



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Minutes - Final

Assembly

Brent Johnson, President

Tyson Cox, Vice President

Kelly Cooper

Cindy Ecklund

Bill Elam

Brent Hibbert

Peter Ribbens

Ryan Tunseth

Mike Tupper

Tuesday, August 6, 2024

6:00 PM

Council Chambers, Homer City Hall
491 E. Pioneer Avenue, Homer

Meeting ID: 895 1103 3332 Passcode: 193069

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

The invocation was given by Frank Alioto Chaplain for Central Emergency Services.

ROLL CALL

Also present were:

Peter A. Micciche, Borough Mayor

Brandi Harbaugh, Finance Director

Sean Kelley, Borough Attorney

Michele Turner, Borough Clerk

Jason Kasper, Deputy Borough Clerk

COMMITTEE REPORTS

Assembly Member Ribbens stated the Finance Committee met and discussed its agenda items.

[9 Present: Cox, Cooper, Ecklund, Elam (arrived 1:10 pm), Hibbert, Ribbens, Tunseth, Tupper, Johnson]

Assembly Member Ecklund stated the Lands Committee met and discussed its agenda items.

[9 Present: Cox, Cooper, Ecklund, Elam, Hibbert, Ribbens, Tunseth, Tupper, Johnson]

Assembly Member Chesley stated the Policies and Procedures Committee met and discussed its agenda items.

[9 Present: Cox, Cooper, Ecklund, Elam, Hibbert, Ribbens, Tunseth, Tupper, Johnson]

Assembly President Johnson stated the Committee of the Whole met and discussed its agenda items.

[9 Present: Cox, Cooper, Ecklund, Elam, Hibbert, Ribbens, Tunseth, Tupper, Johnson]

Cox moved to approve the agenda and consent agenda.

APPROVAL OF AGENDA AND CONSENT AGENDA

Copies have been made available to the public, Borough Clerk Michele Turner noted by title only the resolutions, ordinances and other new business items that were on the consent agenda.

July 9, 2024 Regular Assembly Meeting Minutes

approved.

Commending the Kachemak Bay National Estuarine Research Reserve's 25th Anniversary (Johnson, Mayor)

This Commending Resolution was adopted.

A Resolution Commending Kristen Faulkner for Winning an Olympic Gold Medal in Cycling (Johnson, Mayor)

The following public hearing items met the required conditions of KPB 22.40.110 and were added to the consent agenda:

An Ordinance Recording FY2024 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)

[Clerk's Note: Section 1 was amended to read, "That FY2024 revenue budgets are increased by the following amounts to reflect funds the Department of Administration, Division of Retirement & Benefits received on behalf of the Kenai Peninsula Borough:

General fund \$238,175.00 | Nikiski Fire Service Area \$71,153.00 | Bear Creek Fire Service Area \$6,091.00 | Western Emergency Service Area \$27,086.00 | Central Emergency Services \$146,216.00 | Kachemak Emergency Service Area \$18,996.00 | North Peninsula Recreation Service Area \$17,350.00 | Road Service Area

\$18,510.00 | School Maintenance \$108,813.00 | Land Trust \$12,485.00 | Seward Bear Creek Flood Service Area \$4,013.00 | 911 Emergency Communications \$48,047.00 | Solid Waste \$43,446.00 | Risk Management \$11,262.19 | Fund \$771,643.19” and

Section 2 was amended to read, "That \$771,643.19 is appropriated to the following accounts:

