



# 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*

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Tuesday, July 6, 2021

6:00 PM

Betty J. Glick Assembly Chambers

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**Zoom ID: 938 6524 5999 Passcode: 886199**

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### 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: A moment of silence was observed.]

### 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:**

KPB 3331 - June 15, 2021 Regular Assembly Meeting Minutes  
2021-051 – Extending Deadline for COVID Relief Fund Spending Plan  
2021-052 – Sole Source to Purchase Ambulance  
2021-057 – Sole Source 911 Call Management System  
2021-053 – Certificate of Support for Puper Truck in Cooper Landing  
2021-054 – Classifying Parcels of Borough Land  
2021-055 – Adopting Joint Resolution 2021-001  
2021-056 – Authorizing Agmt with Agencies for services at Com Center  
2021-19-04 – CPGH Hot Lab Upgrade  
2021-27 – SpitwSpots Lease Agreements  
2021-28 – Lease to Robert Gibson for Ag Use  
KPB 3307 - Smoking Joes Terps New Marijuana Cultivation Facility  
KPB 3309 - EPHESA Service Area Board Appointment  
KPB 3320 - KPB Planning Commission Appointments

**ACTION ITEMS ELIGIBLE TO BE ADDED TO THE CONSENT AGENDA:**

2021-19-01 – 2014 School Bond – Homer High Roof Replacement  
2021-19-02 – Nikiski Fire Air Quality and Lighting Replacement Projects  
2021-19-03 – General Obligation Bond Proceeds

**APPROVAL OF MINUTES**

[KPB-3331](#) June 15, 2021 Regular Assembly Meeting Minutes

Attachments: [June 15, 2021 Regular Assembly Meeting Minutes](#)

**COMMENDING RESOLUTIONS AND PROCLAMATIONS**

1. [KPB-3319](#) Mayor's Proclamation declaring July 2021 as "Parks and Recreation Month"

Attachments: [Mayor's Proclamation](#)

[KPB-3353](#) LAYDOWN A Resolution Commending Colette Thompson for Her Contributions, Dedication, and Many Years of Public Service to the Borough (Mayor)

Attachments: [Commending Colette Thompson](#)

**PRESENTATIONS WITH PRIOR NOTICE**

*(20 minutes total)*

[KPB-3384](#) Resilience and Security Advisory Commission Presentation, Scott Waterman, Chair (10 Minutes)

[KPB-3385](#) 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**

## **PUBLIC HEARINGS ON ORDINANCES**

*(Testimony limited to 3 minutes per speaker)*

Ordinances referred to Finance Committee

[2021-19-01](#) An Ordinance Redirecting Previously Appropriated Bond Proceeds from the 2014 General Obligation School Bonds to Phase One of the Homer High School Roof Replacement Project in the Bond Capital Project Fund (Mayor)

**Attachments:** [Ordinance 2021-19-01](#)  
[Memo](#)  
[Reference Copy Ordinance 2013-19-22](#)

[2021-19-02](#) An Ordinance Redirecting Nikiski Fire Service Area Capital Project Funds of \$135,221 from Previously Appropriated Projects to the Nikiski Fire Station #1 Air Quality and Station #2 Lighting Fixture Replacement Projects (Mayor)

**Attachments:** [Ordinance 2021-19-02](#)  
[Memo](#)  
[Advisory Board Recommendations](#)

[2021-19-03](#) An Ordinance Appropriating Refinanced 2011 School General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor)

**Attachments:** [Ordinance 2021-19-03](#)  
[Amendment Memo 070621](#)  
[Memo](#)  
[Reference Copy 2003-072](#)  
[Reference Copy 2011-072](#)

[2021-22](#) An Ordinance Authorizing the Assessor to Assess a Low-Income Housing Tax Credit Property Based on Restricted Rents (Mayor)

*Attachments:* [Ordinance 2021-22](#)  
[Memo](#)  
[Reference Copy Ordinance 2003-43](#)

Ordinances referred to Lands Committee

[2021-23](#) An Ordinance Authorizing the Sale of Certain Parcels of Borough Owned Land by Outcry Auction Followed by an Over-the-Counter Land Sale (Mayor)

*Attachments:* [Ordinance 2021-23](#)  
[Memo](#)  
[Land Sale Maps](#)  
[Public Comment 070621](#)  
[Advisory Board Recommendation 071621](#)  
[Public Comments 070621](#)

## **UNFINISHED BUSINESS**

Unfinished Business 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 on 12/01/20

[Clerk's Note: A motion to enact Budget Ordinance 2020-19-07 was on the floor from the 12/01/20 meeting.]

