



Assembly Action Agenda

October 10, 2023 - 6:00 PM

Regular Meeting

Betty J. Glick Assembly Chambers
George A. Navarre Kenai Peninsular
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 Lane Chesley.]

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.)

VACANCY, DESIGNATION OR SEATING MEMBERS

- *1. Swear-In Newly Elected Assembly Members

APPROVAL OF MINUTES

- *1. [KPB-5529](#): September 19, 2023 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

1. KPB-5530: Kenai Public Health Center, Department of Health, Julie Bunch (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-5542: Authorization to Award a Contract for ITB23-016 Brushing Vegetation Control – North Region, Units 1, 2, 3, 4 & 5
 - b. KPB-5543: Authorization to Award a Contract for ITB23-017 Brushing Vegetation Control – South Region, Units 3, 4 & 5
 - c. KPB-5544: Authorization to Award a Contract for ITB23-017 Brushing Vegetation Control – South Region, Units 7 & 8
 - d. KPB-5545: Authorization to Award a Contract for ITB23-018 Brushing Vegetation Control – East Region, Unit 3
 - e. KPB-5546: Authorization to Award a Contract for ITB24-019 Brushing Vegetation Control – West Region, Units 2, 6 & 7
 - f. KPB-5547: Authorization to Award a Contract for ITB24-019 Brushing Vegetation Control – West Region, Units 3, 4 & 5
 - g. KPB-5548: Authorization to Award a Contract for ITB24-020 Brushing Vegetation Control – Central Region, Units 1, 2 & 10
 - h. KPB-5549: Authorization to Award a Contract for ITB24-020 Brushing Vegetation Control – Central Region, Units 4 & 5
 - i. KPB-5550: Authorization to Award a Contract for ITB24-021 Summer & Winter Road Maintenance – East Region, Unit 4

3. Other

- a. KPB-5551: Budget Revisions – August 2023
- b. KPB-5552: Revenue-Expenditure Report – August 2023

ITEMS NOT COMPLETED FROM PRIOR AGEND

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

- *1. Ordinance 2023-19-17: Accepting and Appropriating an Additional \$5,525.20 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management for Statewide Exercise Planning (Mayor) (Referred to Finance Committee)
- *2. Ordinance 2023-19-18: Appropriating \$25,000 from the Western Emergency Service Area Operating Fund to Complete Installation of Mobile Radios, Station Consolettes and Repeater (Mayor) (Referred to Finance Committee)
- *3. Ordinance 2023-19-19: Appropriating Funds to the Legal Department for Litigation Fees and Costs Related to an Oil and Gas Property Tax Appeal (Mayor) (Referred to Finance Committee)
- *4. Ordinance 2023-19-20: Appropriating \$250,273 from the Roads Service Area Fund Balance to Replenish Road Maintenance Funding for the Remainder of the Fiscal Year (Mayor) (Referred to Finance Committee)
- *5. Ordinance 2023-22: Authorizing the Assessor to Accept One Late-Filed Community Purpose Exemption Application for 2023 and Providing an Exception to KPB 5.12.040(B) (Mayor) (Referred to Finance Committee)
- 6. **ENACTED** Ordinance 2023-20: Amending Borough Code KPB 19.30.070 to Update the Definition for Economic Development (Ecklund) (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**

7. **ENACTED AS AMENDED** Ordinance 2023-21: Amending Borough Code KPB 5.08.025 Regarding Loans from the Borough's General Fund to Borough Service Areas (Cox) (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**

8. **ENACTED AS AMENDED** 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) (Referred to Lands Committee) **[9 Yes, 0 No, 0 Absent]**

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions
 - *a. Resolution 2023-062: 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, 2023 and for Calendar Year 2024 (Mayor) (Referred to Finance Committee)

 - *b. Resolution 2023-063: Approving an Increase to the Limitation on the Total Cumulative Annual Cost of Real Property Leases in which CPGH, Inc. is the Sole Lessee and Authorizing an Amendment to the Operating Agreement (Mayor) (Referred to Finance Committee)

 - *c. Resolution 2023-064: Certifying the Results of the October 3, 2023 Regular Election (Johnson at the request of the Borough Clerk) (Referred to Policies and Procedures Committee) **LAYDOWN**

 - *d. Resolution 2023-065: Requesting the Department of Transportation and Public Facilities Cease Use of Salt Brine on Kenai Peninsula Roadways for Purposes of Road Surface Snow and Ice Control (Mayor) (Referred to Policies and Procedures Committee) **LAYDOWN**

2. Ordinances for Introduction

- *a. Ordinance 2023-19-21: Accepting and Appropriating Pass-Through Grant Funds from the State of Alaska Office of Emergency Medical Services in the Amount of \$250,000 Through the Healthy and Equitable Communities Program Grant for the Nikiski Fire Mobile Integrated Healthcare Program (Mayor) (Hearing on 10/24/23) (Referred to Finance Committee)
- *b. Ordinance 2023-19-22: Appropriating Supplemental Funding of \$50,000 to Complete the Uninterrupted Power Supply Replacement Project Located in the Emergency Response Center (Mayor) (Hearing on 10/24/23) (Referred to Finance Committee)
- *c. Ordinance 2023-24: Approving the Capital Lease Purchase of the Stryker Mako Smartrobotics System for South Peninsula Hospital (Mayor) (Hearing on 10/24/23) (Referred to Finance Committee)

3. Other

- *a. KPB-5555: Authorizing the Issuance of a Letter of Non-Objection to the Alcoholic Beverage Control Board Regarding the Restaurant Designation Permit as Requested by The Angry Salmon, LLC dba The Angry Salmon, License No. 1309 (Referred to Finance Committee)
- *b. KPB-5528: Confirming an Appointment to the Planning Commission – City of Seward Seat (Mayor) (Referred to Policies and Procedures Committee)

<u>Appointment</u>	<u>Seat</u>	<u>Term Expires</u>
Troy Staggs	City of Seward	July 31, 2026

- *c. KPB-5556: Confirming an Appointment to the Resilience and Security Advisory Commission (Mayor) (Referred to Policies and Procedures Committee)

<u>Appointment</u>	<u>Seat</u>	<u>Term Expires</u>
Michael Horton	At-Large	September 20, 2026

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 2023-23: Amending KPB 20.30.280 and KPB 21.06 Regarding Floodplain Management to Adopt Required Changes to Remain Compliant with the National Flood Insurance Program (Mayor) (Hearing on 10/24/23) (Referred to Policies and Procedures)
2. 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) (Postponed to 10/24/23) (Referred to Lands Committee)

INFORMATIONAL MATERIALS AND REPORTS

1. KPB-5553: Cook Inlet Regional Citizens Advisory Council Quarterly Report

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. October 24, 2023
6:00 PM Regular Assembly Meeting
Betty J. Glick Assembly Chambers
Borough Administration Building
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-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.