



Assembly Action Agenda

May 4, 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 Hibbert
President
Seat 1 – Kalifornsky
Term Expires 2021

Brent Johnson
Vice President
Seat 7 – Central
Term Expires 2022

Jesse Bjorkman
Assembly Member
Seat 3 - Nikiski
Term Expires 2022

Kenn Carpenter
Assembly Member
Seat 6 – East Peninsula
Term Expires 2021

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

Willy Dunne
Assembly Member
Seat 9 - South
Peninsula
Term Expires 2021

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

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 Lise Klein Kirsis.]

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 20, 2021 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

1. Seward Bear Creek Flood Service Area Annual Report (10 Minutes)
2. South 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 2020-19-28: Appropriating \$46,000 from the Seward-Bear Creek Flood Service Area Fund Balance to Complete Ground Control Surveys, Establish Benchmarks and Channel Design in Three Sites for the Sediment Management and Maintenance Program (Mayor) (Referred to Finance Committee)
- *2. Ordinance 2020-19-29: Appropriating Funding from the Central Peninsula Hospital Plant Replacement and Expansion Fund for Completion of the Mountain Tower Handicap Accessible Parking Lot and Access Upgrade Project (Mayor) (Referred to Finance Committee)
- *3. Ordinance 2021-16: Authorizing the Acceptance of the FY2022 Late-Filed Senior Citizen Grant Application for the Seward Senior Citizen Program (Mayor) (Referred to Finance Committee)
4. **ENACTED** Ordinance 2021-12: Amending KPB Chapter 5.19, Uniform Remote Seller Sales Tax Code, in Accordance with Updates and Changes Adopted by the Alaska Remote Seller Sales Tax Commission (Hibbert, Mayor) (Referred to Finance Committee) **[9 Yes, 0 No, 0 Absent]**
5. **ENACTED** Ordinance 2021-15: Amending KPB 21.18, Anadromous Waters Habitat Protection, in Accordance with Recommendations Contained in the Final Report of the Work Group Formed to Provide a Review of Chapter 21.18 (Johnson) (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

- a. **ADOPTED** Resolution 2021-033: Determining the Amount to be Provided from Local Sources for School Purposes During Fiscal Year 2022 and Approving the Kenai Peninsula Borough School District Total Budget (Mayor) (Referred to Finance Committee) **[8 Yes, 1 No, 0 Absent]**
- *b. Resolution 2021-034: Authorizing the Assessor to Accept One Late-Filed Senior Citizen Exemption Application, Two Late-Filed Disabled Veteran Exemption Applications, and Two Late-Filed Disabled Veteran Proof of Disability for 2021 (Mayor) (Referred to Policies and Procedures Committee)
- *c. Resolution 2021-035: Authorizing the Mayor to Execute an Agreement for Services Provided by the Borough Soldotna Public Safety Communications Center for the Alaska Department of Natural Resources, Division of Parks, and Ratifying the Mayor's Signature on the Agreement with the Alaska Department of Public Safety (Mayor) (Referred to Policies and Procedures Committee)
- *d. Resolution 2021-036: Requesting Prioritization and Completion of a Fire Fuel Break Protecting Fire Adapted Communities of the Central and Western Kenai Peninsula (Bjorkman, Elam, Cox, Carpenter) (Referred to Policies and Procedures Committee)**LAYDOWN**

2. Ordinances for Introduction

- *a. Ordinance 2020-19-31: Approving and Appropriating Grant Funds from the State of Alaska Division of Homeland Security & Emergency Management to Reimburse Grant Management Costs in the Amount of \$25,818.95 for Project Worksheets Awarded Under Federal Disaster Declaration DR-4413-AK, November 30, 2018 Cook Inlet 7.0 Earthquake (Mayor) (Hearing on 05/18/21) (Referred to Finance Committee)

- *b. Ordinance 2021-19: Appropriating Funds for Fiscal Year 2022 (Mayor) (Hearings on 05/18/21 and 06/01/21) (Referred to Finance Committee)
- *c. Ordinance 2021-20: Amending the Kenai Peninsula Borough Hazard Mitigation Plan by Deleting Existing Annex F, City of Soldotna All Hazard Mitigation Plan and Adopting the City of Soldotna All Hazard Mitigation Plan 2019 Update as the New Annex F (Mayor) (Hearing on 05/18/21) (Referred to Policies and Procedures Committee)
- *d. Ordinance 2021-21: Amending KPB 22.40.050 to Authorize the Borough Clerk to Insert Advisory Board Recommendations in Pending Legislation (Hibbert) (Hearing on 06/01/21) (Referred to Policies and Procedures Committee)