[Clerk's Note: The Administration has given notice of consideration, see related memo dated June 24, 2021.]

Attachments:

[Ordinance 2020-19-07](#)

[Request to Remove from Table 07/06/21](#)

[Amendment Memo 070621](#)

[Memo](#)

[Admin's Request to Table \(Dealt with on 12/01/20\)](#)

[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 on 12/01/20

[Clerk's Note: A motion to enact Budget Ordinance 2020-19-08 was on the floor from the 12/01/20 meeting.]

[Clerk's Note: The Administration has given notice of consideration, see related memo dated June 24, 2021.]

Attachments:

[Ordinance 2020-19-08](#)

[Request to Remove from Table 07/06/21](#)

[Amendment Memo 070621](#)

[Memo](#)

[Admin's Request to Table \(Dealt with on 12/01/20\)](#)

[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 on 12/01/20

[Clerk's Note: A motion to enact Budget Ordinance 2020-19-09 was on the floor from the 12/01/20 meeting.]

[Clerk's Note: The Administration has given notice of consideration, see related memo dated June 24, 2021.]

**Attachments:**

[Ordinance 2020-19-09](#)

[Request to Remove from Table 07/06/21](#)

[Amendment Memo 070621](#)

[Memo](#)

[Admin's Request to Table \(Dealt with on 12/01/20\)](#)

[Amendment Memo \(Dealt with 10/13/20\)](#)

[Reference copy: Resolution 2011-073](#)

[Reference copy: Resolution 2020-043](#)

Unfinished Business referred to Policies and Procedures Committee

[2021-048](#) A Resolution Approving an Updated Management Agreement for the Sea Otter Community Center on Behalf of the Seldovia Recreational Service Area (Mayor) [Postponed on 06/15/21]

**Attachments:**

[Resolution 2021-048](#)

[Memo](#)

[Advisory Board Recommendations 070621](#)

[City Council Recommendation 070621](#)

[Revised Agreement](#)

[Request for Postponement \(Dealt with on 06/15/21\)](#)

[Agreement](#)

[Reference Copy Ordinance 2011-28](#)

## NEW BUSINESS

### 1. Resolutions

Resolutions referred to Finance Committee

[2021-051](#) A Resolution Extending the Deadline to Expend Funds According to the Amended Coronavirus Relief Fund Spending Plan from June 30, 2021 to December 31, 2021 (Mayor)

**Attachments:** [Resolution 2021-051](#)  
[Memo](#)  
[CARES Revision 9](#)  
[Reference Copy Resolution 2020-047](#)  
[Reference Copy Resolution 2020-056](#)  
[Reference Copy Resolution 2020-057](#)  
[Reference Copy Resolution 2020-069](#)  
[Reference Copy Resolution 2020-070](#)  
[Reference Copy Resolution 2020-071](#)  
[Reference Copy Resolution 2020-076](#)  
[Reference Copy Resolution 2020-083](#)  
[Reference Copy Resolution 2021-023](#)

[2021-052](#) A Resolution Authorizing the Sole Source Purchase of Ambulances through HGAC-Buy Purchasing Cooperative (Mayor)

**Attachments:** [Resolution 2021-052](#)  
[Memo](#)  
[Reference Copy Ordinance 2016-17](#)

[2021-057](#) A Resolution Authorizing a Sole Source Procurement to Obtain a 9-1-1 Call Management System Replacement (Mayor)

**Attachments:** [Resolution 2021-057](#)  
[Memo](#)

[2021-053](#) A Resolution Authorizing the Mayor to Sign a Certificate of Support for the Cooper Landing Volunteer Ambulance, Inc. Purchase of a Pumper Truck (Carpenter)

**Attachments:** [Resolution 2021-053](#)  
[Amendment Memo 070621](#)  
[Memo](#)  
[Certificate of Approval](#)  
[CLES Certificate of Support](#)

Resolutions referred to Lands Committee

[2021-054](#) A Resolution Classifying Certain Parcels of Borough Owned Land Pursuant to KPB 17.10.080 (Mayor)

[Clerk's Note: Assembly Member Dunne gave notice of reconsideration at the July 6, 2021 assembly meeting.]

