



# Assembly Action Agenda

May 3, 2022 - 6:00 PM

Regular Meeting

Betty J. Glick Assembly Chambers  
George A. Navarre Kenai Peninsula  
Borough Administration Building and Through  
Zoom. Meeting ID: 884 7373 9641 Passcode: 671108

Brent Johnson  
President  
Seat 7 – Central  
Term Expires 2022

Brent Hibbert  
Vice President  
Seat 1 – Kalifornsky  
Term Expires 2024

Jesse Bjorkman  
Assembly Member  
Seat 3 - Nikiski  
Term Expires 2022

Lane Chesley  
Assembly Member  
Seat 8 – Homer  
Term Expires 2023

Tyson Cox  
Assembly Member  
Seat 4 - Soldotna  
Term Expires 2022

Richard Derkevorkian  
Assembly Member  
Seat 2 - Kenai  
Term Expires 2023

Cindy Ecklund  
Assembly Member  
Seat 6 – East Peninsula  
Term Expires 2024

Bill Elam  
Assembly Member  
Seat 5-Sterling/Funny  
River  
Term Expires 2023

Michael Tupper  
Assembly Member  
Seat 9 - South  
Peninsula  
Term Expires 2024

## 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 Carrie Henson.]*

## ROLL CALL

## COMMITTEE REPORTS

## 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. April 19, 2022 Regular Assembly Meeting Minutes

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

## PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

1. Seward Bear Creek Flood Service Area Annual Report, Stephanie Presley, Program Lead (10 minutes)

2. Central 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)

- \*1. Ordinance 2021-19-48: Appropriating Supplemental Funding to Complete the Air Conditioner Unit Replacement Project Located in the Emergency Response Center Server Room (Mayor) (Referred to Finance Committee)
2. **POSTPONED AS AMENDED TO MAY 17, 2022** Ordinance 2022-08: Amending KPB 5.12.116 to Broaden Economic Development Property Tax Exemption for Independent Power Producers (Johnson, Cox) (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**

**UNFINISHED BUSINESS**

1. Postponed Item
  - a. **ENACTED AS AMENDED** Ordinance 2022-07: Adopting the 2022 Kenai Peninsula Borough Assembly and Board of Education Apportionment Plans and Submitting the Apportionment Plans to the Voters (Johnson, Elam) (Referred to Legislative Committee) **[9 Yes, 0 No, 0 Absent]**
2. Notice to Reconsider
  - a. **ADOPTED AS AMENDED** Resolution 2022-027: Changing the Special Assistant to the Mayor from a Part-Time Position to a Full-Time Position and Removing the Position's Designation as Chief of Emergency Services (Mayor) **[5 Yes, 4 No, 0 Absent]**

*[Clerk's Note: Assembly Member Derkevorkian gave notice of reconsideration of Resolution 2022-027 at the 04/19/22 meeting.]*

## NEW BUSINESS

### 1. Resolutions

- \*a. Resolution 2022-028: Determining the Amount to be Provided from Local Sources for School Purposes During Fiscal Year 2023 and Approving the Kenai Peninsula Borough School District Total Budget (Mayor) (Referred to Finance Committee)
- \*b. Resolution 2022-029: Approving a Drainage Installation and Work Agreement with Bunkhouse Properties, LLC in Cooper Landing (Mayor) (Referred to Policies and Procedures Committee)

### 2. Ordinances for Introduction

- \*a. Ordinance 2021-19-49: Appropriating Additional Funds to Pay Fees Associated with Collection of Remote Sales Tax (Mayor) (Hearing on 05/17/22) (Referred to Finance Committee)
- b. **INTRODUCED AND SET FOR PUBLIC HEARING ON AUGUST 9, 2022** Ordinance 2021-19-50: Accepting and Appropriating the Opioid Settlement Funds and Establishing the Opioid Settlement Fund Grant Program (Mayor) (Hearing on 08/09/22) (Referred to Finance Committee) **[9 Yes, 0 No, 0 Absent]**
- \*c. Ordinance 2021-19-51: Appropriating Funds from the Land Trust Fund, Fund Balance, for a Project to Conduct Soils Investigations and Land Planning on the 1,000-Acre Unit 395, Juneau Bench, Near Cooper Landing (Mayor) (Hearing on 05/17/22) (Referred to Finance Committee)
- \*d. Ordinance 2021-19-52: Appropriating Mission, Vision, Values, Brand Identity, and Logo Development Funds (Mayor) (Hearing on 05/17/22) (Referred to Finance Committee)
- \*e. Ordinance 2022-19: Appropriating Funds for Fiscal Year 2023 (Mayor) (Hearings on 05/17/22 and 06/07/22) (Referred to Finance Committee)

