



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, September 3, 2024

6:00 PM

Betty J. Glick Assembly Chambers

Meeting ID: 895 1103 3332 Passcode: 193069

<https://yourkpb.zoom.us/j/89511033332?>

[pwd=GThg6CA4QuaaPihm3rpMKljbZoy5ZG.1](https://yourkpb.zoom.us/j/89511033332?pwd=GThg6CA4QuaaPihm3rpMKljbZoy5ZG.1)

Meeting ID: 895 1103 3332 Passcode: 193069

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

Any 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

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

KPB-6272: Commending Winners of the 34th Caring for the Kenai Competition and Recipients of the 2024 President's Environmental Youth Award

KPB-6291: Mayor's Proclamation Declaring September 2024 as "Hunger Action Month"

Resolution 2024-037: Establishing a Tourism Industry Working Group Tourism-Related Impacts

Resolution 2024-038: Approving a 2024 Revised Memorandum of Agreement Between the Kenai Peninsula Borough and the Cities

Resolution 2024-039: Adopting Joint Resolution No. 2024-002 of the Assembly of the Kenai Peninsula Borough and the Councils of the City of Homer, Kachemak, Kenai, Seward, Seldovia, and Soldotna, Supporting Cook Inlet Finfish Meetings be Held in Soldotna and Rotated Thereafter

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

Ordinance 2024-19-07: Acquisition of Real Property Located Adjacent to the North Star School Campus in Nikiski and Appropriating Funds from the Land Trust Fund for the Purchase

Ordinance 2024-19-08: Appropriating Funds from Road Service Area Operating Fund Balance to Support RSA Board Approved RIAD Projects and to Prepare the Fund for Proposed Fiscal Year 2025 Projects

Ordinance 2024-19-09: Repair and Replacement of the Water Service Line at North Peninsula Recreational Service Area's Pool Facility

Ordinance 2024-19-10: Redirecting Previously Appropriated Solid Waste Capital Project Funds for Projects at Solid Waste Facilities in Seward and Homer

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

KPB-6284: Petition to Vacate the Rowen Circle Right-of-Way in Stariski Meadows HM97-62

KPB-6285: Confirming an Appointment the Road Service Area Board

KPB-6288: Confirming an Appointment to the Seldovia Recreational Service Area Board

KPB-6286: Confirming Appointments to the Advisory Planning Commission

ACTION ITEMS ELIGIBLE TO BE ADDED TO THE CONSENT AGENDA:

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

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

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

Ordinance 2024-19-05: Re-Appropriating Funds to Provide for the Seward-Bear Creek Flood Service Area Contract to Restore the Revetment

Ordinance 2024-22: Authorizing the Assessor to Accept One (1) Late-Filed Senior Citizen Exemption

Application

Ordinance 2024-24: Authorizing Retention or Sale of Certain Real Property Conveyed to the Kenai Peninsula Borough Through Tax Foreclosure Proceedings

APPROVAL OF MINUTES

- *1. [KPB-6271](#) August 6, 2024 Regular Assembly Meeting Minutes

Attachments: [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)

Attachments: [2024 Caring for the Kenai](#)

2. [KPB-6291](#) Mayor's Proclamation Declaring September 2024 as "Hunger Action Month"

Attachments: [Mayor's Proclamation - Hunger Action Month 09.03.24](#)

PRESENTATIONS WITH PRIOR NOTICE

(20 minutes total)

1. [KPB-6273](#) Central Peninsula General Hospital Inc., Quarterly Report, Shaun Keef, CEO

Attachments: [CPH Borough Assembly Quarterly Report 090324](#)

2. [KPB-6274](#) Legislative Update with Senator Jesse Bjorkman

Attachments: [Legislative Update](#)

MAYOR'S REPORT

[KPB-6289](#) Mayors Cover Memo

Attachments: [Mayor's Report 09.03.24](#)

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
Attachments: [Authorization to Award Contract ITB25-005 Kenai Safe Egress Spruce Bark Bee](#)
- b. [KPB-6276](#) Authorization to Award a Contract for ITB25-007 Panoramic Drive Gravel Road Project – Central Region, Unit 2
Attachments: [Authorization to Award Contract - ITB25-007 Panoramic Drive Gravel Road Proj](#)
- c. [KPB-6277](#) Authorization to Award a Contract for ITB25-010 CES Fire Station #1 Quality Control Testing
Attachments: [Authorization to Award Contract ITB25-010 CES Fire Station #1 Air Quality Con](#)
- d. [KPB-6278](#) Authorization to Award a Contract for RFP24-020 Road Improvement Assessment District Projects FY25
Attachments: [Authorization to Award Contract - RFP24-020 FY25 RIAD Projects 07.31.24](#)
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
Attachments: [Request for Determination by Mayor that an Emergency Is Imminent for Procure](#)
- b. [KPB-6280](#) Capital Project Reports – June 30, 2024
Attachments: [Capital Project Reports - June 30, 2024](#)
- c. [KPB-6281](#) Budget Revisions – July 2024
Attachments: [Budget Revisions - July 2024](#)
- d. [KPB-6282](#) Revenue-Expenditure Report – July 2024
Attachments: [Revenue-Expenditure Report - July 2024](#)
- e. [KPB-6283](#) Tax Adjustment Request Approval
Attachments: [Tax Adjustment Request Approval 08.15.24](#)

