



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 16, 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 Velvet Danielson.]

ROLL CALL

COMMITTEE REPORTS

APPROVAL OF AGENDA AND CONSENT AGENDA**ACTION ITEMS CURRENTLY ON CONSENT AGENDA****Resolution 2020-042****Resolution 2020-043****Resolution 2020-044****Resolution 2020-045****Resolution 2020-046****Ordinance 2019-19-41****Ordinance 2019-19-42****Ordinance 2020-32****Alaska Grown Cannabis New Marijuana Retail Store****Alaskan Harvest Company New Marijuana Retail Store****ACTION ITEMS ELIGIBLE TO BE ADDED TO THE CONSENT AGENDA****Ordinance 2019-19-38****Ordinance 2019-19-9****Ordinance 2020-27****Ordinance 2020-28****Ordinance 2020-30**

(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-2666](#) LAYDOWN June 2, 2020 Assembly Meeting Minutes

Attachments: [LAYDOWN Assembly Meeting Minutes](#)

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

(20 minutes total)

1. [KPB-2665](#) South Peninsula Hospital Quarterly Report (10 Minutes)

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

(3 minutes per speaker; 20 minutes aggregate)

ITEMS NOT COMPLETED FROM PRIOR AGENDA

1. [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) (Hearing on 07/07/20)

Attachments: [Ordinance 2020-29](#)
[Memo](#)
[LAYDOWN Public Comments 061620](#)
[Public Comments 060220](#)
[eComments 060220](#)

PUBLIC HEARINGS ON ORDINANCES

(Testimony limited to 3 minutes per speaker)

Ordinances referred to Finance Committee

1. [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](#)

2. [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 (Mayor)

Attachments: [Ordinance 2019-19-39](#)
[LAYDOWN Combined and Replaced Amendment Memo 061620](#)
[LAYDOWN 3.5 Percent Threshold](#)
[Presentation 061120](#)
[Funding Ranges - Assembly Work Session 06112020](#)
[Memo](#)
[CARES Act Funding Plan Memo](#)

3. [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](#)

4. [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 referred to Lands Committee

5. [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](#)
[LAYDOWN PC Recommendation](#)
[DNR Lease](#)
[ADFG Lease](#)
[Shared Services Agreement](#)

6. [2020-25](#) An Ordinance Establishing the Resilience and Security Advisory Commission for the Kenai Peninsula Borough (Cooper, Cox, Smalley, Dunne)

Attachments: [Ordinance 2020-25](#)
[LAYDOWN Amendment Memo 061620](#)
[LAYDOWN 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](#)
[Public Comments 061620](#)
[LAYDOWN Public Comments 061620](#)
[Public Comment 060220](#)
[Public Comment 050520](#)

UNFINISHED BUSINESS

1. Notice to Reconsider

- a. [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](#)

[Public Comments 061620](#)

[Amendment Memo \(Dealt with 060220\)](#)

[Blakeley Amendment \(Dealt with 060220\)](#)

[LAYDOWN Public Comments 061620](#)

[Public Comments 060220](#)

[eComments2 060220](#)

[Public Comments 060320](#)

[Public Comments 051920](#)

[eComments 051920](#)

NEW BUSINESS

1. Resolutions

Resolutions referred to Finance Committee

- *a. [2020-042](#) A Resolution 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

Education Capital Improvement General Obligation Bond, Series 2013 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 Mayor or Designee to Approve a Revised Schedule of Principal and Interest Payments on the Kenai Peninsula Borough's 2013 Bond, in Accordance with the Loan Agreement, if the Alaska Municipal Bond Bank Successfully Refinances its Bonds (Mayor)

Attachments: [Resolution 2020-042](#)

[Memo](#)

- *b. [2020-043](#) A Resolution 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 Central Kenai Peninsula Hospital Service Area General Obligation Refunding Bonds, 2011 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 Mayor or Designee to Approve a Revised Schedule of Principal and Interest Payments on the Kenai Peninsula Borough's 2011 Bond, in Accordance with the Loan Agreement, if the Alaska Municipal Bond Bank Successfully Refinances its Bonds (Mayor)

Attachments: [Resolution 2020-043](#)

[Memo](#)

- *c. [2020-044](#) A Resolution 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 Bear Creek Fire Service Area General Obligation Bonds, Series 2013 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 Mayor or Designee to Approve a Revised Schedule of Principal and Interest Payments on the Kenai Peninsula Borough's 2013 Bond, in Accordance with the Loan Agreement, if the Alaska Municipal Bond Bank Successfully Refinances its Bonds (Mayor)

Attachments: [Resolution 2020-044](#)

[Memo](#)

