



# Assembly Action Agenda

October 26, 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 Leslie Rohr.]*

## 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.)  
October 12, 2021 Regular Assembly Meeting Minutes

## ASSEMBLY REORGANIZATION

1. Election of President and Vice President

*[Clerk's Note: Assembly Member Johnson was elected as President. Assembly Member Hibbert was elected as Vice President.]*

## APPROVAL OF MINUTES

- \*1. October 12, 2021 Regular Assembly Meeting Minutes

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

### PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

1. Kenai Peninsula Borough School District Quarterly Report, Superintendent, Clayton Holland (10 Minutes)
2. South Kenai Peninsula Hospital Quarterly Report, Ryan Smith, CEO (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 2021-19-17: Authorizing Retention or Sale of Certain Real Property Obtained by the Kenai Peninsula Borough through Tax Foreclosure Proceedings and Appropriating Funds to Satisfy Tax Obligations for Retained Parcels (Mayor) (Referred to Finance Committee)
- \*2. Ordinance 2021-19-18: Appropriating \$703,960 from the Land Trust Fund, Fund Balance to be Transferred to the Land Trust Investment Fund Representing the Fiscal Year 2021 Transfer of Land Sales Revenue to the Land Trust Investment Fund per KPB 5.20.080(B) (Mayor) (Referred to Finance Committee)
3. **ENACTED** Ordinance 2021-19-19: Appropriating Funds from the General Fund for the Purpose of Brushing Around Facilities and Fences at Solid Waste Facilities (Mayor) (Referred to Finance Committee) [**9 Yes, 0 No, 0 Absent**]
- \*4. Ordinance 2021-19-20: Authorizing the Acquisition of Real Property Located at 203 West Pioneer Avenue, Homer, Alaska on Behalf of the South Peninsula Hospital Service Area, Appropriating \$975,000 from the South Peninsula Hospital Plant Replacement and Expansion Fund for the Purchase, and Authorizing a Second Amendment to the Operating Agreement with SPH, Inc. (Mayor) (Referred to Finance Committee)

- \*5. Ordinance 2021-19-21: Appropriating Funds from the Solid Waste Capital Project Fund for the Completion of the Homer Solid Waste Facility Monofill Cut and Fill Project (Mayor) (Referred to Finance Committee)
- \*6. Ordinance 2021-19-22: Appropriating Additional Funds from the General Fund to Support the Fiscal Year 2022 Homer Transfer Facility Operation and Maintenance Contract (Mayor) (Referred to Finance Committee)
- \*7. Ordinance 2021-19-23: Appropriating Estimated Insurance Proceeds of \$100,000 for the Cost of Repairs to CES Ambulance AM-0027 and Authorizing a Sole Source Award to Braun Northwest Inc. for the Repairs (Mayor) (Referred to Finance Committee)
- \*8. **AS AMENDED** Ordinance 2021-36: Adopting an Amendment to the Document Referred to as the "Comprehensive Plan for Moose Pass, 1993" Regarding Municipal Entitlement Land known as Kenai Area Plan Unit 380G(1) (Mayor) (Referred to Lands Committee)

*[Clerk's Note: Assembly Member Ecklund recused herself from voting on Ordinance 2021-36 as she was a former Planning Commissioner and had previously voted on this ordinance.]*

## **UNFINISHED BUSINESS**

### **NEW BUSINESS**

- 1. Resolutions
  - a. **ADOPTED AS AMENDED** Resolution 2021-079: Designating the Investment and Allocation Plan for the Borough's Land Trust Investment Fund and Establishing Appropriate Benchmarks to Measure Performance as of November 1, 2021 and for Calendar Year 2022 (Mayor) (Referred to Finance Committee) **[9 Yes, 0 No, 0 Absent]**
  - \*b. Resolution 2021-080: Supporting the Kenai Peninsula Continuum of Care Homeless Coalition and Submitting a Proposal to the Alaska Mental Health Trust Authority for Assistance to Fund a Homeless and Housing Service Coordinator Position (Mayor) (Referred to Policies and Procedures Committee)

- \*c. Resolution 2021-081: Authorizing the Mayor to Execute an Agreement with the State of Alaska, Department of Corrections, Division of Pretrial, Probation and Parole for Services Provided by the Borough through the Soldotna Public Safety Communications Center (Mayor) (Referred to Policies and Procedures Committee)

## 2. Ordinances for Introduction

- \*a. 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) (Hearing on 11/09/21) (Referred to Finance Committee)
- \*b. 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) (Hearing on 11/09/21) (Referred to Finance Committee)
- \*c. 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) (Hearing on 11/09/21) (Referred to Finance Committee)
- \*d. 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) (Hearing on 11/09/21) (Referred to Finance Committee)
- \*e. 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) (Shortened Hearing on 11/09/21) (Referred to Finance Committee)

- f. **WITHDRAWN BY SPONSOR** Ordinance 2021-39: Amending KPB 2.56.006 and Providing Two Amendments to the 2019 Kenai Peninsula Borough Comprehensive Plan to Remove Reference to Exploring Feasibility of Areawide Health Power (Derkevorkian) (Referred to Lands Committee) (Hearing on 12/07/21)
  - \*g. 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)
  - \*h. 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)
3. Other
- \*a. Confirming the Appointment of Thomas H. Nelson as Director of Maintenance (Mayor) (Referred to Policies and Procedures Committee)

## **MAYOR'S REPORT**

- 1. Assembly Requests/Responses – None.
- 2. Agreements and Contracts
  - a. Authorization to Award Contract ITB22-011 North Peninsula Recreation Service Area Touchless Fixture Upgrade to Alaska Mechanical, Inc., Anchorage, Alaska.
  - b. Sole Source Request from Knox Co., Knox KeySecure Devices.
  - c. Authorization to Award a Contract for RFP22-002 Borough Continuity of Operations Plan (COOP) to Facility Engineering Associates, P.C., Fairfax, VA.

- d. Authorization to Award a Contract for RFP22-003 Code Revision to Holmes Weddle & Barcott, P.C., Anchorage, Alaska.
  - e. Authorization to Waive Formal Bidding Procedures (5.28.300) to HCL, Anchorage, Alaska.
  - f. Authorization to Award a Contract for ITB22-017 Gravel Road Projects FY2022 Central Region, Unit 10 to Hammond Trucking & Excavation, Inc., Soldotna, Alaska
  - g. Authorization to Award a Contract for ITB22-018 Gravel Road Projects FY2022 South Region, Units 3 & 7 to Paul's Services, Anchor Point, Alaska.
  - h. Authorization to Award a Contract for ITB22-019 Gravel Road Projects FY2022 North Region, Unit 4 to D & L Construction Co., Inc., Cooper Landing, Alaska.
  - i. Authorization to Award a Contract for ITB22-020 Gravel Road Projects FY2022 West Region, Units 3 & 6 to Peninsula Construction, Kenai, Alaska.
3. Other
- a. Tax Adjustment Request Approval
  - b. Revenue – Expenditure Report – September 2021
  - c. Budget Revisions – September 2021

**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.)

**INFORMATIONAL MATERIALS AND REPORTS**

## **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. November 9, 2021  
6:00 PM  
Regular Assembly Meeting  
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](http://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](http://www.kpb.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*