



Assembly Action Agenda

April 2, 2024 - 6:00 PM

Regular Meeting

Betty J. Glick Assembly Chambers
George A. Navarre Kenai Peninsula
Borough Administration Building and Through
Zoom Meeting ID: 895 1103 3332 Passcode: 193069

Brent Johnson
President
Seat 7 – Central
Term Expires 2025

Tyson Cox
Vice President
Seat 4 - Soldotna
Term Expires 2025

Kelly Cooper
Assembly Member
Seat 8 – Homer
Term Expires 2026

Cindy Ecklund
Assembly Member
Seat 6 – East Peninsula
Term Expires 2024

Bill Elam
Assembly Member
Seat 5-Sterling/Funny
River
Term Expires 2026

Brent Hibbert
Assembly Member
Seat 1 – Kalifornsky
Term Expires 2024

Peter Ribbens
Assembly Member
Seat 3 - Nikiski
Term Expires 2025

Ryan Tunseth
Assembly Member
Seat 2 - Kenai
Term Expires 2026

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.

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-5885: March 19, 2024 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

- 1. KPB-5886: Kenai Peninsula Borough School District Quarterly Report, Clayton Holland, Superintendent (10 minutes)

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA (3 minutes per speaker; 20 minutes aggregate)

MAYOR'S REPORT

1. Assembly Requests/Responses – None.
2. Agreements and Contracts
 - a. KPB-5888: Authorization to Award a Contract for ITB24-031 Homer Middle School Elevator Upgrades
 - b. KPB-5889: Authorization to Award Contract - RFP24-013 Forestry Consultant for Prescriptions at KPB Public Facility Sites
3. Other – None.

ITEMS NOT COMPLETED FROM PRIOR AGENDA

PUBLIC HEARINGS ON ORDINANCES (Testimony limited to 3 minutes per speaker)

- *1. **AS AMENDED** Ordinance 2023-19-39: Deobligating Bond Proceeds in the Central Kenai Peninsula Hospital Service Area Capital Project Fund and Transferring the Remaining Bond Proceeds to Fund the Annual Debt Service for Central Kenai Peninsula Hospital Service Area Revenue Bonds (Mayor) (Referred to Finance Committee)
- *2. Ordinance 2023-19-40: Deobligating and Appropriating Solid Waste Capital Project Funds Previously Appropriated for Purchase of a Toolcat at Central Peninsula Landfill to the Central Peninsula Landfill Baler Building Boiler Replacement (Mayor) (Referred to Finance Committee)
3. **ENACTED** Ordinance 2024-05: Amending Borough Code to Add a New Section of Code Relating to Public Notice Requirements and Amending Various Sections of Code to Provide for Alternative Methods of Public Notice (Mayor, Cox) (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

- *a. Resolution 2024-011: Approving Twenty-Six Unincorporated Communities for Participation in the State's Fiscal Year 2025 Community Assistance Program (Mayor) (Referred to Finance Committee)
- b. **ADOPTED AS AMENDED** Resolution 2024-014: Supporting a Demonstration Project to Study Possible Benefits of Using Heat Pumps in Remote Schools and Recommending that the Administration Pursue Potential Project Grant Funding and Include Project Funding in the FY25 Budget (Ecklund) (Referred to Finance Committee) **[5 Yes, 4 No, 0 Absent]**
- *c. Resolution 2024-012: Authorizing the Mayor to Execute an Amendment to the Service and Operating Agreement with Nikiski Senior Citizens, Inc. (Mayor) (Referred to Policies and Procedures Committee)
- *d. Resolution 2024-013: Authorizing a Standardization Policy for the Use of Trimble Inc. Survey Equipment, Software, and Services (Mayor) (Referred to Policies and Procedures Committee)
- *e. Resolution 2024-015: Supporting Homer Electric Association's Grant Application to Rebuild South Kachemak Bay Electric Facilities (Cooper, Tupper, Johnson, Mayor) (Referred to Policies and Procedures Committee)

2. Ordinances for Introduction

- *a. Ordinance 2023-19-41: Appropriating and Allocating Commercial Passenger Vessel Tax Proceeds Received from the State of Alaska in the Amount of \$456,337.50 to the City of Seward (Mayor) (Hearing on 04/16/24) (Referred to Finance Committee)

