



Assembly Action Agenda

June 7, 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 Jon Watson.]

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. May 17, 2022 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

1. Kenai Peninsula 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)

ITEMS NOT COMPLETED FROM PRIOR AGENDA

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

1. **ENACTED AS AMENDED** Ordinance 2022-19: Appropriating Funds for Fiscal Year 2023 (Mayor) (Referred to Finance Committee) **[6 Yes, 0 No, 3 Absent]**
2. **ENACTED** Ordinance 2022-14: Authorizing the Sale of Certain Parcels of Borough-Owned Land by Live Outcry Auction Followed by a Subsequent Online-Only Auction Land Sale (Mayor) (Referred to Land Committee) **[6 Yes, 0 No, 3 Absent]**
3. **ENACTED** Ordinance 2022-12: Amending KPB 2.60.040 Related to the Emergency Services Communications Center Advisory Board and Reactivating the Advisory Board (Mayor) (Referred to Policies and Procedures Committee) **[6 Yes, 0 No, 3 Absent]**
4. **FAILED TO ENACT** Ordinance 2022-13: Amending KPB 21.46.040 to Repeal the Kalifornsky Center Single Family Residential (R-1) Local Option Zoning District (Mayor) (Referred to Policies and Procedures Committee) **[1 Yes, 5 No, 3 Absent]**

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions
 - a. **ADOPTED AS AMENDED** Resolution 2022-036: Setting the Rate of Levy for Real and Personal Property Taxes for the Kenai Peninsula Borough and for Service Areas within the Borough for Fiscal Year 2023, Tax Year 2022 (Mayor) (Referred to Finance Committee) **[6 Yes, 0 No, 3 Absent]**
 - *b. Resolution 2022-037: Authorizing A Sole Source Award for Services to NC Machinery to Rebuild a Track Loader (Mayor) (Referred to Finance Committee)

- c. **ADOPTED** Resolution 2022-038: Classifying and Reclassifying Certain Borough-Managed Land in the Moose Pass Area (Mayor) (Referred to Land Committee) **[5 Yes, 1 No, 3 Absent]**

2. Ordinances for Introduction

- *a. Ordinance 2021-19-53: Appropriating \$389,500 from the South Kenai Peninsula Hospital Service Area Fund Balance to Support Replacement and Improvement of the Hospital's Hot Water System (Mayor) (Hearing on 06/21/22) (Referred to Finance Committee)
- *b. Ordinance 2021-19-54: Redirecting Solid Waste Capital Project Funds Previously Appropriated for a Demolition Project to an Areawide Solid Waste Facility Lighting Upgrade Project (Mayor) (Hearing on 06/21/22) (Referred to Finance Committee)
- *c. Ordinance 2021-19-55: Appropriating Spruce Bark Beetle Program Interest Income Funds to Initiate Forest Management Efforts (Mayor) (Hearing on 06/21/22) (Referred to Finance Committee)
- *d. Ordinance 2021-19-56: Approving and Appropriating Grant Funds Totaling \$22,968.23 from the Alaska Department of Natural Resource for the Volunteer Fire Assistance Program on Behalf of Bear Creek Fire Service Area, Central Emergency Service Area, Kachemak Emergency Service Area, Nikiski Emergency Service Area, and Western Emergency Service Area (Mayor) (Hearing on 06/21/22) (Referred to Finance Committee)
- *e. Ordinance 2021-19-57: Appropriating \$700,000 to Fund the Emergency Siren Warning System Update Project (Mayor) (Hearing on 06/21/22) (Referred to Finance Committee)
- *f. Ordinance 2022-20: Providing for the Submission to the Qualified Voters of the Kenai Peninsula Borough the Question of the Issuance of Not-To-Exceed Sixty-Five Million Five Hundred Fifty Thousand Dollars (\$65,550,000) of General Obligation Bonds of the Kenai Peninsula Borough to Pay the Costs of Educational Capital Improvements in the Borough on

October 4, 2022 (Mayor) (Hearing on 06/21/22) (Referred to Finance Committee)

