

Introduced by:	Mayor
Date:	05/21/24
Hearing:	06/04/24
Action:	Enacted as Amended
Vote:	8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2023-19-51**

**AN ORDINANCE ACCEPTING AND APPROPRIATING OPIOID SETTLEMENT
FUNDS AND AMENDING ORDINANCE 2021-19-50 RELATING TO THE OPIOID
SETTLEMENT FUND GRANT PROGRAM**

- WHEREAS,** in 2021, the State of Alaska and nine political subdivisions within the State, including the Kenai Peninsula Borough (“Borough”), agreed to and entered into two nationwide settlement agreements related to the opioid endemic, referred to as the “Janssen Settlement” and the “Distributor Settlement”; and
- WHEREAS,** Resolution 2021-074 authorized the Kenai Peninsula Borough (“KPB”) to join the settlement as one of the nine political subdivisions of the state; and
- WHEREAS,** Ordinance 2021-19-50 established an Opioid Settlement Fund Grant Program to administer and distribute funds received through the opioid settlements and in accordance with the requirements of the settlement agreements; and
- WHEREAS,** in 2022, the State of Alaska and nine political subdivisions within the State, including the Kenai Peninsula Borough, through Resolution 2023-16, agreed to and entered into a nationwide settlement with three pharmacy chains – CVS, Walgreens, and Walmart—and two additional manufacturers—Allergan and Teva; and
- WHEREAS,** KPB is now participating in three nationwide settlements related to the opioid endemic; and
- WHEREAS,** to best serve public health, safety, and general welfare of the community, and pursuant to required opioid remediation uses under the terms of the settlement agreements, it is important to distribute funds to a diverse number of providers or groups in the KPB community working to respond to, remediate, and eradicate the ills of opioid use and addiction; and
- WHEREAS,** the Assembly finds it is in the best interests of the KPB to amend Ordinance 2021-19-50 to expand the maximum number of Opioid Settlement Fund Grant Program recipients from five to eight due to the larger settlement amounts than expected at the initiation of the program; and

WHEREAS, all other Opioid Settlement Fund Grant Program provisions approved by Ordinance 2021-19-50 will remain unchanged;

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

SECTION 1. That the last whereas clause of Ordinance 2021-19-50 is amended to read as follows:

WHEREAS, the Assembly finds that it is in the best interests of the Kenai Peninsula Borough to start an Opioid Settlement Fund Grant Program to distribute the funds in the manner below:

1. Given the limited number of funds, the total number of annual grants issued under this grants program will be limited to five grants, unless additional grants are approved by assembly ordinance on a case-by-case basis.

...

SECTION 2. That \$102,275.16 in opioid settlement funds are accepted and appropriated to account 271.94910.OPD22.49999, for use for the Opioid Settlement Fund Grant Program.

SECTION 3. That, upon receipt of fully executed grant agreements, three additional grants may be awarded for this grant period only, up to \$34,091.72 in opioid settlement funds may be awarded to the three applicants who applied for but were not awarded funds from Round 2 of the Opioid Settlement Fund Grant Program due to the five-recipient limitation under Ordinance 2021-19-50, and as amended herein.

SECTION 4. That appropriations made in this ordinance are project length in nature and as such do not lapse at the end of any particular fiscal year.

SECTION 5. That this ordinance shall be effective retroactively to April 16, 2024.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 4TH DAY OF JUNE, 2024.

Brent Johnson

Brent Johnson, Assembly President

ATTEST:

Michele Turner

Michele Turner, CMC, Borough Clerk



Yes: Cooper, Cox, Ecklund, Elam, Hibbert, Tunseth, Tupper, Johnson
No: None
Absent: Ribbens