



Assembly Action Agenda

May 2, 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

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

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

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 Michele Hartline.]

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. KPB-5132: April 18, 2023 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

*1. KPB-5133: Commending Resolution for Team Alaska, 2023 Arctic Winter Games (Mayor)

APPROVAL OF MINUTES

- *1. KPB-5132: April 18, 2023 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

- *1. KPB-5133: Commending Resolution for Team Alaska, 2023 Arctic Winter Games (Mayor)

PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

1. KPB-5134: Central Peninsula Hospital, Inc. Quarterly Report (10 minutes)
2. KPB-5135: South Peninsula Hospital, Inc. 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 2022-19-66: Appropriating \$81,305 from the Kachemak Emergency Service Area Operating Fund for the Replacement of a Self-Contained Breathing Apparatus Air Compressor (Mayor) (Referred to Finance Committee)
- 2. **ENACTED** Ordinance 2023-09: Amending KPB 21.04.020 to Clarify Required Notice to Property Owners Within a Zoning District When There is a Proposal to Change the District Boundary (Mayor) (Referred to Policies and Procedures Committee)
[8 Yes, 0 No, 1 Absent]

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

- *a. Resolution 2023-035: Determining the Amount to be Provided from Local Sources for School Purposes During Fiscal Year 2024 and Approving the Kenai Peninsula Borough School District Total Budget (Mayor) (Referred to Finance Committee)
- *b. Resolution 2023-036: Authorizing the Assessor to Accept Three Late-Filed Disabled Veteran Exemption Applications (Mayor) (Referred to Finance Committee)
- *c. Resolution 2023-037: Supporting a Community Project to Examine and Plan a Multi-Use, Non-Motorized, Pathway in Cooper Landing (Ecklund) (Referred to Legislative Committee)

2. Ordinances for Introduction

- *a. Ordinance 2022-19-67: Appropriating Additional Funds from the North Peninsula Service Area Operating Fund for Upgrades to the Nikiski Pool Boiler System (Mayor) (Hearing on 05/16/23) (Referred to Finance Committee)
- *b. Ordinance 2022-19-68: Accepting \$708,714.62 and Appropriating \$424,979 from the State of Alaska Division of Homeland Security and Emergency Management to Repair Dieckgraeff Road (Mayor) (Hearing on 05/16/23) (Referred to Finance Committee)
- *c. Ordinance 2022-19-69: Appropriating Additional Funds from the General Fund for the Replacement of the Borough Administration Building Roof and Roof Drainage System (Mayor) (Hearing on 05/16/23) (Referred to Finance Committee)
- *d. Ordinance 2022-19-70: Accepting and Appropriating Additional Funds from the State of Alaska in the Amount of \$671,947 for the Healthy and Equitable Communities Program Grant (Mayor) (Hearing on 05/16/23) (Referred to Finance Committee)

- *e. **AS AMENDED** Ordinance 2022-19-71: Appropriating Funds from the South Peninsula Hospital Plant Replacement and Expansion Fund for Upgrades to the Generator Annunciator and Switch Gear at South Peninsula Hospital (Mayor) (Hearing on 05/16/23) (Referred to Finance Committee)
- *f. Ordinance 2023-10: Authorizing the Sale of Substandard-Sized Lots Obtained by the Kenai Peninsula Borough Through Tax Foreclosure and Previously Retained for a Public Purpose (Mayor) (Hearing on 05/16/23) (Referred to Finance Committee)
- *g. Ordinance 2023-19: Appropriating Funds for Fiscal Year 2024 (Mayor) (Hearings on 05/16/23 and 06/06/23) (Referred to Finance Committee)
- *h. Ordinance 2023-11: Amending Borough Code, KPB 2.40.015 and KPB 2.40.030, to Reduce the Number of Seats on The Planning Commission and Provide for an Orderly Process for the Seat Reduction (Elam, Hibbert) (Hearing on 06/06/23) (Referred to Policies and Procedures Committee)

3. Other

- *a. KPB-5138: Petition to Vacate a Right-of-Way Approximately 425' of the Northern Portion of Waterman Road as Dedicated by Skipper's View, Plat HM 81-32; KPB File 2023-026V (Referred to Lands Committee)

[Clerk's Note: At its regularly scheduled meeting of the Kenai Peninsula Borough Planning Commission on April 10, 2023 the proposed vacation was approved by unanimous consent.]

- *b. KPB-5136: Amending the 2023 Assembly Meeting Schedule (Johnson) (Referred to Policies and Procedures Committee)
- *c. KPB-5137: Confirming an Appointment to Bear Creek Fire Service Area Board (Mayor) (Referred to Policies and Procedures Committee)

Connie M. Bacon Seat A Term Expires: October 2025

MAYOR'S REPORT

1. Assembly Requests/Responses – None.
2. Agreements and Contracts
 - a. KPB-5126: Authorization to Award a Contract for ITB23-045 Asphalt Refurbishment – Kenai Central High School
 - b. KPB-5127: Authorization to Award a Contract for ITB23-044 Coil Replacement – Homer High School
3. Other
 - a. KPB-5128: Capital Project Reports – March 2023
 - b. KPB-5129: Litigation Status Report – March 2023

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) *[Postponed to 06/06/23]* (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) *[Postponed to 05/16/23]* (Referred to Policies and Procedures Committee)

INFORMATIONAL MATERIALS AND REPORTS

1. KPB-5131: Cook Inlet Regional Citizens Advisory Council Quarterly Report

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. May 16, 2023
3:00 PM Material Subcommittee Meeting
Betty J. Glick Assembly Chambers
Borough Administration Building
Remote participation available through Zoom
Meeting ID: 884 7373 9641 Passcode: 671108
2. May 15, 2023
9:00 AM Budget Work Session #3
Betty J. Glick Assembly Chambers
Borough Administration Building
Remote participation available through Zoom
Meeting ID: 884 7373 9641 Passcode: 671108
3. May 16, 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: "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.