



# Assembly Action Agenda

August 9, 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 Dennis Linnell.]*

## 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. July 5, 2022 Regular Assembly Meeting Minutes

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

## PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

1. Central Peninsula Hospital Quarterly Report (10 Minutes)
2. South 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. **AS AMENDED** Ordinance 2021-19-50: Accepting and Appropriating the Opioid Settlement Funds and Establishing the Opioid Settlement Fund Grant Program (Mayor) (Referred to Finance Committee)
- \*2. Ordinance 2022-19-05: Appropriating \$20,000 from the General Fund to Cover Unexpected Election Expenses (Johnson) (Referred to Finance Committee)
- \*3. Ordinance 2022-19-06: Changing the Print Shop Administrative Assistant/Multidisciplinary Position from a Part-Time Position to a Full-Time Position and Appropriating Necessary Funds for the Position (Mayor) (Referred to Finance Committee)
- \*4. Ordinance 2022-29: Authorizing the Assessor to Accept One Late-Filed Senior Citizen Exemption Application Filed After March 31 and Two Late-Filed Disabled Veteran Applications and Providing an Exception to KPB 5.12.040(B) (Mayor, Tupper) (Referred to Finance Committee)
5. **ENACTED** Ordinance 2022-25: Amending KPB Chapter 21.50 Relating to Stop-Work Orders and Fine Amounts in Stipulated Agreements (Mayor) (Referred to Lands Committee) **[9 Yes, 0 No, 0 Absent]**
6. **ENACTED** Ordinance 2022-26: Amending KPB Chapters 7.20, 7.30 and 21.44 Relating to Marijuana Establishments and Processing Applications for Marijuana Establishments (Mayor) (Referred to Lands Committee) **[9 Yes, 0 No, 0 Absent]**
7. **ENACTED** Ordinance 2022-27: Amending KPB 21.25 to Add Definition of "Aggrieved Party" and Amending KPB 21.29 to Remove the Term "Impartial", to Clarify the Well-Monitoring Timeline, to Define "Quarterly", and to Add a "Definitions" Section (Mayor) (Referred to Lands Committee) **[7 Yes, 2 No, 0 Absent]**

8. **ENACTED** Ordinance 2022-30: Approving Stephenie Alaska Sub Block 8 Residential Waterfront (R-W) Local Option Zoning District and Amending KPB 21.46.110 (Mayor) (Referred to Lands Committee) **[8 Yes, 1 No, 0 Absent]**
9. **ENACTED** Ordinance 2022-28: Providing for Necessary Code Updates Relating to Declaration of Disaster Emergency and the Administration and Scope of the Borough's Emergency Powers and Duties (Mayor) (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**

## UNFINISHED BUSINESS

## NEW BUSINESS

1. Resolutions
  - \*a. Resolution 2022-045: Authorizing a Standardization Policy with NC Machinery for Solid Waste CAT® Equipment (Mayor) (Referred to Finance Committee)
  - \*b. Resolution 2022-047: 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) (Referred to Finance Committee)
  - \*c. Resolution 2022-048: Authorizing One Full-Time Business Solutions Development Manager Administrative Service Position (Mayor) (Referred to Policies and Procedures Committee)
  - \*d. Resolution 2022-046: Supporting the Alaska LNG Project, Requesting Timely Completion of Federal Review and Permitting Processes, Including a Department of Energy Export License, as Being in the Best Interests of Local, State, and Federal Energy Security and Resiliency (Mayor, Assembly) (Referred to Legislative Committee)

## 2. Ordinances for Introduction

- \*a. Ordinance 2021-19-59: Recording FY2022 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) (Hearing on 08/23/22) (Referred to Finance Committee)
- \*b. Ordinance 2021-19-60: Expanding the Scope of Work for the South Peninsula Hospital's Air Conditioning for Long-Term Care And Rehab Project (Mayor) (Hearing on 08/23/22) (Referred to Finance Committee)
- \*c. Ordinance 2022-19-07: Appropriating up to \$4,565,000 from the Land Trust Fund, Fund Balance to be Transferred to the Land Trust Investment Fund Representing the Fiscal Year 2022 Transfer of Land Sales Revenue to the Land Trust Investment Fund Per KPB 5.20.080(B) (Mayor) (Hearing on 08/23/22) (Referred to Finance Committee)
- \*d. Ordinance 2022-33: Authorizing the Assessor to Accept One Late-Filed Disabled Veteran Exemption and Four Late-Filed Senior Citizen Exemption Applications Filed After March 31 and Providing an Exception to KPB 5.12.040(B) (Mayor) (Hearing on 08/23/22) (Referred to Finance Committee)
- \*e. Ordinance 2022-34: Authorizing the Assessor to Accept One Late-Filed Community Purpose Exemption Application Filed After March 31 and Providing an Exception to KPB 5.12.040(B) (Mayor) (Hearing on 08/23/22) (Referred to Finance Committee)
- \*f. Ordinance 2022-19-08: Authorizing the Acquisition of Real Property Located in Anchor Point, Alaska on Behalf of Western Emergency Services Through an Interfund Loan From the Land Trust Investment Fund, Appropriating Loan Proceeds for the Property Acquisition, and Appropriating Western Emergency Service Area Operating Funds for the Annual Loan Payment to the Land Trust Investment Fund (Mayor) (Hearing on 08/23/22) (Referred to Lands Committee)

