



Assembly Action Agenda

February 15, 2022 - 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 2022

Brent Hibbert
Vice President
Seat 1 – Kalifornsky
Term Expires 2024

Jesse Bjorkman
Assembly Member
Seat 3 - Nikiski
Term Expires 2022

Lane Chesley
Assembly Member
Seat 8 – Homer
Term Expires 2023

Tyson Cox
Assembly Member
Seat 4 - Soldotna
Term Expires 2022

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

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 Greg Madden.]

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. February 1, 2022 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

PRESENTATIONS WITH PRIOR NOTICE (20 Minutes total)

- 1. Central Peninsula Hospital Quarterly Report
(10 minutes)

2. Spruce Bark Beetle Forest Management Project, Dakota Truitt,
Land Management Agent (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. **AS AMENDED** Ordinance 2021-19-36: Appropriating \$78,978.78 to the Special Assessment Fund for the Lookout Drive Utility Special Assessment District (Mayor) (Referred to Finance Committee)
- *2. Ordinance 2022-03: Amending the Effective Date of Ordinance 2021-19-30 Relating to the Staffing for Adequate Fire and Emergency Response Grant (Mayor) (Referred to Finance Committee)

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions
 - *a. Resolution 2022-005: Forming the Lookout Drive Utility Special Assessment District and Proceeding with the Improvement of a Natural Gas Main Line Extension (Mayor) (Referred to Finance Committee)
 - b. **ADOPTED** Resolution 2022-012: Opposing a Statewide Sales Tax (Mayor) (Referred to Legislative Committee) **[5 Yes, 4 No, 0 Absent]**
 - *c. Resolution 2022-013: Requesting that the Alaska State Legislature Amend Alaska Statute 29.40.020 to Change the Planning Commission Apportionment Requirement (Johnson, Hibbert) (Referred to Legislative Committee)
 - *d. Resolution 2022-014: Supporting the City of Homer's Request to the Alaska State Department of Transportation for \$750,000 to Complete the Homer Port and Harbor Expansion General Investigation Study (Chesley, Mayor) (Referred to Legislative Committee)

2. Ordinances for Introduction

- *a. Ordinance 2021-19-37: Appropriating Funding from the Nikiski Fire Service Area Capital Project Fund for the Installation of a Water Treatment System at Nikiski Fire Station #3 (Mayor) (Hearing on 03/01/22) (Referred to Finance Committee)
- *b. Ordinance 2021-19-38: Appropriating Funds from the South Peninsula Hospital Service Area Plant Replacement and Expansion Fund for Capital Repairs for the Property Located at 203 West Pioneer Avenue, Homer, Alaska (Mayor) (Hearing on 03/01/22) (Referred to Finance Committee)

3. Other

- *a. Approving the Issuance of Non-Objection to the Marijuana Control Board Regarding the New Marijuana Retail Store, Worner Bros. License No. 28899, Subject to the Standard Conditions (Referred to Finance Committee)

[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). 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.]

- *b. Petition to Vacate a Portion of Wanda Avenue and Associated Utility Easements, as Granted per Brown's Lake Subdivision (Plat KN76-55) and King Rapids Subdivisions (Plat KN76-176). KPB File 2021-168V. Petitioner(s): Kim M. Hansen of Soldotna, AK. (Referred to Lands Committee)

[Clerk's Note: The Planning Commission approved the referenced petition to vacate at its January 24, 2022 meeting by unanimous consent.]

- *c. Confirmation of Lee Frey as Director of Solid Waste (Referred to the Policies and Procedures Committee)

MAYOR'S REPORT

1. Assembly Requests/Responses
2. Agreements and Contracts
 - a. Cybersecurity Incident Response and Recovery Sole Source waiver to Execute a Contract with GCSIT Under KPB 5.28.290, Emergency Procurement.
 - b. Authorization to Award a Contract for RFP22-014 Siren Warning System Assessment to HQE Systems, Inc., Temecula, California.
 - c. Purchase of Cardiac Monitors/Defibrillators, Under the National Association of State Procurement Officials (NASPO) Contract from Stryker Medical.
 - d. Request for Waiver of Formal Bidding Procedures – Computerized Legal Research Contract for Thomas Reuters.
 - e. Sole Source – Soldotna Elementary School Consolidation Study Revisions to Architects Alaska.
3. Other
 - a. Capital Projects Reports – December 31, 2021

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. Ordinance 2021-41: Amending KPB 21.29, KPB 21.25 and KPB 21.50.055 Regarding Material Site Permits, Applications, Conditions, and Procedures (Mayor, Johnson) *[Tabled on 02/01/22]*

Ordinance 2021-41 (Elam, Derkevorkian) Substitute: 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]

2. Ordinance 2022-02: Enacting KPB 2.40.110 and KPB 2.40.120 Authorizing the Planning Commission to Adopt Bylaws and Defining Quorum (Chesley) (Hearing on 03/01/22) (Referred to Policies and Procedures Committee)

INFORMATIONAL MATERIALS AND REPORTS

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. February 23, 2022 Reapportionment Committee
1:00 PM Betty J. Glick Assembly Chambers
 Borough Administration Building
 Remote participation available through Zoom
 Meeting ID: 830 1392 2779 Passcode: 247558
2. March 1, 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
3. March 1, 2022 Assembly Subcommittee
Time: TBD Ordinance 2021-41 Work Session
RESCHEDULED Betty J. Glick Assembly Chambers
TO 04/05/22 Borough Administration Building
 Remote participation available through Zoom
 Meeting ID: 830 1392 2779 Passcode: 247558

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 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.