



Assembly Action Agenda

September 5, 2023 - 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 2025

Tyson Cox
Vice President
Seat 4 - Soldotna
Term Expires 2025

Lane Chesley
Assembly Member
Seat 8 – Homer
Term Expires 2023

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

Brent Hibbert
Assembly Member
Seat 1 – Kalifornsky
Term Expires 2024

Peter Ribbens
Assembly Member
Seat 3 - Nikiski
Seated until 10/2023

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 Stephen Brown.]

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-5443: August 15, 2023 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

- 1. KPB-5465: Mayor's Proclamation Declaring September 2023 as "National Recovery Month"**LAYDOWN**

PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

- 1. KPB-5444: Kachemak Bay Recovery Connection, Willy Dunne, Vice President (10 minutes)
- 2. KPB-5445: Cook Inlet Regional Citizens Advisory Council Presentation, Shaylon Cochran, Director of Communications & Public Outreach (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. **AMENDED BY SUBSTITUTE** Ordinance 2022-36: Amending KPB Chapter 21.25 and KPB Chapter 21.29 Regarding Conditional Land Use Permits and Material Site Permits, Updating Notice, Applicability, Permit Types, Application Requirements, Standards and Permits Conditions (Johnson, Chesley) [*Postponed from 08/15/23*] (Referred to Lands Committee) [**9 Yes, 0 No, 0 Absent**]

POSTPONED TO 09/19/23 AND ADDED AN ADDITIONAL HEARING DATE OF 10/10/23 Ordinance 2022-36 (Johnson, Chesley) Substitute: Amending KPB Chapter 21.25 and KPB Chapter 21.29 Regarding Conditional Land Use Permits and Material Site Permits, Updating Notice, Applicability, Permit Types, Application Requirements, Standards and Permits Conditions (Johnson, Chesley) (Hearings on 09/19/23 and 10/10/23) (Referred to Lands Committee) [**9 Yes, 0 No, 0 Absent**]

- *2. Ordinance 2023-18: Authorizing the Assessor to Accept One 2022 Late-Filed Senior Citizen Application, Two 2023 Late-Filed Senior Exemption Applications and One Late-Filed Disabled Veteran Exemption Application Filed After March 31 and Providing an Exception to KPB 5.12.040(B) (Mayor) (Referred to Finance Committee)
- *3. Ordinance 2023-19-13: Appropriating \$24,975 from the Eagle Lake Reclamation Account for Reclamation Work at the Eagle Lake Material Site (Mayor) (Referred to Finance Committee)
- *4. Ordinance 2023-19-14: Confirming the Assessment Roll for the Whale-Of-A-Tail Avenue Utility Special Assessment District and Establishing the Method for Terminating Assessments and Making Refunds to Property Owners (Mayor) (Referred to Finance Committee)

UNFINISHED BUSINESS

NEW BUSINESS

- 1. Resolutions
 - *a. Resolution 2023-056: Authorizing a Sole Source Contract Award to Architects of Alaska for the South Peninsula Hospital to Complete Facility Infrastructure Design (Mayor) (Referred to Finance Committee)
 - *b. Resolution 2023-057: Authorizing the Mayor to Execute the Fiscal Year 2024 Alaska Land Mobile Radio Communication System Membership Agreements (Mayor) (Referred to Policies and Procedures Committee)
- 2. Ordinances for Introduction
 - *a. Ordinance 2022-19-83: Appropriating General Funds To Provide Interim Funding for the Central Peninsula Landfill Leachate Infrastructure Improvements Project (Mayor) (Hearing on 09/19/23) (Referred to Finance Committee)

- *b. Ordinance 2023-19-15: Appropriating \$39,755 from the General Fund to Replace the Control Panel on the Fire Suppression System at the Records Center (Johnson) (Hearing on 09/19/23) (Referred to Finance Committee)
 - *c. Ordinance 2023-19-16: Appropriating \$30,750 from the Seward-Bear Creek Flood Service Area Fund Balance to Purchase GIS Equipment (Mayor) (Hearing on 09/19/23) (Referred to Finance Committee)
 - *d. Ordinance 2023-20: Amending Borough Code KPB 19.30.070 to Update the Definition for Economic Development (Ecklund) (Hearing on 10/10/23) (Referred to Policies and Procedures Committee)
 - *e. Ordinance 2023-21: Amending Borough Code KPB 5.08.025 Regarding Loans from the Borough's General Fund to Borough Service Areas (Cox) (Hearing on 10/10/23) (Referred to Policies and Procedures Committee)
3. Other
- *a, KPB-5478: Confirming the Appointment of Tamera Ward to the Position of Deputy Borough Clerk (Referred to the Policies and Procedures Committee) **LAYDOWN**

MAYOR'S REPORT

- 1. Assembly Requests/Responses – None.
- 2. Agreements and Contracts
 - a. KPB-5454: Authorization to Award Contract for ITB24-006 Gravel Road Projects FY2024 North Region, Unit 5
 - b. KPB-5455: Authorization to Award Contract for ITB24-008 Gravel Road Projects FY2024 West Region, Units 4 & 6
 - c. KPB-5456: Authorization to Award Contract for ITB24-009 Gravel Road Projects FY2024 Central Region, Units 1 & 2
 - d. KPB-5457: Authorization to Award Contract for ITB24-012 Gravel Road Projects FY2024 East Region, Unit 3

- e. KPB-5458: Authorization to Award Contract for ITB24-013 CPL 2023 Material Excavation
 - f. KPB-5459: Sole Source – H2O Moegy Inc.
3. Other
- a. KPB-5460: Investment Report Quarter Ended 6/30/23
 - b. KPB-5461: Capital Project Reports – June 30, 2023
 - c. KPB-5462: Budget Revisions – July 2023
 - d. KPB-5463: Revenue-Expenditure Report – July 2023
 - e. KPB-5464: Tax Adjustment Request Approval

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 01/03/23]*
- 2. Ordinance 2023-17: Amending KPB 22.40.080 to Place the Mayor's Report Earlier on the Agenda (Johnson, Elam) (Hearing on 09/19/23) (Referred to Policies and Procedures Committee)
- 3. **AMENDED BY SUBSTITUTE** Ordinance 2022-36: Amending KPB Chapter 21.25 and KPB Chapter 21.29 Regarding Conditional Land Use Permits and Material Site Permits, Updating Notice, Applicability, Permit Types, Application Requirements, Standards and Permits Conditions (Johnson, Chesley) *[Postponed from 08/15/23]* (Referred to Lands Committee) **[9 Yes, 0 No, 0 Absent]**

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INFORMATIONAL MATERIALS AND REPORTS

1. KPB-5477: 2023 Community Meetings Schedule.....**LAYDOWN**

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. September 19, 2023 3:00 PM Material Subcommittee Meeting
Council Chambers, Homer City Hall
Remote participation available through Zoom
Meeting ID: 884 7373 9641 Passcode: 671108
2. September 19, 2023 6:00 PM Regular Assembly Meeting
Council Chambers, Homer City Hall
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 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 for copies of the agenda, meeting minutes, ordinances and resolutions.