



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda

Assembly

Jesse Bjorkman
Kenn Carpenter
Lane Chesley
Tyson Cox
Richard Derkevorkian
Willy Dunne
Bill Elam
Brent Hibbert
Brent Johnson

Tuesday, November 10, 2020

6:00 PM

The meeting will be held through Zoom - Meeting ID:
128 871 931, from the Borough Administration
Building

Zoom ID 128 871 931

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 George Holly.]

ROLL CALL

COMMITTEE REPORTS

APPROVAL OF AGENDA AND CONSENT AGENDA**ACTION ITEMS CURRENTLY ON CONSENT AGENDA**

October 13, 2020 Regular Assembly Meeting Minutes

Resolution 2020-076

Resolution 2020-077

Resolution 2020-078

Ordinance 2020-19-12

Ordinance 2020-19-13

Ordinance 2020-19-14

Ordinance 2020-46

Ordinance 2020-47

Approval of the 2021 Meeting Schedule

Re-Appointments to the Road Service Area Board

ACTION ITEMS ELIGIBLE TO BE ADDED TO THE CONSENT AGENDA

Ordinance 2019-19-44

Ordinance 2020-19-10

Ordinance 2020-19-11

Ordinance 2020-42

Ordinance 2020-44

(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.)*

ASSEMBLY REORGANIZATION

1. Election of President and Vice President

APPROVAL OF MINUTES

- *1. [KPB-2874](#) October 13, 2020 Regular Assembly Meeting Minutes

Attachments: [October 13, 2020 Regular Assembly Meeting Minutes](#)

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

(20 minutes total)

1. [KPB-2875](#) Kenai Peninsula Borough School District Quarterly Report (10 Minutes)
Attachments: [LAYDOWN Presentation](#)
2. [KPB-2876](#) *RESCHEDULED to 12/01/20 Meeting* North Road Extension Update, Dil Uhlin (10 Minutes)

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. [2019-19-44](#) An Ordinance Accepting and Appropriating Grant Funds for Nikiski Fire Service Area and Central Emergency Service Area for the Self-Contained Breathing Apparatus Equipment Provided by the City of Kenai Through the Assistance to Firefighters Grant Program (Mayor)
Attachments: [Ordinance 2019-19-44](#)
[Memo](#)
2. [2020-19-10](#) An Ordinance Appropriating Funds from the General Fund for Flood Response Under the Declared Local Disaster Emergency within the Kenai Peninsula Borough (Mayor)
Attachments: [Ordinance 2020-19-10](#)
[LAYDOWN Amendment Memo 111020](#)
[Memo](#)
[Seward Disaster Declaration - Oct 2, 2020](#)
3. [2020-19-11](#) An Ordinance Accepting and Appropriating \$221,493 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management for Areawide Siren Upgrades, Incident Management Functional Exercise and Air Compressor Unit (Mayor)
Attachments: [Ordinance 2020-19-11](#)
[Memo](#)
[Grant Award Letter](#)

4. [2020-42](#) An Ordinance of Assessment Confirming the Assessment Roll for the South Kalifornsky Beach Road Utility Special Assessment District and Establishing the Method for Terminating Assessments and Making Refunds to Property Owners (Mayor)

Attachments: [Ordinance 2020-42](#)
[Memo](#)
[Final Assessment Roll](#)
[Link to Ordinance 2019-19-35](#)
[Link to Resolution 2020-024](#)

Ordinances referred to Lands Committee

5. [2020-43](#) An Ordinance Amending KPB 21.44.110, Nonconforming Uses, to Clarify Expansion Related to Agricultural Purposes, that a Nonconforming Use Runs with the Land, and to Extend the Nonconforming Use Application Deadline for C & H Estates (Mayor)

Attachments: [Ordinance 2020-43](#)
[Planning Commission Recommendation 111020](#)
[Memo](#)

6. [2020-44](#) An Ordinance Authorizing the Lease of Approximately 2,500 Square Feet of Borough Owned Land to Atlas Tower 1 LLC for the Construction and Maintenance of a Communication Tower Site (Mayor)

Attachments: [Ordinance 2020-44](#)
[Planning Commission Recommendation 111020](#)
[Memo](#)
[Site Map](#)
[Lease](#)
[Memorandum of Lease](#)

