



# Assembly Action Agenda

December 12, 2023 - 6:00 PM

Regular Meeting

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

Brent Johnson  
President  
Seat 7 – Central  
Term Expires 2025

Tyson Cox  
Vice President  
Seat 4 - Soldotna  
Term Expires 2025

Kelly Cooper  
Assembly Member  
Seat 8 – Homer  
Term Expires 2026

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

Bill Elam  
Assembly Member  
Seat 5-Sterling/Funny  
River  
Term Expires 2026

Brent Hibbert  
Assembly Member  
Seat 1 – Kalifornsky  
Term Expires 2024

Peter Ribbens  
Assembly Member  
Seat 3 - Nikiski  
Term Expires 2025

Ryan Tunseth  
Assembly Member  
Seat 2 - Kenai  
Term Expires 2026

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 Iris Fontana.]*

## 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. KPB-5665: November 7, 2023 Regular Assembly Meeting Minutes

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

- \*1. KPB-5662: A Resolution Commending the Seward High School Girl's Cross-Country Team as the Division II Alaska State Cross-Country Champions for the Year 2023 (Mayor, Ecklund)

- \*2. KPB-5663: A Resolution Commending the Seward High School Nine-Man Football Team for as the Alaska State Champions for the Year 2023 (Mayor, Ecklund)
- \*3. KPB-5664: A Resolution Commending the Kenai Central High School Football Team as the 2023 Division III Alaska State Champions (Mayor, Tunseth)

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

- 1. KPB-5666: Central Peninsula Hospital Quarterly Report, Shaun Keef, CEO (10 minutes)
- 2. KPB-5667: South Peninsula Hospital Quarterly Report, Angela Hinnegan, COO (10 minutes)

**PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**  
(3 minutes per speaker; 20 minutes aggregate)

**MAYOR'S REPORT**

- 1. Assembly Requests/Responses – None.
- 2. Agreements and Contracts
  - a. KPB-5650: Authorization to Award a Contract for ITB23-070 OEM Eaton UPS Installation
  - b. KPB-5651: Authorization to Award a Contract for RFP23-002 Seclusion St, Robin Ave, Lourdes Ave & Robert Ave West Design Capital Improvement District
  - c. KPB-5652: Authorization to Award a Contract for RFP24-005 2023 Closure/Post Closure Updates
- 3. Other
  - a. KPB-5653: Investment Report – Quarter Ended 09.30.23
  - b. KPB-5654: Tax Adjustment Request Approval
  - c. KPB-5655: Budget Revisions – October 2023

- d. KPB-5656: Revenue-Expenditure Report – October 2023
- e. KPB-5657: FY24-1Q Grant Reports:
  - 1. Alaska Small Business Development Center Grant Report
  - 2. Kenai Peninsula Economic Development District Grant Report
  - 3. Senior Center Grant Reports

## ITEMS NOT COMPLETED FROM PRIOR AGENDA

### PUBLIC HEARINGS ON ORDINANCES (Testimony limited to 3 minutes per speaker)

- \*1. Ordinance 2023-19-25: Accepting and Appropriating Funding from the State of Alaska in the Amount of \$394,725 and Approving Projects to be Completed for Community Purposes Under the 2023/2024 Community Assistance Program (Mayor) (Referred to Finance Committee)
- \*2. Ordinance 2023-19-26: Redirecting \$500,000 in U.S. Treasury State and Local Fiscal Recovery Funds from the Bridge Infrastructure Project to the Cybersecurity and Broadband Project and Expanding the Scope of Road Service Area Locally Funded Bridge Project (Mayor) (Referred to Finance Committee)
- \*3. Ordinance 2023-19-27: Accepting and Appropriating \$36,000 From the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management to Upgrade a Security Gate Motor (Mayor) (Referred to Finance Committee)
- \*4. **AS AMENDED** Ordinance 2023-19-28: Appropriating Commercial Passenger Vessel Tax Proceeds Received from the State of Alaska in the Amount of \$304,177.50 and Allocating \$303,825 to the City of Seward and \$352.50 to the City of Homer (Mayor) (Referred to Finance Committee)
- 5. **ENACTED** Ordinance 2023-25: Approving Anchors Aweigh North Subdivision Single-Family Residential (R-1) Local Option Zoning District and Amending KPB 21.46.040 (Mayor) (Referred to Lands Committee) **[8 Yes, 0 No, 1 Absent]**

