



Assembly Action Agenda

July 5, 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 David Carey.]

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. June 21, 2022 Regular Assembly Meeting Minutes
..... **LAYDOWN**

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

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 2022-19-01: Appropriating \$300,000 from the General Fund to Establish Temporary Firewise Slash Disposal Sites (Mayor) (Referred to Finance Committee)
- *2. Ordinance 2022-19-03: Appropriating Road Service Area Capital Project Funds from Previously-Appropriated Projects to the FY2021 Borough Road Improvement Project to Fund the Mansfield Avenue, Ferrin Road and Old Exit Glacier, Fish Passage Projects (Mayor) (Referred to Finance Committee)
- *3. **AS AMENDED** Ordinance 2022-19-04: Approving the Purchase of the Surgery Center of Kenai and Appropriating \$9,770,000 from the Central Peninsula Hospital Plant Replacement and Expansion Fund to Support the Purchase (Mayor) (Referred to Finance Committee)
- *4. Ordinance 2022-24: Providing for the Submission to the Qualified Voters of the Central Emergency Service Area in the Kenai Peninsula Borough at the Regular Election on October 4, 2022, the Question of the Issuance of Not-To-Exceed Sixteen Million Five Hundred Thousand Dollars (\$16,500,000) of General Obligation Bonds of the Central Emergency Service Area to Pay the Cost of Replacing Central Emergency Services Fire Station #1 in and for the Service Area (Mayor) (Referred to Finance Committee)
- *5. **AS AMENDED** Ordinance 2022-19-02: Appropriating Funds for the Costs of Distributing Information about the Ballot Proposition Seeking Voter Approval for the Issuance of Bonds to Pay for the Central Emergency Service Area Fire Station #1 Project to Ensure Compliance with Legal Restrictions on the Use of Borough Funds and Assets Related to Ballot Propositions (Mayor) (Referred to Finance Committee)
6. **WITHDRAWN BY SPONSOR** Ordinance 2022-23: Amending KPB 5.18.200 and KPB 5.18.430 Relating to Borough Sales Tax to Provide an Exemption for Residential Rentals in Excess Of 30 Consecutive Days and to Increase the Maximum Amount of a Sale Subject to Borough Sales Tax To \$1,000, Subject to Voter Approval (Johnson, Hibbert, Chesley) (Referred to Policies and Procedures Committee)

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

- *a. Resolution 2022-042: Approving a Modification to the Spending Plan for the Remaining Balance of \$100,000 from the State of Alaska for the Healthy and Equitable Communities Program, a Federal Pass-Thru Award Under the Centers for Disease Control and Prevention (Mayor) (Referred to Finance Committee)
- *b. Resolution 2022-043: Approving an Increase to the Limitation on the Total Cumulative Annual Cost of Real Property Leases in Which CPGH, Inc. is the Sole Lessee (Mayor) (Referred to Finance Committee)
- *c. Resolution 2022-044: Authorizing the Mayor to Execute an Agreement with the City of Soldotna for Services Provided by the Borough through the Soldotna Public Safety Communications Center (Mayor) (Referred to Policies and Procedures Committee)

2. Ordinances for Introduction

- *a. Ordinance 2022-19-05: Appropriating \$20,000 from the General Fund to Cover Unexpected Election Expenses (Johnson) (Hearing on 08/09/22) (Referred to Finance Committee)

[Clerk's Note: Elam was recused as he acts as an election official.]

- *b. 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) (Hearing on 08/09/22) (Referred to Finance Committee)

- *c. 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) (Hearing on 08/09/22) (Referred to Finance Committee)
- *d. Ordinance 2022-25: Amending KPB Chapter 21.50 Relating to Stop-Work Orders and Fine Amounts in Stipulated Agreements (Mayor) (Hearing on 08/09/22) (Referred to Lands Committee)
- *e. Ordinance 2022-26: Amending KPB Chapters 7.20, 7.30 and 21.44 Relating to Marijuana Establishments and Processing Applications for Marijuana Establishments (Mayor) (Hearing on 08/09/22) (Referred to Lands Committee)
- *f. 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) (Hearing on 08/09/22) (Referred to Lands Committee)
- *g. Ordinance 2022-30: Approving Stephenie Alaska Sub Block 8 Residential Waterfront (R-W) Local Option Zoning District and Amending KPB 21.46.110 (Mayor) (Hearing on 08/09/22) (Referred to Lands Committee)
- *h. 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) (Hearing on 08/09/22) (Referred to Policies and Procedures Committee)

3. Other

- *a. Approving the Issuance of a Letter of Non-Objection for the Transfer of Ownership and Location of a Liquor License No. 976 Filed by Three Bears Alaska dba Bears Den Liquor (Referred to Finance Committee)
- *b. Petition to Vacate Section Line Easements Associated with Tracts A, B, & C of Quartz Creek Subdivision Plat No. SW 94-11; KPB File 2022-060V (Mayor) (Referred to Lands Committee)

[Clerk's Note: At its regularly scheduled meeting of June 13, 2022 the Kenai Peninsula Borough Planning Commission approved the proposed vacation by unanimous vote.]

- *c. Petition to Vacate a Portion of Hanks Mill Road (formerly Old Sterling Highway), Happy Valley KPB 2022-077V (Mayor) (Referred to Lands Committee)

[Clerk's Note: At its regularly scheduled meeting of June 27, 2022 the Kenai Peninsula Borough Planning Commission approved the proposed vacation by unanimous vote.]

- *d. Confirming Appointments to the KPB Planning Commission (Mayor) (Referred to Policies and Procedures Committee)

<u>Appointment</u>	<u>Board Seat</u>	<u>Term Expires</u>
Diane Fikes	City of Kenai	July 31, 2025
Franco Venuti	City of Homer	July 31, 2025

- *e. Confirming an Appointment to the Nikiski Senior Service Area Board (Mayor) (Referred to Policies and Procedures Committee)

<u>Appointment</u>	<u>Board Seat</u>	<u>Term Expires</u>
Hala Alam	D	October 2023

MAYOR'S REPORT

1. Assembly Requests/Responses – None
2. Agreements and Contracts
 - a. Authorization to Award a Contract for RFP22-017 South Bend RIAD Engineering Design to McLane Consulting, Inc., Soldotna, AK.
 - b. Authorization to Award a Contract for RFP22-022 Ready, Set, Go! Preparedness Campaign to FEA (Facility Engineering Associates, PC) Lakewood, Colorado.

- c. Authorization to Award a Contract for RFP22-024 Hazardous Waste Collection Program to US Ecology Alaska, LLC, Kenai, AK.
 - d. Authorization to Award a Contract for RFP22-023 Volunteer Firefighter Campaign to Agnew::Beck Consulting, Anchorage, AK.
3. Other
- a. Tax Adjustment Request Approval

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 2021-19-50: Accepting and Appropriating the Opioid Settlement Funds and Establishing the Opioid Settlement Fund Grant Program (Mayor) (Hearing on 08/09/22) (Referred to Finance Committee)
 - 2. 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 9, 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: "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 for copies of the agenda, meeting minutes, ordinances and resolutions.