Resolutions referred to Policies and Procedures Committee

- *d. [2020-045](#) A Resolution to Reopen the Kenai Peninsula Borough Assembly

Responsibly, Restore In-Person Access, and Encourage Improvements to Internet Connectivity (Bjorkman)

Attachments: [Resolution 2020-045](#)
[LAYDOWN Resident COVID-19 Cases on K Pen](#)

- *e. [2020-046](#) A Resolution Confirming the Reappointment of Brent Johnson to the Kenai Peninsula College Council (Cooper)

Attachments: [Resolution 2020-046](#)

- f. [2020-047](#) LAYDOWN A Resolution Approving the Payment Thresholds and Proposed Spending Plan for Cares Act Coronavirus Relief Funds Recieved from the State of Alaska (Mayor)

Attachments: [LAYDOWN Resolution 2020-047](#)
[LAYDOWN CARES Act Presentation from Work Session](#)
[LAYDOWN CARES Act Funding](#)
[LAYDOWN Memo](#)
[LAYDOWN 3.5 Threshold](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

- *a. [2019-19-41](#) An Ordinance Appropriating Additional Closure and Post Closure Care Liability Funds for the Homer Landfill Closure Phase II Capital Improvement Project (Mayor) (Hearing on 07/07/20)

Attachments: [Ordinance 2019-19-41](#)
[Memo](#)

- *b. [2019-19-42](#) An Ordinance Appropriating \$110,000 to the Borough's School Revenue Capital Projects Fund for the Kaleidoscope Charter School of Arts and Science Flooring Replacement Project (Mayor) (Hearing on 07/07/20)

Attachments: [Ordinance 2019-19-42](#)
[Memo](#)
[KPBSD Request Letter](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

- *c. [2020-32](#) An Ordinance Amending KPB 1.24, General Penalty, KPB 12.04, Parking Regulations, and KPB 14.40 Right of Way Permits to Replace Civil Fines with Citations to Improve Enforcement and be Consistent with Other Recent Code Updates (Mayor) (Hearing on 08/04/20)

Attachments: [Ordinance 2020-32](#)
[Memo](#)

3. Other

Other Items referred to Finance Committee

- *a. [KPB-2651](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Retail Marijuana Store, License 22294 Filed by Alaskan Grown Cannabis, Subject to the Standard Conditions

[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 KTP 7.30.020 (A). 4. The marijuana establishment shall not conduct any business on, or allow any consumer to access, the retail marijuana store's licensed premises, between the hours of 2:00 a.m. and 8:00 am.]

Attachments: [22294 - Complete Application](#)
[LAYDOWN 22294 - Memo to Assembly](#)
[LAYDOWN 22294 - Planning Memo to Assembly](#)
[22294 - Site Development Plan](#)
[22294 - Acknowledgement Form](#)
[22294 - Aerial Map](#)
[LAYDOWN Public Comment](#)

- *b. [KPB-2652](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Retail Marijuana Store, License 24097 Filed by Alaskan Harvest Company, LLC, 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 KTP 7.30.020 (A). 4. The

marijuana establishment shall not conduct any business on, or allow any consumer to access, the retail marijuana store's licensed premises, between the hours of 2:00 a.m. and 8:00 am.]

Attachments: [24097 - Complete Application](#)
[LAYDOWN 24097 - Memo to Assembly](#)
[LAYDOWN 24097 - Planning Memo to Assembly](#)
[24097 - Site Development Plan](#)
[24097 - Acknowledgement Form](#)
[24097 - Aerial Map](#)

MAYOR'S REPORT

[KPB-2657](#) Mayor's Report Cover Memo

Attachments: [Cover Memo](#)

1. Assembly Requests/Responses - None.

2. Agreements and Contracts

a. [KPB-2663](#) Homer High School Digital Control Retrofit to Siemens, Under the Government General Services Administration (GSA) Contract

Attachments: [Homer High School Digital Control Retrofit](#)

3. Other

a. [KPB-2658](#) Certification of the 2020 Main Roll Assessment

Attachments: [Certification Roll of the 2020 Main Roll Assessment](#)

b. [KPB-2659](#) Revenue - Expenditures Report - May 2020

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

c. [KPB-2660](#) Budget Revisions - May 2020

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

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY COMMENTS

PENDING LEGISLATION

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

1. [2020-31](#) An Ordinance Expanding the Anchor Point Fire and Emergency

Medical Service Area Boundaries to Include the Ninilchik Area
(Johnson) (Hearing on 07/07/20)

Attachments:

[Ordinance 2020-31](#)

[Johnson Amendment 070220](#)

[Memo](#)

[Expansion Map](#)

[Work Group Final Report](#)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. 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.