



Assembly Action Agenda

February 27, 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-5790: February 6, 2024 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

- *1. KPB-5791: A Resolution Commending the Seward High School Boys' Wrestling Team - Division II Alaska State Champions for the Year 2023 (Mayor, Ecklund)
- *2. KPB-5792: A Resolution Commending the Soldotna High School Girls' Wrestling Team – ASAA Girls' State Wrestling Champions for the Year 2023 (Mayor, Cox)

PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

1. KPB-5793: Central Peninsula General Hospital Quarterly Report, Shaun Keef, CEO (10 minutes)
2. KPB-5795: AK Carbon Legislation and Energy, Todd Lindley, VP, Alaska Gold Communications (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-5827: Authorization to Award a Contract for ITB24-032 Leachate Hauling Term Contract
 - b. KPB-5828: Authorization to Award a Contract for RFP24-010 Kenai Peninsula Borough Website Overhaul & Redesign
 - c. KPB-5829: Authorization to Award a Contract for RFP24-012 Nikiski North Star & Mountain View Elementary Roof Replacements
 - d. KPB-5830: Authorization to Award a Contract for RFP24-014 Municipal Government Services & Tourism / Economic Development PR Campaign
3. Other
 - a. KPB-5831: Budget Revisions – January 2024
 - b. KPB-5832: Capital Project Reports – December 31, 2023
 - c. KPB-5833: Investment Report Quarter Ended 12/31/23
 - d. KPB-5834: Revenue-Expenditure Report – January 2024
 - e. KPB-5835: Tax Adjustment Request Approval

ITEMS NOT COMPLETED FROM PRIOR AGENDA

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

- *1. Ordinance 2023-19-35: Appropriating Supplemental Funds from the Land Trust Fund Fund Balance to Land Management Operations for Surveying Resources (Mayor) (Referred to Finance Committee)

2. **ENACTED** Ordinance 2024-03: Authorizing the Sale of Certain Parcels of Kenai Peninsula Borough-Owned Land by Outcry Auction Followed by a Secondary Online Auction (Mayor) (Referred to Lands Committee) **[8 Yes, 1 No, 0 Absent]**

UNFINISHED BUSINESS

1. Notice to Consider
 - a. **REMOVED FROM THE TABLE AND WITHDRAWN FROM THE AGENDA** KPB-5789: Requesting Formal Assembly Protest to the Transfer of Controlling Interest Application filed by Harbor Gateway, Inc. dba Gateway Liquor & Food Mart, License No. 2683, Seward [*Tabled on 02/06/24*] (Referred to Finance Committee) **[9 Yes, 0 No, 0 Absent]**

[Clerk's Note: Assembly Member Ecklund gave notice to remove KPB-5789 from the table on 02/15/24, per KPB 22.40.070.]

NEW BUSINESS

1. Resolutions
 - *a. Resolution 2024-008: Requesting the State Legislature Transfer a Grant Awarded to the Kenai Peninsula Borough for Construction of a School Facility in Kachemak-Selo from the Department of Education and Early Development to the Department of Commerce, Community & Economic Development (Mayor & Assembly) (Referred to Policies and Procedures Committee)

2. Ordinances for Introduction

- *a. Ordinance 2023-19-36: Appropriating \$289,178.64 to the Rollins Way Road Improvement Assessment District (Mayor) (Hearing on 03/19/24) (Referred to Finance Committee)
- *b. Ordinance 2023-19-37: Appropriating \$42,562 to the Special Assessment Fund for the Jubilee Street Utility Special Assessment District (Mayor) (Hearing on 03/19/24) (Referred to Finance Committee)
- *c. Ordinance 2023-19-38: Accepting and Appropriating \$1,365,000 for the Deep Creek Fish Passage Project, a Partnership between the Kenai Peninsula Borough and the U.S. Fish & Wildlife Service (Mayor) (Hearing on 03/19/24) (Referred to Finance Committee)
- d. **INTRODUCED AND SET FOR PUBLIC HEARING ON 03/19/24**
Ordinance 2024-04: Authorizing a Negotiated Lease with Davis Block and Concrete Company for Concrete Batch Plant Operations in Support of the Sterling Highway MP 45-60 Construction Project Near Cooper Landing (Mayor) (Hearing on 03/19/24) (Referred to Lands Committee) **[8 Yes, 1 No, 0 Absent]**
- *e. 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) (Hearing on 04/02/24) (Referred to Policies and Procedures Committee)

3. Other

- *a. KPB-5801: Authorizing the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Retail Store Application for The Tufted Puffin, License No. 34856 (Mayor) (Referred to Finance Committee)

- *b. KPB-5803: Confirming the Appointments to Service Area Boards (Mayor) (Referred to Policies and Procedures Committee)

Kachemak Emergency Service Area

<u>Applicant</u>	<u>Seat</u>	<u>Term Expires</u>
Mark Kirko	C	October, 2024

Western Emergency Service Area

<u>Applicant</u>	<u>Seat</u>	<u>Term Expires</u>
Mark Ball	C	October, 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. 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. March 19, 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.