100-11110-00000-40221 \$ 97.00 | 100-11120-00000-40221 \$7,074.00
100-11130-00000-40221 \$1.00 | 100-11140-00000-40221 \$3,954.00 |
100-11210-00000-40221 \$9,018.00 | 100-11227-00000-40221 \$21,899.00 |
100-11230-00000-40221 \$10,082.00 | 100-11231-00000-40221 \$30,764.00 |
100-11232-00000-40221 \$6,495.00 | 100-11233-00000-40221 \$2,438.00 |
100-11235-00000-40221 \$2,044.00 | 100-11250-00000-40221 \$9,773.00 |
100-11310-00000-40221 \$15,071.00 | 100-11410-00000-40221 \$9,265.00 |
100-11430-00000-40221 \$17,820.00 | 100-11440-00000-40221 \$11,533.00 |
100-11441-00000-40221 \$7,783.00 | 100-11510-00000-40221 \$20,556.00 |
100-11520-00000-40221 \$25,555.00 | 100-21110-00000-40221 \$17,578.00 |
100-21135-00000-40221 \$9,375.00 | 206-51110-00000-40221 \$71,153.00 |
207-51210-00000-40221 \$6,091.00 | 209-51410-00000-40221 \$27,086.00 |
211-51610-00000-40221 \$146,216.00 | 212-51810-00000-40221 \$18,996.00 |
225-61110-00000-40221 \$17,350.00 | 236-33950-00000-40221 \$18,510.00 |
241-11235-00000-40221 \$2,040.00 | 241-41010-00000-40221 \$106,773.00 |
250-21210-00000-40221 \$12,485.00 | 259-21212-00000-40221 \$4,013.00 |
264-11255-00000-40221 \$48,047.00 | 290-32010-00000-40221 \$11,262.00 |
290-32122-00000-40221 \$24,254.00 | 290-32310-00000-40221 \$7,621.00 |
290-32570-00000-40221 \$309.00 | 700-11234-00000-40221 \$11,262.19 | \$ 771,643.19”

This Budget Ordinance was enacted as amended.

An Ordinance Re-Appropriating Funds to Provide for KPB Public Relations, Tourism Promotion, and Economic Development (Mayor)

This Budget Ordinance was enacted.

An Ordinance Authorizing the Assessor to Accept One Late-Filed Disabled Veteran Disability Documentation Filed After March 31 and Providing an Exception to KPB 5.12.040(B) (Mayor)

This Ordinance was enacted.

An Ordinance Accepting Emergency Response Equipment from the Bear Creek Volunteer Fire & EMS, Inc. ("BCV") on Behalf of Bear Creek Fire Service Area and Reconveying Used Equipment Back to BCV (Mayor)

This Ordinance was enacted.

New Business

A Resolution Authorizing the Mayor to Execute the Fiscal Year 2025 Alaska Land Mobile Radio Communication System Membership Agreements (Mayor)

This Resolution was adopted.

A Resolution Authorizing a Sole Source Award to Phillips Scales for Services and Materials (Mayor)

This Resolution was adopted.

A Resolution 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 Stations (Mayor)

This Resolution was adopted.

A Resolution Declaring the Kenai Peninsula Borough's Official Intent to Reimburse Itself from Proceeds of a Tax-Exempt Financing for Certain Expenditures Made/Or to Be Made in Connection with Capital Improvements to the South Peninsula Hospital and Campus, all Located in the South Kenai Peninsula Hospital Service Area (Mayor)

This Resolution was adopted.

An Ordinance Appropriating Funds from the General Fund for the Kenai Peninsula Borough Municipal Solid Waste Landfill Closure and Postclosure Care and Associated Liability (Mayor)

This Budget Ordinance was introduced and set for public hearing.

An Ordinance Deobligating and Appropriating Program Funds and Approving a Scope of Work Change for the Healthy and Equitable Communities Program Grant to Support the Home Addressing Project (Mayor)

This Budget Ordinance was introduced and set for public hearing.

An Ordinance Accepting and Appropriating Grant Funds in the Amount of \$450,000 from the State of Alaska on behalf of Bear Creek Fire Service Area for asphalt paving and associated site improvements at the Bear Creek Fire Station (Mayor)

This Budget Ordinance was introduced and set for public hearing.

An Ordinance Re-Appropriating Funds to Provide for the Seward-Bear Creek Flood Service Area Contract to Restore the Revetment (Mayor)

This Budget Ordinance was introduced and set for public hearing.

An Ordinance Approving the Use of Funds for the Costs of Distributing Promotional Information about Ballot Proposition No. 1 Seeking Voter Approval for the Issuance of Bonds to Pay for the South Peninsula Hospital and Campus Expansion, Renovation, and Acquisition Projects to Ensure Compliance with Legal Restrictions on the Use of Borough Funds and Assets Related to Ballot Propositions (Mayor) (Shortened Hearing on 08/06/24)

This Ordinance was introduced and set for public hearing.

An Ordinance Authorizing the Assessor to Accept One (1) Late-Filed Senior Citizen Exemption Filed After March 31 and Providing an Exception to KPB 5.12.040 (Mayor)

This Ordinance was introduced and set for public hearing.

An Ordinance Authorizing Retention or Sale of Certain Real Property Conveyed to the Kenai Peninsula Borough Through Tax Foreclosure Proceedings (Mayor)

This Ordinance was introduced and set for public hearing.

