



# Assembly Action Agenda

June 2, 2020 - 6:00 PM

Regular Meeting

The meeting will be held through  
Zoom Meeting ID: 128 871 931  
From the Betty J. Glick Assembly Chambers

Kelly Cooper  
Assembly President  
Seat 8 – Homer  
Term Expires 2020

Harold "Hal" Smalley  
Assembly Vice  
President  
Seat 2 - Kenai  
Term Expires 2020

Jesse Bjorkman  
Assembly Member  
Seat 3 - Nikiski  
Term Expires 2022

Norm Blakeley  
Assembly Member  
Seat 5-Sterling/Funny  
River  
Term Expires 2020

Kenn Carpenter  
Assembly Member  
Seat 6 – East Peninsula  
Term Expires 2021

Tyson Cox  
Assembly Member  
Seat 4 - Soldotna  
Term Expires 2022

Willy Dunne  
Assembly Member  
Seat 9 - South  
Peninsula  
Term Expires 2021

Brent Johnson  
Assembly Member  
Seat 7 – Central  
Term Expires 2022

Brent Hibbert  
Assembly Member  
Seat 1 – Kalifornsky  
Term Expires 2021

## 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 Debbie Hamilton.]*

## ROLL CALL

## COMMITTEE REPORTS

**APPROVED MOTION:** *To schedule a work session on June 11, 2020 at 2:00 p.m. with the Assembly and Borough Administration to discuss Ordinance 2019-19-39. This meeting will be conducted through Zoom. [9 Yes, 0 No, 0 Absent]*

## APPROVAL OF AGENDA AND CONSENT AGENDA

(Action 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. May 19, 2020 Regular Assembly Meeting Minutes

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

**PRESENTATIONS WITH PRIOR NOTICE** (20 Minutes total)

1. Kenai Peninsula Borough School District Annual 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)

- \*1. **AS AMENDED** Ordinance 2019-19-40: An Emergency Ordinance Appropriating Funds from the Central Peninsula Hospital Plant Replacement Fund to Purchase a High Capacity Molecular Testing Platform in Order to Better Ensure Testing Resources Necessary to Protect the Borough Residents and Businesses from the Novel Coronavirus Disease During and After Reopening the Borough, and Authorizing a Proprietary Procurement (Mayor) (Referred to Finance Committee)
2. **ENACTED AS AMENDED** Ordinance 2020-19: Appropriating Funds for Fiscal Year 2021 (Mayor) (Referred to Finance Committee) **[9 Yes, 0 No, 0 Absent]**
- \*3. **AS AMENDED** Ordinance 2020-26: Providing for an Exception to the Operating Agreement Between the Kenai Peninsula Borough and Central Peninsula General Hospital, Inc. to Allow Cash in Excess of 90 Days to be Retained by Central Peninsula General Hospital, Inc. as of June 30, 2020 Due to the COVID-19 Pandemic (Mayor) (Referred to Finance Committee)
4. **ENACTED AS AMENDED** Ordinance 2020-24: 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) (Referred to Policies and Procedures Committee) **[6 Yes, 3 No, 0 Absent]**

*[Clerk's Note: Notice of reconsideration was given by Assembly Member Carpenter.]*

**UNFINISHED BUSINESS**

## NEW BUSINESS

### 1. Resolutions

- \*a. Resolution 2020-036: Accepting Medical Equipment from the Southern Region Emergency Medical Services Council, Inc., on Behalf of Bear Creek Fire Service Area (Mayor) (Referred to Finance Committee)
- \*b. Resolution 2020-037: Setting the Rate of Levy for Real and Personal Property Taxes for the Kenai Peninsula Borough and for Service Areas Within the Borough for Fiscal Year 2021, Tax Year 2020 (Mayor) (Referred to Finance Committee)
- \*c. Resolution 2020-040: Authorizing the Mayor to Execute the Fiscal Year 2021 Alaska Land Mobile Radio Communication System Membership Agreements (Mayor) (Referred to Finance Committee)
- \*d. Resolution 2020-038: Extending the Disaster Emergency Declaration for the Kenai Peninsula Borough Issued Due to the Current and Expected Imminent Impacts of the COVID-19 Pandemic for an Additional 90 Days (Mayor) (Referred to Policies and Procedures Committee)
- \*e. Resolution 2020-041: Encouraging the Cruise Line Industry to Return to Alaska, and Specifically the Kenai Peninsula in 2021 (Cox) (Referred to Legislative Committee) .....**LAYDOWN**

### 2. Ordinances for Introduction

- \*a. Ordinance 2019-19-38: 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) (Hearing on 06/16/20) (Referred to Finance Committee)

