



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Assembly

Brent Johnson, President
Brent Hibbert, Vice President
Jesse Bjorkman
Lane Chesley
Tyson Cox
Richard Derkevorkian
Cindy Ecklund
Bill Elam
Mike Tupper

Tuesday, January 18, 2022

6:00 PM

Betty J. Glick Assembly Chambers

Zoom Meeting ID: 884 7373 9641 Passcode: 671108

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 Iris Fontana.]

ROLL CALL

COMMITTEE REPORTS

APPROVAL OF AGENDA AND CONSENT AGENDA

(All 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.)*

ACTION ITEMS CURRENTLY ON CONSENT AGENDA:

KPB 3821 - January 4, 2022 Regular Meeting Minutes
Resolution 2022-006 – Capital Project Priorities
Resolution 2022-007 - ADEC Proposed changes to Oil Spill Prevention
Ordinance 2021-19-34 – \$86,408.54 Fisheries Business Tax Pass-through
Ordinance 2021-19-35 – CPGH Hot Lab Upgrade
KPB 3873 – Advisory Planning Commission Appointments

ACTION ITEMS ELIGIBLE TO BE ADDED TO THE CONSENT AGENDA:

Ordinance 2021-19-33 –Nikiski Senior Due Diligence Audit
Ordinance 2022-01 – Communication Tower Nikiski FS#1

APPROVAL OF MINUTES

[KPB-3872](#) January 4, 2022 Regular Assembly Meeting Minutes

Attachments: [January 4, 2022 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS**PRESENTATIONS WITH PRIOR NOTICE**

(20 minutes total)

1. [KPB-3874](#) Kenai Peninsula Borough School District Quarterly Report, Clayton Holland, Superintendent of Schools (10 Minutes)

Attachments: [Quarterly Update to KPB Assembly](#)

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)

Ordinances referred to Finance Committee

[2021-19-33](#) An Ordinance Appropriating Additional Funds to Support Results of the Nikiski Senior Service Area FY2020 and FY2021 Due Diligence Audit or Review Cost Proposal (Mayor)

Attachments: [Ordinance 2021-19-33](#)
[Memo](#)
[Public Comment 011822](#)

[2022-01](#) An Ordinance Authorizing A Communication Tower Agreement with Vertical Bridge S3 Assets, LLC at Nikiski Fire Station 1 (Mayor)

Attachments:

[Ordinance 2022-01](#)

[Memo](#)

[Advisory Board Recommendations](#)

[Tower Site Map & Drawings](#)

[Site Agreement](#)

[Reference Copy Ordinance 71-22](#)

Ordinances referred to Policies and Procedures Committee

[2021-41](#) An Ordinance 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]

(Elam, Derkevorkian) Substitute: An Ordinance 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]

Attachments:

[Ordinance 2021-41](#)

[Elam Amendment #2 \(notice of reconsideration given\)](#)

[Ecklund Tupper Amendment \(amendments pending\)](#)

[Ordinance 2021-41 \(Elam, Derkevorkian\) Substitute](#)

[Memo](#)

[Material Site Work Group Timeline](#)

[Legal Memo re Assembly Questions](#)

[Public Comments 020122](#)

[Public Comments 020122](#)

[Public Comment 011822](#)

[Reference Copy Ordinance 2006-01 SUB](#)

[Reference Copy Resolution 2018-004 SUB](#)

[Reference Copy Resolution 2018-025](#)

[Elam Amendment #1 \(dealt with on 011822\)](#)

UNFINISHED BUSINESS

Resolutions referred to Legislative Committee

[2022-004](#) A Resolution Supporting the Constitutional Right of Alaska Grand Juries to Investigate and Make Recommendations on Public Welfare and Safety Concerns (Bjorkman, Elam) (Hearing on 01/18/22)

[Clerk's Note: The sponsors of Resolution 2022-004 requested introduction at the 01/04/22 meeting and public hearing at the 01/18/22 meeting.]

