



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, September 1, 2020

6:00 PM

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 Willy Dunne.]

ROLL CALL

COMMITTEE REPORTS

APPROVAL OF AGENDA AND CONSENT AGENDA**ACTION ITEMS CURRENTLY ON CONSENT AGENDA****Resolution 2020-057****Resolution 2020-058****Resolution 2020-059****Resolution 2020-060****Resolution 2020-062****Resolution 2020-061****Ordinance 2020-19-05****Ordinance 2020-37****Ordinance 2020-38****Fat Tops, LLC New Retail Marijuana Store****Petition to Vacate – Stewart Homestead****ACTION ITEMS ELIGIBLE TO BE ADDED TO THE CONSENT AGENDA****2019-19-43****2020-19-02****2020-19-03****2020-19-04**

(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-2752](#) August 4, 2020 Regular Assembly Meeting Minutes

Attachments: [August 4, 2020 Assembly Meeting Minutes](#)

- *2. [KPB-2778](#) August 11, 2020 Special Assembly Meeting Minutes

Attachments: [LAYDOWN August 11, 2020 Special Assembly Meeting Minutes](#)

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

(20 minutes total)

1. [KPB-2774](#) Report of Current Kenai Peninsula Borough COVID-19 Status and Response Actions, Dan Nelson, Emergency Manager (10 Minutes)
2. [KPB-2775](#) "Response to my Neighbor", Twyla Mundy, Project Homeless Connect (10 Minutes)

Attachments: [2020 PHC Annual Report](#)
 [2020 Homer PHC Report](#)
 [LAYDOWN Seward PHC Report](#)

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. [2019-19-43](#) An Ordinance to Record FY2020 Expenditures Paid by the State of Alaska Department of Administration, Division of Retirement & Benefits on Behalf of the Kenai Peninsula Borough Towards the Borough's Unfunded PERS Liability (Mayor)

Attachments: [Ordinance 2019-19-43](#)
 [Amendment Memo 090120](#)
 [Memo](#)
 [State of Alaska Letter 060120](#)
 [Request for Postponement \(Dealt with 08/04/20\)](#)

2. [2020-19-02](#) An Ordinance Appropriating Funds to Pay Fees Associated with Collection of Remote Sales Tax (Mayor)

Attachments: [Ordinance 2020-19-02](#)
 [Memo](#)

3. [2020-19-03](#) An Ordinance Appropriating Funds from the South Peninsula Hospital Plant Replacement and Expansion Fund for the Homer Medical Clinic Roof Replacement (Mayor)

Attachments: [Ordinance 2020-19-03](#)
 [LAYDOWN Inc. and Service Area Boards Recommendations](#)
 [Memo](#)

4. [2020-19-04](#) An Ordinance Appropriating \$1,500 for the Costs of Printing and Distributing Information about the Ballot Proposition Seeking Voter Approval to Expand the Anchor Point Fire and Emergency Medical Service Area into the Newly Created Western Emergency Service Area which will Encompass Both Ninilchik and Anchor Point Communities (Johnson)

Attachments: [Ordinance 2020-19-04](#)
[Memo](#)

5. [2020-35](#) An Ordinance Authorizing the Assessor to Accept One Late Filed Senior Citizen Exemption Application for 2020 Filed After March 31 and Providing an Exception to KPB 5.12.040(B) (Mayor)

Attachments: [Ordinance 2020-35](#)
[Memo](#)
[Senior Exemption Application](#)

Ordinances referred to Policies and Procedures Committee

UNFINISHED BUSINESS

1. Postponed Items

Unfinished business referred to Policies and Procedures Committee

- a. [KPB-2776](#) Confirming Appointment to the Kenai Peninsula Borough Planning Commission (Mayor)

Lou Oliva, Seat Northwest Borough, Term Expires 07/31/2023

Attachments: [Appointment](#)
[LAYDOWN Public Comments](#)

