



Assembly Action Agenda

June 21, 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 Lynn Hinds.]

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. June 7, 2022 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

1. Alaska Grand Jury Legislation Presentation, Representative Ben Carpenter (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 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) (Referred to Finance Committee)
- *2. 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) (Referred to Finance Committee)
- *3. Ordinance 2021-19-55: Appropriating Spruce Bark Beetle Program Interest Income Funds to Initiate Forest Management Efforts (Mayor) (Referred to Finance Committee)
- *4. 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) (Referred to Finance Committee)
- *5. Ordinance 2021-19-57: Appropriating \$700,000 to Fund the Emergency Siren Warning System Update Project (Mayor) (Referred to Finance Committee)
6. **ENACTED AS AMENDED** 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) (Referred to Finance Committee) [**9 Yes, 0 No, 0 Absent**]

7. **ENACTED** 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) (Referred to Finance Committee) **[9 Yes, 0 No, 0 Absent]**
- *8. 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) (Referred to Lands Committee)
9. **ENACTED** 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) (Referred to Lands Committee) **[7 Yes, 2 No, 0 Absent]**
10. **ENACTED** 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) (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**
11. **ENACTED** 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) (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**
12. **ENACTED AS AMENDED** Ordinance 2022-17: Amending KPB 2.40.030(D) and KPB 2.40.090 Relating to Compensation for KPB Planning Commissioners (Johnson) (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**
13. **ENACTED** Ordinance 2022-18: Amending KPB 2.40.015 Regarding the Planning Commission Application Process (Bjorkman, Cox) (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

- *a. Resolution 2022-040: Authorizing a Sole Source Contract for Summer and Winter Road Maintenance with Red Mountain, LLC, for South Region, Unit 9 (Mayor) (Referred to Finance Committee)
- *b. Resolution 2022-039: Authorizing the Acquisition of Real Property Located in Soldotna, Alaska on Behalf of Central Emergency Services for the Purpose of a Replacement Site for Central Emergency Services Station #1 (Mayor) (Referred to Lands Committee)
- *c. **AS AMENDED** Resolution 2022-041: Supporting Local, State, and Federal Agencies to Address the Repetitive Hazards Created by Bear Mountain Topography and Mitigating Lowell Point Road Dangers to Provide Safe, Reliable Transportation to the Community of Lowell Point, the City of Seward Infrastructure and to Access State and Federal Parks (Mayor, Elam) (Referred to Legislative Committee)

2. Ordinances for Introduction

- *a. Ordinance 2022-19-01: Appropriating \$300,000 from the General Fund to Establish Temporary Firewise Slash Disposal Sites (Mayor) (Hearing on 07/05/22) (Referred to Finance Committee)
- *b. Ordinance 2022-24: Providing for the Submission to the Qualified Voters of the Central Emergency Service Area in the Kenai Peninsula Borough at the Regular Election on October 4, 2022, the Question of the Issuance of Not-To-Exceed Sixteen Million Five Hundred Thousand Dollars (\$16,500,000) of General Obligation Bonds of the Central Emergency Service Area to Pay the Cost of Replacing Central Emergency Services Fire Station #1 in and for the Service Area (Mayor) (Hearing on 07/05/22) (Referred to Finance Committee)

- *c. Ordinance 2022-19-02: Appropriating Funds for the Costs of Distributing Information about the Ballot Proposition Seeking Voter Approval for the Issuance of Bonds to Pay for the Central Emergency Service Area Fire Station #1 Project to Ensure Compliance with Legal Restrictions on the Use of Borough Funds and Assets Related to Ballot Propositions (Mayor) (Hearing on 07/05/22) (Referred to Finance Committee)
- *d. Ordinance 2022-19-03: Appropriating Road Service Area Capital Project Funds from Previously-Appropriated Projects to the FY2021 Borough Road Improvement Project to Fund the Mansfield Avenue, Ferrin Road and Old Exit Glacier, Fish Passage Projects (Mayor) (Hearing on 07/05/22) (Referred to Finance Committee)
- *e. Ordinance 2022-19-04: Approving the Purchase of the Surgery Center of Kenai and Appropriating \$9,120,000 from the Central Peninsula Hospital Plant Replacement and Expansion Fund to Support the Purchase (Mayor) (Hearing on 07/05/22) (Referred to Finance Committee)

3. Other

- *a. Approving an Amended Restaurant Designation Permit filed by 6 Mile Mermaid LLC DBA Dirty Skillet, License No. 5765 (Referred to Finance Committee)
- b. **APPROVED** Confirming Appointments to the KPB Planning Commission (Mayor) (referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**

<u>Name</u>	<u>District</u>	<u>Term Expires</u>
Michael Horton	4 – Soldotna	July 31, 2025
Virginia Morgan	6 – East Peninsula	July 31, 2025
Christine Hutchison	7 – Central Peninsula	July 31, 2024
Dawson Slaughter	9 – South Peninsula	July 31, 2025

MAYOR'S REPORT

1. Assembly Requests/Responses
2. Agreements and Contracts
 - a. Authorization to Award a Contract for ITB22-033 Multi-Function Copier Purchase to Office Tech Xerox.
 - b. Authorization to Award a Contract for ITB22-044 Summer & Winter Road Maintenance – West Region Unit 4 to Mountain Vista Estates, dba Captain Cook Construction
 - c. Authorization to Award a Contract for ITB22-044 Summer & Winter Road Maintenance – West Region Unit 5 to Mountain Vista Estates, dba Captain Cook Construction.
 - d. Authorization to Award a Contract for ITB22-043 Summer & Winter Road Maintenance – South Region Unit 3 to Wolf Co., Anchor Point, AK.
 - e. Authorization to Award a Contract for ITB22-043 Summer & Winter Road Maintenance – South Region Unit 4 to Wolf Co., Anchor Point, AK.
 - f. Authorization to Award a Contract for ITB22-043 Summer & Winter Road Maintenance – South Region Unit 7 to East Road Services, Homer, AK.
 - g. Authorization to Award a Contract for ITB22-043 Summer & Winter Road Maintenance – South Region Unit 8 to East Road Services, Homer, AK.
 - h. Authorization to Award a Contract for ITB22-042 Summer & Winter Road Maintenance – Central Region Unit 1 to Hammond Trucking and Excavation, Inc., Soldotna, AK.
 - i. Authorization to Award a Contract for ITB22-042 Summer & Winter Road Maintenance – Central Region Unit 2 to Hammond Trucking and Excavation, Inc., Soldotna, AK.

- j. Authorization to Award a Contract for ITB22-042 Summer & Winter Road Maintenance – Central Region Unit 4 to Summit Excavation, Inc., Soldotna, AK.
 - k. Authorization to Award a Contract for ITB22-042 Summer & Winter Road Maintenance – Central Region Unit 10 to Summit Excavation, Inc., Soldotna, AK.
 - l. Authorizing a Waiver of Formal Bidding Procedures for Repairing the Crane Anchor Bolts at Homer Transfer Facility to Steiner's North Star Construction, Inc.
3. Other
- a. Budget Revisions – May 2022
 - b. Revenue-Expenditure Report – May 2022
 - c. Certification of the 2022 Main Roll Assessment

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 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. 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]]

INFORMATIONAL MATERIALS AND REPORTS

Kalifornsky Advisory Planning Commission Deemed Inactive

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. July 5, 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.