



Assembly Action Agenda

February 1, 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 Rebecca Hinsberger.]

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. January 18, 2022 Regular Assembly Meeting Minutes **LAYDOWN**

COMMENDING RESOLUTIONS AND PROCLAMATIONS

- *1. A Resolution Commending Rachel M. Parra, Director, North Peninsula Recreation Service Area for Her Contribution, Dedication, and Many Years of Public Service to the North Peninsula Recreation Service Area and Borough (Mayor, Bjorkman) **LAYDOWN**

PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

1. South Peninsula Hospital Quarterly Report, Ryan Smith, CEO (10 minutes)
2. Kenai Peninsula Peace Crane Garden Update, Sarah Pyhala (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 2021-19-34: Accepting and Appropriating Fisheries Business Tax Funds Received from the State of Alaska under the Federal Pass-Through Program, American Rescue Plan Act of 2021 in the Amount of \$86,408.54 for the Purpose of Supplementing the Radio Consultant Project to Address Public Safety Communications (Mayor) (Referred to Finance Committee)
- *2. Ordinance 2021-19-35: Appropriating Funding from the Central Peninsula Hospital Plant Replacement and Expansion Fund for the Central Peninsula Hospital Hot Lab Upgrade to ISO Cleanroom Project (Mayor) (Referred to Finance Committee)
3. **TABLED** 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) (Referred to Policies and Procedures Committee)

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 (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

- *a. Resolution 2022-008: Designating the Newspaper and Authorizing Award of a Contract for the Publication of the 2022 Foreclosure List, and the Delinquent Leasehold, Mobile Homes, Personal and Other Tax Lists for the Tax Year 2021 and Prior (Mayor) (Referred to Finance Committee)
- *b. Resolution 2022-009: Approving the Spending Plan for the Remaining Balance of \$100,000 from the State of Alaska for the Healthy and Equitable Communities Program, a Federal Pass-Thru Award under the Centers for Disease Control and Prevention (Mayor) (Referred to Finance Committee)
- *c. Resolution 2022-010: Establishing Kenai Peninsula Borough State Capital Project Priorities for the Year 2022 (Mayor) (Referred to Finance Committee)**LAYDOWN**
- *d. Resolution 2022-011: Supporting the City of Homer's Request to the U.S. Army Corps of Engineers for \$1.5 Million to Complete the Homer Port and Harbor Expansion General Investigation Study (Mayor, Assembly) (Referred to Finance Committee)

2. Ordinances for Introduction

- *a. Ordinance 2021-19-36: Appropriating \$78,978.78 to the Special Assessment Fund for the Lookout Drive Utility Special Assessment District (Mayor) (Hearing on 02/15/22) (Referred to Finance Committee)
- *b. Ordinance 2022-03: Amending the Effective Date of Ordinance 2021-19-30 Relating to the Staffing for Adequate Fire and Emergency Response Grant (Mayor) (Hearing on 02/15/22) (Referred to Finance Committee)
- *c. Ordinance 2022-02: Enacting KPB 2.40.110 and KPB 2.40.120 Authorizing the Planning Commission to Adopt Bylaws and Defining Quorum (Chesley) (Hearing on 03/01/22) (Referred to Policies and Procedures Committee)

3. Other

- *a. Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Limited Marijuana Cultivation Facility, Rock Solid Buds License No. 21463, Filed by Steve Duprey, Subject to the Standard Conditions (Referred to Finance Committee)

[Clerk's Note: Standard Conditions for Commercial Marijuana Facilities are as follows: 1. The marijuana establishment shall conduct their operation consistent with the site plan submitted to the Kenai Peninsula Borough. 2. There shall be no parking in the borough rights-of-way generated by the marijuana establishment. 3. The marijuana establishment shall remain current in all Kenai Peninsula Borough tax obligations consistent with KPB 7.30.020 (A).]

- *b. Approving a Letter of Non-Objection to the Issuance of the New Brewery License as Requested by Kenai Kombucha LLC, License No. 6011 (Referred to Finance Committee)

- *c. Petition to Vacate a 424 Foot Portion of Arneson Avenue and Associated Utility Easements Located within the Ninilchik Area. KPB File 2021-160V (Referred to Land Committee)

[Clerk's Note: The Planning Commission approved the referenced petition to vacate at is January 10, 2022 meeting by unanimous consent.]

- *d. Confirming Appointments to the Planning Commission (Mayor) (Referred to Policies and Procedures Committee)

John Hooper District 3 – Nikiski Term Expires 07/31/2023

Michael Horton District 4 – Soldotna Term Expires 07/31/2022

David Stutzer District 8 – Homer Term Expires 07/31/2024

MAYOR'S REPORT

1. Assembly Requests/Responses – None.
2. Agreements and Contracts – None.
3. Other
 - a. Community Wildfire Protection Plan Update – Draft
 - b. Revenue-Expenditure Report – December 2021
 - c. Budget Revisions – December 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. February 15, 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
2. February 23, 2022
1:00 PM Reapportionment Committee
Betty J. Glick Assembly Chambers
Borough Administration Building
Remote participation available through Zoom
Meeting ID: 830 1392 2779 Passcode: 247558

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 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 for copies of the agenda, meeting summaries, ordinances and resolutions.