attachments: [Ordinance 2020-26](#)
[Dunne Amendment Memo 060220](#)
[Memo](#)
[Central Peninsula Hospital Resolution](#)

Ordinances referred to Policies and Procedures Committee

[2020-24](#) An Ordinance 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)

[Clerk's Note: Assembly Member Carpenter gave notice of reconsideration at the June 2, 2020 assembly meeting.]

Attachments: [Ordinance 2020-24](#)
[Fiscal Note](#)
[Memo](#)
[Timeline of Events](#)
[City of Seward Resolution](#)
[Cost Comparison Document](#)
[Municipality of Anchorage Letter](#)
[City of Seldovia Resolution](#)
[City of Soldotna Resolution](#)
[City of Homer Resolution](#)
[Feasibility Study](#)
[Amendment Memo \(Dealt with 060220\)](#)
[Blakeley Amendment \(Dealt with 060220\)](#)
[Public Comments 061620](#)
[Public Comments 060220](#)
[eComments2 060220](#)
[Public Comments 060320](#)
[Public Comments 051920](#)
[eComments 051920](#)
[eComments 061620](#)
[Public Comments 070720](#)

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

Resolutions referred to Finance Committee

[2020-036](#) A Resolution Accepting Medical Equipment from the Southern Region Emergency Medical Services Council, Inc., on Behalf of Bear Creek Fire Service Area (Mayor)

Attachments: [Resolution 2020-036](#)
[Memo](#)
[Award Letter](#)

[2020-037](#) A Resolution Setting the Rate of Levy for Real and Personal Property Taxes for the Kenai Peninsula Borough and for Service Areas Within the Borough for Fiscal Year 2021, Tax Year 2020 (Mayor)

[Attachments:](#) [Resolution 2020-037](#)
[Memo](#)
[Cooper Amendment](#)

[2020-040](#) A Resolution Authorizing the Mayor to Execute the Fiscal Year 2021 Alaska Land Mobile Radio Communication System Membership Agreements (Mayor)

[Attachments:](#) [Resolution 2020-040](#)
[Memo](#)
[Membership Agreement](#)

Resolutions referred to Policies and Procedures Committee

[2020-038](#) 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 for an Additional 90 Days (Mayor)

[Attachments:](#) [Resolution 2020-038](#)
[Memo](#)
[Disaster Declaration](#)

Resolutions referred to Legislative Committee

[2020-041](#) A Resolution Encouraging the Cruise Line Industry to Return to Alaska, and Specifically the Kenai Peninsula in 2020 (Cox)

[Attachments:](#) [Resolution 2020-041](#)
[Public Comment 060220](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to the Finance Committee

[2019-19-38](#) An Ordinance Appropriating Commercial Passenger Vessel Tax Proceeds Received from the State of Alaska in the Amount of \$612,640 and Allocating \$577,195 to the City of Seward and \$35,445 to the City of Homer (Mayor)

[Attachments:](#) [Ordinance 2019-19-38](#)
[Memo](#)
[Request from City of Seward](#)
[Request from City of Homer](#)
[Homer Restroom Photos](#)

[2019-19-39](#) An Ordinance Accepting and Appropriating Funding from the State of

Alaska in the Amount of \$37,458,449.47 for a Federal Pass-Through Award Under the U.S. Department of the Treasury, Coronavirus Relief Fund and Authorizing a Partial Temporary Waiver of the Prohibition Against Contracting with a Coronavirus Relief Fund Applicant if the Applicant is in Violation of Certain Sales Taxation Requirements (Mayor)

Attachments: [Ordinance 2019-19-39](#)
[Combined and Replaced Amendment Memo 061620](#)
[Presentation 061120](#)
[Funding Ranges - Assembly Work Session 06112020](#)
[Memo](#)
[CARES Act Funding Plan Memo](#)

[2020-27](#) An Ordinance Authorizing the Director of Finance to Accept the FY2021 Late-Filed Senior Citizen Grant Application for the Seldovia Senior Citizen Program (Mayor)

Attachments: [Ordinance 2020-27](#)
[Memo](#)
[City of Seldovia Letter](#)
[Senior Grant Application](#)

[2020-28](#) An Ordinance Authorizing the Assessor to Accept Three Late Filed-Senior Exemption Applications for 2020 Filed After March 31 and Providing an Exception to KPB 5.12.040(B) (Mayor)

Attachments: [Ordinance 2020-28](#)
[Memo](#)
[Applications](#)

Ordinances for Introduction and referred to the Lands Committee

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

Attachments: [Ordinance 2020-30](#)
[Memo](#)
[PC Recommendation](#)
[DNR Lease](#)
[ADFG Lease](#)
[Shared Services Agreement](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

[2020-31](#) An Ordinance Expanding the Anchor Point Fire and Emergency Medical Service Area Boundaries to Include the Ninilchik Area (Johnson)

