



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Minutes - Final

### Assembly

*Kelly Cooper, President*  
*Hal Smalley, Vice President*  
*Norm Blakeley*  
*Jesse Bjorkman*  
*Kenn Carpenter*  
*Tyson Cox*  
*Willy Dunne*  
*Brent Hibbert*  
*Brent Johnson*

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Tuesday, August 4, 2020

6:00 PM

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

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### INVOCATION

**Present:** 8 - Jesse Bjorkman, Kenn Carpenter, Tyson Cox, Willy Dunne, Brent Hibbert, Brent Johnson, Hal Smalley, and Kelly Cooper  
**Excused:** 1 - Norm Blakeley

[Clerk's Note: The invocation was offered by Brenda Crim.]

### ROLL CALL

Also present were:

Charlie Pierce, Borough Mayor  
James Baisden, Chief of Staff  
Colette Thompson, Borough Attorney  
Johni Blankenship, Borough Clerk  
Michele Turner, Deputy Borough Clerk

### COMMITTEE REPORTS

Assembly Member Hibbert stated the Finance Committee met and discussed its agenda items.

Assembly Member Johnson stated the Lands Committee met and discussed its agenda items.

Assembly Member Dunne stated the Policies and Procedures Committee met and

discussed its agenda items.

## APPROVAL OF AGENDA AND CONSENT AGENDA

Smalley moved to approve the agenda and consent agenda.

Copies have been made available to the public, Borough Clerk Johni Blankenship noted by title only the resolutions and ordinances on the consent agenda.

[KPB-2689](#) July 7, 2020 Assembly Meeting Minutes  
approved.

[2020-19-01](#) An Ordinance Appropriating Refinanced 2010 General Obligation School Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor)  
**This Budget Ordinance was enacted.**

[2020-34](#) An Ordinance Authorizing a Negotiated Sale of Tract E, Alaska State Land Survey 2003-5, Plat No. 2006-21, Seward Recording District to Jerry and Cheryle James at Fair Market Value (Mayor)

*[Clerk's Note: The second to last Whereas clause of Ordinance 2020-34 was amended to read, "the Cooper Landing Advisory Planning Commission, at its regular meeting of July 8, 2020 recommended approval by unanimous consent." and the final Whereas clause to read, "The Kenai Peninsula Borough Planning Commission at its regular meeting of July 13, 2020 recommended approval by unanimous vote."]*

**This Ordinance was enacted as amended.**

[2020-050](#) A Resolution Accepting \$160,000 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management for Emergency Management Operations (Mayor)

**This Resolution was adopted.**

[2020-052](#) A Resolution Providing Authorization for Sole Source Procurement to Enter into a Three Year Software Licensing and Services Agreement with Environmental Systems Research Institute, Inc. (Mayor)

**This Resolution was adopted.**

[2020-053](#) A Resolution Authorizing the Central Peninsula Landfill's Sole Source Procurement of a Replacement Transmission for the Volvo L150G Loader (Mayor)

**This Resolution was adopted.**

[2020-054](#) A Resolution Authorizing the Borough, on Behalf of the South Kenai Peninsula Hospital Service Area, to Enter into a Long-Term Lease Agreement for a Professional Office Building at 4251 Bartlett Street, Homer Alaska (Mayor)

**This Resolution was adopted.**

[2020-055](#) A Resolution Authorizing the Sublease of Real Property Located at 72470 Clutts Avenue in Anchor Point for a Maintenance and Storage Facility for the Anchor Point Fire and Emergency Medical Service Area (Mayor)

**This Resolution was adopted.**

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

**This Budget Ordinance was introduced and set for public hearing.**

[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)

**This Budget Ordinance was introduced and set for public hearing.**

[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)

**This Ordinance was introduced and set for public hearing.**

[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)

**This Budget Ordinance was introduced and set for public hearing.**

[KPB-2717](#) Approving a Letter of Non-Objection to the Issuance of the New Liquor License and Restaurant Designation Permit as Requested by Small Town Coffee Roasters, License No. 5919

**approved.**

[KPB-2691](#) Petition to Vacate Utility Easement:

10-foot Utility Easement Adjoining the South Boundary of Lot 1, Excluding 10 Feet Adjoining Owen Road Right of Way  
10-foot Utility Easement Adjoining the East Boundary of Lot 10, Excluding the 10 Feet Adjoining Cowen Road Right of Way  
10-foot Utility Easement Adjoining the East and North Boundary of Lot 11, Excluding the 10 feet Adjoining Owen Road Right of Way, located within Cowan-McFarland Subdivision No 3 (Plat KN8.-227), Utility Easements Granted by Cowan McFarland Subdivision No 1 (Plat KN 1660) and Cowan-McFarland Subd. No 3 (Plat KN 83-227); Within Section 22, Township 5 North, Range 9 West, Seward Meridian, Alaska, Within the Kenai Peninsula Borough. KPB File 2020-053V

[Clerk's Note: The Planning Commission approved the above referenced petition to vacate at its July 13, 2020 meeting by unanimous vote.]

approved.

