



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Assembly

Brent Johnson, President
Brent Hibbert, Vice President
Jesse Bjorkman
Lane Chesley
Tyson Cox
Richard Derkevorkian
Cindy Ecklund
Bill Elam
Mike Tupper

Tuesday, April 19, 2022

6:00 PM

Betty J. Glick Assembly Chambers

Meeting ID: 884 7373 9641 Passcode: 671108

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 Keith Hamilton.]

ROLL CALL

COMMITTEE REPORTS

APPROVAL OF AGENDA AND CONSENT AGENDA

(All 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.)*

ACTION ITEMS CURRENTLY ON CONSENT AGENDA:

KPB-4110 – 04/05/22 Assembly Meeting Minutes
Resolution 2022-026 – Ninilchik Fire Station Block Grant Appln.
Resolution 2022-024 – Classifying Land in Diamond Ridge
Resolution 2022-025 – Approving Appln. Period Kalifornsky APC
Ordinance 2021-19-48 – Suppl Funding Air OEM Server Room
KPB-4103 – SBCFSA Appointment

ACTION ITEMS ELIGILE TO BE ADDED TO THE CONSENT AGENDA:

Ordinance 2021-19-40 – CPH Enterprise Resource System Appropriation
Ordinance 2021-19-41 – SPH Pulmonary Purchase Appropriation
Ordinance 2021-19-42 – SPH Operating Cash Appropriation
Ordinance 2021-19-43 – Japanese Creek Feasibility Study
Ordinance 2021-19-44 – SPH Security Upgrade Project Phase 1
Ordinance 2021-19-45 – RSA Appropriation
Ordinance 2021-19-46 – Grantee Amendment
Ordinance 2021-19-47 – Purchase of Loader and Skid Steer Homer Transfer Facility
Ordinance 2022-06 – Cooper Landing Land Sale
Ordinance 2022-09 – Lease for Anchor Point Food Pantry
Ordinance 2022-07 – Apportionment Plan

APPROVAL OF MINUTES

[KPB-4110](#) April 5, 2022 Regular Assembly Meeting Minutes

Attachments: [040522 Regular Assembly Meeting Minutes](#)

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

(20 minutes total)

1. [KPB-4119](#) C-PACE Program, Peter Crimp and Resilience and Security Advisory Committee (RSAC) Building Subcommittee Chair Bretwood "Hig" Higman, PhD (10 minutes)

Attachments: [CPACE RSAC Presentation](#)

2. [KPB-4059](#) LAYDOWN Federal Emergency Management Agency (FEMA) Flood Plain Presentation (10 minutes)

Attachments: [LAYDOWN FEMA Presentation](#)

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)

Ordinances referred to Finance Committee

[2021-19-40](#) An Ordinance Appropriating Funding from the Central Peninsula Hospital Plant Replacement and Expansion Fund for the Replacement of Central Peninsula Hospital's Enterprise Resource Planning Systems for Human Resources, Payroll, Supply Chain, Accounts Payable, and General Finance Functions (Mayor)

Attachments: [Ordinance 2021-19-40](#)
[Memo](#)
[CPGH Inc. Board Resolution](#)

[2021-19-41](#) An Ordinance Appropriating Funds from the South Peninsula Hospital Service Area Fund Balance for Purchase of Replacement Pulmonary Function Diagnostic Equipment (Mayor)

Attachments: [Ordinance 2021-19-41](#)
[Memo](#)
[South Peninsula Hospital Resolution 2022-04](#)
[Service Area Board Resolution 2022-05](#)

[2021-19-42](#) An Ordinance Appropriating Funding from the South Peninsula Hospital Plant Replacement and Expansion Fund to Replenish South Peninsula Hospital's Operating Cash (Mayor)

Attachments: [Ordinance 2021-19-42](#)
[Memo](#)
[South Peninsula Hospital Resolution 2022-06](#)
[Service Area Board Resolution 2022-04](#)

[2021-19-43](#) An Ordinance Redirecting Excess Funds Appropriated for the U.S. Army Corps of Engineers Japanese Creek Feasibility Study to Complete Flood Hazard and Alternatives Analyses, and Design Plans for Flood Risk Mitigation Projects (Mayor, Ecklund)

Attachments: [Ordinance 2021-19-43](#)
[Memo](#)
[Japanese Creek Information](#)
[Advisory Board Recommendations](#)
[Reference Copy O2019-19-27](#)

