



# Assembly Action Agenda

June 6, 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 Jon Watson.]*

## 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-5263: May 16, 2023 Regular Assembly Meeting Minutes

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

**PRESENTATIONS WITH PRIOR NOTICE** (20 minutes total)

- 1. KPB-5248: Kenai Peninsula Borough School District Quarterly Report, Clayton Holland, Superintendent and Doug Hayman, Connections Principal (10 minutes)
- 2. KPB-5249: Alaska's Child Care Resource and Referral Network, Stephanie Berglund, CEO Thread (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 2022-19-71: Appropriating Funds from the South Peninsula Hospital Plant Replacement and Expansion Fund for Upgrades to the Generator Annunciator and Switch Gear at South Peninsula Hospital (Mayor) (Referred to Finance Committee)
- \*2. Ordinance 2022-19-72: Accepting and Appropriating Additional "Year One" and "Year Two" Opioid Settlement Funds for the Opioid Settlement Fund Program (Mayor) (Referred to Finance Committee)
- \*3. Ordinance 2023-19: Appropriating Funds for Fiscal Year 2024 (Mayor) (Referred to Finance Committee)
- 4. **AMENDED BY SUBSTITUTE** Ordinance 2023-11: Amending Borough Code, KPB 2.40.015 and KPB 2.40.030, to Reduce the Number of Seats on The Planning Commission and Provide for an Orderly Process for the Seat Reduction (Elam, Hibbert) (Referred to Policies and Procedures Committee)**[8 Yes, 0 No, 1 Absent]**

**ENACTED AS AMENDED** Ordinance 2023-11 (Cox, Elam, Hibbert) Substitute: Amending Borough Code, KPB 2.40.015 and KPB 2.40.030, to Reduce the Number of Seats on The Planning Commission and Provide for an Orderly Process for the Seat Reduction (Cox, Elam, Hibbert)**[5 Yes, 3 No, 1 Absent]**.....**LAYDOWN**

## UNFINISHED BUSINESS

1. Postponed Items
  - a. **POSTPONED TO 08/15/23, WITH FINAL HEARING ON 09/05/23**  
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 from 03/14/23] (Referred to Lands Committee)**[8 Yes, 0 No, 1 Absent]**

## NEW BUSINESS

1. Resolutions
  - a. **ADOPTED** Resolution 2023-042: Setting the Rate of Levy for Real and Personal Property Taxes for the Kenai Peninsula Borough and for Service Areas Within the Borough for Fiscal Year 2024, Tax Year 2023 (Mayor) (Referred to Finance Committee)**[8 Yes, 0 No, 1 Absent]**
  - \*b. Resolution 2023-043: Approving a Portion of the Issuance of the Public Finance Authority Revenue Bonds, Series 2023 (Aurora Integrated Oncology Foundation) in a Maximum Aggregate Par Amount Not to Exceed \$250,000,000 (Mayor) (Referred to Finance Committee)
  - \*c. Resolution 2023-040: Authorizing the Mayor to Enter into an Agreement with Alaska's Department of Environmental Conservation regarding the Zipmart Site (Mayor) (Referred to Policies and Procedures Committee)
  - \*d. Resolution 2023-041: Authorizing the Mayor to Enter into an Agreement with Tesoro Alaska Company Regarding Valuation and Sharing the Cost of the Appraisal of Tesoro's Refinery Property and Authorizing a Sole Contract to Kroll, LLC to Provide Valuation Services (Mayor) (Referred to Policies and Procedures Committee)
  - e. **ADOPTED** Resolution 2023-044: Initiating the Process to Establish the Cooper Landing Emergency Service Area (Ecklund) (Referred to Policies and Procedures Committee)  
**[7 Yes, 1 No, 1 Absent]**

- \*f. Resolution 2023-045: Authorizing a Standardization Policy for the Use of Siemens Control Systems in all Borough-Owned Facilities (Mayor) (Referred to Policies and Procedures Committee)

## 2. Ordinances for Introduction

- \*a. Ordinance 2022-19-73: Accepting and Appropriating \$73,500 from the Department of the Interior, Bureau of Land Management, Good Neighbor Authority Program for WildLand-Urban Interface Fuel Mitigation Response to Beetle Impacted Sites (Mayor) (Hearing 06/20/23) (Referred to Finance Committee)
- \*b. Ordinance 2022-19-74: Deobligating Bond Proceeds in the Solid Waste Capital Project Fund and Appropriating the Remaining Bond Proceeds to Fund the Final Debt Service Payment for the 2017 Series One Solid Waste General Obligation Bonds (Mayor) (Hearing 06/20/23) (Referred to Finance Committee)
- \*c. Ordinance 2022-19-75: Appropriating Funds from the General Fund for Demolition and Removal of the Zipmart Building (Mayor) (Hearing 06/20/23) (Referred to Finance Committee)
- \*d. Ordinance 2022-19-76: Reappropriating FY2023 Funds for a Comprehensive Compensation Study (Mayor) (Hearing on 06/20/23) (Referred to Finance Committee)
- \*e. Ordinance 2023-13: Issuing an Order of Condemnation and Providing an Exception to KPB 21.16.010 to Allow for Expedited Removal of a Hazardous and Dangerous Building (Mayor) (Hearing on 06/20/23) (Referred to Policies and Procedures Committee)

## 3. Other

- \*a. KPB-5240: Approving a Restaurant Designation Permit Requested by The Duck Inn Inc. dba The Duck Inn, License No. 2147 (Referred to Finance Committee)

- \*b. KPB-5287: Approving an Appointment to the Seldovia Recreational Service Area Board (Mayor) (Referred to Policies and Procedures Committee) ..... **LAYDOWN**

Mark Janes                  Seat B                  Term Expires: October, 2023

**MAYOR'S REPORT**

- 1. Assembly Requests/Responses – None.
- 2. Agreements and Contracts
  - a. KPB-5252: Authorization to Award a Contract for RFP23-016 Water Monitoring Program Professional Design Services
  - b. KPB-5256: Authorization to Award a Contract for RFP23-033 HVAC IT AAON Chiller
  - c. KPB-5257: Authorization to Award a Contract for ITB23-038 Homer Middle School Asbestos Abatement 2023
  - d. KPB-5258: Authorization to Award a Contract for ITB23-046 NFSA Repeater Upgrade
  - e. KPB-5262: Authorization to Award a Contract for ITB23-049 LED Lighting Fixture Purchase
  - f. KPB-5264: Authorization to Award a Contract for ITB23-054 NPR Pool Sidewalk Replacement
  - g. KPB-5265: Authorization to Award a Contract for ITB23-055 Management of Slash Disposal Site – K-Beach
  - h. KPB-5266: Authorization to Award a Contract for ITB23-056 Management of Slash Disposal Site – Ridgeway
  - i. KPB-5267: Authorization to Award a Contract for ITB23-058 Management of Slash Disposal Site – Kasilof
- 3. Other
  - a. KPB-5268: Investment Report Quarter Ended 3/31/23
  - b. KPB-5269: 22L1A Public Assistance Grant Reimbursement

**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 2023-12: Amending Code Relating to Bonding, Equal Opportunity Employment, Protection Against Certain Conduct, Liability For Conduct, and Indemnification (Mayor) (Hearing on 06/20/23) (Referred to Policies and Procedures Committee)

**INFORMATIONAL MATERIALS AND REPORTS**

**ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. June 20, 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. June 20, 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](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.*