



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Assembly

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

Tuesday, December 1, 2020

6:00 PM

This meeting will be held through Zoom
Meeting ID: 128 871 931
From the Borough Administration Building

Zoom Meeting 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 was given by David Thompson.]

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.)*

ACTION ITEMS CURRENTLY ON CONSENT AGENDA:

11/10/20 Regular Assembly Meeting Minutes
Resolution 2020-079
Resolution 2020-080
Resolution 2020-081
Resolution 2020-082
Resolution 2020-083
Ordinance 2020-19-15
Western Emergency Service Area Appointments
Advisory Planning Commission Appointments
Board of Equalization Appointments

ACTION ITEMS ELIGIBLE TO BE ADDED TO THE CONSENT AGENDA:

Ordinance 2020-19-12
Ordinance 2020-19-13
Ordinance 2020-19-14
Ordinance 2020-47
Ordinance 2020-48

APPROVAL OF MINUTES

[KPB-2884](#) November 10, 2020 Regular Assembly Meeting Minutes

Attachments: [111020 Regular Assembly Meeting Minutes](#)

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

(20 minutes total)

1. [KPB-2901](#) Central Peninsula Hospital Quarterly Report (10 minutes)

Attachments: [Quarterly Report](#)

2. [KPB-2902](#) North Road Extension Update, Dil Uhlin, KPB Roads Director (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

[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) Tabled as amended

Attachments: [Ordinance 2020-19-07](#)
[Admin's Request to Table](#)
[Memo](#)
[Amendment Memo \(Dealt with 10/13/20\)](#)
[Reference copy: Resolution 2020-044](#)
[Reference copy: Resolution 2012-091](#)

[2020-19-08](#) An Ordinance Appropriating Refinanced 2013 School General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor) Tabled as amended

Attachments: [Ordinance 2020-19-08](#)
[Admin's Request to Table](#)
[Memo](#)
[Amendment Memo \(Dealt with 10/13/20\)](#)
[Reference copy: Resolution 2013-071](#)
[Reference copy: Resolution 2020-042](#)

[2020-19-09](#) An Ordinance Appropriating Refinanced 2011 Hospital General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor) Tabled as amended

Attachments: [Ordinance 2020-19-09](#)
[Admin's Request to Table](#)
[Memo](#)
[Amendment Memo \(Dealt with 10/13/20\)](#)
[Reference copy: Resolution 2011-073](#)
[Reference copy: Resolution 2020-043](#)

[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)

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

[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)

Attachments: [Ordinance 2020-19-13](#)
[Memo](#)
[Service Area Board Recommendations](#)

[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)

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

[2020-46](#) An Ordinance Amending KPB 5.12.150(D) “Home Port” Definition and Defining “Boatyard” for Personal Property Tax Purposes (Mayor)

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

Ordinances referred to Lands Committee

[2020-47](#) An Ordinance Authorizing an Amendment to the Tsalteshi Trails Association Lease to Provide a Ten-Year Extension of the Term (Mayor, Cox)

Attachments: [Ordinance 2020-47](#)
[Memo](#)
[Planning Commission Recommendation](#)
[Lease Agreement](#)
[Location Map](#)
[Trail Maps](#)
[Lease - 5-4-99](#)
[TTA Board Letter of Support](#)
[Reference copy: Ordinance 99-19](#)
[Reference copy: Ordinance 2005-33](#)
[Reference copy: Ordinance 2009-51](#)
[Reference copy: Ordinance 2011-31](#)

[2020-48](#) An Ordinance Authorizing a Communications Site Lease Agreement at Nikiski Fire Station 3 with SPITwSPOTS, Inc. (Mayor)

Attachments: [Ordinance 2020-48](#)
[Memo](#)
[Planning Commission Recommendation](#)
[Service Area Board Recommendations](#)
[Lease Location Map](#)
[Lease Agreement](#)
[Reference copy: Ordinance 2003-13](#)

UNFINISHED BUSINESS

1. Postponed Item

- a. [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) Postponed as amended to 01/19/21

Attachments: [Ordinance 2020-45](#)
[Planning Commission Recommendation 111020](#)
[Amendment Memo #1 111020](#)
[Amendment Memo #2 120120](#)
[Memo](#)
[Sectional Analysis](#)
[Public Comments 120120](#)
[Public Comment 111020](#)
[eComments 120120](#)

NEW BUSINESS

1. Resolutions

Resolution referred to Finance Committee

- [2020-079](#) Confirming Appointments to Non-Borough Boards (Hibbert)

Attachments: [Resolution 2020-079](#)
[Reference copy: Resolution 96-020](#)

Resolutions referred to Legislative Committee

- [2020-080](#) A Resolution Requesting the Alaska Department of Transportation and Public Facilities to Initiate Safety and Speed Limit Studies on Ohlson Mountain Road Near Homer (Dunne, Chesley)

Attachments: [Resolution 2020-080](#)
[Memo](#)
[Additional Info from Dunne](#)

- [2020-081](#) A Resolution Asking the North Pacific Fishery Management Council not to Adopt the Alternative 4, which would Prohibit Commercial Fishing in the Cook Inlet Exclusive Economic Zone (Borough Assembly)

Attachments: [Resolution 2020-081](#)
[Memo](#)
[eComment 120120](#)

[2020-082](#) A Resolution Supporting the Transportation Priorities to be Considered for Grant Funding to be Submitted to the State of Alaska Department of Transportation and Public Facilities (Mayor)

Attachments: [Resolution 2020-082](#)
[Memo](#)