NEW BUSINESS

1. Resolutions

Resolutions referred to Finance Committee

- *a. [2020-057](#) A Resolution Amending the Spending Plan Approved in Resolutions 2020-047 and 2020-056 for Cares Act Coronavirus Relief Funds Received from the State of Alaska (Mayor)

Attachments: [Resolution 2020-057](#)
[LAYDOWN Amendment Memo 090120](#)
[Memo](#)
[CARES Act Spending Plan Excerpt with Amendments](#)
[Link to Budget Ordinance 2019-19-39](#)
[Link to Resolution 2020-056](#)
[Link to Resolution 2020-047](#)

- *b. [2020-058](#) A Resolution Authorizing the Sub-Award of Sub-Subrecipient

Agreements for Rural Internet Grants (Mayor)

Attachments:[Resolution 2020-058](#)[Memo](#)[LAYDOWN Additional Information](#)[Link to Resolution 2020-047](#)[Link to Budget Ordinance 2019-19-39](#)

- *c. [2020-059](#) A Resolution Approving an Automatic Aid Agreement and Operational Plan Between Bear Creek Fire Service Area and Lowell Point Volunteer Fire Department for Fire Response Services (Mayor)

Attachments:[Resolution 2020-059](#)[Memo](#)[Auto Aid Agreement](#)[Operational Plan - Exhibit A](#)

Resolutions referred to Policies and Procedures Committee

- *d. [2020-060](#) 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 to December 30, 2020 (Mayor)

Attachments:[Resolution 2020-060](#)[Memo](#)[COVID-19 Disaster Declaration](#)[Link to Resolution 2020-026](#)[Link to Resolution 2020-038](#)

- *e. [2020-062](#) A Resolution Requesting that the Kenai Peninsula Borough Clerk's Office Utilize Media Sources to Direct Voters to Online Voter Pamphlet Information (Cox)

Attachments:[Resolution 2020-062](#)[LAYDOWN Amendment Memo](#)[Memo](#)

Resolutions referred to Legislative Committee

- *f. [2020-061](#) A Resolution in Support of the State's Use of Estimated Student Count Data to Fund K-12 Public Education for Fiscal Year 2021 (Cooper, Cox)

Attachments: [Resolution 2020-061](#)
[Memo](#)
[LAYDOWN KPBSD Enrollment on 11-22-19](#)

- g.** [2020-063](#) LAYDOWN A Resolution Providing Authorization for Sole Source Procurement to Obtain Parts and Services from Federal Signal Corporation (Mayor)

Attachments: [LAYDOWN Resolution 2020-063](#)
[LAYDOWN Memo](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to the Finance Committee

- *a.** [2020-19-05](#) An Ordinance Appropriating Funding from the Central Peninsula Hospital Plant Replacement and Expansion Fund for the Handicap Parking and ADA Access Project (Mayor) (Hearing on 09/15/20)

Attachments: [Ordinance 2020-19-05](#)
[Memo](#)
[Link to Ordinance 2016-19-12](#)

- *b.** [2020-37](#) An Ordinance Approving and Accepting Grant Funds from the State of Alaska Division of Homeland Security & Emergency Management to Reimburse Repairs at the North Peninsula Recreation Center Resulting from the November 30, 2018 Cook Inlet 7.0 Earthquake (Mayor) (Hearing on 09/15/20)

Attachments: [Ordinance 2020-37](#)
[Memo](#)
[NPRC DR4413-PW Obligating Award Document](#)
[Link to Ordinance 2018-19-26](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

- *c.** [2020-38](#) An Ordinance Approving the Revised Kenai Peninsula Borough Emergency Operations Plan (Mayor) (Hearing on 10/13/20)

Attachments: [Ordinance 2020-38](#)
[Memo](#)
[OEM Emergency Operations Plan List of Key Changes](#)
[OEM EOP July 2020](#)
[OEM EOP - Annexes All](#)
[Link to Ordinance 2016-08](#)