[2021-19-44](#) An Ordinance Appropriating Funds from the South Kenai Peninsula Hospital Service Area Fund Balance to Fund the SPH Phase I Security Upgrade Project (Mayor)

Attachments: [Ordinance 2021-19-44](#)
[Memo](#)
[South Peninsula Hospital Board Resolution 2022-05](#)
[Service Area Board Resolution 2022-03](#)

[2021-19-45](#) An Ordinance Appropriating Funds from the Road Service Area Operating Fund Balance for Snow Removal, Sanding and Road Maintenance (Mayor)

Attachments: [Ordinance 2021-19-45](#)
[Memo](#)
[LAYDOWN Advisory Board Recommendations](#)

[2021-19-46](#) An Ordinance Amending the Grantee for the Homeless Shelter Funds Related to the State of Alaska Healthy and Equitable Communities Program (Mayor)

Attachments: [Ordinance 2021-19-46](#)
[Memo](#)
[Reference Copy O2021-19-32](#)

[2021-19-47](#) An Ordinance Appropriating Funds from the Equipment Replacement Fund for Purchase of a Loader and Skid-Steer for the Homer Transfer Facility (Mayor)

Attachments: [Ordinance 2021-19-47](#)
[Memo](#)

Ordinances referred to Lands Committee

[2022-06](#) An Ordinance Authorizing the Negotiated Sale of 180.281 Acres in Cooper Landing as Part of the Sterling Highway Mile Post 45-60 Realignment Project to the State of Alaska Department of Transportation and Public Facilities for a Negotiated Amount Over Appraised Value (Mayor)

Attachments: [Ordinance 2022-06](#)
[Amendment Memo](#)
[Memo](#)
[Right Of Way Location Maps](#)
[MOA Phase 1B](#)
[MOA Phase 2-6](#)
[KPB - PV Phase 1B](#)
[KPB - PV Phase 2-6](#)
[QCD Phase 1B](#)
[QCD Phase 2-6](#)
[LAYDOWN Advisory Board Recommendations](#)
[Reference Copy R2016-049](#)

[2022-09](#) An Ordinance Authorizing a Negotiated Lease at Less Than Fair Market Value of Certain Real Property Containing 3.5 Acres More or Less to the Anchor Point Food Pantry for a Food Pantry and Other Community Uses (Mayor)

Attachments: [Ordinance 2022-09](#)
[Memo](#)
[Lease](#)
[Lease Application](#)
[Development Plan & Story](#)
[APFP Maps](#)
[Reference Copy Resolution 2021-075](#)
[LAYDOWN Advisory Board Recommendations](#)
[LAYDOWN Public Comment](#)
[LAYDOWN 5-Foot Contour Map](#)
[LAYDOWN Proposed APFP & School Sites Map](#)
[APFP Brochure 2022](#)
[eComments](#)

Ordinances referred to Legislative Committee

[2022-07](#) An Ordinance Adopting the 2022 Kenai Peninsula Borough Assembly and Board of Education Apportionment Plans and Submitting the Apportionment Plans to the Voters (Johnson, Elam)

Attachments: [Ordinance 2022-07](#)
[Derkevorkian Amendment](#)
[Cox Amendment](#)
[Reapportionment Committee Final Report](#)
[Reference Copy Resolution 2022-003](#)

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

Resolutions referred to Finance Committee

[2022-026](#) A Resolution Authorizing the Application of Community Development Block Grant for Ninilchik Fire Station COVID Safety Improvements (Mayor)

Attachments: [Resolution 2022-026](#)
[Memo](#)

Resolutions referred to Lands Committee

[2022-024](#) A Resolution Classifying Certain Parcels of Borough Owned Land in the Diamond Ridge Area (Mayor)

Attachments: [Resolution 2022-024](#)
[Staff Report](#)
[LAYDOWN Advisory Board Recommendations](#)
[LAYDOWN Public Comments](#)

Resolutions referred to Policies and Procedures Committee

[2022-025](#) A Resolution Providing a 30-Day Application Period Prior to Inactivating the Kalifornsky Advisory Planning Commission (Mayor)

Attachments: [Resolution 2022-025](#)
[Memo](#)
[LAYDOWN Advisory Board Recommendations](#)
[Reference Copy O2019-21](#)

[2022-027](#) A Resolution 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)

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

Attachments: [Resolution 2022-027](#)

[Memo](#)

[Job Description](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

[2021-19-48](#) An Ordinance Appropriating Supplemental Funding to Complete the Air Conditioner Unit Replacement Project Located in the Emergency Response Center Server Room (Mayor) (Hearing on 05/03/22)

