



September 3, 2024 - 6:00 PM

Regular Meeting

Betty J. Glick Assembly Chambers
George A. Navarre Kenai Peninsula
Borough Administration Building and Through
Zoom Meeting ID: 895 1103 3332 Passcode: 193069

*Brent Johnson
President
Seat 7 – Central
Term Expires 2025*

*Tyson Cox
Vice President
Seat 4 - Soldotna
Term Expires 2025*

*Kelly Cooper
Assembly Member
Seat 8 – Homer
Term Expires 2026*

*Cindy Ecklund
Assembly Member
Seat 6 – East Peninsula
Term Expires 2024*

*Bill Elam
Assembly Member
Seat 5-Sterling/Funny
River
Term Expires 2026*

*Brent Hibbert
Assembly Member
Seat 1 – Kalifornsky
Term Expires 2024*

*Peter Ribbens
Assembly Member
Seat 3 - Nikiski
Term Expires 2025*

*Ryan Tunseth
Assembly Member
Seat 2 - Kenai
Term Expires 2026*

*Michael Tupper
Assembly Member
Seat 9 - South Peninsula
Term Expires 2024*

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

An invocation that may be offered at the beginning of the assembly meeting shall be a chaplain from borough fire and emergency service areas. No member of the community is required to attend or participate in the invocation.

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-6271](#): August 6, 2024 Regular Assembly Meeting Minutes

COMMENDING RESOLUTIONS AND PROCLAMATIONS

- *1. KPB-6272: A Resolution Commending the Winners of the 34th Caring for the Kenai Competition and Recipients of the 2024 President's Environmental Youth Award (Cox, Mayor)
2. KPB-6291: Mayor's Proclamation Declaring September 2024 as "Hunger Action Month"

PRESENTATIONS WITH PRIOR NOTICE (20 minutes total)

1. **RESCHEDULED TO 09/17/24** KPB-6273: Central Peninsula General Hospital Inc., Quarterly Report, Shaun Keef, CEO (10 Minutes)
2. KPB-6274: Legislative Update with Senator Jesse Bjorkman (10 Minutes)

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

(3 minutes per speaker; 20 minutes aggregate)

MAYOR'S REPORT

1. Assembly Requests/Responses

None
2. Agreements and Contracts
 - a. KPB-6275: Authorization to Award a Contract for ITB25-005 Kenai Safe Egress Spruce Bark Beetle Mitigation
 - b. KPB-6276: Authorization to Award a Contract for ITB25-007 Panoramic Drive Gravel Road Project – Central Region, Unit 2
 - c. KPB-6277: Authorization to Award a Contract for ITB25-010 CES Fire Station #1 Quality Control Testing
 - d. KPB-6278: Authorization to Award a Contract for RFP24-020 Road Improvement Assessment District Projects FY25

3. Other

- a. KPB-6279: Request for Determination by Mayor that an Emergency Is Imminent for Procurement and OEM Contingency Fund Purposes—Seward/Bear Creek Area
- b. KPB-6280: Capital Project Reports – June 30, 2024
- c. KPB-6281: Budget Revisions – July 2024
- d. KPB-6282: Revenue-Expenditure Report – July 2024
- e. KPB-6283: Tax Adjustment Request Approval

ITEMS NOT COMPLETED FROM PRIOR AGENDA

PUBLIC HEARINGS ON ORDINANCES (Testimony limited to 3 minutes per speaker)

