



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

Tuesday, September 20, 2022

6:00 PM

Betty J. Glick Assembly Chambers

Meeting ID: 884 7373 9641 Passcode: 671108

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 Patrick Brosamer.]

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 4598: September 6, 2022 Regular Assembly Meeting Minutes
KPB 4599: September 11, 2022 Special Assembly Meeting Minutes
Resolution 2022-050: ALMR Membership Agreement
Resolution 2022-051: Garrison Ridge Rd and Bridge Upgrades
Ordinance 2022-19-17: Acquisition of 3964 Bartlett Street for SPH
Ordinance 2022-19-18: Emergency Siren Replacement Project
KPB 4580: Confirming Appointment to APC's
KPB 4582: Confirming an Appointment to KESA Board
KPB 4583: Confirming an Appointment to the RSAC

ACTION ITEMS ELIGIBLE TO BE ADDED TO THE CONSENT AGENDA:

Ordinance 2022-19-15 Lowell Point Landslide Funds
Ordinance 2022-19-16 Bear Creek Pumper Truck

APPROVAL OF MINUTES

- *1. [KPB-4598](#) September 6, 2022 Regular Assembly Meeting Minutes
Attachments: [September 6, 2022 Regular Assembly Meeting Minutes](#)
- *2. [KPB-4599](#) September 11, 2022 Special Assembly Meeting Minutes
Attachments: [September 11, 2022 Special Assembly Meeting Minutes](#)

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

(3 minutes per speaker; 20 minutes aggregate)

PUBLIC HEARINGS ON ORDINANCES

(Testimony limited to 3 minutes per speaker)

Ordinances referred to Finance Committee

1. [2022-19-15](#) An Ordinance Accepting Grant Funds from the State of Alaska Division of Homeland Security & Emergency Management and the Federal Emergency Management Agency to Reimburse Costs Associated with Disaster Recovery Efforts Related to the Lowell Point Road Landslide (Mayor)
Attachments: [Ordinance 2022-19-15](#)
[Memo](#)

2. [2022-19-16](#) An Ordinance Appropriating Funds from the Bear Creek Fire Service Area Operating Fund Balance for the Cost of Repairs to A Rescue Pumper (Mayor)

Attachments: [Ordinance 2022-19-16](#)
[Memo](#)
[LAYDOWN Advisory Board Recommendations](#)

3. [2022-40](#) An Ordinance Amending KPB 14.31.130 Relating to Notice of Assessments for Road Improvement Special Assessment Districts to Ensure Code Compatibility with Software Constraints (Mayor)

Attachments: [Ordinance 2022-40](#)
[Memo](#)

Ordinances referred to Policies and Procedures Committee

4. [2022-41](#) An Ordinance Amending KPB Chapter 21.02 to Establish an Advisory Planning Commission in the Nikiski Area (Mayor)

Attachments: [Ordinance 2022-41](#)
[LAYDOWN Amendment Memo](#)
[Memo](#)
[Advisory Board Recommendation](#)
[Proposed Boundary](#)
[Alternative Proposed Boundary](#)
[Statistics](#)
[Letter of Interest](#)
[Petition of Interest](#)

NEW BUSINESS

1. Resolutions

Resolutions referred to Policies and Procedures Committee

- *a. [2022-050](#) A Resolution Authorizing the Mayor to Execute the Fiscal Year 2023 Alaska Land Mobile Radio Communication System Membership Agreements (Mayor)

Attachments: [Resolution 2022-050](#)
[Memo](#)
[Membership Agreement](#)

- *b. [2022-051](#) A Resolution Affirming Support for Garrison Ridge Road and Bridge Upgrades (Johnson, Elam)

Attachments: [Resolution 2022-051](#)
[Memo](#)
[Road Service Area Board Meeting Minutes 5-10-22](#)

- c. [2022-052](#) LAYDOWN A Resolution Authorizing a Sole Source Award for Purchase and Installation of the Stryker Power Load System for an Existing Ambulance and Ambulance in Production

Attachments: [LAYDOWN Resolution 2022-052](#)
[LAYDOWN Memo](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to the Finance Committee

- *a. [2022-19-17](#) An Ordinance Authorizing the Acquisition of Real Property Located at 3964 Bartlett Street, Homer, Alaska on Behalf of the South Peninsula Hospital Service Area, Appropriating \$640,000 from the South Peninsula Hospital Plant Replacement and Expansion Fund for the Purchase, and Authorizing a Third Amendment to the Operating Agreement with South Peninsula Hospital, Inc. (Mayor) (Hearing on 10/11/22)

Attachments: [Ordinance 2022-19-17](#)
[LAYDOWN Withdrawal Memo](#)
[Memo](#)
[SPH Operating Agreement Third Amendment](#)
[Map](#)
[South Peninsula Hospital R22-10](#)
[South Kenai Peninsula Hospital Service Area R22-08](#)
[Appraisal Summary](#)
[Map of Bartlett and Bayview Properties](#)
[Signed Purchase Agreement](#)
[Purchase RPNQ](#)