Attachments: [Ordinance 2020-31](#)
[Johnson Amendment 070220](#)
[LAYDOWN Public Hearing Summary 061920 and 062620](#)
[Memo](#)
[Expansion Map](#)
[Work Group Final Report](#)
[Public Hearings Agenda](#)

Ordinances for Introduction and referred to the Legislative Committee

[2020-29](#) An Ordinance Opposing Passage of Legislation that Would Restrict Individual Rights Protected by the Second Amendment of the United States Constitution and Declaring the Borough a Second Amendment Sanctuary (Mayor, Bjorkman, Blakeley, Carpenter)

Attachments: [Ordinance 2020-29](#)
[Cooper Amendment 070720](#)
[LAYDOWN Smalley Substitute](#)
[Memo](#)
[Public Comments 061620](#)
[Public Comments 060220](#)
[eComments 060220](#)
[eComments 061620](#)

3. Other

Other items referred to Finance Committee

[KPB-2629](#) Approving a Letter of Non-Objection Regarding the Transfer of Ownership of a Restaurant/Eating Place License and the Restaurant Designation Permit for Two Brothers Roadhouse Liquor License #5012

Attachments: [5012 - Memo to Assembly](#)
[5012 - Transfer & Restaurant Designation Application](#)

Other items referred to Lands Committee

[KPB-2637](#) Petition to Vacate a Portion of Fritz Creek Drive Right-of-way Adjacent to Tract E, Fritz Creek Acres Addition Tract D & E (HM

78-105) and Adjacent to Lot 2, Carl Baier Tract A Weber 1981 Subdivision (HM 82-10) as dedicated on Fritz Creek Acres (HM 78-105) and Fritz Creek Acres No.4 (HM 2007-122) and the 66-foot Wide Section Line Easement Located Within the Portion of Fritz Creek Valley Drive Right-of-way and Section Line Easement Being Vacated are Partially Developed and Located Within the NW1/4 SW1/4 of Section 28, and the NE1/4 SE1/4 of Section 28, and the NE1/4 SE1/4 of Section 29, Township 5 South, Range 12 West, Seward Meridian, Alaska, Within the Kenai Peninsula Borough. KPB File 2020-035V. Petitioners Terri Bramel Trust of Anchorage, Alaska

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its May 11, 2020 meeting by unanimous consent.]

Attachments: [Petition to Vacate](#)

[KPB-2636](#) Petition to Vacate the West 5 Feet of the Existing 70-foot Wide Camelot Drive Right-of-way Along the East Boundary of Lots 6, 7 and 8, Block2, as Dedicated on Camelot by the Sea Subdivision, Plat SW-76. The Right-of-way Being Vacated is Developed and Located within the NW1/4 SE1/4 of Section 23, Township 1 North, Range 1 West, Seward Meridian, Alaska, Within the Kenai Peninsula Borough. KPB File 2020-032V. Petitioners: J. Craig Turnbull and Catherine M. Turnbull of Seward, AK

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its May 11, 2020 meeting by unanimous consent.]

Attachments: [Petition to Vacate](#)

MAYOR'S REPORT

[KPB-2638](#) Mayor's Report Cover Memo

Attachments: [Cover Memo](#)

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
 - a. [KPB-2639](#) Authorization to Award a Contract for ITB20-022 Central Peninsula Landfill (CPL) Brush Chipping Project 2020 to Evergreen Alaska, Inc., Kasilof, Alaska.

Attachments: [Authorization to Award ITB20-022](#)

3. Other

- a. [KPB-2640](#) Agnew::Beck Update Presentation on the Communication Strategy and Implementation Plan

Attachments: [Presentation](#)

- b. [KPB-2641](#) KPTMC Financial/Progress Report

Attachments: [KPTMC Financial Progress Report](#)

- c. [KPB-2642](#) Revenue-Expenditure Report - April 2020

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

- d. [KPB-2643](#) Budget Revisions - April 2020

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

- e. [KPB-2644](#) Investment Report Quarter Ended 03/31/2020

Attachments: [Investment Report](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY COMMENTS

PENDING LEGISLATION

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

1. [2020-25](#) An Ordinance Establishing the Resilience and Security Advisory Commission for the Kenai Peninsula Borough (Cooper, Cox, Smalley, Dunne)

Attachments: [Ordinance 2020-25](#)
[Amendment Memo 061620](#)
[Planning Commission Recommendation](#)
[Cooper Landing Advisory Planning Commission Minutes](#)
[City of Kenai Resolution](#)
[City of Homer Resolution](#)
[City of Seldovia Resolution](#)
[Presentation](#)
[Supporting Documents for Presentation](#)
[eComments 061620](#)
[Public Comment 070720](#)
[Public Comments 061620](#)
[Public Comment 060220](#)
[Public Comment 050520](#)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

2. June 16, 2020 Regular Assembly Meeting

6:00 PM 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.