



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Assembly

*Brent Johnson, President*  
*Brent Hibbert, Vice President*  
*Jesse Bjorkman*  
*Lane Chesley*  
*Tyson Cox*  
*Richard Derkevorkian*  
*Cindy Ecklund*  
*Bill Elam*  
*Mike Tupper*

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Tuesday, November 9, 2021

6:00 PM

Betty J. Glick Assembly Chambers

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**Zoom Meeting ID: 938 6524 5999 Passcode: 886199**

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### 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 George Holly.]

### 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.)*

### APPROVAL OF MINUTES

- \*1. [KPB-3701](#) October 26, 2021 Regular Assembly Meeting Minutes

Attachments: [102621 Regular Assembly Meeting Minutes](#)

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

1. [KPB-3678](#) Mayor's Proclamation Declaring November 2021 as "National Family Caregiver Month"

Attachments: [Mayor's Proclamation](#)

## PRESENTATIONS WITH PRIOR NOTICE

*(20 minutes total)*

1. [KPB-3702](#) Central Area Rural Transit System, Inc. (CARTS) Jennifer Beckman (10 minutes)

Attachments: [CARTS State of Transit 2021](#)

2. [KPB-3703](#) Operational and Organizational Assessment for Asset Management, John Edwards, Facility Engineer Associates (10 minutes)

Attachments: [LAYDOWN KPB Maint Org Assessment Report \(Final 10-22-2021\)](#)  
[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)*

1. [2021-19-24](#) An Ordinance Appropriating Funds from the Western Emergency Service Area Operating Fund for the Purpose of Purchasing Two Pieces of Fire Apparatus (Mayor)

Attachments: [Ordinance 2021-19-24](#)  
[Memo](#)

2. [2021-19-25](#) An Ordinance Appropriating Funds from the General Fund for The Purpose of Paying Costs Associated with Implementing the City of Seldovia Increase in City Sales Tax Rate From 4.5% in the Second and Third Quarter to 6.5%, Voted on by the Qualified Voters of the City of Seldovia (Mayor)

**Attachments:** [Ordinance 2021-19-25](#)  
[Memo](#)  
[Seldovia Ordinance 22-02](#)

3. [2021-19-26](#) An Ordinance Approving and Accepting \$316,015.89 from Southern Region Emergency Medical Service Council, Established by the State of Alaska Office of Emergency Medical Services through the American Rescue Plan Act of 2021 (Mayor)

**Attachments:** [Ordinance 2021-19-26](#)  
[Memo](#)  
[LAYDOWN Advisory Board Recommendations](#)  
[State of Alaska Proposal](#)  
[Nikiski Fire MIH CP Budget Document Final](#)  
[Nikiski Fire Medical Director Support Letter](#)  
[Nikiski Fire Key Indicators](#)  
[Paramedicine Program](#)  
[Contract for Services](#)

4. [2021-19-27](#) An Ordinance Approving and Accepting \$89,997 from the U.S. Department of Agriculture, Natural Resources Conservation Service for the Community Compost & Food Waste Recovery Program and Entering into a Memorandum of Agreement with Bridges Community Resource Center, Inc. to Administer the Project (Mayor)

**Attachments:** [Ordinance 2021-19-27](#)  
[Memo](#)  
[Grant Award](#)  
[Memorandum of Agreement](#)  
[Reference Copy Resolution 2013-022](#)

5. [2021-37](#) An Ordinance Amending KPB 5.10.200(B) to Add a New Subparagraph under Authorized Investments – to Form a General Policy on Derivatives for the Borough’s Land Trust Investment Fund (Mayor)

Attachments: [Ordinance 2021-37](#)  
[Memo](#)

## UNFINISHED BUSINESS

## NEW BUSINESS

### 1.. Resolutions

Resolutions referred to Policies and Procedures Committee

- \*a. [2021-082](#) A Resolution Authorizing the Mayor to Execute a Computer Aided Dispatch Services Agreement with the City of Homer (Mayor)

Attachments: [Resolution 2021-082](#)  
[Memo](#)  
[2021 CAD Agreement \(City of Homer\)](#)

- b. [2021-083](#) LAYDOWN A Resolution Supporting Cook Inlet Aquaculture Association’s Saltonstall-Kennedy Competition Grant Application (Johnson, Chesley)

Attachments: [LAYDOWN Resolution 2021-083](#)  
[LAYDOWN Memo](#)  
[LAYDOWN Vicinity Map](#)

### 2. Ordinances for Introduction

Ordinances for Introduction and referred to the Finance Committee

- \*a. [2021-19-28](#) An Ordinance Allocating and Redirecting U.S. Department of Treasury, Coronavirus State and Local Fiscal Recovery Funds Established by the American Rescue Plan Act of 2021 and Appropriating General Fund Fund Balance to Specific Pay-Go Capital Projects (Mayor) (Hearing on 12/07/21)

Attachments: [Ordinance 2021-19-28](#)  
[Memo](#)  
[Reference Copy O2021-19-08](#)