**Attachments:**

[Resolution 2021-054](#)

[Memo](#)

[Land Classification Staff Report](#)

[Public Comments by Area](#)

[Staff Report Homer Exhibit A](#)

[Advisory Board Recommendation \(Dealt with on 070621\)](#)

[Public Comments 070621](#)

[LAYDOWN Soils Profile 0630111](#)

[LAYDOWN Soils Profile 06304329](#)

[LAYDOWN Public Comment 080321](#)

Resolutions referred to Policies and Procedures Committee

[2021-055](#) A Resolution Adopting Joint Resolution No. 2021-001 of the Assembly of the Kenai Peninsula Borough and Councils of the Cities of Homer, Kenai, Seldovia, Seward and Soldotna, for the Purpose of Intergovernmental Administration of Borough and City Elections (Hibbert)

**Attachments:**

[Resolution 2021-055](#)

[Memo](#)

[Joint Resolution](#)

[Memorandum of Agreement](#)

[City of Homer Supporting Resolution](#)

[City of Soldotna Supporting Documentation](#)

[2021-056](#) A Resolution Authorizing the Mayor to Execute an Agreement with the USDA, Forest Service, Chugach National Forest, for Services Provided by the Borough Soldotna Public Safety Communications Center (Mayor)

**Attachments:**

[Resolution 2021-056](#)

[Memo](#)

[Reference Copy Resolution 2021-047](#)

[Draft Joint Agreement](#)

## 2. Ordinances for Introduction

### Ordinances for Introduction and referred to Finance Committee

[2021-19-04](#) An Ordinance Appropriating Funding from the Central Peninsula Hospital Plant Replacement and Expansion Fund for the Central Peninsula Hospital Hot Lab Upgrade to ISO Cleanroom Project (Mayor)

*Attachments:* [Ordinance 2021-19-04](#)  
[Amendment Memo 080321](#)  
[Memo](#)

### Ordinances for Introduction and referred to the Lands Committee

[2021-27](#) An Ordinance Authorizing WISP Tower and Ground Lease Agreement at Certain Locations with SpitwSpots, Inc. (Mayor)

*Attachments:* [Ordinance 2021-27](#)  
[Memo](#)  
[LAYDOWN Advisory Board Recommendations 080321](#)  
[Lease](#)  
[Funny River Fire Map](#)  
[Lease Maps](#)

[2021-28](#) An Ordinance Authorizing a Lease to Robert Gibson, dba Alaska Land and Cattle Company of Approximately 280 Acres of Borough Land in the Basargin Road Area for Agricultural Use (Mayor)

*Attachments:* [Ordinance 2021-28](#)  
[Memo](#)  
[LAYDOWN Advisory Board Recommendations 080321](#)  
[Ak Land & Cattle MAP](#)  
[AK Land & Cattle Rate MAP](#)  
[Lease](#)  
[Farm and Rangeland Development Plan](#)

## 3. Other

### Other Items referred to Finance Committee

[KPB-3307](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Marijuana Cultivation Facility, License 27777 filed by Smoking Joe's Terps Co., 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 KPB 7.30.020 (A).]

Attachments: [27777 - Complete Application](#)  
[27777 - Memo to Assembly](#)  
[27777 - Planning Memo to Assembly](#)  
[27777 - Acknowledgement Form Signed & Site Development Plan](#)  
[27777 - Aerial Map](#)

[KPB-3309](#) Confirming the Appointments to the Eastern Peninsula Highway Emergency Service Area Board

Jared Fink, Seat D, Term Expires October, 2023

Attachments: [Board Appointment](#)

[KPB-3320](#) Confirming the Appointments to the KPB Planning Commission (Mayor)

Jeremy Brantley, Sterling Seat, Term Expires 07/31/24  
Blair Martin, K-Beach Seat, Term Expires 07/31/24

Attachments: [Appointments](#)

