



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Assembly

*Brent Johnson, President*  
*Tyson Cox, Vice President*  
*Kelly Cooper*  
*Cindy Ecklund*  
*Bill Elam*  
*Brent Hibbert*  
*Peter Ribbens*  
*Ryan Tunseth*  
*Mike Tupper*

---

Tuesday, December 12, 2023

6:00 PM

Betty J. Glick Assembly Chambers

Meeting ID: 884 7373 9641 Passcode: 671108

[https://us06web.zoom.us/j/88473739641?](https://us06web.zoom.us/j/88473739641?pwd=dW1sY2RYV0F4dURjV25yVW9WUGw3QT09)

[pwd=dW1sY2RYV0F4dURjV25yVW9WUGw3QT09](https://us06web.zoom.us/j/88473739641?pwd=dW1sY2RYV0F4dURjV25yVW9WUGw3QT09)

---

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 Iris Fontana.]

### 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-5665: November 7, 2023 Minutes  
KPB-5662: Seward High School Girls Cross-Country Champs  
KPB-5663: Seward High School Nine-Man Football Champs  
KPB-5664: Kenai High School Football Champs  
Resolution 2023-081: FY24 Shared Fisheries Business Tax Program  
Resolution 2023-080: Appointments to Non-Borough Boards  
Resolution 2023-082: Supporting a Seward Health Clinic  
Ordinance 2023-26: Oxford Avenue USA  
Ordinance 2023-27: South Bend Bluff RIAD  
Ordinance 2023-19-29: Deobligating CES Bond Proceeds  
Ordinance 2023-19-30: Redirecting Bond Proceeds for Hope School Roof Replacement  
KPB-5661: Petition to Vacate Park Road & Sara Jane Right of Way  
KPB-5660: Petition to Vacate Paulk Avenue  
KPB-5658: Appointments to Advisory Planning Commissions  
KPB-5659: Appointments to Service Area Board  
KPB-5668: Requesting Formal Assembly Protest of Marijuana License

**ACTION ITEMS ELIGIBLE TO BE ADDED TO THE CONSENT AGENDA:**

Ordinance 2023-19-25: 2023/2024 Community Assistance Program  
Ordinance 2023-19-26: \$500,000 Cybersecurity and Broadband Project  
Ordinance 2023-19-27: \$36,000 Emergency Management Security Gate Motor  
Ordinance 2023-19-28: \$303,825 Passenger Vessel Tax Proceeds

**APPROVAL OF MINUTES**

- \*1. [KPB-5665](#) November 7, 2023 Regular Assembly Meeting Minutes  
*Attachments:* [110723 Regular Assembly Meeting Minutes](#)

**COMMENDING RESOLUTIONS AND PROCLAMATIONS**

- \*1. [KPB-5662](#) A Resolution Commending the Seward High School Girls' Cross-Country Team as the Division II Alaska State Cross-Country Champions for the Year 2023 (Mayor)  
*Attachments:* [Commending Resolution - Seward Girls Cross Country](#)
- \*2. [KPB-5663](#) A Resolution Commending the Seward High School Nine-Man Football Team as the Alaska State Champions for the Year 2023 (Mayor)  
*Attachments:* [Commending Resolution - Seward Nine-Man Football](#)

- \*3. [KPB-5664](#) A Resolution Commending the Kenai Central High School Football Team as the 2023 Division III Alaska State Champions (Mayor)

*Attachments:* [Commending Resolution - KCHS Football Division III](#)

## PRESENTATIONS WITH PRIOR NOTICE

*(20 minutes total)*

1. [KPB-5666](#) Central Peninsula Hospital Quarterly Report, Shaun Keef, CEO (10 minutes)
2. [KPB-5667](#) South Peninsula Hospital Quarterly Report, Ryan Smith, CEO (10 minutes)

## PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

*(3 minutes per speaker; 20 minutes aggregate)*

## MAYOR'S REPORT

Mayor's Report Cover Memo

[KPB-5649](#) Mayor's Report Cover Memo

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

1. Assembly Requests/Responses
2. Agreements and Contracts
  - a. [KPB-5650](#) Authorization to Award a Contract for ITB23-070 OEM Eaton UPS Installation  
*Attachments:* [ITB23-070 OEM Eaton UPS Installation](#)
  - b. [KPB-5651](#) Authorization to Award a Contract for RFP23-002 Seclusion St, Robin Ave, Lourdes Ave and Robert Ave West Design Capital Improvement District  
*Attachments:* [RFP23-002 Seclusion St Robin Ave Lourdes CIP](#)
  - c. [KPB-5652](#) Authorization to Award a Contract for RFP24-005 2023 Closure/Post Closure Updates  
*Attachments:* [RFP23-005 Closure Post Closure Updates](#)
3. Other

