



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Assembly

Brent Hibbert, President
Brent Johnson, Vice President
Jesse Bjorkman
Kenn Carpenter
Lane Chesley
Tyson Cox
Richard Derkevorkian
Willy Dunne
Bill Elam

Tuesday, September 21, 2021

6:00 PM

Betty J. Glick Assembly Chambers

Zoom ID: 938 6524 5999 Passcode: 886199

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 will be offered by Barret Fletcher.]

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 3530 - Commending Reso League of Women Voters
Resolution 2021-073: Land Acquisition by Bequethment
Ordinance 2021-19-12: Accepting \$ from Kenai Watershed for Education
Ordinance 2021-19-13: Com Passenger Vessel Tax Pass Through
Ordinance 2021-19-14: Community Assistance Programs \$
Ordinance 2021-19-15: Appropriation for Legal Department
KPB 3522 – Alaska Off Grid Cannabis Co. New Cultivation Facility
KPB 3529 – Approval of Election Workers

ACTION ITEMS ELIGIBLE TO BE ADDED TO THE CONSENT AGENDA:

Ordinance 2021-19-11: Appropriation for Computer Equipment 911 Center
Ordinance 2021-34: Late File Senior Citizen Exemption Application

APPROVAL OF MINUTES

- *1. [KPB-3531](#) September 7, 2021 Regular Assembly Meeting Minutes

Attachments: [September 7, 2021 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS

- *1. [KPB-3530](#) A Commending Resolution Honoring the Central Kenai Peninsula League of Women Voters (Dunne, Cox)

Attachments: [League of Women's Voters](#)

PRESENTATIONS WITH PRIOR NOTICE

(20 minutes total)

1. [KPB-3532](#) Kachemak Bay Research Reserve Community Council, Cowee Walker and Syverine Bentz (10 Minutes)

Attachments: [LAYDOWN Presentation](#)

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

1. [2021-19-11](#) An Ordinance Appropriating Funds to Purchase Capital Computer Equipment for the 911 Soldotna Public Safety Communications Center (Mayor)

Attachments: [Ordinance 2021-19-11](#)
[Memo](#)

2. [2021-34](#) An Ordinance Authorizing the Assessor to Accept One Late -Filed Senior Citizen Exemption Application for 2021 Filed after March 21 and Providing an Exception to KPB 5.12.040(B) (Mayor)

Attachments: [Ordinance 2021-34](#)
[Memo](#)
[Curry Late Filed Senior Exempt](#)

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

Resolutions referred to Lands Committee

- *a. [2021-073](#) A Resolution Authorizing the Acquisition by Bequeathment of 41.75 Acres of Land Located in the Nikiski Area (Mayor)

Attachments: [Resolution 2021-073](#)
[Memo](#)
[LAYDOWN Advisory Board Recommendations](#)
[LAYDOWN Parcel Map](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

- *a. [2021-19-12](#) An Ordinance Approving and Accepting \$4,791.02 from the Kenai Watershed Forum on behalf of the Donald E. Gilman River Center to Support the Adopt-A-Stream K-12 Education and Outreach Program (Mayor) (Hearing on 10/12/21)

Attachments: [Ordinance 2021-19-12](#)
[Memo](#)
[Award Letter](#)

- *b. [2021-19-13](#) An Ordinance Appropriating Commercial Passenger Vessel Tax Proceeds Received from the State of Alaska under the Federal Pass-Through Program, American Rescue Plan Act of 2021 in the Amount of \$612,640 and Allocating \$577,195 to the City of Seward and \$35,445 to the City of Homer (Mayor) (Hearing on 10/12/21)

Attachments: [Ordinance 2021-19-13](#)

[Memo](#)

[City of Seward Letter](#)

[City of Homer Letter](#)

- *c. [2021-19-14](#) An Ordinance Accepting and Appropriating Funding from the State of Alaska in the Amount of \$426,303 for Fiscal Year 2022 and Approving Projects to be Completed for Community Purposes under the State's 2021/2022 Community Assistance Programs (Mayor) (Hearing on 10/12/21)

Attachments: [Ordinance 2021-19-14](#)

[Memo](#)

[DCCED Award Letter](#)

[Reference Copy Resolution 2021-029](#)

[Reference Copy Resolution 2013-022](#)

- *d. [2021-19-15](#) An Ordinance Appropriating \$150,000 to the Legal Department to Cover Costs of Hiring Hearing Officers for Planning Commission Appeals (Mayor) (Hearing on 10/12/21)

