



Assembly Action Agenda

November 9, 2021 - 6:00 PM

Regular Meeting

Betty J. Glick Assembly Chambers
George A. Navarre Kenai Peninsula
Borough Administration Building and Through
Zoom. Meeting ID: 938 6524 5999 Passcode: 886199

Brent Johnson
President
Seat 7 – Central
Term Expires 2022

Brent Hibbert
Vice President
Seat 1 – Kalifornsky
Term Expires 2021

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 George Holly.]

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. October 26, 2021 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

- 1. Mayor's Proclamation Declaring November 2021 as "National Family Caregiver Month"

PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

1. Central Area Rural Transit System, Inc. (CARTS), Jennifer Beckman (10 Minutes)
2. Operational and Organizational Assessment for Asset Management, John Edwards, Facility Engineer Associates (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 2021-19-24: Appropriating Funds from the Western Emergency Service Area Operating Fund for the Purpose of Purchasing Two Pieces of Fire Apparatus (Mayor) (Referred to Finance Committee)
- *2. Ordinance 2021-19-25: Appropriating Funds from the General Fund for The Purpose of Paying Costs Associated with Implementing the City of Seldovia Increase in City Sales Tax Rate From 4.5% in the Second and Third Quarter to 6.5%, Voted on by the Qualified Voters of the City of Seldovia (Mayor) (Referred to Finance Committee)
- *3. Ordinance 2021-19-26: Approving and Accepting \$316,015.89 from Southern Region Emergency Medical Service Council, Established by the State of Alaska Office of Emergency Medical Services through the American Rescue Plan Act of 2021 (Mayor) (Referred to Finance Committee)
- *4. Ordinance 2021-19-27: Approving and Accepting \$89,997 from the U.S. Department of Agriculture, Natural Resources Conservation Service for the Community Compost & Food Waste Recovery Program and Entering into a Memorandum of Agreement with Bridges Community Resource Center, Inc. to Administer the Project (Mayor) (Referred to Finance Committee)

5. **ENACTED** Ordinance 2021-37: Amending KPB 5.10.200(B) to Add a New Subparagraph under Authorized Investments – to Form a General Policy on Derivatives for the Borough’s Land Trust Investment Fund (Mayor) (Referred to Finance Committee) **[8 Yes, 0 No, 1 Absent]**

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

- *a. Resolution 2021-082: Authorizing the Mayor to Execute a Computer Aided Dispatch Services Agreement with the City of Homer (Mayor) (Referred to Policies and Procedures Committee)
- *b. Resolution 2021-083: Supporting Cook Inlet Aquaculture Association’s Saltonstall-Kennedy Competition Grant Application (Johnson, Chesley) (Referred to Policies and Procedures Committee)**LAYDOWN**

2. Ordinances for Introduction

- *a. Ordinance 2021-19-28: Allocating and Redirecting U.S. Department of Treasury, Coronavirus State and Local Fiscal Recovery Funds Established by the American Rescue Plan Act of 2021 and Appropriating General Fund Fund Balance to Specific Pay-Go Capital Projects (Mayor) (Hearing on 12/07/21) (Referred to Finance Committee)
- *b. Ordinance 2021-19-29: Accepting and Appropriating Funding from the State of Alaska in the Amount of \$167,897.40 for the Healthy and Equitable Communities Program, a Federal Pass-Thru Award under the Centers for Disease Control and Prevention (Mayor) (Hearing on 12/07/21) (Referred to Finance Committee)

3. Other

- *a. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Retail Marijuana Store, License 28917 filed by Back Alley Vapes, Subject to the Standard Conditions (Referred to Finance Committee)

[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 KTP 7.30.020 (A). 4. The marijuana establishment shall not conduct any business on, or allow any consumer to access, the retail marijuana store's licensed premises, between the hours of 2:00 a.m. and 8:00 am.]

- b. **APPROVED** Approval of the 2022 Assembly Meeting Schedule (Johnson) (Referred to Policies and Procedures Committee) **[8 Yes, 0 No, 1 Absent]**

- *c. Confirming Appointments to the Road Service Area Board (Mayor) (Referred to Policies and Procedures Committee)

Robert K. Wall Central Region Term Expires September 30, 2024
Cam Schaeffer South Region Term Expires September 30, 2024

- *d. Confirming an Appointment to the Anchor Point Advisory Planning Commission (Mayor) (Referred to Policies and Procedures Committee)

Maria Bernier Seat A Term Expires September 30, 2023

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

Mark Haller Central Peninsula .Term Expires September 30, 2024

MAYOR'S REPORT

1. Assembly Requests/Responses – None.
2. Agreements and Contracts
 - a. Authorization to Award Contract for ITB22.021 Central Emergency Services Arc Loop Training Pad Expansion to D&L Construction Co., Inc., Cooper Landing, AK
 - b. Authorization to Award Contract for ITB22-006 North Road Surfacing to D&L Construction Co., Inc., Cooper Landing, AK
3. Other
 - a. Capital Project Reports – September 30, 2021
 - b. FY22 1Q Senior Center Grant Reports
 - c. FY22 1Q Economic Development Grant Reports

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 2021-38: Amending KPB Title 7 Regarding Alcohol and Marijuana Regulations to Require Applicant Compliance with Form Filing Requirements under Alaska Law, Add Three Items Under Applicant Standards for Review, and to Define the Term Applicant (Cox) (Hearing on 12/07/21) (Referred to Policies and Procedures Committee)
2. Ordinance 2021-40: Amending KPB 2.40.015 Regarding Planning Commission Membership and Apportionment (Cox, Chesley) (Hearing on 12/07/21) (Referred to Policies and Procedures Committee)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. December 7, 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: "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 for copies of the agenda, meeting summaries, ordinances and resolutions.