- a. [KPB-5653](#) Investment Report – Quarter Ended 09.30.23  
*Attachments:* [Investment Report](#)
- b. [KPB-5654](#) Tax Adjustment Request Approval  
*Attachments:* [Tax Adjustment Request Approval](#)
- c. [KPB-5655](#) Budget Revisions for October 2023  
*Attachments:* [Budget Revisions for October 2023](#)
- d. [KPB-5656](#) Revenue Expenditure Report for October 2023  
*Attachments:* [Revenue Expenditure Report for October 2023](#)
- e. [KPB-5657](#) FY24 First Quarter Grant Reports:  
1. Alaska Small Business Development Center Grant Report  
2. Kenai Peninsula Economic Development District Grant Report  
3. Senior Center Grant Reports  
*Attachments:* [Alaska Small Business Development Center Grant Report](#)  
[Kenai Peninsula Economic Development District Grant Report](#)  
[Senior Center Grant Reports](#)

## ITEMS NOT COMPLETED FROM PRIOR AGENDA

### PUBLIC HEARINGS ON ORDINANCES

*(Testimony limited to 3 minutes per speaker)*

Ordinances referred to Finance Committee

1. [2023-19-25](#) An Ordinance Accepting and Appropriating Funding from the State of Alaska in the Amount of \$394,725 and Approving Projects to be Completed for Community Purposes Under the 2023/2024 Community Assistance Program (Mayor) (Hearing on 12/12/23)  
*Attachments:* [Ordinance 2023-19-25](#)  
[Memo](#)  
[Reference Copy R2013-022](#)  
[Reference Copy R2023-039](#)

2. [2023-19-26](#) Redirecting \$500,000 in U.S. Treasury State and Local Fiscal Recovery Funds from the Bridge Infrastructure Project to the Cybersecurity and Broadband Project and Expanding the Scope of Road Service Area Locally Funded Bridge Project (Mayor) (Hearing on 12/12/23)

*Attachments:* [Ordinance 2023-19-26](#)  
[Memo](#)  
[Reference Copy O2021-19-28](#)  
[Reference Copy O2022-19-13](#)

3. [2023-19-27](#) An Ordinance Accepting and Appropriating \$36,000 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management to Upgrade a Security Gate Motor (Mayor) (Hearing on 12/12/23)

*Attachments:* [Ordinance 2023-19-27](#)  
[Memo](#)  
[Award Letter](#)

4. [2023-19-28](#) An Ordinance Appropriating Commercial Passenger Vessel Tax Proceeds Received from the State of Alaska in the Amount of \$304,177.50 and Allocating \$303,825 to the City of Seward and \$352.50 to the City of Homer (Mayor) (Hearing on 12/12/23)

*Attachments:* [Ordinance 2023-19-28](#)  
[Memo](#)  
[Email from State of Alaska Award](#)  
[City of Seward Letter](#)  
[City of Homer Letter](#)

Ordinances referred to Lands Committee

5. [2023-25](#) An Ordinance Approving Anchors Aweigh North Subdivision Single-Family Residential (R-1) Local Option Zoning District and Amending KPB 21.46.040 (Mayor) (Hearing on 12/12/23)

*Attachments:* [Ordinance 2023-25](#)  
[Memo](#)  
[Anchors Aweigh North - Local Option Zoning District](#)

## UNFINISHED BUSINESS

## NEW BUSINESS

## 1. Resolutions

Resolutions referred to Finance Committee

- \*a. [2023-081](#) A Resolution Adopting an Alternate Allocation Method for the FY24 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)

Attachments: [Resolution 2023-081](#)  
[Memo](#)  
[Shared Fish Letter and Allocation](#)

Resolutions referred to Policies and Procedures Committee

- \*b. [2023-080](#) Confirming Appointments of Assembly Members to Non-Borough Boards (Johnson)

Brent Johnson, Kenai Peninsula College Council, Term Expires 06/30/2026

Mike Tupper, Kachemak Bay Research Reserve Community Council, Term Expires with Office

Attachments: [Resolution 2023-080](#)

Resolutions referred to Legislative Committee

- \*c. [2023-082](#) A Resolution Expressing Support for Seward Community Health Center Building a New Clinic Building at 431-501 First Avenue, Seward, Alaska (Ecklund)

Attachments: [Resolution 2023-082](#)  
[Memo](#)  
[Seward Community Health Clinic Capital Expansion Project Presentation](#)  
[Seward Community Health Clinic Information/Flyer](#)

## 2. Ordinances for Introduction

Ordinances for Introduction and referred to the Finance Committee

- \*a. [2023-26](#) An Ordinance Confirming the Assessment Roll for the Oxford Avenue Utility Special Assessment District and Establishing the Method for Terminating Assessments and Issuing Refunds to Property Owners (Mayor) (Hearing on 01/02/24)