An Ordinance Amending KPB 21.18.025 to Address Adoptions and Deletions of Anadromous Waters within the South District of the KPB 21.18 Appendix that have been Identified in the "Atlas and Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fish" Published by the Alaska Department of Fish and Game (Mayor)

This Ordinance was introduced and set for public hearing.

Approving the Proposition Summary to be included in the Voter Pamphlet for Proposition No. 1: South Peninsula Hospital Service Area General Obligation Bonds

approved.

Confirming an Appointment to the Planning Commission (Mayor)

Paul J. Whitney, City of Soldotna Seat, Term Expires 07/31/27

approved.

Confirming the Appointment to Service Area Board (Mayor)

Eastern Peninsula Emergency

Judy Ingersoll, Seat D, Term Expires 10/2026

approved.

Confirming an Appointment to the Advisory Planning Commission (Mayor)

Funny River

Donavan Fritz, Seat A, Term Expires 09/30/26

approved.

WITHDRAWN BY SPONSOR An Ordinance Amending KPB 5.12.060 Regarding Appellants Requesting a Board of Equalization Hearing Date Change and Reconsideration by the Board (Johnson) (Hearing on 09/03/24)

Approval of the Agenda and Consent Agenda

President Johnson called for public comment

Katherine Schake, Kachemak Bay National Estuarine Research Reserve Manager thanked the Assembly for the Commending Resolution.

Alana Greear, provided a brief update regarding the Homer Senior Center and thanked the borough for their continued support.

Derotha Ferrero, South Peninsula Hospital spoke in support of Ordinance 2024-16 and the Proposition Summary for Proposition 2 - South Peninsula Hospital Service Area General Obligation Bonds.

Scott Adams, spoke in opposition to Resolution 2024-16 and Ordinance 2024-16.

There being no one else who wished to speak, the public comment period was closed.

The motion to approve the agenda and consent agenda as amended carried by the following vote:

COMMENDING RESOLUTIONS AND PROCLAMATIONS

Commending the Kachemak Bay National Estuarine Research Reserve's 25th Anniversary (Johnson, Mayor)

[Clerk's Note: President Johnson presented the Commending Resolution to Katherine Schake, Manager of Kachemak Bay National Estuarine Research Reserve.]

A Resolution Commending Kristen Faulkner for Winning an Olympic Gold Medal in Cycling (Johnson, Mayor)

[Clerk's Note: Mayor Micciche read the Commending Resolution.]

PRESENTATIONS WITH PRIOR NOTICE

1. South Peninsula Hospital Quarterly Report, Ryan Smith CEO
2. Kachemak Bay Recovery Connection, Willy Dunne

[Clerk's Note: A presentation was given by Jaclyn Rainwater and Willy Dunne.]

MAYOR'S REPORT

Mayors Cover Memo

1. Assembly Requests/Responses
2. Agreements and Contracts
 - a. Authorization to Award a Contract for ITB25-002 Brushing Vegetation Control - South Region, Units 3, 4 & 5
 - b. Authorization to Award a Contract for ITB25-003 Brushing Vegetation Control - West Region, Units 2, 6 & 7
 - c. Authorization to Award a Contract for ITB25-004 Brushing Vegetation Control - Central Region, Units 1, 2 & 10
 - d. Authorization to Award a Contract for ITB24-051 Gravel Road Projects - North Region, Unit 2
 - e. Authorization to Award a Contract for ITB24-052 Gravel Road Projects - South Region, Units 5, 7 & 8
 - f. Authorization to Award a Contract for ITB24-053 Gravel Road

Projects - West Region, Units 1 & 2

- g.** Authorization to Award a Contract for ITB24-054 Gravel Road Projects - Central Region, Unit 4
- h.** Authorization to Award a Contract ITB24-055 CES Fire Station #1 Construction
- i.** Authorization to Award a Contract ITB24-058 Seclusion Street and Robin, Lourdes & Roberts Avenues West Capital Improvement Project
- j.** Authorization to Award a Contract ITB24-061 Goodrich Street and Center Avenue Capital Improvement Project
- k.** Authorization to Award a Contract ITB25-001 Brushing Vegetation Control - N1, 2 & 3

3. Other

- a.** Budget Revisions – June 2024
- b.** Revenue-Expenditure Report – June 2024
- c.** Litigation Status Report – Quarter Ending 6/30/24
- d.** Tax Adjustment Request Approval
- e.** FY24-4Q Grant Reports

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

President Johnson called for public comment.