- g. **INTRODUCED AND SET FOR PUBLIC HEARING ON 09/06/22**  
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) (Hearings on 09/06/22 and 09/20/22) (Referred to Lands Committee) **[7 Yes, 2 No, 0 Absent]**
- \*h. Ordinance 2022-31: Authorizing the Release of a Commercial Deed Restriction on a Parcel of Land Located in Cooper Landing Originally Conveyed by the Kenai Peninsula Borough (Mayor) (Hearing on 08/23/22) (Referred to Lands Committee)
- \*i. Ordinance 2022-32: Amending Borough Code to Remove Requirements for Newspaper Publication of Delinquent Sales Tax Lists and Public Posting of Certificates of Registration Lists and Providing Instead for Publication of Such Information on the Borough Website (Mayor, Cox, Hibbert) (Hearing on 09/06/22) (Referred to Policies and Procedures Committee)
- \*j. Ordinance 2022-35: Amending KPB 14.31, Special Assessments – Road Improvements, to Adjust Applicable Deadlines Regarding Application and Review of a Road Improvement Assessment District (Mayor) (Hearing on 09/06/22) (Referred to Policies and Procedures Committee)

3. Other

- \*a. KPB-4404 Approval of Proposition Summary to be Included in the Voter Pamphlet for Proposition No. 1: Reapportionment of Assembly and Board of Education Districts (Borough Clerk) (Referred to Policies and Procedures Committee)
- \*b. KPB-4405 Approval of Proposition Summary to be included in the Voter Pamphlet for Proposition No. 2: Educational Capital Improvement General Obligation Bonds (Borough Clerk) (Referred to Policies and Procedures Committee)
- \*c. KPB-4431 Approval of Proposition Summary to be included in the Voter Pamphlet for Proposition No. 3: Central Emergency Service Area Station Bonds and Approval of Project (Borough Clerk) (Referred to Policies and Procedures Committee)

- d. **VETOED ACTION OF THE PLANNING COMMISSION** KPB-4435  
Petition to Vacate Portions of Seismograph Trail and  
Associated Utility Easements within Lot 110 of Plat 84-115  
(Mayor) (Referred to Lands Committee) **[7 Yes, 2 No, 0 Absent]**

*[Clerk's Note: At its regularly scheduled meeting of July 18,  
2022 the Kenai Peninsula Borough Planning Commission  
approved the proposed vacation by unanimous vote.]*

- \*e. KPB-4432 Approving an Amendment to the 2022 Assembly  
Meeting Schedule (Johnson) (Referred to Policies and  
Procedures Committee)
- \*f. KPB-4436 Confirming Appointments to the Emergency Services  
Communications Center Advisory Board (Mayor) (Referred to  
Policies and Procedures Committee)

9-1-1 Dispatch Center - Tammy Goggia-Cockrell

Central Emergency Service Area - Chief Roy Browning;  
Deputy Chief Dan Grimes, Alternate

Nikiski Fire Service Area - Vlad Glushkov

- \*g. KPB-4437 Confirming an Appointment to the Funny River  
Advisory Planning Commission (Mayor) (Referred to Policies  
and Procedures Committee)

Grenda Radvansky      Seat F      Term Expires 9/30/2022

- \*h. KPB-4438 Confirming an Appoinment to the Road Service Area  
Board (Mayor) (Referred to Policies and Procedures  
Committee)

M. Kathryn Thomas    West Region      Term Expires 9/30/2023

## **MAYOR'S REPORT**

1.    Assembly Requests/Responses

2. Agreements and Contracts
  - a. Authorization to Award a Contract for ITB22-055 Homer High School Roof Phase 2 Partial Roof Replacement
  - b. Authorization to Award a Contract for ITB22-053 CPL Leachate Infrastructure Improvements Phase 1
  - c. Authorization to Award a Contract for ITB22-046 Summer & Winter Road Maintenance – North Region Unit 1
  - d. Authorization to Award a Contract for ITB22-056 Summer & Winter Road Maintenance – Central Region Unit 5
3. Other
  - a. Transfer Remaining Road Funds to Current Projects
  - b. Tax Adjustment Request Approval
  - c. Investment Report – Quarter Ended 06/30/22
  - d. Litigation Status Report – Quarter Ended 06/30/22
  - e. Revenue-Expenditure Report – June 2022
  - f. Budget Revisions – June 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 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

### ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. August 23, 2022  
Time TBD  
Assembly Material Site Subcommittee Meeting  
Betty J. Glick Assembly Chambers  
Borough Administration Building  
Remote participation available through Zoom  
Meeting ID: 884 7373 9641 Passcode: 671108
2. August 23, 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.*