Attachments:

[Ordinance 2023-26](#)

[Memo](#)

[Oxford Avenue Final Assessment Roll](#)

[Reference Copy R2023-052](#)

[Reference Copy O2023-19-06](#)

- \*b. [2023-27](#) An Ordinance Confirming the Assessment Roll for the South Bend Bluff Estates Road Improvement Assessment District (Mayor) (Hearing on 01/02/24)

Attachments:

[Ordinance 2023-27](#)

[Memo](#)

[South Bend Bluff Final Assessment Roll](#)

[Reference Copy R2022-001](#)

[Reference Copy O2021-19-31](#)

- \*c. [2023-19-29](#) An Ordinance Deobligating Bond Proceeds in the Central Emergency Service Area Capital Project Fund and Appropriating the Remaining Bond Proceeds and Interest to Fund the Annual Debt Service for Central Emergency Service Area General Obligation Bonds (Mayor) (Hearing on 01/02/24)

Attachments:

[Ordinance 2023-19-29](#)

[Memo](#)

[Reference Copy O2015-21](#)

[Reference Copy R2016-003](#)

- \*d. [2023-19-30](#) An Ordinance Redirecting Previously Appropriated Bond Proceeds and Interest from the 2014 General Obligation School Bonds and Authorizing Distribution of Previously Appropriated State and Local Fiscal Recovery Funds to the Hope School Roof Replacement Project (Mayor) (Hearing on 01/02/24)

Attachments: [Ordinance 2023-19-30](#)  
[Memo](#)  
[Reference Copy O2021-19-01](#)  
[Reference Copy O2022-19-13](#)  
[Reference Copy O2013-19-22](#)  
[Reference Copy R23-055](#)

### 3. Other

Other Items referred to Finance Committee

- \*e. [KPB-5668](#) Requesting Formal Assembly Protest to the Renewal of a Marijuana Product Manufacturing Facility License due to Unpaid Taxes for Greenstar, Inc. dba Gold Star Concentrates, License No. 23692

Attachments: [Protest to Assembly](#)  
[Finance Protest](#)  
[Complete Renewal Application](#)

Other items referred to Lands Committee

- \*a. [KPB-5661](#) Petition to Vacate a Portion of Park Road and Sara Jane Street Right of Way of Rappe Park Subdivision, Nikiski Area, Plat KN87-105, KPB File 2023-114V

[Clerk's Note: At its regularly scheduled meeting of the Kenai Peninsula Borough Planning Commission on November 13, 2023 the proposed vacation was approved by unanimous consent.]

Attachments: [ROWV-Rappe Park Sub\\_KPB File 2023-114V](#)



- \*b. [KPB-5660](#) Petition to Vacate a Portion of Paulk Avenue Right of Way and Associated Utility Easements of Jacks Estate Subdivision Salmon Nest Addition, Kalifornsky Area, Plat KN78-4, KPB File 2023-115V

[Clerk's Note: At its regularly scheduled meeting of the Kenai Peninsula Borough Planning Commission on November 13, 2023 the proposed vacation was approved by unanimous consent.]

Attachments: [Jakes Estate Salmon Nest Addn KPB File 2023-115V](#)

Other Items referred to Policies and Procedures Committee

- \*c. [KPB-5658](#) Confirming Appointments to Advisory Planning Commissions (Mayor)

Anchor Point Advisory Planning Commission

Jeff Kirchner, Seat G, Term Expires 09/30/2024

Nikiski Advisory Planning Commission

Sue Covich, Seat C, Term Expires 09/30/2024

Attachments: [Advisory Planning Commission Appointments](#)

- \*d. [KPB-5659](#) Confirming an Appointment to a Service Area Board (Mayor)

Eastern Peninsula Highway Emergency Service Area

Jessica Hogan, Seat E, Term Expires October, 2026

Attachments: [Service Area Board Appointment](#)

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

### **ASSEMBLY COMMENTS**

### **PENDING LEGISLATION**

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

1. [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) [Tabled on 10/24/23]

Attachments: [Resolution 2023-005](#)  
[Memo](#)  
[Ecklund Amendment](#)  
[C-PACER Program Handbook](#)  
[102423 Public Comments](#)  
[010323 Public Comments](#)  
[eComment](#)

## INFORMATIONAL MATERIALS AND REPORTS

### ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. January 2, 2024 6:00 PM  
Regular Assembly Meeting  
Betty J. Glick Assembly Chambers  
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) and 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](http://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](http://www.kpb.us) for copies of the agenda, meeting minutes, ordinances and resolutions.*