



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Minutes - Final Assembly

Tuesday, January 3, 2023

6:00 PM

Betty J. Glick Assembly Chambers

Meeting ID: 884 7373 9641 Passcode: 671108

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

[Clerk's Note: The invocation was given by Willy Dunne.]

ROLL CALL

[Clerk's Note: Assembly Member Tupper participated via Zoom.]

Present: 8 - Brent Hibbert, Richard Derkevorkian, Bill Elam, Lane Chesley, Cindy Ecklund, Mike Tupper, Brent Johnson, and Tyson Cox

Also present:

Mike Navarre, Borough Mayor

Max Best, Chief of Staff

Brandi Harbaugh, Finance Director

Sean Kelley, Borough Attorney

Michele Turner, Acting Borough Clerk

COMMITTEE REPORTS

Assembly Member Hibbert stated the Finance Committee met and discussed its agenda items.

Assembly Member Ecklund stated the Lands Committee met and discussed its agenda items.

Assembly Member Chesley stated the Policies and Procedures Committee met and discussed its agenda items.

Assembly Member Chesley stated the Assembly Material Site Subcommittee met and discussed its agenda items.

APPROVAL OF AGENDA AND CONSENT AGENDA

Cox moved to approve the agenda and consent agenda.

Copies have been made available to the public, Acting Borough Clerk Michele Turner noted by title only the resolutions, ordinances and other new business items that were on the consent agenda.

[KPB-4808](#) Regular Meeting Minutes December 13, 2022
approved.

The following public hearing items met the required conditions of KPB 22.40.110 and were added to the consent agenda:

[2022-19-34](#) An Ordinance Approving the Second Amendment to the Spending Plan for the COVID-19 Community Funding Program to Purchase Portable Training Tables, Chairs, Response Equipment, Response Training and Electronic Signage to Support Future Emergency Response Objectives and Appropriating Service Area Funds to Support Local Portion of Signage (Mayor)

This Budget Ordinance was enacted as amended.

[2022-19-36](#) An Ordinance Accepting and Appropriating \$61,000 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management for the Siren Warning System Replacement Project within the City of Homer (Mayor)

This Budget Ordinance was enacted.

[2022-19-37](#) An Ordinance Appropriating \$13,078.54 from the River Center Building Maintenance Reserve Fund and \$6,625.18 from the 911 Communications Fund for Unexpected Repairs to the River Center Building (Mayor)

This Budget Ordinance was enacted.

[2022-43](#) An Ordinance Authorizing a Subsurface Oil and Gas Lease to Hilcorp Alaska, LLC, in the Ninilchik Unit (Mayor) (Hearing on 01/03/23)

This Ordinance was enacted.

New Business

[2023-002](#) A Resolution Adopting an Alternate Allocation Method for the Fiscal Year 2023 Shared Fisheries Business Tax Program and Certifying that

this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in the Cook Inlet Fisheries Management Area (Mayor)

This Resolution was adopted.

[2023-003](#)

A Resolution Authorizing the Issuance and Sale of General Obligation Bonds, in One or More Series, of the Kenai Peninsula Borough in the Principal Amount of Not to Exceed \$65,550,000 to Finance Costs of Certain Educational Capital Improvements in the Borough; Authorizing the Sale of Such Bonds; Fixing Certain Details of Such Bonds; Pledging the Full Faith and Credit of the Borough to the Payment Thereof; and Providing for Related Matters (Mayor)

This Resolution was adopted.

[2023-004](#)

A Resolution Authorizing the Kenai Peninsula Borough to Issue Its Central Emergency Service Area General Obligation Bond in an Aggregate Principal Amount Not To Exceed \$16,500,000, to Finance the Costs of a Replacement Fire Station to be Located in the Central Emergency Service Area, Fixing Certain Details of Such Bond; Pledging the Full Faith and Credit of the Central Emergency Service Area to the Payment thereof; Authorizing the Sale of Such Bond, and Providing for Related Matters (Mayor)

This Resolution was adopted.

[2023-001](#)

A Resolution Confirming An Appointment to a Non-Borough Board (Johnson)

This Resolution was adopted.