- *g. Ordinance 2021-19-58: Appropriating Funds for the Costs of Distributing Information about the Ballot Proposition Seeking Voter Approval for the Issuance of Bonds to Pay for Capital Improvements for Borough Schools, to Ensure Compliance with Legal Restrictions on the Use of Borough Funds and Assets Related to Ballot Propositions (Mayor) (Hearing on 06/21/22) (Referred to Finance Committee)
- *h. Ordinance 2022-21: Providing for an Exception to KPB 17.10.210 and Authorizing the Mayor to Execute a No-Charge Agreement with the City of Kenai for Hard Rock Resource Extraction from Borough-Owned Land in Support of the Kenai Bluff Stabilization Project (Mayor) (Hearing on 06/21/22) (Referred to Lands Committee)
- *i. Ordinance 2022-22: Authorizing a Negotiated Lease Option and Subsequent Ground Lease of Certain Real Property Containing 40 Acres More or Less to Utopian Power for the Development of a Solar Farm Facility (Mayor) (Hearing on 06/21/22) (Referred to Lands Committee)
- *j. Ordinance 2022-23: Amending KPB 5.18.200 and KPB 5.18.430 Relating to Borough Sales Tax to Provide an Exemption for Residential Rentals in Excess Of 30 Consecutive Days and to Increase the Maximum Amount of a Sale Subject to Borough Sales Tax To \$1,000, Subject to Voter Approval (Johnson, Hibbert, Chesley) (Hearing on 07/05/22) (Referred to Policies and Procedures Committee)

3. Other

- *a. Confirming an Appointment to the Planning Commission (Referred to Policies and Procedures Committee)

Troy Staggs City of Seward Term Expires July 31, 2023

- *b. Confirming an Appointment to the North Peninsula Recreation Service Area (Referred to Policies and Procedures Committee)

Clayton Cason Seat B Term Expires October, 2022

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

Philip Kaluza East Peninsula Term Expires September 30, 2024

MAYOR'S REPORT

1. Assembly Requests/Responses – None.
2. Agreements and Contracts
 - a. Sole Source – Architects of Alaska, South Peninsula Hospital CT Scan / Nuclear Medicine Addition
 - b. Sole Source – Eayrs Plumbing & Heating WESA needs emergency repairs to the boiler system and in-floor heating.
 - c. Authorization to Award a Contract for ITB22-050 Central Peninsula Landfill (CPL) Red Building Demolition to Andrews and Sons LLC., Seward, AK.
 - d. Authorization to Award a Contract for RFP22-016 Land Planning Unit 395 to RESPEC Company, LLC., Soldotna, AK.
 - e. Authorizing a Waiver of Formal Bidding Procedures for Repairing the Crane Anchor Bolts at the Homer Transfer Facility to Steiner's North Star Construction, Inc.
 - f. Sole Source – Public Records Request Software provided by GovQA.
3. Other – None.

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 2021-19-50: Accepting and Appropriating the Opioid Settlement Funds and Establishing the Opioid Settlement Fund Grant Program (Mayor) (Hearing on 08/09/22) (Referred to Finance 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]*
3. Ordinance 2022-15: Amending KPB 2.33.020 Relating to the Powers and Duties of the Human Resources Department to Remove Responsibility for Oversight of the Risk Management Office (Mayor) (Hearing on 06/21/22) (Referred to Policies and Procedures Committee)
4. Ordinance 2022-16: Amending KPB 5.35.160 Relating to Notice of Assessments for Utility Special Assessment Districts to Ensure Code Compatibility with Software Constraints (Mayor) (Hearing on 06/21/22) (Referred to Policies and Procedures Committee)
5. Ordinance 2022-17: Amending KPB 2.40.030(D) Relating to Compensation for KPB Planning Commissioners (Johnson) (Hearing on 06/21/22) (Referred to Policies and Procedures Committee)
6. Ordinance 2022-18: Amending KPB 2.40.015 Regarding the Planning Commission Application Process (Bjorkman, Cox) (Hearing on 06/21/22) (Referred to Policies and Procedures Committee)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. June 21, 2022
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(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: "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.