



Assembly Action Agenda

August 1, 2023 - 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 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 Robert Wall.]

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-5361: July 11, 2023 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

- 1. KPB-5368: Central Peninsula Hospital Quarterly Report, Shaun Keef, CEO (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. Ordinance 2023-19-02: Authorizing the Assessor to Accept One Late-Filed Senior Citizen Exemption Application Filed after March 31 and Providing an Exception to KPB 5.12.105(E) (Mayor) (Referred to Finance Committee)
- *2. Ordinance 2023-19-03: Appropriating a \$5,000 Donation from Hilcorp Alaska, LLC to Supply Local Students with Backpacks for the 2023-24 School Year (Mayor) (Referred to Finance Committee)
- *3. Ordinance 2023-19-04: Accepting and Appropriating the Value of Extrication Equipment Received by Bear Creek Fire Service Area through Alaska Legislative Grant Agreement 23-DC-022 as a Pass-Through from Girdwood Fire Department (Mayor) (Referred to Finance Committee)
4. **ENACTED AS AMENDED** Ordinance 2023-15: Amending Borough Code Title 4, Elections, Regarding Declared Write-In Candidates, Canvass of Election Returns, Public Notice, and Certification of Election Results (Mayor, Johnson, Ribbens, Cox) (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**

UNFINISHED BUSINESS

1. Postponed Items
 - a. **FAILED TO ADOPT** Resolution 2023-048: Placing an Advisory Question on the Ballot at the Next Regular Election to be Held October 3, 2023 Asking Whether the Kenai Peninsula Borough Should Change its Regular Election Date (Derkevorkian) (Referred to Policies and Procedures Committee)(Postponed from 07/11/23) **[2 Yes, 7 No, 0 Absent]**

NEW BUSINESS

1. Resolutions

- *a. Resolution 2023-054: Authorizing the Mayor to Execute a Joint Funding Agreement with the U.S. Department of the Interior, U.S. Geological Survey to Cooperatively Maintain the Stream River Gages and Gaging Station (Mayor) (Referred to Finance Committee)
- b. **ADOPTED AS AMENDED** Resolution 2023-053: Establishing a Voter Turnout Working Group to Explore Actionable Options and Ideas Aimed at Increasing Awareness, Participation, and Voting in Local Elections (Cox, Hibbert) (Referred to Policies and Procedures Committee) [**9 Yes, 0 No, 0 Absent**]

2. Ordinances for Introduction

- *a. Ordinance 2022-19-80: Appropriating Funds from the Land Trust Fund to Account for the Transfer of Real Property Assets to the Land Trust Fund that were Originally Acquired with Central Emergency Services Fiscal Year 2023 Capital Project Funds (Mayor) (Hearing on 08/15/23) (Referred to Finance Committee)
- *b. Ordinance 2022-19-81: Recording Fiscal Year 2023 Expenditures Paid by the State of Alaska Department of Administration, Division of Retirement & Benefits on Behalf of the Kenai Peninsula Borough Toward the Borough's Unfunded PERS Liability (Mayor) (Hearing on 08/15/23) (Referred to Finance Committee)
- *c. Ordinance 2023-19-06: Appropriating \$47,987 to the Special Assessment Fund for the Oxford Avenue Utility Special Assessment District (Mayor) (Hearing on 08/15/23) (Referred to Finance Committee)
- *d. Ordinance 2023-19-07: Approving a Sole Source Award Through Cooperative Purchasing and Appropriating Funds for the Purchase and Implementation of Software to Support the Special Assessment Billing Process (Mayor) (Hearing on 08/15/23) (Referred to Finance Committee)

- *e. Ordinance 2023-19-08: Accepting and Appropriating \$1,500,000 from the U.S. Forest Service for Fuel Mitigation Response to Beetle Impacts on Rights-Of-Way of Borough Roads (Mayor) (Hearing on 08/15/23) (Referred to Finance Committee)
 - *f. Ordinance 2023-19-09: Appropriating Funds from the General Fund for Purchase and Install Temporary Landfill Covers at Central Peninsula Landfill (Mayor) (Hearing on 08/15/23) (Referred to Finance Committee)
 - *g. Ordinance 2023-19-10: Deobligating and Appropriating Solid Waste Capital Project Funds Previously Appropriated for Brushing at Solid Waste Facilities to the Leachate Reduction Project (Mayor) (Hearing on 08/15/23) (Referred to Finance Committee)
 - *h. Ordinance 2023-19-11: Authorizing and Appropriating a \$7,000,000 Interfund Loan from the General Fund to the South Kenai Peninsula Hospital Service Area for Capital Improvement Purposes (Mayor, Johnson, Chesley) (Hearing on 08/15/23) (Referred to Finance Committee)
3. Other
- *a. KPB-5388: Confirming Appointments to the Kenai Peninsula Borough Planning Commission (Mayor).....**LAYDOWN**
- Pamela Gillham, Kalifornsky/Kasilof District, Term Expires 07/31/26
- Jeffrey Allen Epperheimer, Nikiski District, Term Expires 07/31/26

MAYOR'S REPORT

- 1. Assembly Requests/Responses – None.
- 2. Agreements and Contracts
 - a. KPB-5375: Authorization to Award Contract RFP23-019 Assessing Mass Mailings
 - b. KPB-5376: Authorization to Award Contract ITB23-039 Summer & Winter Road Maintenance – East Region, Unit 2

- c. KPB-5377: Authorization to Award Contract ITB23-050 Summer & Winter Road Maintenance – North Region, Unit 5
 - d. KPB-5378: Authorization to Award Contract ITB23-052 Summer & Winter Road Maintenance – West Region, Unit 2
 - e. KPB-5379: Authorization to Award Contract ITB23-053 Summer & Winter Road Maintenance – West Region, Unit 7
 - f. KPB-5380: Authorization to Award Contract ITB23-067 Eastway Road Drainage Improvements
 - g. KPB-5381: Authorization to Award Contract ITB23-068 Lost Creek Maintenance
 - h. KPB-5382: Authorization to Award Contract ITB23-069 NPRSA Pool Building Boiler Replacement
 - i. KPB-5383: Authorization to Award Contract ITB23-071 Sawmill Creek Maintenance
3. Other
- a. KPB-5384: Litigation Status Report – Quarter Ending 06/30/23
 - b. KPB-5385: Tax Adjustment Request Approval

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 01/03/23]*

2. 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) [Postponed to 08/15/23, with Final Hearing on 09/05/23] (Referred to Lands Committee)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. August 15, 2023
3:00 PM Material Subcommittee Meeting
Betty J. Glick Assembly Chambers
Borough Administration Building
Remote participation available through Zoom
Meeting ID: 884 7373 9641 Passcode: 671108
2. August 15, 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(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.