Attachments: [Ordinance 2021-19-15](#)

[Memo](#)

[Reference Copy Ordinance 2017-22](#)

- e. [2021-19-16](#) LAYDOWN Appropriating Estimated Insurance Proceeds of \$847,000 for the Cost of the Nanwalek Teacher Housing Replacement Project (Mayor) (Hearing on 10/12/21)

Attachments: [LAYDOWN Ordinance 2021-19-16](#)

[LAYDOWN Memo](#)

3. Other

Other Items referred to Finance Committee

- *a. [KPB-3522](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Marijuana Cultivation Facility, License 27711 filed by Alaska Off Grid Cannabis Co. Subject to the Standard Conditions

[Clerk's Note: Standard Conditions for Commercial Marijuana Facilities are as follows: 1. The marijuana establishment shall conduct their operation consistent with the site plan submitted to the Kenai Peninsula Borough. 2. There shall be no parking in the borough rights-of-way generated by the marijuana establishment. 3. The marijuana establishment shall remain current in all Kenai Peninsula Borough tax obligations consistent with KPB 7.30.020 (A).]

Attachments: [27711 - Complete Application](#)
[27711 - Memo to Assembly](#)
[27711 - Planning Memo to Assembly](#)
[27711 - Acknowledgment Form & Site Development Plan](#)
[27711 - Aerial Maps](#)

Other Items referred to Policies and Procedures Committee

- *b. [KPB-3529](#) Approval of the Precinct Boards, Canvass Board and Absentee Voting Officials for the October 5, 2021 Regular Municipal Election

Attachments: [Approval of Election Workers](#)
[LAYDOWN Additional Election Workers](#)

MAYOR'S REPORT

[KPB-3523](#) Mayor's Report Cover Memo

Attachments: [Mayor's Report Cover Memo](#)

1. Assembly Requests/Responses

2. Agreements and Contracts

- a. [KPB-3524](#) Sole Source Waiver - SouthCentral Construction, Inc.

Attachments: [SouthCentral Sole Source](#)

- b. [KPB-3525](#) Authorization to Award a Contract for ITB22-007 North Road Culverts to D&L Construction Co. Inc., Cooper Landing, Alaska.

Attachments: [Auth to Award ITB22-007](#)

3. Other

- a. [KPB-3526](#) Certification of the 2021 Personal Property Supplemental Assessment Roll
Attachments: [Certification of Supplemental Assessment Roll](#)
- b. [KPB-3527](#) Revenue-Expenditure Report - August 2021
Attachments: [Revenue-Expenditure Report August 2021](#)
- c. [KPB-3528](#) Budget Revisions - August 2021
Attachments: [Budget Revisions August 2021](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**ASSEMBLY COMMENTS****PENDING LEGISLATION**

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

1. [2021-067](#) A Resolution Declaring the Kenai Peninsula Borough to be an Inclusive Community where Citizens are Treated Equally and Empowered with Free Choice (Mayor, Bjorkman, Derkevorkian, Elam) [Tabled as amended on 09/07/21]
Attachments: [Resolution 2021-067](#)
[Memo](#)
[Amendment Memo 090721](#)
[Public Comments](#)
[eComments](#)
2. [2021-35](#) An Ordinance Amending KPB 10.08 to Prohibit Smoking in all Kenai Peninsula Borough Buildings and Vehicles, and Amending KPB 1.24.090 the Minor Offense Penalty Schedule (Johnson) (Hearing on 10/12/21)
Attachments: [Ordinance 2021-35](#)
[Memo](#)
[Reference Copy Ordinance 80-67](#)

INFORMATIONAL MATERIALS AND REPORTS**ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. October 12, 2021 Regular Assembly Meeting
6:00 PM Betty J. Glick Assembly Chambers
Borough Administration Building
Remote participation available through Zoom
Meeting ID: 938 6524 5999 Passcode: 886199

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: 938 6524 5999 Passcode: 886199 and in-person from the Betty J. Glick Assembly Chambers, Borough Administration Building, Soldotna, Alaska. COVID-19 mitigation protocols will be observed. To join the meeting from a computer, visit <https://zoom.us/j/93865245999>. To attend the Zoom meeting by telephone call toll free 1-888-788-0099 or 1-877-853-5247 and enter the Meeting ID: 938 6524 5999 Passcode: 886199. 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.