[KPB-2700](#) Approval of the Proposition Summary to be Included in the Voter Pamphlet for Proposition No. 1 – Expanding the Anchor Point Fire and Emergency Medical Service Area Boundaries to Include the Ninilchik Area and Creating the Western Emergency Service Area

approved.

[KPB-2748](#) Approval of the Proposition Summary to be Included in the Voter Pamphlet for Proposition No. 2 – Repeal Ordinance 2020-24, An Ordinance 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 (Referred to Policies and Procedures Committee)

approved.

### Approval of the Consent Agenda

President Cooper called for public comment with none being offered.

**The motion to approve the agenda and consent agenda as amended carried by the following vote:**

**Yes:** 8 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, and Cooper

**Absent:** 1 - Blakeley

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

1. [KPB-2716](#) Central Peninsula Hospital Quarterly Report (10 Minutes)

[Clerk's Note: Rick Davis, Central Peninsula Hospital CEO gave a 10 minute quarterly report.]

**PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**

President Cooper called for public comment.

**Tim Dillon**, KPEDD spoke about CARES Funding and the 2020 census.

**Debbie Cary**, Ninilchik spoke on the Kenai Peninsula Borough School District Board Meeting, held on August 3, 2020.

**ITEMS NOT COMPLETED FROM PRIOR AGENDA****PUBLIC HEARINGS ON ORDINANCES**

[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)

**Hibbert moved to enact Budget Ordinance 2019-19-43.**

President Cooper called for public comment with none being offered.

**Hibbert moved to postpone Budget Ordinance 2019-19-43 to the September 1, 2020 meeting.**

**The motion to postpone Budget Ordinance 2019-19-43 to the September 1, 2020 meeting carried by the following vote:**

**Yes:** 8 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, and Cooper

**Excused:** 1 - Blakeley

[2020-32](#) An Ordinance Amending KPB 1.24, General Penalty, KPB 12.04, Parking Regulations, and KPB 14.40 Right of Way Permits to Replace Civil Fines with Citations to Improve Enforcement and be Consistent with Other Recent Code Updates (Mayor)

**Dunne moved to enact Ordinance 2020-32.**

President Cooper called for public comment with none being offered.

**Dunne moved to amend Ordinance 2020-32 as follows:**

The final Whereas clause to read "at its meeting held on [JULY 14] May 12, 2020, the RSA Board recommended approval by the passage of RSA Resolution 2020-004."

**The motion to amend Ordinance 2020-32 carried by the following vote:**

**Yes:** 8 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, and Cooper

**Absent:** 1 - Blakeley

**The motion to enact Ordinance 2020-32 as amended carried by the following vote:**

**Yes:** 8 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, and Cooper

**Absent:** 1 - Blakeley

## UNFINISHED BUSINESS

## NEW BUSINESS

### 1. Resolutions

#### [2020-051](#)

A Resolution Approving a Sole Source Award to Eagleview™ for the Purchase and Implementation of Pictometry Oblique Imagery (Mayor)

**Hibbert moved to adopt Resolution 2020-051.**

President Cooper called for public comment with none being offered.

Assembly Member Bjorkman spoke in opposition to Resolution 2020-051.

**The motion to adopt Resolution 2020-051 carried by the following vote:**

**Yes:** 7 - Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, and Cooper

**No:** 1 - Bjorkman

**Absent:** 1 - Blakeley

### 2. Ordinances for Introduction

#### [2020-36](#)

An Ordinance Amending KPB 20.70 Vacation Requirements and KPB 21.20 Hearings and Appeals to Improve Vacation and Hearing Officer Appeal Procedures (Mayor)

[Clerk's Note: This Ordinance was withdrawn by the sponsor.]

### 3. Other

#### [KPB-2699](#)

Confirming Appointments to the Kenai Peninsula Borough Planning Commission (Mayor)

Cindy Ecklund, Seward City Seat, Term Expires July 31, 2023  
Lou Oliva, Northwest Borough Seat, Term Expires July 31, 2023  
Pamela Gillham, Ridgeway Seat, Term Expires July 31, 2023

**Dunne moved to approve the confirmations to the Kenai Peninsula Borough Planning Commission.**

President Cooper called for public comment with none being offered.

