



# Assembly Action Agenda

October 25, 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 Talakai Finau.]*

## 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.)

## ASSEMBLY REORGANIZATION

1. Election of President and Vice President

## APPROVAL OF MINUTES

- \*1. KPB 4664: October 11, 2022 Regular Assembly Meeting Minutes

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

1. KPB 4671: Mayor's Proclamation declaring October 23, 2022 through October 29, 2022 Childhood Cancer Awareness Week

## PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

1. KPB 4665: South Peninsula Hospital Quarterly Report (10 minutes)
2. KPB 4666: Central Peninsula Hospital Quarterly Report (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. **ENACTED AS AMENDED** Ordinance 2022-19-19: Calling for a Special Mayoral Election, Setting the Special Election Date, and Appropriating Necessary Funds (Johnson) (Referred to Finance Committee) **[9 Yes, 0 No, 0 Absent]**
- \*2. Ordinance 2022-19-20: Appropriating \$100,000 to the Legal Department to Cover Costs of Hiring Hearing Officers for Planning Commission Appeals (Johnson at the Request of the Borough Attorney) (Referred to Finance Committee)
- \*3. Ordinance 2022-19-21: Appropriating Supplemental Funding to Complete the Uninterrupted Power Supply Replacement Project Located in the Emergency Response Center (Mayor) (Referred to Finance Committee)
- \*4. Ordinance 2022-19-22: Accepting and Appropriating \$441,000 from the State of Alaska Department of Military and Veteran Affairs, Division of Homeland Security and Emergency Management for Areawide Warning Sirens and Cybersecurity Upgrades (Mayor) (Referred to Finance Committee)
- \*5. Ordinance 2022-19-23: Accepting \$200,000 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security & Emergency Management for Emergency Management Operations and Appropriating \$40,000 for the Remaining Match Requirement (Mayor) (Referred to Finance Committee)

- \*6. Ordinance 2022-19-24: Appropriating \$653,900 from the General Fund for Increased Costs of Contract Services for Operation of the Seward, Kenai, Nikiski and Sterling Transfer Facilities (Mayor) (Referred to Finance Committee)
  
7. **POSTPONED TO DECEMBER 13, 2022** 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) (Referred to Lands Committee) **[9 Yes, 0 No, 0 Absent]**

## UNFINISHED BUSINESS

## NEW BUSINESS

1. Resolutions
  - \*a. Resolution 2022-054: Approving the Acquisition of a Public Access Easement from the State of Alaska for Watermelon Trail (Mayor) (Referred to Lands Committee)
  
  - \*b. Resolution 2022-055: Authorizing One Full-Time Assessing Clerk Classified Service Position (Mayor) (Referred to Policies and Procedures Committee)
  
2. Ordinances for Introduction
  - \*a. Ordinance 2022-19-25: Appropriating Funds to the Legal Department for Litigation Fees and Costs Related to an Oil and Gas Property Tax Appeal (Mayor) (Hearing on 11/15/22) (Referred to Finance Committee)
  
3. Other
  - \*a. KPB 4636: Approving a New Liquor License filed by Vince Benjamin DBA: Mt. Marathon Brewing Company, License No. 5894 (Referred to Finance Committee)
  
  - \*b. KPB 4672: Petition to Vacate a 60' Wide Section of Ciccone Street Right-of-Way and Associated Utility Permits; KPB File 2022-136V (Mayor) (Referred to Lands Committee)

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

## **MAYOR'S REPORT**

1. Assembly Requests/Responses – None.
2. Agreements and Contracts
  - a. Authorization to Award a Contract for ITB23-002 South Peninsula Hospital Roof Replacement
  - b. Authorization to Award a Contract for ITB23-014 Nikiski Fire Station #2 Lighting
  - c. 23F1A Bruno Road Flooding Event – Real Property Tax Exemptions – Disaster Damage
  - d. Central Peninsula Landfill – Landfill Gas to Energy Update
  - e. South Peninsula Future Inert Waste Landfill Search
3. Other
  - a. Budget Revisions – September 2022
  - b. Revenue-Expenditure Report – September 2022
  - c. Capital Project Reports – September 30, 2022

## **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 2022-42: Approving the 2023 Asset Allocation for the Land Trust Investment Fund Investments and Amending KPB Code 5.10.200(B) to Update and Add New Subsections Under Authorized Investments (Mayor) (Hearing on 11/15/22) (Referred to Finance Committee)

## INFORMATIONAL MATERIALS AND REPORTS

### ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. November 15, 2022 TBD Material Subcommittee Meeting  
Betty J. Glick Assembly Chambers  
Borough Administration Building  
Remote participation available through Zoom  
Meeting ID: 884 7373 9641 Passcode: 671108
2. November 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

### 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](http://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](http://www.kpb.us) for copies of the agenda, meeting minutes, ordinances and resolutions.*