[2022-19-39](#)

An Ordinance Deobligating and Appropriating Solid Waste Capital Project Funds Previously Appropriated for the Construction of the Funny River Transfer Site to Overhead Door Replacement at Central Peninsula Landfill (Mayor) (Hearing on 01/17/23)

This Budget Ordinance was introduced and set for public hearing.

[2023-01](#)

An Ordinance Amending KPB 2.04.060 to Increase the Mayor's Salary to \$130,000 and to Provide for an Inflation Adjustment Every Three Years (Mayor) (Hearing on 02/07/23) (Referred to Policies and Procedures Committee)

This Ordinance was introduced and set for public hearing.

[KPB-4819](#)

Approving a Transfer of Owner/Transfer of Location from Inlet View

Restaurant & Bar to Justin Cole DBA: Cole's Market LLC License No. 1350

approved.

[KPB-4812](#)

Petition to Vacate a 2' X 222.78' portion of an alley located between Mission Ave. & Bayview Street as dedicated on USS 3036 HM 65-66 located in the Ninilchik Area.

[Clerk's Note: At its regularly scheduled meeting of December 12, 2022 the Kenai Peninsula Borough Planning Commission approved the proposed vacation by unanimous consent.]

approved.

Approval of the Agenda and Consent Agenda

President Johnson called for public comment.

Joan Corr, Soldotna spoke in opposition to Resolutions 2023-003 and 2023-004 Ordinance 2023-01.

There being no one else who wished to speak, the public comment period was closed.

The motion to approve the agenda and consent agenda carried by the following vote:

Yes: 9 - Hibbert, Derkevorkian, Elam, Chesley, Ecklund, Tupper, Bjorkman, Johnson, and Cox

PRESENTATIONS WITH PRIOR NOTICE

[KPB-4809](#)

Watershed Presentation, Coowe Walker, Kachemak Bay National Estuarine Research Reserve

[Clerk's Note: Coowe Walker, Lead Watershed Ecologist, Kachemak Bay National Estuarine Research Reserve gave a presentation to the assembly.]

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

President Johnson called for public comment.

Joan Corr, Soldotna addressed the assembly regarding sound waves being made in the inlet and carbon projects.

There being no one else who wished to speak, the public comment period was closed.

PUBLIC HEARINGS ON ORDINANCES

[2022-19-35](#) An Ordinance Accepting and Appropriating Funding from the State of Alaska in the Amount of \$426,303 for Fiscal Year 2023, Allocating a One-Time Bonus Amount Based on A Per-Capita Calculation in the Amount of \$308,883.91, and Approving Projects to be Completed for Community Purposes Under the State's 2022/2023 Community Assistance Programs (Mayor)

Hibbert moved to enact Ordinance 2022-19-35.

President Johnson called for public comment.

The following people addressed the assembly regarding Ordinance 2022-19-35.

Bruce Jaffa, Moose Pass

Greg Meyer, Executive Director, Kenai Peninsula Food Bank

Leslie Rhor, Executive Director, Love, Inc.

There being no one else who wished to speak, the public comment period was closed.

President Johnson passed the gavel to Vice President Cox and declared a possible conflict as he was the President of the Kasilof Historical Association. After consulting with Borough Attorney Kelley, Vice President Cox ruled he had a conflict. President Johnson abstained from voting on Ordinance 2022-19-35. Vice President Cox returned the gavel.

The motion to enact Ordinance 2022-19-35 carried by the following vote:

Yes: 8 - Hibbert, Derkevorkian, Elam, Chesley, Ecklund, Tupper, Bjorkman, and Cox

Abstain: 1 - Johnson

[2022-19-38](#) An Ordinance Appropriating \$475,250 from the Insurance and Litigation Fund for Additional Costs of Insurance Claims Incurred in FY2023 (Mayor)

Hibbert moved to enact Ordinance 2022-19-38.

President Johnson called for public comment with none being offered.

The motion to enact Ordinance 2022-19-38 carried by the following vote:

Yes: 9 - Hibbert, Derkevorkian, Elam, Chesley, Ecklund, Tupper, Bjorkman, Johnson, and Cox

NEW BUSINESS

1. Resolutions

[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 01/03/23]

Ecklund moved to adopt Resolution 2023-005.