Resolution referred to Finance Committee

[2020-083](#) A Resolution Amending the Spending Plan Approved for CARES Act Coronavirus Relief Funds Received from the State of Alaska, to Supplement Audio Video Capabilities to Allow Remote Meetings at the Donald E. Gilman Kenai River Center, Kenai Peninsula Borough School District Telephony Project, Student Home-to-School Transportation Costs and Funding to Support Presumed COVID-19 Education-Related Expenditures (Mayor)

Attachments: [Resolution 2020-083](#)
[Amendment Memo 120120](#)
[Memo](#)
[KPBSD Funding Request](#)
[COVID19 Related Funding Policy to KPBSD](#)
[Program reallocation-Amendment](#)
[Reference copy: Resolution 2020-047](#)
[Reference copy: Resolution 2020-056](#)
[Reference copy: Resolution 2020-057](#)
[Reference copy: Resolution 2020-069](#)
[Reference copy: Resolution 2020-071](#)
[Reference copy: Resolution 2020-076](#)

2. Ordinances for Introduction

Ordinance for Introduction and referred to the Finance Committee

[2020-49](#) An Ordinance Approving the Transfer of Assets from Ninilchik Emergency Services, Inc. to the Borough on Behalf of the Newly Expanded Fire & Emergency Medical Service Area (Mayor)

Attachments: [Ordinance 2020-49](#)
[Memo](#)
[Attachment A - Inventory List](#)

3. Other

Other items referred to Policies and Procedures Committee

[KPB-2898](#) Confirming Appointments to the Western Emergency Service Area Board (Mayor)

Cherie Richter, Seat A (Anchor Point), Term Expires October, 2023
Dawson Slaughter, Seat B (Anchor Point), Term Expires October, 2022

Kathryn Lopeman, Seat C (Ninilchik), Term Expires October, 2023
Katherine Covey, Seat D (Ninilchik), Term Expires October, 2022
James Lee Kenshalo, Seat E (At-Large), Term Expires October, 2021

Attachments: [Mayor/Verification Memos](#)
[Applications](#)

[KPB-2899](#) Confirming Appointments to Advisory Planning Commissions (Mayor)

Hope/Sunrise Advisory Planning Commission:
Jessie Maguire, Seat F, Term Expires September 30, 2023

Kachemak Bay Advisory Planning Commission:
Bruce Robinson, Seat B, Term Expires September 30, 2022

Attachments: [Mayor/Verification Memos](#)
[Applications](#)

[KPB-2900](#) Confirming Appointments to the Board of Equalization (Mayor)

Tyson R. Cox, Seat C, Term Expires December 31, 2023
Barbara Belluomini, Seat D, Term Expires December 31, 2023
Wenda J. Kennedy, Alternate Seat B, Term Expires December 31, 2023
Brett DeMeter, Alternate Seat C, Term Expires December 31, 2023

Attachments: [Mayor/Verification Memos](#)
[Applications](#)

[KPB-2907](#) Petition to Vacate Portions of Universe Avenue, Komsomol Street and Markoka Avenue Right-of-Ways and Vacate all of Planet Place Right-of-Way, Including all Associated Clearing and Underground Utility Easements and Anchor Easements as Dedicated on Terrace View, Plat HM 74-2194. The Rights-of-Way Being Vacated are Mostly Unconstructed and Located within Section 22, Township 4 South, Range 14 West, Seward Meridian, Alaska, Within the Kenai Peninsula Borough. KPB File 2019-150VR1.

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its November 30, 2020 meeting by unanimous consent.]

Attachments: [Petition to Vacate](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

MAYOR'S REPORT

Mayor's Report Cover Memo

[KPB-2889](#) Mayor's Report Cover Memo

Attachments: [120120 Mayors Report Cover Memo](#)

1. Assembly Requests/Responses

2. Agreements and Contracts

a. [KPB-2890](#) Sole Source: Theater Rigging Inspection/Training with Stagecraft Industries, Inc., Portland, OR

Attachments: [Stagecraft Sole Source](#)

b. [KPB-2891](#) Sole Source: Repairs to the SANY 215 Excavator, Solid Waste Department to Totem Equipment Supply, Anchorage, AK

Attachments: [Totem Equip Sole Source](#)

c. [KPB-2892](#) Authorization to Award a Contract for the Nanwalek Teacherage Demolition and Disposal to East End Services, Inc.

Attachments: [Auth to Award East Road Services](#)

3. Other

- a. [KPB-2893](#) Revenue - Expenditure Report, October 2020
Attachments: [Rev Exp Report October 2020](#)
- b. [KPB-2894](#) Budget Revisions, October 2020
Attachments: [Budget Revisions - October 2020](#)
- c. [KPB-2895](#) Joint Letter to Acting Attorney General Regarding Second Class Borough Limitations
Attachments: [Joint Letter to Acting Attorney General](#)
- d. [KPB-2896](#) Status Report on Soldotna Prep Building
Attachments: [Soldotna Prep Status Report](#)
- e. [KPB-2897](#) 20CAR Summary Reports as of 11/19/20
Attachments: [20CAR Summary Reports 11/19/20](#)

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. January 5, 2021 Regular Assembly Meeting

This meeting will be held through Zoom
Meeting ID: TBD

And also in person at the
Betty J. Glick Assembly Chambers
Borough Administration Building

ADJOURNMENT

The next meeting of the Kenai Peninsula Borough Assembly will be held on January 21, 2014, at 6:00 P.M. in the Borough Assembly Chambers, Soldotna, Alaska.

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.