Ordinances referred to Policies and Procedures Committee

7. [2020-45](#) An Ordinance Amending KPB 2.40, Planning Commission, KPB Title 20, Subdivisions, and KPB 21.20, Hearing and Appeals, to Correct Grammatical Errors, and Clarify and Improve Certain Administrative Procedures (Mayor)

[Clerk's Note: A Sectional Analysis will be provided by the Legal and Planning Departments, 20 Minutes]

Attachments:

[Ordinance 2020-45](#)

[Amendment Memo 111020](#)

[Planning Commission Recommendation 111020](#)

[Memo](#)

[Sectional Analysis](#)

[LAYDOWN Public Comment 111020](#)

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

Resolutions referred to Finance Committee

- *a. [2020-076](#) A Resolution Amending the Spending Plan Approved for CARES Act Coronavirus Relief Funds Received from the State of Alaska, to Fund Supplement Fire and Emergency Service Area Personnel Costs, Hospital Costs for Air Purification Project, and the Technology Communications Tower Site Development Project (Mayor)

Attachments:

[Resolution 2020-076](#)

[LAYDOWN Amendment Memo 111020](#)

[Memo](#)

[Revised Plan](#)

[Link to Resolution 2020-056](#)

[Link to Resolution 2020-057](#)

[Link to Resolution 2020-069](#)

[Link to Resolution 2020-070](#)

[Link to Resolution 2020-071](#)

Resolutions referred to Policies and Procedures Committee

- *b.** [2020-077](#) A Resolution Approving an Automatic Aid Agreement and Operational Plan Between the Kenai Peninsula Borough on Behalf of Central Emergency Service Area, Nikiski Fire Service Area and the City of Kenai on Behalf of the Kenai Fire Department (Mayor)

Attachments: [Resolution 2020-077](#)
[Memo](#)
[Auto Aid Agreement](#)
[Operational Agreement](#)
[LAYDOWN Kenai Council Recommendations](#)

Resolutions referred to Legislative Committee

- *c.** [2020-078](#) A Resolution Opposing any Governmental Mandate Requiring Members of the Public to Be Inoculated with a COVID-19 Vaccine (Mayor, Bjorkman, Elam)

Attachments: [Resolution 2020-078](#)
[Memo](#)
[LAYDOWN Bjorkman Amendment](#)
[LAYDOWN DHSS Vaccine Information](#)
[LAYDOWN State of Alaska Vaccination Plan](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to the Finance Committee

- *a.** [2020-19-12](#) An Ordinance Transferring Remaining Plant Replacement Expansion Funds from the South Peninsula Hospital Service Area Special Revenue Fund to the South Peninsula Hospital Capital Project Fund (Mayor) (Hearing on 12/01/20)

Attachments: [Ordinance 2020-19-12](#)
[Memo](#)

- *b.** [2020-19-13](#) An Ordinance Appropriating Funds from the Seldovia Recreational Service Area Fund Balance for the Cost of a Small Onsite Storage Building (Dunne) (Hearing on 12/01/20)

Attachments: [Ordinance 2020-19-13](#)
[Memo](#)

- *c. [2020-19-14](#) An Ordinance Re-Appropriating North Peninsula Recreation Service Area Capital Project Funds of \$610,512.97 from Previously Appropriated Projects to the Nikiski Pool Roof Replacement Fund (Mayor) (Hearing on 12/01/20)

Attachments: [Ordinance 2020-19-14](#)
[Memo](#)

- *d. [2020-46](#) An Ordinance Amending KPB 5.12.150(D) “Home Port” Definition and Defining “Boatyard” for Personal Property Tax Purposes (Mayor) (Hearing on 12/01/20)

Attachments: [Ordinance 2020-46](#)
[Memo](#)

Ordinances for Introduction and referred to the Lands Committee

- *e. [2020-47](#) An Ordinance Authorizing an Amendment to the Tsalteshi Trails Association Lease to Provide a Ten-Year Extension of the Term (Mayor) (Hearing on 12/01/20)

Attachments: [Ordinance 2020-47](#)
[Memo](#)
[Lease Agreement](#)
[Location Map](#)
[Trail Maps](#)
[Lease - 5-4-99](#)
[TTA Board Letter of Support](#)

- f. [2020-48](#) LAYDOWN An Ordinance Authorizing a Communications Site Lease Agreement at Nikiski Fire Station 3 with SPITwSPOTS, Inc. (Mayor) (Hearing on 12/1/20)

Attachments: [LAYDOWN Ordinance 2020-48](#)
[LAYDOWN Memo](#)
[LAYDOWN Lease Location Map](#)