- \*b.** [2021-19-29](#) An Ordinance Accepting and Appropriating Funding from the State of Alaska in the Amount of \$167,897.40 for the Healthy and Equitable Communities Program, a Federal Pass-Thru Award under the Centers for Disease Control and Prevention (Mayor) (Hearing on 12/07/21)

Attachments: [O2021-19-29](#)  
[LAYDOWN Request to Withdraw](#)  
[Memo](#)  
[Healthy & Equitable Communities MOA](#)  
[KPB Request to DHSS](#)

### 3. Other

Other items referred to Finance Committee

- \*a.** [KPB-3700](#) Approving the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Retail Marijuana Store, License 28917 filed by Back Alley Vapes, 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 KTP 7.30.020 (A). 4. The marijuana establishment shall not conduct any business on, or allow any consumer to access, the retail marijuana store's licensed premises, between the hours of 2:00 a.m. and 8:00 am.]

Attachments: [28917 Complete Application](#)  
[LAYDOWN Memo to Assembly](#)  
[LAYDOWN 28917 Planning Memo to Assembly](#)  
[LAYDOWN 28917 Maps](#)  
[28917 Acknowledgement Form & Site Plan](#)

Other items referred to Policies and Procedures Committee

- \*b.** [KPB-3699](#) Approval of the 2022 Assembly Meeting Schedule (Johnson)

Attachments: [2022 Assembly Meeting Schedule](#)

- \*c. [KPB-3680](#) Confirming Appointments to the Road Service Area Board (Mayor)
- Robert K. Wall, Central Region, Term Expires September 30, 2024  
Cam Schaeffer, South Region, Term Expires September 30, 2024
- Attachments:* [Appointments](#)
- \*d. [KPB-3679](#) Confirming an Appointment to the Anchor Point Advisory Planning Commission (Mayor)
- Maria Bernier, Seat A, Term Expires September 30, 2023
- Attachments:* [Anchor Point APC Appointment](#)
- \*e. [KPB-3681](#) Confirming an Appointment to the Resilience and Security Advisory Commission (Mayor)
- Mark Haller, Central Peninsula, Term Expires September 30, 2024
- Attachments:* [Appointment](#)

## MAYOR'S REPORT

### Mayor's Report Cover Memo

[KPB-3685](#) Mayor's Report Cover Memo

*Attachments:* [Mayor Report Cover Memo 11092021](#)

1. Assembly Requests/Responses - None.
  2. Agreements and Contracts
    - a. [KPB-3686](#) Authorization to Award Contract for ITB22-021 Central Emergency Services Arc Loop Training Pad Expansion to D&L Construction Co., Inc., Cooper Landing, AK

*Attachments:* [Authorization to Award CES Arc Loop Training Pad Expansion](#)
  - b. [KPB-3687](#) Authorization to Award a Contract for ITB22-006 North Road Surfacing to D&L Construction Co., Inc., Cooper Landing, AK

*Attachments:* [Authorization to Award North Road Resurfacing](#)
3. Other

- a. [KPB-3688](#) Capital Project Reports - September 30, 2021  
*Attachments:* [Capital Project Reports September 30 2021](#)
- b. [KPB-3689](#) FY22-1Q Senior Center Grant Reports  
*Attachments:* [FY22-1Q Senior Center Grant Reports](#)
- c. [KPB-3690](#) FY22-1Q Economic Development Grant Reports  
*Attachments:* [FY22-1Q Economic Development Grant Reports](#)

## PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

### ASSEMBLY COMMENTS

### PENDING LEGISLATION

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

1. [2021-38](#) An Ordinance Amending KPB Title 7 Regarding Alcohol and Marijuana Regulations to Require Applicant Compliance with Form Filing Requirements under Alaska Law, Add Three Items Under Applicant Standards for Review, and to Define the Term Applicant (Cox) (Hearing on 12/07/21)  
*Attachments:* [Ordinance 2021-38](#)  
[Memo](#)
2. [2021-40](#) An Ordinance Amending KPB 2.40.015 Regarding Planning Commission Membership and Apportionment (Cox, Chesley) (Hearing on 12/07/21)  
*Attachments:* [Ordinance 2021-40](#)  
[Memo](#)  
[City of Seldovia Letter of Support](#)  
[Reference Copy Ordinance 2016-25 SUB](#)  
[Public Comment 120721](#)

## INFORMATIONAL MATERIALS AND REPORTS

### ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. December 7, 2021 6:00 PM  
Betty J. Glick Assembly Chambers  
Borough Administration Building

Remote participation available through Zoom  
Meeting ID: 938 6524 5999 Passcode: 886199

## **ADJOURNMENT**

*The next meeting of the Kenai Peninsula Borough Assembly will be held on December 7, 2021, at 6:00 P.M. in the Borough Assembly Chambers, Soldotna, Alaska and remote participation available through Zoom. Meeting ID: 938 6524 5999 Passcode: 886199*

*This meeting will be broadcast on KDLL-FM 91.9 (Central Peninsula), KBBI-AM 890 (South Peninsula), K201AO-FM 88.1 (East Peninsula).*

*Copies of agenda items are available at the Borough Clerk's Office in the Meeting Room just prior to the meeting. 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.borough.kenai.ak.us](http://www.borough.kenai.ak.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*