Alex Koplín, Homer addressed the Assembly regarding funding education, borough and city elections. He thanked Mr. Tupper and Ms. Cooper for their service on the Assembly.

Therese Lewendowski, Homer addressed the Assembly regarding senior exemptions and the voter pamphlet.

Milli Martin, Homer thanked Mr. Tupper for his service as well as the entire Assembly.

Paul Seaton, Homer addressed the Assembly regarding the opioid problem and encouraged everyone to have an advance directive.

Scott Adams, Homer spoke in opposition to Resolution 2024-036, Ordinance 2024-16 and senior exemptions.

There being no one else who wished to speak, the public comment period was closed.

ITEMS NOT COMPLETED FROM PRIOR AGENDA

PUBLIC HEARINGS ON ORDINANCES

An Ordinance Amending KPB 2.56.007 to Incorporate the Funny River Community Plan as an Element of the 2019 Kenai Peninsula Borough Comprehensive Plan for that Portion of the Borough (Mayor)

Ecklund moved to enact Ordinance 2024-20.

President Johnson called for public comment.

The following people spoke in support of Ordinance 2024-20:

Glenda Radvansky, Funny River

Jim Harpring, Funny River

There being no one else who wished to speak, the public comment period was closed.

The motion to enact Ordinance 2024-20 carried by the following vote:

UNFINISHED BUSINESS

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

President Johnson called for public comment with none being offered.

ASSEMBLY COMMENTS

Assembly Member Hibbert thanked Homer for their hospitality and for both presentations.

Assembly Member Tunseth echoed his thanks to the City of Homer and the Council Members. He reminded everyone to be cautious on the roads as school starts on August 21. He provided an update of the last school board meeting. Mr. Tunseth stated he attending the last Oilers' game of the season where the King of the River Food Drive was also held that had over 50,000 pounds of food donated and the City of Kenai was the winner. He wished his wife a happy birthday.

Assembly Member Ribben thanked the City of Homer as well and stated he looked forward to camping on the beach. He stated the service area was a powerful tool for communities that desire to have specific services in their area. Mr. Ribbens also discussed capital improvements such as those proposed at South Peninsula Hospital, stating that it would pay dividends for decades to come.

Vice President Cox thanked the City of Homer for hosting the Assembly. He reminded everyone of school starting as well, and to please watch out for kids. He reminded everyone that soon, school representatives would be presenting to the Assembly.

Assembly Member Tupper thanked the City of Homer for hosting the Assembly, as well as the Assembly and Administration for traveling to Homer.

Assembly Member Cooper thanked the City of Homer for hosting the Assembly. She thanked Guy Rosi, Kachemak City Council Member for attending the meeting. She congratulated Melissa Jacobson for her promotion to Homer City Manager. Ms. Cooper also thanked Franco Venuti for his service on the Homer Planning Commission and the borough Planning Commission.

Assembly Member Ecklund thanked the City of Homer for setting a fine example for hosting the Assembly. She stated she was hoping the meetings with all the borough cities, councils and mayors could begin again. Ms. Ecklund reminded everyone to be careful on the roads when school starts and remember that sports start before the first day of school. She asked everyone to sign up to be a substitute teacher.

Assembly Member Elam appreciated the warm hosting of the City of Homer. He stated he attending the Central Emergency Services ground breaking ceremony. He thanked the Funny River Advisory Planning Commission for all their hard work. Mr. Elam stated he attended his son's soccer games and it was great to see the community involvement in those events. He wished is son, James happy birthday.

President Johnson appreciated having dinner with Homer City Council Members and the Mayor. He shared that Homer formed a Public Utility District, which funded the building the hospital. He thanked Brian and Lisa Gabriel for their ingenuity in seine fishing and stated they were taking that idea to the Board of Fish.

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

- 1. September 3, 2024
- 6:00 PM
- Regular Assembly Meeting
- Betty J. Glick Assembly Chambers
- Borough Administration Building
- Remote participation available through Zoom
- Meeting ID: 895 1103 3332 Passcode: 193069

ADJOURNMENT

With no further business to come before the assembly, President Johnson adjourned the meeting at 8:15 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of August 6, 2024.

Michele Turner, CMC, Borough Clerk

Approved by the Assembly: _____