



# Assembly Action Agenda

January 17, 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

Peter Ribbens  
Assembly Member  
Seat 3 - Nikiski  
Seated until 10/2023

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

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 Keith Hamilton.]*

## ROLL CALL

## COMMITTEE REPORTS

## VACANCY, DESIGNATION OR SEATING MEMBERS

1. **PETER RIBBENS** KPB 4851: Appointment of Assembly Member for District 3 – Nikiski **[5 Yes, 3 No, 0 Absent]**
2. Swearing in of Newly Appointed Assembly Member

## 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 4853: January 3, 2023 Regular Assembly Meeting Minutes

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

- \*1. KPB 4863: A Resolution in Memoriam Commending the Contributions of Betty J. Glick (Mayor, Johnson)

## PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

- 1. KPB 4854: Kenai Peninsula Borough School District 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. Ordinance 2022-19-39: Deobligating and Appropriating Solid Waste Capital Project Funds Previously Appropriated for the Construction of the Funny River Transfer Site to Overhead Door Replacement at Central Peninsula Landfill (Mayor) (Referred to Finance Committee)
- 2. **ENACTED AS AMENDED** Ordinance 2022-44: Amending KPB 4.10.060 and 4.10.110 to Eliminate the Requirement that the Information Election Brochure be Mailed to Every Borough Boxholder and to Eliminate the Requirement of the Borough Clerk to Seek Authorship Advocating Approval and Rejection of Ballot Propositions (Johnson, Cox) (Referred to Policies and Procedures Committee) **[7 Yes, 2 No, 0 Absent]**
- 3. **ENACTED** Ordinance 2022-45: Amending KPB 4.60.030 Relating to Ballot Tabulator Testing Before a Run-Off Election (Johnson, Cox) (Referred to Policies and Procedures Committee) **[7 Yes, 2 No, 0 Absent]**
- 4. **ENACTED** Ordinance 2022-47: Amending KPB 5.04.095(B) to Remove the River Center as a Listed General Fund Department and KPB 5.20.030 to Remove the River Center Fund from the Special Revenue Fund List (Mayor) (Referred to Policies and Procedures Committee) **[9 Yes, 0 No, 0 Absent]**

## UNFINISHED BUSINESS

## NEW BUSINESS

### 1. Resolutions

- \*a. Resolution 2023-007: Providing a 30-Day Application Period Prior to Inactivating the Kachemak Bay Advisory Planning Commission (Mayor) (Referred to Policies and Procedures Committee)
- \*b. Resolution 2023-008: Establishing the Federal Congressional Priorities List for the Kenai Peninsula Borough for Fiscal Year 2024 (Mayor) (Referred to Legislative Committee)

### 2. Ordinances for Introduction

- \*a. Ordinance 2023-02: Amending Borough Code, KPB 22.30.010, Relating to Composition of Assembly Districts to Revise Assembly and School Board District Boundaries (Johnson, Cox) (Hearing on 02/21/23) (Referred to Policies and Procedures Committee)
- \*b. Ordinance 2023-03: Amending KPB 22.30 and KPB 22.40 Regarding Assembly Committees, Excused Absences and Remote Participation of Assembly Members (Cox, Hibbert, Ecklund) (Hearing on 02/21/23) (Referred to Policies and Procedures Committee)

### 3. Other

- \*a. KPB 4817: Authorizing the Issuance of a Letter of Non-Objection of the Issuance of a New Liquor License and Approve the Restaurant Designation Permit as Requested By George Bowen dba Big Daddy's Pizza, License No. 6103 (Referred to Finance Committee)
- \*b. KPB 4867: Authorizing the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Limited Marijuana Cultivation Facility, Bay Leaf Enterprises LLC, Requested by Dan McClure License No. 31148, Subject to the Standard Conditions as Defined in KPB 7.30.020(C) (Referred to Finance Committee)

- \*c. KPB 4852: Confirming an Appointment to Advisory Planning Commission (Mayor) (Referred to Policies and Procedures Committee)

<u>Anchor Point APC</u>	<u>Seat</u>	<u>Term Expires</u>
Jill Gunnerson	Seat E	09/30/2024

## **MAYOR'S REPORT**

1. Assembly Requests/Responses – None.
2. Agreements and Contracts
  - a. Authorization to Award a Contract for RFP23-007 BAB Roof Replacement
3. Other
  - a. Withdrawal from FEMA's Voluntary Floodplain Community Rating System Program
  - b. Soldotna Public Safety Communication Center: Text to 911
  - c. Litigation Status Report – Quarter Ending 12/31/22

## **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 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) (Hearing on 03/14/23) (Referred to Lands Committee)

3. Ordinance 2022-46: Amending KPB 21.02.230 to Modify the Boundaries of the Nikiski Advisory Planning Commission (Johnson, Ecklund, Tupper) (Hearing on 02/07/23) (Referred to Policies and Procedures Committee)
4. Ordinance 2023-01: Amending KPB 2.04.060 to Increase the Mayor's Salary to \$130,000 and to Provide for an Inflation Adjustment Every Three Years (Mayor, Cox) (Hearing on 02/07/23) (Referred to Policies and Procedures Committee)

## **INFORMATIONAL MATERIALS AND REPORTS**

### **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. February 7, 2023  
TBD                      Material Subcommittee Meeting  
                                 Betty J. Glick Assembly Chambers  
                                 Borough Administration Building  
                                 Remote participation available through Zoom  
                                 Meeting ID: 884 7373 9641 Passcode: 671108
2. February 7, 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.*