[Clerk's Note: Above referenced ordinance was introduced on May 4, 2021 and set for public hearing on May 18, 2021 as indicated on the ordinance. The public hearing date was incorrect and should have been June 1, 2021 per KPB 1.12.010 which states, ordinances that amend any provision in the KPB Code must have at least 25 days pass before the public hearing and assembly vote occurs. Therefore, public hearing on this ordinance has been rescheduled to the June 1, 2021 assembly meeting.]

3. Other

- *a. Petition to Vacate a 10' Utility Easement Excluding the West 20 Feet, Adjoining the North Boundary of Lot 17 Block 2, Granted by Forest Subdivision Part 1 (Plat KN 82-76); within Section 10, Township 7 North, Range 12 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2021-034V. (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the referenced petition at its April 12, 2021 meeting by unanimous consent.]

- *b. Petition to Vacate a 10' Utility Easement Adjoining the South Boundary of Lot 2-C Block 1, Excluding the 20 Feet Adjoining Mountain Vista Court, Granted by Mountain Glacier Estates Sub Part 4 Amended, Plat HM 83-20 and

Vacate a 10' by 30' Anchor Easement within the Lot 2-C Block 1 Excluding the 20 Feet Adjoining Mountain Vista Court, Granted by Mountain Glacier Estates Sub Part 2, Plat HM 81-22.

Located within Section 5, Township 5 South, Range 11 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2021-026V. (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the referenced petition at its April 12, 2021 meeting by unanimous consent.]

- *c. Petition to Vacate a 10' by 30' Utility Easement Located within Lot 6 Green Forest Subdivision Adjoining Pembroke Drive, Granted by Green Forest Subdivision KN 84-309; within Section 4 Township 7 North, Range 11 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File No. 2021-010V; Finline Surveys, Inc./Black, Johnson (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the referenced petition at its April 12, 2021 meeting by unanimous consent.]

MAYOR'S REPORT

1. Assembly Requests/Responses – None.
2. Agreements and Contracts – None.
3. Other
 - a. Capital Projects Report – March 31, 2021
 - b. Investment Report Quarter Ended March 31, 2021
 - c. FY21 – 3Q Senior Center Grant Reports

- d. FY21 – 3Q 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 2020-19-07: Appropriating Refinanced 2013 Bear Creek Fire Service Area General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor) *[Tabled as amended on 12/01/20]*
2. Ordinance 2020-19-08: Appropriating Refinanced 2013 School General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor) *[Tabled as amended on 12/01/20]*
3. Ordinance 2020-19-09: Appropriating Refinanced 2011 Hospital General Obligation Bond Proceeds for the Purpose of Paying Bond Refinancing Issuance Costs (Mayor) *[Tabled as amended on 12/01/20]*
4. Ordinance 2021-17: Amending KPB 21.06 Floodplain Management to Adopt Flood Depths for Three Neighborhoods in the Seward Mapped Flood Data Area) and to Incorporate the Seward Mapped Flood Data Area into the Minimum National Flood Insurance Standards (Mayor) (Hearing on 05/18/21) (Referred to Policies and Procedures Committee)
5. Ordinance 2021-18: Amending Title 4 Regarding Borough Elections and Enacting a New Chapter of Code, KPB 4.60, Election Security and Integrity, to Ensure Borough Elections are Accessible, Reliable and Secure (Bjorkman, Elam) (Hearing on 05/18/21) (Referred to Policies and Procedures Committee)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. May 17, 2021 Budget Work Session #3
9:00 AM
2. May 18, 2021 Budget Work Session #4
9:00 AM
3. May 18, 2021 Regular Assembly Meeting
6:00 PM

The meetings listed above will be held through Zoom
Meeting ID: 938 6524 5999
Passcode: 886199

and in person from the
Betty J. Glick Assembly Chambers
Borough Administration Building

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.