- *1. Ordinance 2023-19-56: Appropriating Funds from the General Fund for the Kenai Peninsula Borough Municipal Solid Waste Landfill Closure and Postclosure Care and Associated Liability (Mayor) (Referred to Finance Committee)
- *2. Ordinance 2024-19-03: Deobligating and Appropriating Program Funds and Approving a Scope of Work Change for the Healthy and Equitable Communities Program Grant to Support the Home Addressing Project (Mayor) (Referred to Finance Committee)
- *3. Ordinance 2024-19-04: Accepting and Appropriating Grant Funds in the Amount of \$450,000 from the State of Alaska on Behalf of Bear Creek Fire Service Area for Asphalt Paving and Associated Site Improvements at the Bear Creek Fire Station (Mayor) (Referred to Finance Committee)
- *4. Ordinance 2024-19-05: Re-Appropriating Funds to Provide for the Seward-Bear Creek Flood Service Area Contract to Restore the Revetment (Mayor) (Referred to Finance Committee)
- *5. Ordinance 2024-22: Authorizing the Assessor to Accept One (1) Late-Filed Senior Citizen Exemption Application Filed After March 31 and Providing an Exception to KPB 5.12.040 (Mayor) (Referred to Finance Committee)

- *6. **AS AMENDED** Ordinance 2024-24: Authorizing Retention or Sale of Certain Real Property Conveyed to the Kenai Peninsula Borough Through Tax Foreclosure Proceedings (Mayor) (Referred to Lands Committee)
7. **ENACTED** Ordinance 2024-25: Amending KPB 21.18.025 to Address Adoptions and Deletions of Anadromous Waters within the South District of the KPB 21.18 Appendix that have been Identified in the "Atlas and Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fish" Published by the Alaska Department of Fish and Game (Mayor) (Referred to Lands Committee) **[8 Yes, 0 No, 1 Absent]**

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions
 - a. **ADOPTED AS AMENDED** Resolution 2024-037: Establishing a Tourism Industry Working Group to Evaluate the Balance Between Positive and Negative Tourism-Related Impacts on Kenai Peninsula Borough Costs and Services (Mayor, Cooper) (Referred to Finance Committee) **[8 Yes, 0 No, 1 Absent]**
 - *b. Resolution 2024-038: Approving a 2024 Revised Memorandum of Agreement Between the Kenai Peninsula Borough and the Cities of Homer, Kenai, Seldovia, Seward and Soldotna, for the Purpose of Intergovernmental Administration of Borough and City Elections (Johnson at the Request of the Borough Clerk) (Referred to Policies and Procedures Committee)

- *c. Resolution 2024-039: Adopting Joint Resolution No. 2024-002 of the Assembly of the Kenai Peninsula Borough and the Councils of the Cities of Homer, Kachemak, Kenai, Seward, Seldovia, and Soldotna, Supporting the Kenai Peninsula Economic Development District's Request that the 2026 and 2027 Cook Inlet Finfish Meetings be Held in Soldotna, Alaska, and Rotated Thereafter Among the Three Primary Affected Boroughs (Anchorage, Mat-Su and Kenai Peninsula) to Provide Resource Stakeholders with the Opportunity to be Present at Public Discussions Affecting the Management of their Resources (Mayor) (Referred to Policies and Procedures Committee)

2. Ordinances for Introduction

- *a. Ordinance 2024-19-06: Deobligating Bond Proceeds in the South Kenai Peninsula Hospital Service Area Capital Project Fund and Appropriating the Remaining Bond Proceeds to Fund the Annual Debt Service for South Kenai Peninsula Hospital Service Area General Obligation Bonds (Mayor) (Hearing on 09/17/24) (Referred to Finance Committee)
- *b. Ordinance 2024-19-07: Authorizing the Acquisition of Real Property Located Adjacent to the North Star School Campus in Nikiski Necessary for Future School Use and Appropriating Funds from the Land Trust Fund for the Purchase (Mayor) (Hearing on 09/17/24) (Referred to Finance Committee)
- *c. Ordinance 2024-19-08: Appropriating Funds from the Road Service Area Operating Fund Balance to the Engineer's Estimate Fund to Support RSA Board Approved RIAD Projects in Process and to Prepare the Fund for Proposed Fiscal Year 2025 Projects (Mayor) (Hearing on 09/17/24) (Referred to Finance Committee)
- d. **WITHDRAWN BY SPONSOR** Ordinance 2024-19-09: Appropriating Funds for the Repair and Replacement of the Water Service Line at North Peninsula Recreational Service Area's Pool Facility (Mayor) (Hearing on 09/17/24) (Referred to Finance Committee)