## MAYOR'S REPORT

[KPB-3322](#) Mayor's Report Cover Memo

Attachments: [Cover Memo](#)

1. Assembly Requests/Responses - None
2. Agreements and Contracts

- a. [KPB-3323](#) Authorization to Award a Contract for ITB21-030 Application of Crack Sealant 2021 to Alaska Sure Seal, Inc.  
*Attachments:* [Authorization to Award Contract for ITB21-030](#)
- b. [KPB-3324](#) Authorization to Award a Contract for ITB21-029 Basargin Road Phase II CIP to East Road Services, Inc., Homer, Alaska.  
*Attachments:* [Authorization to Award Contract for ITB21-029](#)
- c. [KPB-3325](#) Authorization to Award a Contract for ITB21-034 Central Peninsula Hospital Heated Handicap Parking to Orion Construction, Inc., Wasilla, Alaska.  
*Attachments:* [Authorization to Award Contract for ITB21-034](#)
- d. [KPB-3326](#) Authorization to Award a Contract for ITB21-025 Central Peninsula Landfill Leachate Tank Cleaning Inspection and Repairs to CCI Industrial Services, Kenai, Alaska.  
*Attachments:* [Authorization to Award Contract for ITB21-025](#)
- e. [KPB-3327](#) Authorization to Award a Contract for ITB21-028 Summer and Winter Road Maintenance – East Region Unit 3 to Metco Alaska, LLC., Seward, Alaska.  
*Attachments:* [Authorization to Award Contract for ITB21-028](#)
- f. [KPB-3328](#) Authorization to Award a Contract for RFP21-008 Ambulance Billing Services to Systems Design West, Poulsbo, Washington.  
*Attachments:* [Authorization to Award Contract for RFP21-008](#)
- g. [KPB-3329](#) Purchase of a Zamboni 546 through the Zamboni Company, under the SourceWell Contract.  
*Attachments:* [Purchase of Zamboni](#)

3. Other - None

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

### **ASSEMBLY COMMENTS**

### **PENDING LEGISLATION**

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

1. [2021-046](#) A Resolution Classifying 420 Acres of Borough Land Located within Section 1, T5S, R14W, Seward Meridian, Alaska as Rural and Agriculture (Mayor)  
  
*Attachments:* [Resolution 2021-046](#)  
[Memo](#)  
[Land Classification Maps](#)  
[Land Classification Staff Rpt \(DRAFT\)](#)  
[Public Comment 061521](#)  
[LAYDOWN Advisory Board Rec](#)  
[Advisory Board Recommendations \(Dealt with 06/15/21\)](#)
  
2. [2021-24](#) An Ordinance Amending KPB 22.40.080 to Limit Assembly Members' Closing Comments to Three Minutes (Derkevorkian, Carpenter)  
  
*Attachments:* [Ordinance 2021-24](#)  
[Memo](#)
  
3. [2021-25](#) An Ordinance Amending KPB 2.58.058(A) to Clarify that Assembly Members may Serve on the Board of Equalization (Mayor)  
  
*Attachments:* [Ordinance 2021-25](#)  
[Memo](#)  
[Reference Copy 85-95](#)
  
4. [2021-26](#) An Ordinance Amending KPB 2.24.010 to Modify the Risk Management Committee School District Member's Requirements (Mayor)  
  
*Attachments:* [Ordinance 2021-26](#)  
[Memo](#)

## INFORMATIONAL MATERIALS AND REPORTS

## ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. August 3, 2021 Regular Assembly Meeting  
6:00 PM Betty J. Glick Assembly Chambers Borough Administration Building. Remote Participation Available through Zoom. Meeting ID 938 6524 5999 Passcode: 886199

## 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: 938 6524 5999 Passcode: 886199 and in-person from the Betty J. Glick Assembly Chambers, Borough Administration Building, Soldotna, Alaska. COVID-19 mitigation protocols will be observed. To join the meeting from a computer, visit <https://zoom.us/j/93865245999>. To attend the Zoom meeting by telephone call toll free 1-888-788-0099 or 1-877-853-5247 and enter the Meeting ID: 938 6524 5999 Passcode: 886199. Detailed instructions will be posted on at the Kenai Peninsula Borough's main page at [kpb.us](http://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](http://www.kpb.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*