Attachments: [Ordinance 2021-19-48](#)

[Memo](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

3. Other

Other items referred to Policies and Procedures Committee

[KPB-4103](#) Confirming an Appointment to the Seward-Bear Creek Flood Service Area Board (Mayor)

Andy Bacon, Seat F, Term to Expire October, 2022

Attachments: [SBCFSA Appointment - Seat F](#)

MAYOR'S REPORT

Mayor's Report Cover Memo

[KPB-4104](#) 041922 Mayor's Report Cover Memo

Attachments: [041922 Mayor Report Memo](#)

1. Assembly Requests/Responses - None.

2. Agreements and Contracts

- a. [KPB-4105](#) Authorization to Award a Contract for RFP22-020 West Homer Elementary Water Infiltration to K+A designstudios, Kenai, AK
Attachments: [Auth to Award KA designstudios](#)
- b. [KPB-4106](#) Authorization to Award a Contract for ITB22-040 Purchasing & Contracting Storefront Remodel to Eberline Building, Inc., Soldotna, AK
Attachments: [Auth to Award Eberline Building Inc](#)
- c. [KPB-4107](#) Authorization to Award a Contract for RFP22-021 Access Controls to Johnson Controls, Anchorage, AK
Attachments: [Auth to Award Johnson Controls](#)
- d. [KPB-4109](#) Authorization to Award a Contract for ITB22-045 Central Peninsula Landfill Pond Liner Materials Purchase to Northwest Linings and Geotextile Products, Inc., Kent, WA
Attachments: [Auth to Award Northwest Linings](#)
- e. [KPB-4108](#) Sole Source Waiver to Crane Equipment Manufacturing Corporation, LLC
Attachments: [Sole Source Waiver Crane Mfg Corp](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY COMMENTS

PENDING LEGISLATION

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

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

(Elam, Derkevorkian) Substitute: An Ordinance 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]

Attachments:

[Ordinance 2021-41](#)
[Elam Amendment #2 \(notice of reconsideration given\)](#)
[Ecklund Tupper Amendment \(amendments pending\)](#)
[Ordinance 2021-41 \(Elam, Derkevorkian\) Substitute](#)
[Memo](#)
[Material Site Work Group Timeline](#)
[Legal Memo re Assembly Questions](#)
[Public Comments 021522](#)
[Public Comments 020122](#)
[Public Comments 020122](#)
[Public Comment 011822](#)
[Reference Copy Ordinance 2006-01 SUB](#)
[Reference Copy Resolution 2018-004 SUB](#)
[Reference Copy Resolution 2018-025](#)
[Elam Amendment #1 \(dealt with on 011822\)](#)

2. [2022-08](#) An Ordinance Amending KPB 5.12.116 to Broaden Economic Development Property Tax Exemption for Independent Power Producers (Johnson, Cox) [Postponed from the 05/03/22 Meeting]

[Clerk's Note: Homer Electric Association gave a presentation during the Finance Committee (30 minutes)]

Attachments:

[Ordinance 2022-08](#)

[LAYDOWN Derkevorkian Amendment](#)

[Memo](#)

[Renewable IPP Summary Slides](#)

[City of Soldotna Resolution](#)

[Public Comment](#)

[LAYDOWN Public Comment 051722](#)

[Johnson Amendment \(dealt with on 05/03/22\)](#)

[Cox Amendment \(dealt with on 05/03/22\)](#)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. Budget Work Session #2

May 3, 2022 - 10:50 AM

Betty J. Glick Assembly Chambers

Borough Administration Building

Remote participation available through Zoom

Meeting ID: 884 7373 9641 Passcode: 671108

2. Material Site Assembly Subcommittee

May 3, 2022 - TBD

Betty J. Glick Assembly Chambers

Borough Administration Building

Remote participation available through Zoom

Meeting ID: 884 7373 9641 Passcode: 671108

3. Regular Assembly Meeting

May 3, 2022 - 6:00 PM

Betty J. Glick Assembly Chambers

Borough Administration Building

Remote participation available through Zoom

Meeting ID: 884 7373 9641 Passcode: 671108

ADJOURNMENT

The next meeting of the Kenai Peninsula Borough Assembly will be held on May 3, 2022, at 6:00 P.M. in the Borough Assembly Chambers, Soldotna, Alaska.

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: "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 for copies of the agenda, meeting minutes, ordinances and resolutions.