- \*f. Ordinance 2022-10: Authorizing a Three-Party Agreement and Real Property Lease with Verizon Wireless and Alaska Pipeline Company (Mayor) (Hearing on 05/17/22) (Referred to Lands Committee)
- \*g. Ordinance 2022-11: Authorizing Emergency Harvest of Spruce Bark Beetle Impacted Forestlands Including Spruce which are Dying, or Susceptible to Dying, and Establishing a Framework to Guide Forest Treatments (Mayor) (Hearing on 05/17/22) (Referred to Lands Committee)
- \*h. Ordinance 2022-12: Amending KPB 2.60.040 Related to the Emergency Services Communications Center Advisory Board and Reactivating the Advisory Board (Mayor) (Hearing on 06/07/22) (Referred to Policies and Procedures Committee)
- \*i. Ordinance 2022-13: Amending KPB 21.46.040 to Repeal the Kalifornsky Center Single Family Residential (R-1) Local Option Zoning District (Mayor) (Hearing on 06/07/22) (Referred to Policies and Procedures Committee)

### 3. Other

- \*a. Approving a Letter of Non-Objection to the Issuance of the New Liquor License as Requested by Jimmie Jack's Alaska SeaScape Lodge, License No. 6038 (Referred to Finance Committee)
- \*b. Approving a Letter of Non-Objection to the Issuance of the New Liquor License as Requested by Deep Creek Fishing Club, License No. 6042 (Referred to Finance Committee)
- \*c. Petition to Vacate a Portion of Symphony Lane Associated with C L Hatton Subdivision Eagle's Crest Addition (Referred to Lands Committee)

*[Clerk's Note: The Planning Commission approved the referenced petition to vacate at its April 11, 2022 meeting by unanimous consent.]*

- \*d. Confirming an Appointment to the Resilience and Security Advisory Commission (Mayor) (Referred to Policies and Procedures Committee)

Central Peninsula Seat

Kenneth Swazer

Term Expires September 30, 2022

**MAYOR'S REPORT**

1. Assembly Requests/Responses – None.
2. Agreements and Contracts
  - a. Authorization to Award a Contract for ITB22-035 Grounds Maintenance Lawn Care – Central Area 1 to Steam on Wheels, LLC, Soldotna, AK
  - b. Authorization to Award a Contract for ITB22-036 Grounds Maintenance Lawn Care – North Area 2 to Get Plowed Sno-Removal, Soldotna, AK
  - c. Authorization to Award a Contract for ITB22-037 Grounds Maintenance Lawn Care – Seward/Moose Pass Area 3 to Steam on Wheels, LLC, Soldotna, AK
  - d. Authorization to Award a Contract for ITB22-038 Grounds Maintenance Lawn Care – Homer Area 4 to Overdorf Landscaping
  - e. Authorization to Award a Contract for ITB22-047 Homer Transfer Facility Hauling Term Contract to Alaska Waste Kenai Peninsula, LLC, Soldotna, AK
3. Other
  - a. Tax Adjustment Request Approval
  - b. Budget Revisions – March 2022
  - c. Revenue-Expenditure Report – March 2022
  - d. Litigation Status Report – Quarter Ending 03/31/22

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

**ASSEMBLY COMMENTS**

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

1. Ordinance 2021-41: Amending KPB 21.29, KPB 21.25 and KPB 21.50.055 Regarding Material Site Permits, Applications, Conditions, and Procedures (Mayor, Johnson) [*Tabled on 02/01/22*]

Ordinance 2021-41 (Elam, Derkevorkian) Substitute: Amending KPB 21.29, KPB 21.25, and KPB 21.50.055 Regarding Material Site Permits, Applications, Conditions, and Procedures (Elam, Derkevorkian) [*Tabled on 02/01/22*]

**INFORMATIONAL MATERIALS AND REPORTS**

**ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. May 16, 2022  
9:00 AM Budget Work Session #3  
Betty J. Glick Assembly Chambers  
Borough Administration Building  
Remote participation available through Zoom  
Meeting ID: 884 7373 9641 Passcode: 671108
2. May 17, 2022  
9:00 AM Budget Work Session #4  
Betty J. Glick Assembly Chambers  
Borough Administration Building  
Remote participation available through Zoom  
Meeting ID: 884 7373 9641 Passcode: 671108
3. May 17, 2022  
6:00 PM Regular Assembly Meeting  
Betty J. Glick Assembly Chambers  
Borough Administration Building  
Remote participation available through Zoom  
Meeting ID: 884 7373 9641 Passcode: 671108

**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: 884 7373 9641 Passcode: 671108 and in-person from the Betty J. Glick Assembly Chambers, Borough Administration Building, Soldotna, Alaska. To attend the Zoom meeting by telephone call toll free 1-888-788-0099 or 1-877-853-5247 and enter the Meeting ID: 884 7373 9641 Passcode: 671108. 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".

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 minutes, ordinances and resolutions.