- *e. Ordinance 2024-19-10: Redirecting Previously Appropriated Solid Waste Capital Project Funds for Projects at Solid Waste Facilities in Seward and Homer (Mayor) (Hearing on 09/17/24) (Referred to Finance Committee)
- *f. Ordinance 2024-26: Accepting Grant Funds from the State of Alaska Department of Education and Early Development for the Homer High School Partial Roof Replacement and Authorizing the Mayor to Execute the Project Agreement (Mayor) (Hearing on 09/17/24) (Referred to Finance Committee)

3. Other

- *a. KPB-6284: Petition to Vacate the Rowen Circle Right-of-Way in Stariski Meadows HM97-62 Adjacent to Lots 13-16 and 45-47 in the Happy Valley Area (Referred to Lands Committee)

[Clerk's Note: At its regularly scheduled meeting of August 12, 2024 the Kenai Peninsula Borough Planning Commission approved the proposed vacation by unanimous consent.]

- *b. KPB-6285: Confirming an Appointment the Road Service Area Board (Mayor) (Referred to Policies and Procedures Committee)

<u>Road Service Area</u>	<u>Seat</u>	<u>Expires</u>
James Fellman	Central	09/30/2027
Edward Holsten	East	09/30/2027

- *c. KPB-6288: Confirming an Appointment to the Seldovia Recreational Service Area Board (Mayor) (Referred to Policies and Procedures Committee)

<u>Seldovia Recreational Service Area</u>	<u>Seat</u>	<u>Expires</u>
Piper Paulish	A	10/2025

- *d. KPB-6286: Confirming Appointments to the Advisory Planning Commissions (Mayor) (Referred to Policies and Procedures Committee)

<u>Anchor Point</u>	<u>Seat</u>	<u>Expires</u>
Jeff Kirchner	G	09/30/2027
<u>Cooper Landing</u>	<u>Seat</u>	<u>Expires</u>
David Story	E	09/30/2027
Kathryn Recken	F	09/30/2027
<u>Funny River</u>	<u>Seat</u>	<u>Expires</u>
Allen Rasmusan	C	09/30/2027

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 10/24/23]*
2. Resolution 2024-029 (Cox, Hibbert) Substitute: Placing an Areawide Question on the October 2024 Ballot Asking whether the Borough Should Levy Up to a 12 Percent Lodging Tax on Short-Term Rental Accommodations and Overnight Camping Facilities, Exempt these Rentals from the General Sales Tax, and Provide that up to One Half of the Tax may be Exempted Inside Cities with an Adopted Lodging Tax (Cox, Hibbert) (Cox, Hibbert) (Referred to Finance Committee) *[Tabled on 06/18/24]*

INFORMATIONAL MATERIALS AND REPORTS

1. KPB-6287: 2024 Community Meeting Schedule

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. September 17, 2024 Regular Assembly Meeting
6:00 PM Betty J. Glick Assembly Chambers
 Borough Administration Building
 Remote participation available through Zoom
 Meeting ID: 895 1103 3332 Passcode: 193069

ADJOURNMENT

This meeting will be broadcast on KDLL-FM 91.9 (Central Peninsula), KBBI-AM 890 (South Peninsula and KIBH FM 91.7 (East Peninsula).

The meeting will be held in the Betty J. Glick Assembly Chambers, George A. Navarre Borough Administration Building, Soldotna, Alaska. This meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible. To attend the Zoom meeting by telephone call toll free 1-888-788-0099 or 1-877-853-5247 and enter the Meeting ID: 895 1103 3332 Passcode: 193069 or enter Meeting ID: 895 1103 3332 Passcode: 193069 on the Zoom app or webpage. Detailed instructions will be posted on at the Kenai Peninsula Borough's main page at www.kpb.us: "Borough Assembly Meeting Agendas" "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 <https://kpb.legistar.com/Calendar.aspx> for copies of the agenda, meeting minutes, ordinances and resolutions.