- \*b. Ordinance 2019-19-39: 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) (Hearing on 06/16/20) (Referred to Finance Committee)
- \*c. Ordinance 2020-27: Authorizing the Director of Finance to Accept the FY2021 Late-Filed Senior Citizen Grant Application for the Seldovia Senior Citizen Program (Mayor) (Hearing on 06/16/20) (Referred to Finance Committee)
- \*d. Ordinance 2020-28: 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) (Hearing on 06/16/20) (Referred to Finance Committee)
- \*e. Ordinance 2020-30: 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) (Hearing on 06/16/20) (Referred to Lands Committee)
- \*f. Ordinance 2020-31: Expanding the Anchor Point Fire and Emergency Medical Service Area Boundaries to Include the Ninilchik Area (Johnson) (Hearing on 07/07/20) (Referred to Policies and Procedures Committee)
- g. Ordinance 2020-29: 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 06/16/20) (Referred to Legislative Committee)

*[Clerk's Note: Ordinance 2020-29 was not addressed prior to the legislative deadline and will appear on the June 16, 2020 meeting agenda under Items Not Completed from Prior Agenda.]*

3. Other

- \*a. Approving the Transfer of Ownership of a Restaurant/Eating Place License and the Restaurant Designation Permit for Two Brothers Roadhouse Liquor License #5012 (Referred to Finance Committee)
  
- \*b. Petition to Vacate a Portion of Fritz Creek Drive Right-of-way Adjacent to Tract E, Fritz Creek Acres Addition Tract D & E (HM 78-105) and Adjacent to Lot 2, Carl Baier Tract A Weber 1981 Subdivision (HM 82-10) as Dedicated on Fritz Creek Acres (HM 78-105) and Fritz Creek Acres No.4 (HM 2007-122) and the 66-foot Wide Section Line Easement Located Within the Portion of Fritz Creek Valley Drive Right-of-way and Section Line Easement Being Vacated are Partially Developed and Located Within the NW1/4 SW1/4 of Section 28, and the NE1/4 SE1/4 of Section 28, and the NE1/4 SE1/4 of Section 29, Township 5 South, Range 12 West, Seward Meridian, Alaska, Within the Kenai Peninsula Borough. KPB File 2020-035V. Petitioners Terri Bramel Trust of Anchorage, Alaska (Referred to Lands Committee)

*[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its May 11, 2020 meeting by unanimous consent.]*

- \*c. Petition to Vacate the West 5 Feet of the Existing 70-foot Wide Camelot Drive Right-of-way Along the East Boundary of Lots 6, 7 and 8, Block 2, as Dedicated on Camelot by the Sea Subdivision, Plat SW-76. The Right-of-way Being Vacated is Developed and Located within the NW1/4 SE1/4 of Section 23, Township 1 North, Range 1 West, Seward Meridian, Alaska, Within the Kenai Peninsula Borough. KPB File 2020-032V. Petitioners: J. Craig Turnbull and Catherine M. Turbull of Seward, AK (Referred to Lands Committee)

*[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its May 11, 2020 meeting by unanimous consent.]*

## **MAYOR'S REPORT**

1. Assembly Requests/Responses
  - a. None.
2. Agreements and Contracts
  - a. Authorization to Award a Contract for ITB20-022 Central Peninsula Landfill (CPL) Brush Chipping Project 2020 to Evergreen Alaska, Inc., Kasilof, Alaska
3. Other
  - a. Agnew::Beck Update Presentation on the Communication Strategy and Implementation Plan  
  
*[Clerk's Note: Agnew::Beck gave a presentation to the Assembly during Policies and Procedures Committee.]*
  - b. KPTMC Financial/Progress Report
  - c. Revenue-Expenditure Report-April 2020
  - d. Budget Revisions – April 2020
  - e. Investment Report Quarter Ended 03/31/2020

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS** (3 minutes per speaker)

### **ASSEMBLY COMMENTS**

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

1. Ordinance 2020-25: Establishing the Resilience and Security Advisory Commission for the Kenai Peninsula Borough (Cooper, Cox, Smalley) (Hearing on 06/16/20) (Referred to Lands Committee)

### **INFORMATIONAL MATERIALS AND REPORTS**

## ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. June 11, 2020  
2:00 PM  
Assembly Work Session with Borough Administration Regarding Ordinance 2019-19-39  
This meeting will be held through Zoom: Meeting ID: 951 3503 3838  
From the Betty J. Glick Assembly Chamber
2. June 16, 2020  
6:00 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](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.*