



Assembly Action Agenda

July 11, 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 Loren Hollers.]

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-5321: June 20, 2023 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

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 2022-19-78: Re-Appropriating \$62,667.94 to Complete the KPB Public Relations and the Mission Vision and Values Contracts and \$13,176.45 for the Tourism and Economic Promotion (Mayor) (Referred to Finance Committee)
- *2. Ordinance 2022-19-79: Appropriating Funds from the Solid Waste Capital Project Fund to Fund Expenditures Associated with the Leachate Project that are Ineligible for Federal Funding (Mayor) (Referred to Finance Committee)
- *3. Ordinance 2023-19-01: Accepting and Appropriating Federal Grant Funding in the Amount of \$281,250 from the Alaska Division of Community and Regional Affairs to Update the Hazard Mitigation Plan (Mayor) (Referred to Finance Committee)

UNFINISHED BUSINESS

NEW BUSINESS

- 1. Resolutions
 - a. **POSTPONED TO 08/01/23** 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) **[8 Yes, 0 No, 1 Absent]**
 - b. **ADOPTED** Resolution 2023-049: Supporting Passage of Alaska State Board of Education and Early Development Resolution 02-2023 In Support of Preserving the Opportunity for Student Athletes While Balancing Competitive Fairness and Safety for All Who Compete (Derkevorkian, Cox, Hibbert, Elam, Mayor) (Referred to Legislative Committee) **[6 Yes, 2 No, 1 Absent]**
 - *c. Resolution 2023-050: Supporting a Collaborative Research Initiative Focusing on Hazard Assessment, Networking, and

Hazard Preparedness from Landslide Generated Tsunamis (Mayor, Ecklund) (Referred to Legislative Committee)

- *d. Resolution 2023-051: Authorizing a Sole Source Procurement Contract Award to Hot Rocks Asphalt Paving, LLC to Seal Coat School Parking Lots (Mayor) (Referred to Finance Committee) **LAYDOWN**

2. Ordinances for Introduction

- *a. 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) (Hearing on 08/01/23) (Referred to Finance Committee)
- *b. 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) (Hearing on 08/01/23) (Referred to Finance Committee)
- *c. 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) (Hearing on 08/01/23) (Referred to Finance Committee)
- d. **WITHDRAWN BY THE SPONSOR** Ordinance 2023-16: Establishing the Cooper Landing Emergency Service Area and Providing for an Appointed Board Subject to Voter Approval (Ecklund) (Hearing on 08/01/23) (Referred to Policies and Procedures Committee)

3. Other

- *a. KPB-5327: Vacate Portions of Steik Avenue granted on Ninilchik Right-Of-Way Map. Plat HM 84-115 and Associated Utility Easements (Referred to Lands Committee)

[Clerk's Note: At its regularly scheduled meeting of the Kenai Peninsula Borough Planning Commission on June 26, 2023 the proposed vacation was approved by unanimous consent.]

- *b. KPB-5322: Authorizing the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Marijuana Retail Store, Red's Outpost, Requested by Zachary Overman License No. 32773, Subject to Standard Conditions (Referred to Finance Committee)

MAYOR'S REPORT

1. Assembly Requests/Responses – None.
2. Agreements and Contracts
 - a. KPB-5330: Authorization to Award a Contract for ITB23-059 River Center Boiler Replacement
 - b. KPB-5331: Authorization to Award a Contract for ITB23-063 River Ridge Road Capital Improvement Project
 - c. KPB-5332: Authorization to Award a Contract for ITB23-061 Saint Andrew's Gravel Capital Improvement Project
 - d. KPB-5333: Authorization to Award a Contract for ITB23-033 Pioneer Street Clinic Roof Replacement
 - e. KPB-5334: Authorization to Award a Contract ITB23-062 Basargin Phase 3 Capital Improvement
 - f. KPB-5335: Authorization to Award a Contract ITB23-047 South Peninsula Hospital Long Term Care HVAC Upgrades
 - g. KPB-5336: Authorization to Award a Contract for ITB23-060 Duke Street Gravel Capital Improvement Project
 - h. KPB-5337: Authorization to Award a Contract for ITB23-064 Poolside Avenue Paving Capital Improvement Project
 - i. KPB-5338: Authorization to Award a Contract for RFP23-013 Emergency Responder Medical Physicals / Testing Requirements
 - j. KPB-5339: Authorization to Award a Contract for RFP23-018 CPL Master Plan

- k. KPB-5340: Authorization to Award a Contract for ITB23-051 Summer & Winter Road Maintenance - South Region, Unit 5
 - l. KPB-5341: Authorization to Award a Contract for ITB23-066 Arc Loop Training Facility Fencing
 - m. KPB-5342: Sole Source Waiver - AnalyTix Technologies, LLC
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. 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)
- 3. 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) (Hearing on 08/01/23) (Referred to Policies and Procedures Committee)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

- 1. August 1, 2023 Material Subcommittee Meeting

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