- d. [2020-19-06](#) LAYDOWN An Ordinance Appropriating \$111,869.20 to Fund a Former State Dispatch Position at the Soldotna Public Safety Communications Center (Mayor) (Hearing on 09/15/20)

Attachments: [LAYDOWN Ordinance 2020-19-06](#)
[LAYDOWN Memo](#)
[LAYDOWN Fiscal Note](#)

3. Other

Other items referred to Finance Committee

- *a. [KPB-2777](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Retail Marijuana Store, License 23810 Filed by Fat Tops, LLC, 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: [23810 - Complete Application](#)
[23810 - Memo to Assembly](#)
[LAYDOWN Planning Memo Fat Tops LLC](#)
[23810 - Site Development Plan](#)
[23810 - Acknowledgement Form](#)
[23810 - Aerial Maps](#)

Other items referred to Lands Committee

- *b. [KPB-2750](#) Petition to Vacate a 10-foot Utility Easement within Lot A-2, M. L. Stewart Homestead J King Addition (Plat KN 96-63) Granted by M. L. Stewart Homestead Subdivision Tracts A, B & C (Plat KN 75-124); Within Section 19, Township 5 North, Range 10 West, Seward Meridian, Alaska, Within the Kenai Peninsula Borough. KPB File 2020-071V

[Clerk's Note: The Planning Commission approved the above

referenced petition to vacate at its August 10, 2020 meeting by majority vote.]

Attachments: [Petition to Vacate](#)

MAYOR'S REPORT

[KPB-2762](#) Mayor's Report Cover Memo

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

1. Assembly Requests/Responses

2. Agreements and Contracts

- a. [KPB-2763](#) Authorization to Award a Contract for ITB20-031 Nikiski Fire Station No. 1 Painting Upgrades to Adams Family Painting, Palmer, Alaska.

Attachments: [Authorization to Award Contract for ITB20-031](#)

- b. [KPB-2764](#) Authorization to Award a Contract for ITB21-001 Kaleidoscope Flooring Replacement to Eastside Carpet Company, Anchorage, Alaska.

Attachments: [Authorization to Award ITB21-001](#)

- c. [KPB-2765](#) Sole Source for Tyonek Recreation Services Requesting Authorization to Re-New a Two-Year Contract with B&G Club of South Central Alaska for Continued Services to the Village of Tyonek.

Attachments: [Sole Source for Tyonek Rec](#)

- d. [KPB-2766](#) Sole Source – ZGEN-36 Hypochlorous Acid Generator to TMI Salt Pure Corp. of Manchester, WA.

Attachments: [Sole Source](#)

- e. [KPB-2767](#) Sole Source – Backup Dispatch Center Radio Equipment, Under the HGAC Cooperative Contract.

Attachments: [Sole Source](#)

- f. [KPB-2768](#) Authorization to Award a Contract for ITB20-034 South Peninsula Hospital CT Suite Remodel to Steiner's North Star Construction, Inc., Homer, Alaska.

Attachments: [Authorization to Award Contract ITB20-034](#)

- g. [KPB-2769](#) Authorization to Award a Contract for ITB21-004 CPL Excavation of C&D Expansion to Foster Construction, LLC., Soldotna, Alaska.

Attachments: [Authorization to Award Contract ITB20-004](#)

3. Other

- a. [KPB-2770](#) Budget Revisions – July 2020
Attachments: [Budget Revisions - July 2020](#)
- b. [KPB-2771](#) Revenue – Expenditure Report – July 2020
Attachments: [Revenue-Expenditure Report - July 2020](#)
- c. [KPB-2772](#) Capital Project Reports – June 30, 2020
Attachments: [Capital Project Reports - June 30, 2020](#)
- d. [KPB-2773](#) Investment Report - Quarter Ended June 30, 2020.
Attachments: [Investment Report Quarter Ended 063020](#)

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. September 15, 2020, 2:00 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.