Attachments: [Resolution 2022-004](#)
[Legal Memo to Assembly](#)
[Link to SB15](#)
[Public Comments 011822](#)
[eComment](#)
[Memo](#)
[Public Comments](#)

NEW BUSINESS

1. Resolutions

Resolutions referred to Finance Committee

[2022-006](#) A Resolution Establishing Kenai Peninsula Borough 2021 State Capital Project Priorities in Response to the Infrastructure Investment and Jobs Act (Mayor)

Attachments: [Resolution 2022-006](#)
[Memo](#)
[CAPSIS Entries](#)
[Infrastructure Projects Request](#)

Resolutions referred to Legislative Committee

[2022-007](#) A Resolution Providing Input to the Alaska Department of Environmental Conservation on Proposed Changes to Regulations on Oil Discharge Prevention and Contingency Plans (Johnson, Chesley)

Attachments: [Resolution 2022-007](#)
[Memo](#)
[Reference Copy Resolution 2020-015](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

[2021-19-34](#) An Ordinance Accepting and Appropriating Fisheries Business Tax Funds Received from the State of Alaska under the Federal Pass-Through Program, American Rescue Plan Act of 2021 in the Amount of \$86,408.54 for the Purpose of Supplementing the Radio

Consultant Project to Address Public Safety Communications (Mayor)

Attachments: [Ordinance 2021-19-34](#)
[Memo](#)
[Advisory Board Recommendations](#)
[Email Award Notification](#)
[ARPA Copy of Radio Maint Allocation 010322](#)

[2021-19-35](#) An Ordinance Appropriating Funding from the Central Peninsula Hospital Plant Replacement and Expansion Fund for the Central Peninsula Hospital Hot Lab Upgrade to ISO Cleanroom Project (Mayor)

Attachments: [Ordinance 2021-19-35](#)
[Memo](#)
[Advisory Board Recommendations](#)
[Reference Copy Ordinance 2021-19-04](#)

3. Other

Other Items referred to Policies and Procedures Committee

[KPB-3873](#) Confirming Appointments to the Advisory Planning Commissions (Mayor)

Funny River Advisory Planning Commission
 Jerry Herring, Seat C, Term Expires 09/30/24

Hope/Sunrise Advisory Planning Commission
 Flip Foldager, Seat A, Term Expires 09/30/24
 Richard "Levi" Hogan, Seat B, Term Expires 09/30/24

Attachments: [Appointments](#)

MAYOR'S REPORT

[KPB-3867](#) Mayor's Report - Cover Memo

Attachments: [Cover Memo](#)

1. Assembly Requests/Responses

2. Agreements and Contracts

- a. [KPB-3868](#) Authorization to Award a Contract for ITB22-025 Central Peninsula Hospital Sterile Radio Pharmaceuticals Processing Room to Blazy

Construction, Inc.

Attachments: [Authorization to Award ITB22-025](#)

- b. [KPB-3869](#) Authorization to Award a Contract for RFP22-010 Homer High School Roof Phase 2 Professional Design Services to K+A Designstudios, Kenai, AK.

Attachments: [Authorization to Award RFP22-010](#)

3. Other

- a. [KPB-3870](#) Tax Adjustment Request Approval

Attachments: [Tax Adjustment Request Approval](#)

- b. [KPB-3871](#) Litigation Status Report - Quarter Ending 12/31/21

Attachments: [Litigation Status Report - Quarter Ending 123121](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY COMMENTS

PENDING LEGISLATION

(This item lists legislation which will be addressed at a later date as noted.)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. February 1, 2022 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 kpb.us: "Meeting and Public Notices" "Current Assembly Agenda".

Copies of the agenda and ordinances to be considered can be viewed on the website referenced above or at the Public Bulletin Board located on the window right of the double doors in the back of the Borough Administration Building. 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 summaries, ordinances and resolutions.