

Introduced by: Mayor
Date: 02/07/23
Action: Enacted
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2023-010**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A FIRST
AMENDMENT TO THE OPERATING AGREEMENT WITH CPGH, INC.**

WHEREAS, the Kenai Peninsula Borough (“Borough”) has entered into an Operating Agreement with Central Peninsula General Hospital, Inc. (“CPGH, Inc.”) for operation of Central Peninsula Hospital (“CPH”) Heritage Place, Kenai Health Center and Other Health Facilities, and to provide other healthcare programs and services, on a nonprofit basis in order to ensure the continued availability to the service area residents (the “Operating Agreement”); and

WHEREAS, Exhibit A of the Agreement describes the property leased to CPGH, Inc. and/or Medical Facilities that CPGH, Inc. operates and manages pursuant to the terms of the Operating Agreement; and

WHEREAS, Ordinance 2022-19-04 authorized the purchase of the Surgery Center of Kenai and authorized the mayor to amend the Operating Agreement to include this acquisition as an additional Medical Facility that CPGH, Inc. operates and manages under the Agreement; and

WHEREAS, CPGH, Inc. has negotiated a new sublease for the CPH radiation oncology building space between CPGH, Inc. and Aurora Integrated Oncology Foundation (AIOF) (d/b/a Peninsula Radiation Oncology Center) that will require an amendment to Section(b)(ii) of the Operating Agreement to account for a new lease term and lessee reference;

WHEREAS, at its meeting on January 26, 2023, the CPGH, Inc. Board of Directors approved a First Amendment to the Operating Agreement;

**NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI
PENINSULA BOROUGH:**

SECTION 1. That the mayor is authorized to execute a First Amendment to the Operating Agreement, amending Section 2(b)(ii) and Exhibit A, to account for changes to the sublease of CPH’s oncology center space and the purchase of a freestanding ambulatory surgery center, substantively in the form of the attached First Amendment to the Operating Agreement document.

SECTION 2. That this resolution is effective immediately upon adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF FEBRUARY 2023.


Brent Johnson, Assembly President

ATTEST:


Michele Turner, CMC, Acting Borough Clerk



Yes: Chesley, Cox, Derkevorkian, Ecklund, Elam, Ribbens, Tupper, Johnson
No: None
Absent: Hibbert