**Dunne moved to divide the question and address Cindy Ecklund and Pamela Gillham appointments separately from Lou Oliva's appointment.**

**The motion to divide the question carried by the following vote:**

**Yes:** 8 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, and Cooper

**Absent:** 1 - Blakeley

**Dunne moved to confirm Cindy Ecklund and Pamela Gillham's appointments to the Kenai Peninsula Borough Planning Commission.**

**The motion to confirm Cindy Ecklund and Pamela Gillham's appointments to the Kenai Peninsula Borough Planning Commission carried by the following vote:**

**Yes:** 8 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, and Cooper

**Absent:** 1 - Blakeley

**Dunne moved to postpone the confirmation of Lou Oliva's appointment to the Kenai Peninsula Borough Planning Commission to the September 1, 2020 meeting.**

**The motion to postpone the confirmation of Lou Oliva's appointment to the Kenai Peninsula Borough Planning Commission to the September 1, 2020 meeting carried by the following vote:**

**Yes:** 8 - Bjorkman, Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, and Cooper

**Absent:** 1 - Blakeley

## MAYOR'S REPORT

[KPB-2701](#) Mayor's Report Cover Memo

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
  - a. [KPB-2702](#) Authorization to Award a Contract for ITB20-028 Roosevelt Circle (W6ROC) to Foster Construction, Inc., Soldotna, Alaska
  - b. [KPB-2703](#) Authorization to Award a Contract for ITB20-027 Basargin Road (S8BSG) to East Road Services, Inc., Homer, Alaska
  - c. [KPB-2704](#) Authorization to Award a Contract for RFP20-013 Flood Hazard

Analyses Seward Mapped Flood Data Area to AWR Engineering, LLC.

- d. [KPB-2705](#) Authorization to Award a Contract for ITB20-032 Redoubt Elementary School Roof Replacement to Orion Construction, Inc., Wasilla, Alaska.
- e. [KPB-2706](#) Comtech Solacom Technologies – Guardian 911 Call Management, Under the Government General Services Administration (GSA) H-GAC Contract #20-00504.
- f. [KPB-2707](#) Authorization to Award a Contract for ITB20-033 Homer Solid Waste Facility Phase 2 Landfill Closure to Qayaq Construction, Anchorage, Alaska.
- g. [KPB-2708](#) Sole Source Purchasing Request for Medical Patient Simulator Package from iSimulate USA.
- h. [KPB-2709](#) Authorization to Award a Contract for RFP20-018 South Peninsula Hospital and Homer Medical Center Roof Professional Designs Services to K+A Design Studios, Kenai, Alaska.

3. Other

- a. [KPB-2710](#) Budget Revisions - June 2020
- b. [KPB-2711](#) Revenue - Expenditure Report - June 2020
- c. [KPB-2712](#) FY20-4Q Economic Development Grant Reports
- d. [KPB-2713](#) FY20-4Q Senior Center Grant Reports
- e. [KPB-2714](#) Kenai Peninsula College FY20 Program Narrative Report
- f. [KPB-2715](#) Litigation Status Report - Quarter Ending 06/30/20

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

### **ASSEMBLY COMMENTS**

Vice President Smalley offered his condolences to the families of the plane crash on July 31, 2020.

Assembly Member Bjorkman offered his condolences to the families of the plane crash on July 31, 2020. He reminded everyone to appreciate the little moments in life and not take things for granted. He encouraged everyone to live a life for others and to be of service.



Assembly Member Carpenter offered his condolences to the families of the plane crash on July 31, 2020. He encouraged everyone to stay safe.

Assembly Member Cox provided an update on the Kenai Peninsula Borough School District Board Meeting. He offered his condolences to the families of the plane crash of July 31, 2020 and wished everyone a good night.

Assembly Member Dunne offered his condolences to the families of the plane crash on July 31, 2020.

Assembly Member Johnson offered his condolences to the families of the plane crash on July 31, 2020. He also offered his condolences to the Banta family.

Assembly Member Hibbert offered his condolences to the families of the plane crash on July 31, 2020 and gratitude to the first responders who responded to the accident. He encouraged everyone to be kind and have patience with each other as schools begin to reopen.

President Cooper offered her condolences to the families of the plane crash on July 31, 2020.

## **PENDING LEGISLATION**

## **INFORMATIONAL MATERIALS AND REPORTS**

## **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. August 11, 2020 Special Assembly Meeting  
2:00 PM This meeting will be held through Zoom Meeting ID: 128 871 931 from the Betty J. Glick Assembly Chambers
2. September 1, 2020 Regular Assembly Meeting  
6:00 PM This meeting will be held through Zoom Meeting ID: 128 871 931 from the Betty J. Glick Assembly Chambers

## **ADJOURNMENT**

With no further business to come before the assembly, President Cooper adjourned the meeting at 8:33 p.m. on August 4, 2020.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of August 4, 2020.

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Johni Blankenship, MMC, Borough Clerk

Approved by the Assembly: \_\_\_\_\_