



# Assembly Action Agenda

October 11, 2022 - 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 2022

Brent Hibbert  
Vice President  
Seat 1 – Kalifornsky  
Term Expires 2024

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 Kathy Medcoff.]*

## 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 4623: September 20, 2022 Regular Assembly Meeting Minutes

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

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

1. KPB 4624: Kenai Peninsula Borough School District Quarterly Report, Clayton Holland, Superintendent (10 minutes)
2. KPB 4625: Resilience and Security Advisory Commission Presentation: Cook Inlet Natural Gas and Energy Future, RSAC Vice Chair Brett Higman (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. **AS AMENDED** Ordinance 2022-19-18: Accepting and Appropriating an Additional \$231,044.38 from the State of Alaska Department of Military and Veteran Affairs, Division of Homeland Security and Emergency Management for the Emergency Siren Warning System Replacement Project (Mayor) (Referred to Finance Committee)

### UNFINISHED BUSINESS

### NEW BUSINESS

1. Resolutions
  - \*a. Resolution 2022-053: Certifying the Results of the October 4, 2022 Regular Borough Election (Johnson at Request of the Borough Clerk) (Referred to Policies and Procedures Committee) .....**LAYDOWN**
2. Ordinances for Introduction
  - \*a. Ordinance 2022-19-19: Calling for a Special Mayoral Election, Setting the Special Election Date, and Appropriating Necessary Funds (Johnson) (Hearing on 10/25/22) (Referred to Finance Committee)

- \*b. Ordinance 2022-19-20: Appropriating \$100,000 to the Legal Department to Cover Costs of Hiring Hearing Officers for Planning Commission Appeals (Johnson at the Request of the Borough Attorney) (Hearing on 10/25/22) (Referred to Finance Committee)
- \*c. Ordinance 2022-19-21: Appropriating Supplemental Funding to Complete the Uninterrupted Power Supply Replacement Project Located in the Emergency Response Center (Mayor) (Hearing on 10/25/22) (Referred to Finance Committee)
- \*d. Ordinance 2022-19-22: Accepting and Appropriating \$441,000 from the State of Alaska Department of Military and Veteran Affairs, Division of Homeland Security and Emergency Management for Areawide Warning Sirens and Cybersecurity Upgrades (Mayor) (Hearing on 10/25/22) (Referred to Finance Committee)
- \*e. Ordinance 2022-19-23: Accepting \$200,000 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security & Emergency Management for Emergency Management Operations and Appropriating \$40,000 for the Remaining Match Requirement (Mayor) (Hearing on 10/25/22) (Referred to Finance Committee)
- \*f. Ordinance 2022-19-24: Appropriating \$653,900 from the General Fund for Increased Costs of Contract Services for Operation of the Seward, Kenai, Nikiski and Sterling Transfer Facilities (Mayor) (Hearing on 10/25/22) (Referred to Finance Committee)
- \*g. Ordinance 2022-42: Approving the 2023 Asset Allocation for the Land Trust Investment Fund Investments and Amending KPB Code 5.10.200(B) to Update and Add New Subsections Under Authorized Investments (Mayor) (Hearing on 11/15/22) (Referred to Finance Committee)

3. Other

- \*a. KPB 4635: Approving a New Liquor License and Restaurant Designation Permit Filed by Mark Burner DBA: Anglers Lodge LLC, License No. 6094 (Referred to Finance Committee)

- \*b. KPB 4634: Petition to Vacate Entire Cul-De-Sac Where Lothrop Park Drive and Ivy Avenue Meet at Lot 1 Block 4 of Leisure Time Estates and Dedicated on Leisure Time Estates, HM 80-32, in the Ninilchik area. KPB File 2022-130V (Mayor) (Referred to Lands Committee)

*[Clerk's Note: At its regularly scheduled meeting of September 26, 2022 the Kenai Peninsula Borough Planning Commission approved the proposed vacation by unanimous vote.]*

- \*c. KPB 4648: Confirming Appointments to Advisory Planning Commissions (Mayor) (Referred to Policies and Procedures Committee)

<u>Cooper Landing APC</u>	<u>Seat</u>	<u>Term Expires</u>
Laura Johnson	G	09/30/2025

<u>Moose Pass APC</u>	<u>Seat</u>	<u>Term Expires</u>
Jennifer Boyle	F	09/30/2025
Jeff Hetrick	G	09/30/2025

- \*d. KPB 4656: Confirming Appointments to Service Area Boards (Mayor) (Referred to Policies and Procedures Committee)

<u>Bear Creek Fire Service Area Board</u>	<u>Seat</u>	<u>Term Expires</u>
Wolfgang V. Kurtz	A	10/2025

<u>Nikiski Fire Service Area Board</u>	<u>Seat</u>	<u>Term Expires</u>
Tony Jackson	A	10/2025
Paul M. Walukewicz	B	10/2025
Kathryn Walukewicz	C	10/2025

<u>Road Service Area Board</u>	<u>Seat</u>	<u>Term Expires</u>
Phillip T. Fraley	At-Large #1	09/30/2025.....LAYDOWN
Heidi Covey	At-Large #2	09/30/2025

<u>Seldovia Recreational Service Area Board</u>	<u>Seat</u>	<u>Term Expires</u>
Elizabeth Diament	D	10/2025



- g. Authorization to Award a Contract for ITB23-018 Brushing Vegetation Control – Unit 3
  - h. Authorization to Award a Contract for ITB23-019 Brushing Vegetation Control – West Region, Units 3, 4 & 5
  - i. FutureSync Sole Source Waiver
3. Other
- a. Litigation Status Report – Quarter Ending 09/30/22

**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 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) (Second Hearing on 10/25/22) (Referred to Lands Committee)
- 2. Ordinance 2021-41: Amending KPB 21.29, KPB 21.25 and KPB 21.50.055 Regarding Material Site Permits, Applications, Conditions, and Procedures (Mayor, Johnson) [Tabled on 02/01/22]

Ordinance 2021-41 (Elam, Derkevorkian) Substitute: Amending KPB 21.29, KPB 21.25, and KPB 21.50.055 Regarding Material Site Permits, Applications, Conditions, and Procedures (Elam, Derkevorkian) [Tabled on 02/01/22]

**INFORMATIONAL MATERIALS AND REPORTS**

**ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

- 1. October 25, 2025      Material Subcommittee Meeting  
TBD                      Betty J. Glick Assembly Chambers  
                                 Borough Administration Building  
                                 Remote participation available through Zoom  
                                 Meeting ID: 884 7373 9641 Passcode: 671108

2.      October 25, 2022      Regular Assembly Meeting  
6:00 PM                      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(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](http://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](http://www.kpb.us) for copies of the agenda, meeting minutes, ordinances and resolutions.*