- *b. [2022-19-18](#) An Ordinance Accepting and Appropriating an Additional \$231,044.38 from the State of Alaska Department of Military and Veteran Affairs, Division of Homeland Security and Emergency Management for the Emergency Siren Warning System Replacement Project (Mayor) (Hearing on 10/11/22)

Attachments: [Ordinance 2022-19-18](#)
[Memo](#)
[Letter of Award](#)

3. Other

Other items referred to Policies and Procedures Committee

- *a. [KPB-4580](#) Confirming Appointments to Advisory Planning Commissions (Mayor)

Cooper Landing APC
Jeanette Cadieux, Seat A, Term Expires 09/30/2025
Chris Degernes, Seat B, Term Expires 09/30/2025

Funny River APC
Glenda Radvansky, Seat F, Term Expires 09/30/2025

Hope/Sunrise APC
G. Johnny Sorenson, Seat C, Term Expires 09/30/2025
Peter Scott Smith, Jr., Seat D, Term Expires 09/30/2025

Attachments: [Advisory Planning Commission Appointments](#)

- *b. [KPB-4582](#) Confirming an Appointment to the Kachemak Emergency Service Area Board (Mayor)

Kachemak Emergency Service Area Board
Ralph Crane, Seat E, Term Expires 10/2022

Attachments: [Kachemak Emergency Service Area Appointment](#)

- *c. [KPB-4583](#) Confirming an Appointment to the Resilience and Security Advisory Commission (Mayor)

Resilience and Security Advisory Commission
Scott Waterman, At-Large Seat, Term Expires 09/30/2025

Attachments: [Resilience and Security Advisory Commission Appointment](#)

- *d. [KPB-4597](#) Approval of the Precinct Boards, Canvass Board and Absentee Voting Officials for the October 4, 2022 Regular Municipal Election (Borough Clerk)

Attachments: [LAYDOWN Memo to Assembly - Election Workers REVISED](#)

MAYOR'S REPORT

Mayor's Report Cover Memo

[KPB-4585](#) Mayor's Report Cover Memo

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

1. Assembly Requests/Responses - None.

2. Agreements and Contracts

a. [KPB-4586](#) River and Sea Marine Snowmachines Sole Source Waiver

Attachments: [River and Sea Marine - Snowmachines Soul Source Waiver](#)

3. Other

a. [KPB-4588](#) Tax Adjustment Request Approval

Attachments: [Tax Adjustment Request Approval](#)

b. [KPB-4587](#) Certification of the 2022 Personal Property Supplemental Assessment Roll

Attachments: [Certification of the 2022 Personal Property Supplemental Assessment Roll](#)

c. [KPB-4589](#) Revenue-Expenditure Report August 2022

Attachments: [Revenue-Expenditure Report August 2022](#)

d. [KPB-4590](#) Budget Revisions August 2022

Attachments: [Budget Revisions August 2022](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY COMMENTS

PENDING LEGISLATION

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

1. [2022-36](#) An Ordinance 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) (Second Hearing on 10/25/22) (Referred to Lands Committee)

Attachments:

[Ordinance 2022-36](#)

[LAYDOWN Derkevorkian Amendments #1- #14](#)

[LAYDOWN Takings Overview presentation](#)

[Sectional Analysis with Potential Amendments - Planning Department](#)

[Memo](#)

[Final Material Site Sectional Analysis](#)

[Material Site Subcommittee Presentation](#)

[080922 Public comment](#)

[082322 Public Comment](#)

[Review Notes by Charley Palmer](#)

[090622 Public Comment](#)

[091222 Public Comment](#)

[Reference Copy R2018-004 SUB](#)

[Reference Copy O2019-30](#)

[Reference Copy O2021-41](#)

[Reference Copy O2021-41 SUB](#)

2. [2021-41](#) An Ordinance Amending KPB 21.29, KPB 21.25, and KPB 21.50.055 Regarding Material Site Permits, Applications, Conditions, and Procedures (Mayor, Johnson) (Referred to Policies and Procedures Committee) [Tabled on 02/01/22]

(Elam, Derkevorkian) Substitute: An Ordinance 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]

Attachments:

[Ordinance 2021-41](#)
[Elam Amendment #2 \(notice of reconsideration given\)](#)
[Ecklund Tupper Amendment \(amendments pending\)](#)
[Ordinance 2021-41 \(Elam, Derkevorkian\) Substitute Memo](#)
[Material Site Work Group Timeline](#)
[Legal Memo re Assembly Questions](#)
[Public Comments 021522](#)
[Public Comments 020122](#)
[Public Comments 020122](#)
[Public Comment 011822](#)
[Reference Copy Ordinance 2006-01 SUB](#)
[Reference Copy Resolution 2018-004 SUB](#)
[Reference Copy Resolution 2018-025](#)
[Elam Amendment #1 \(dealt with on 011822\)](#)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

October 11, 2022 Material Subcommittee Meeting

Time TBD Betty J. Glick Assembly Chambers

Borough Administration Building

Remote participation available through Zoom

Meeting ID: 884 7373 9641 Passcode: 671108

October 11, 2022 Regular Assembly Meeting

6:00 PM 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.