## UNFINISHED BUSINESS

## NEW BUSINESS

### 1. Resolutions

- \*a. Resolution 2023-081: Adopting an Alternate Allocation Method for the FY24 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in the Cook Inlet Fisheries Management Area (Mayor) (Referred to Finance Committee)
- \*b. Resolution 2023-080: Confirming Appointments of Assembly Members to Non-Borough Boards (Johnson) (Referred to Policies and Procedures Committee)
- c. **ADOPTED** Resolution 2023-082: Expressing Support for Seward Community Health Center Building a New Clinic Building at 431-501 Frist Avenue, Seward, Alaska (Ecklund) (Referred to Legislative Committee) **[8 Yes, 0 No, 1 Absent]**

### 2. Ordinances for Introduction

- \*a. Ordinance 2023-26: Confirming the Assessment Roll for the Oxford Avenue Utility Special Assessment District and Establishing the Method for Terminating Assessments and Making Refunds to Property Owners (Mayor) (Hearing on 01/02/24) (Referred to Finance Committee)
- \*b. Ordinance 2023-27: Confirming the Assessment Roll for the South Bend Bluff Estates Road Improvement Assessment District (Mayor) (Hearing on 01/02/24) (Referred to Finance Committee)
- \*c. Ordinance 2023-19-29: Deobligating Bond Proceeds in the Central Emergency Service Area Capital Project Fund and Appropriating the Remaining Bond Proceeds and Interest Earned to Fund the Annual Debt Service for Central Emergency Service Area General Obligation Bonds (Mayor) (Hearing on 01/02/24) (Referred to Finance Committee)

- \*d. Ordinance 2023-19-30: Redirecting Previously Appropriated Bond Proceeds and Interest from the 2014 General Obligation School Bonds and Authorizing Distribution of Previously Appropriated State and Local Fiscal Recovery Funds to the Hope School Roof Replacement Project (Mayor) (Hearing on 01/02/24) (Referred to Finance Committee)
- \*e. Ordinance 2023-28: Adopting a New Borough Logo and Amending KPB 1.04.050 Regarding the Borough Logo (Mayor) (Hearing on 01/16/24) (Referred to Policies and Procedures Committee) .....**LAYDOWN**

3. Other

- \*a. KPB-5661: Petition to Vacate a Portion of Park Road and Sara Jane Street Right-of-Way of Rappe Park Subdivision, Nikiski Area; Plat KN87-105, KPB File 2023-114V (Referred to Lands Committee)

*[Clerk's Note: At its regularly scheduled meeting of the Kenai Peninsula Borough Planning Commission on November 13, 2023 the proposed vacation was approved by unanimous consent.]*

- \*b. KPB-5660: Petition to Vacate a Portion of Paulk Avenue Right-of-Way and Associated Utility Easements of Jakes Estate Subdivision Salmon Nest Addition, Kalifornsky Area, Plat KN78-4; KPB File 2023-115V (Referred to Lands Committee)

*[Clerk's Note: At its regularly scheduled meeting of the Kenai Peninsula Borough Planning Commission on November 13, 2023 the proposed vacation was approved by unanimous consent.]*

- \*c. KPB-5658: Confirming the Appointments to Advisory Planning Commissions (Mayor) (Referred to Policies and Procedures Committee)

**Anchor Point Advisory Planning Commission**

<u>Applicant</u>	<u>Seat</u>	<u>Term Expires</u>
Jeff Kirchner	G	09/30/2024

### **Nikiski Advisory Planning Commission**

<u>Applicant</u>	<u>Seat</u>	<u>Term Expires</u>
Sue Covich	C	09/30/2024

- \*d. KPB-5659: Confirming an Appointment to a Service Area Board (Mayor) (Referred to Policies and Procedures Committee)

### **Eastern Peninsula Highway Emergency Service Area**

<u>Applicant</u>	<u>Seat</u>	<u>Term Expires</u>
Jessica Hogan	E	October, 2026

- e. **WITHDRAWN** KPB-5668: Requesting Formal Assembly Protest to the Renewal of a Marijuana Product Manufacturing Facility License due to Unpaid Taxes for Greenstar, Inc. dba Gold Star Concentrates, License No. 23692 (Referred to Finance Committee)

### **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. Resolution 2023-005: A Resolution of Intent by The Kenai Peninsula Borough Assembly Establishing that Financing of Energy and Resilience Improvement Projects through Assessments Serves a Valid Public Purpose and Related Matters (Ecklund) (Referred to Lands Committee) *[Tabled on 10/24/23]*

#### **INFORMATIONAL MATERIALS AND REPORTS**

**ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

- 1. January 2, 2024  
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 and 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 [www.kpb.us](http://www.kpb.us): "Meeting and Public Notices" "Assembly Meeting Calendar".*

*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.*