3. Other

Other items referred to Policies and Procedures Committee

- *a. [KPB-2877](#) Approval of the 2021 Assembly Meeting Schedule (Hibbert)

Attachments: [2021 Meeting Schedule](#)

- *b. [KPB-2858](#) Confirming the Re-Appointments to the Road Service Area Board (Mayor)

Michele Hartline, North Region, Term Expires September 30, 2023

Robert Ruffner, West Region, Term Expires September 30, 2023

Attachments: [Appointments](#)

MAYOR'S REPORT

[KPB-2861](#) Mayor's Report Cover Memo

Attachments: [Cover Memo](#)

1. Assembly Requests/Responses - None

2. Agreements and Contracts

- a. [KPB-2862](#) Authorization to Award a Contract for RFP21-004 Kenai Peninsula Borough Assembly Chamber AV Upgrades to Key Code Media, Inc., Kent, WA

Attachments: [Authorization to Award Contract for RFP21-004](#)

- b. [KPB-2863](#) Authorization to Award a Contract for ITB21-014 FY21 Brushing Vegetation Control, South Region, Units 3, 4 and 5 to Moore & Moore Services, Inc., Homer, Alaska

Attachments: [Authorization to Award Contract for ITB21-014](#)

- c. [KPB-2864](#) Authorization to Award a Contract for ITB21-007 Bulk Fuel Supply. Bids for each region and fuel type are attached

Attachments: [Authorization to Award Contract for ITB21-007](#)

- d. [KPB-2865](#) Authorization to Award a Contract for ITB21-011 Snow Removal and/or Sanding of Various Borough Schools and Facilities. Low bidders are attached.

Attachments: [Authorization to Award Contract for ITB21-011](#)

- e. [KPB-2866](#) Sole Source Waiver – Municipal Emergency Services, Inc., to replace BCFS SCBA Cylinders

Attachments: [Municipal Emergency Services, Inc. Sole Source Waiver](#)

- f. [KPB-2867](#) Authorization to Award a Contract for ITB21-006 Sawmill Creek Channel Extraction to Metco Alaska, LLC
Attachments: [Authorization to Award Contract for ITB21-006](#)
3. Other
- a. [KPB-2868](#) Revenue-Expenditure Report – September, 2020
Attachments: [Revenue-Expenditure Report - September 2020](#)
- b. [KPB-2869](#) Budget Revisions – September, 2020
Attachments: [Budget Revisions - September 2020](#)
- c. [KPB-2870](#) Capital Project Reports – September 30, 2020
Attachments: [Capital Project Reports - September 30, 2020](#)
- d. [KPB-2871](#) Investment Report Quarter Ended 09/30/20
Attachments: [Investment Report Quarter Ended 093020](#)
- e. [KPB-2872](#) FY21-1Q Economic Development Grant Reports
Attachments: [FY21-1Q Economic Development Grant Reports](#)
- f. [KPB-2873](#) FY21-1Q Senior Center Grant Reports
Attachments: [FY21-1Q Senior Center Grant Reports](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY COMMENTS

PENDING LEGISLATION

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

1. [2020-19-07](#) An Ordinance Appropriating Refinanced 2013 Bear Creek Fire Service Area General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor) (Postponed to 12/01/20)
Attachments: [Ordinance 2020-19-07](#)
[Memo](#)
[Amendment Memo \(Dealt with 10/13/20\)](#)
[Link to Resolution 2020-044](#)
[Link to Resolution 2012-091](#)

2. [2020-19-08](#) An Ordinance Appropriating Refinanced 2013 School General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor) (Postponed to 12/01/20)

Attachments: [Ordinance 2020-19-08](#)
[Amendment Memo \(Dealt with 10/13/20\)](#)
[Memo](#)
[Link to Resolution 2013-071](#)
[Link to Resolution 2020-042](#)

3. [2020-19-09](#) An Ordinance Appropriating Refinanced 2011 Hospital General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor) (Postponed to 12/01/20)

Attachments: [Ordinance 2020-19-09](#)
[Memo](#)
[Amendment Memo \(Dealt with 10/13/20\)](#)
[Link to Resolution 2011-073](#)
[Link to Resolution 2020-043](#)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

December 1, 2020 Regular Assembly Meeting

6:00 PM This meeting will be held through Zoom. Meeting ID 128 871 931 from the Borough Administration Building.

ADJOURNMENT

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.