- *b. Ordinance 2023-19-42: Accepting and Appropriating \$32,410.82 in Grant Funds from the Alaska Department of Natural Resources for the 2024 Volunteer Fire Capacity Program on Behalf of Bear Creek Fire Service Area, Central Emergency Service Area, Kachemak Emergency Service Area, Nikiski Fire Service Area, and Western Emergency Service Area (Mayor) (Hearing on 04/16/24) (Referred to Finance Committee)
- *c. Ordinance 2023-19-43: Accepting and Appropriating \$89,000 in Federal Pass Through Grant Funds from the State of Alaska for Woody Fuel Disposal in the Communities of Cooper Landing and Hope and Approving Entering into a Memorandum of Agreement for the Administration of Funds and Operations (Mayor) (Hearing on 04/16/24) (Referred to Finance Committee)
- *d. Ordinance 2023-19-44: Deobligating and Appropriating Kachemak Emergency Service Area Capital Project Funds Previously Appropriated for the Purchase of Snow Machines and a Snowbulance to the Ambulance Project (Mayor) (Hearing on 04/16/24) (Referred to Finance Committee)

3. Other

- *a. KPB-5890: Authorizing the Issuance of a Letter of Non-Objection to the Alcohol and Marijuana Control Office Regarding the New Liquor License and Approving the Restaurant Designation Permit as Requested by China Bay LLC dba Odyssey Lodge, License Number 6193, Halibut Cove (Referred to Finance Committee)
- *b. KPB-5895: Authorizing the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Marijuana Retail Store Application for Fat Tops LLC, License No. 36739, Anchor Point, Subject to the Standard Conditions as Defined in KPB 7.30.020 (C) (Referred to Finance Committee)

- *c. KPB-5891: Petition to Vacate the Approximate 184' of the End of the Cul-De-Sac of Shalom Lane Between Lots 4, 5,6 and Tract A of Immanuel Subdivision and Associated Utility Easement; KPB 2024-022V, Nikiski (Referred to Lands Committee)

[Clerk's Note: At its regularly scheduled meeting of March 25, 2024 the Kenai Peninsula Borough Planning Commission approved the proposed vacation by unanimous consent.]

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 2024-06: Amending KPB Chapter 2.54 Relating to Access to Public Records and Response to Record Requests (Mayor, Johnson) (Hearing on 04/16/24) (Referred to Policies and Procedures Committee)
2. Ordinance 2024-07: Amending KPB Code Relating to Civil Trespass and Issuing a Trespass Order (Mayor, Johnson) (Hearing on 04/16/24) (Referred to Policies and Procedures Committee)
3. Ordinance 2023-19-36: Appropriating \$289,178.64 to the Rollins Way Road Improvement Assessment District (Mayor) (Referred to Finance Committee) *[Tabled on 03/19/24]*
4. 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 10/24/23]*

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. April 16, 2024
6:00 PM
Regular Assembly Meeting
Seward Community Library and Museum
239 6th Avenue, Seward, AK 99664
Remote participation available through Zoom
Meeting ID: 895 1103 3332 Passcode: 193069
2. May 7, 2024
6:00 PM
Regular Assembly Meeting
Betty J. Glick Assembly Chambers
Borough Administration Building
Remote participation available through Zoom
Meeting ID: 895 1103 3332 Passcode: 193069

ADJOURNMENT

This meeting will be broadcast on KDLL-FM 91.9 (Central Peninsula), KBBI-AM 890 (South Peninsula and KIBH FM 91.7 (East Peninsula).

The meeting will be held through Zoom, the Meeting ID: 895 1103 3332 Passcode: 193069 and in-person from the Betty J. Glick Assembly Chambers, George A. Navarre 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: 895 1103 3332 Passcode: 193069. Detailed instructions will be posted on at the Kenai Peninsula Borough's main page at www.kpb.us: "Borough Assembly Meeting Agendas" "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 <https://kpb.legistar.com/Calendar.aspx> for copies of the agenda, meeting minutes, ordinances and resolutions.