President Johnson called for public comment.

The following people spoke in support of Resolution 2023-005:

Kelly Ann Cavanetta, Seward
Brentwood (Hig) Higman, Seldovia

There being no one else who wished to speak, the public comment period was closed.

Ecklund moved to table Resolution 2023-005.

The motion to table Resolution 2023-005 carried by the following vote:

Yes: 9 - Hibbert, Derkevorkian, Elam, Chesley, Ecklund, Tupper, Bjorkman, Johnson, and Cox

MAYOR'S REPORT

[KPB-4823](#) Mayor's Report Cover Memo

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
 - a. [KPB-4824](#) Authorization to Award a Contract for RFP23-001 Mass Notification System
3. Other
 - a. [KPB-4825](#) Budget Revisions - November 2022
 - b. [KPB-4826](#) Revenue-Expenditure Report - November 2022

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY COMMENTS

Assembly Member Elam congratulated Mr. Bjorkman on his election to the Alaska Senate. He wished everyone a good evening.

Assembly Member Hibbert thanked Mr. Meyer and Ms. Rohr for their testimony on Ordinance 2022-19-35. He congratulated Mr. Bjorkman on his election to the Alaska Senate. Mr. Hibbert thanked the staff for their work.

Assembly Member Tupper stated he was thankful he was able to attend remotely and looked forward to attending in person. He stated it was a pleasure serving with Mr. Bjorkman on the Assembly and wished him the best.

Assembly Member Derkevorkian echoed the other Assembly comments regarding Mr. Bjorkman and stated he learned a lot from him. He wished Mr. Bjorkman the best on his future endeavors in Juneau.

Assembly Member Bjorkman thanked everyone for their kinds words and stated it was an honor and pleasure to serve with them. He thanked the residents in Nikiski for giving their trust and votes to represent them on the Assembly. He stated he was continuing to represent Nikiski residents in Juneau as well as all central peninsula residents. He encouraged the Assembly to postpone Ordinance 2022-46 to February 21, 2023. Mr. Bjorkman reminded everyone that winter break had ended and school starts January 4, 2023. He encouraged everyone to drive carefully on the winter roads and wished everyone a great evening.

Assembly Member Chesley congratulated Mr. Bjorkman and stated he looked forward to his legislative updates. He stated he was contacted by two residents regarding dog problems and stated he wanted to take up that challenge to see if there was something the borough could do. He wished everyone a happy new year.

Assembly Member Ecklund wished Mr. Bjorkman and his family the best with their upcoming transitions to Juneau. She stated she was thankful Mr. Bjorkman ran for state senate. Ms. Ecklund thanked everyone for their testimony and those who attended in person who were interested in grass roots government. She thanked the staff for their help and work. She wished everyone a happy new year.

Vice President Cox stated he was proud to have Mr. Bjorkman as his senator. He stated he enjoyed watching and learning from him during debate. He stated he looked forward to see what Mr. Bjorkman will do for our peninsula in Juneau as he thought good things were coming. Mr. Cox reminded everyone that school was starting tomorrow and asked drivers to be cautious and drive slow. He wished everyone a good evening.

President Johnson stated the HR Director, Justen Huff, extended an invite to assembly members to attend upcoming collective bargaining agreement negotiations. President Johnson encouraged the assembly member to attend as a silent observer. He

acknowledged borough mayor candidates Dr. Zach Hamilton, Linda Hutchings and Senator Peter Micciche for attending. Mr. Johnson shared a list of assembly members who also served on the assembly and the state legislature. He congratulated Mr. Bjorkman and stated he was excited for his upcoming service.

INFORMATIONAL MATERIALS AND REPORTS

1. [KPB-4828](#) Cook Inlet Regional Citizens Advisory Council Director's Report

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. January 17, 2023 Material Subcommittee Meeting
TBD
Betty J. Glick Assembly Chambers
Borough Administration Building
Remote participation available through Zoom
Meeting ID: 884 7373 9641 Passcode: 671108
2. January 17, 2023 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

With no further business to come before the assembly, President Johnson adjourned the meeting at 8:29 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of January 3, 2023.

Michele Turner, CMC, Borough Clerk

Approved by the Assembly: _____