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

(3 minutes per speaker; 20 minutes aggregate)

ITEMS NOT COMPLETED FROM PRIOR AGENDA

PUBLIC HEARINGS ON ORDINANCES

(Testimony limited to 3 minutes per speaker)

Ordinances referred to Finance Committee

1. [2023-19-56](#) An Ordinance Appropriating Funds from the General Fund for the Kenai Peninsula Borough Municipal Solid Waste Landfill Closure and Postclosure Care and Associated Liability (Mayor)

Attachments: [Ordinance 2023-19-56](#)
[Memo](#)

2. [2024-19-03](#) An Ordinance 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)

Attachments: [Ordinance 2024-19-03](#)
[Memo](#)

3. [2024-19-04](#) An Ordinance 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)

Attachments: [Ordinance 2024-19-04](#)
[Memo](#)
[Advisory Board Recommendations](#)

4. [2024-19-05](#) An Ordinance Re-Appropriating Funds to Provide for the Seward-Bear Creek Flood Service Area Contract to Restore the Revetment (Mayor)

Attachments: [Ordinance 2024-19-05](#)
[Memo](#)

5. [2024-22](#) An Ordinance Authorizing the Assessor to Accept One (1) Late-Filed Senior Citizen Exemption Filed After March 31 and Providing an Exception to KPB 5.12.040 (Mayor)

Attachments: [Ordinance 2024-22](#)
[Memo](#)

Ordinances referred to Lands Committee

6. [2024-24](#) An Ordinance Authorizing Retention or Sale of Certain Real Property Conveyed to the Kenai Peninsula Borough Through Tax Foreclosure Proceedings (Mayor)

Attachments: [Ordinance 2024-24](#)
[Amendment Memo 1](#)
[Amendment Memo 2](#)
[Memo](#)
[Exhibit A - Retention Parcels](#)
[Exhibit A Parcel Maps](#)
[Exhibit B - Sale Parcels](#)
[Exhibit B Parcel Maps](#)
[Tax Foreclosure Vicinity Map](#)
[Advisory Board Recommendations](#)

7. [2024-25](#) An Ordinance 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)

Attachments: [Ordinance 2024-25](#)
[Memo](#)
[Proposed Appendix South District](#)
[Maps South District](#)
[Advisory Board Recommendations](#)

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

Resolutions referred to Finance Committee

- *a. [2024-037](#) A Resolution 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)

Attachments: [Resolution 2024-037](#)
[Memo](#)

Resolutions referred to Policies and Procedures Committee

- *b. [2024-038](#) A Resolution 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)

Attachments: [Resolution 2024-038](#)
[Memo](#)
[2024 Revised MOA](#)
[Soldotna Reso 2024-023](#)
[Kenai Reso 2024-36](#)
[Homer Reso 24-084](#)

- *c. [2024-039](#) A Resolution 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)

Attachments: [Resolution 2024-039](#)
[Memo](#)
[Joint Resolution_JR2024-002](#)
[Joint Resolution-Board of Fish Meeting Proposal](#)
[Soldotna R2024-026](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to the Finance Committee

- *a. [2024-19-06](#) An Ordinance 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)

Attachments: [Ordinance 2024-19-06](#)
[Memo](#)
[Reference Copy O2016-15](#)
[Reference Copy R2016-067](#)

- *b. [2024-19-07](#) An Ordinance 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)

Attachments: [Ordinance 2024-19-07](#)
[Memo](#)
[Purchase Agreement](#)
[Vicinity Map](#)

- *c. [2024-19-08](#) An Ordinance 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 09/17/24)

Attachments: [Ordinance 2024-19-08](#)
[Memo](#)

- *d. [2024-19-09](#) WITHDRAWN An Ordinance 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)

Attachments: [Ordinance 2024-19-09](#)
[Memo](#)
[Statement of Probable Cost](#)
[Reference Copy R2013-022](#)

- *e. [2024-19-10](#) An Ordinance Redirecting Previously Appropriated Solid Waste Capital Project Funds for Projects at Solid Waste Facilities in Seward and Homer (Mayor) (Hearing on 09/17/24)

Attachments: [Ordinance 2024-19-10](#)
[Memo](#)
[Reference Copy O2021-19-21](#)

- *f. [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)

Attachments: [Ordinance 2024-26](#)
[Memo](#)
[Homer Roof Grant DEED PA AGR](#)
[Reference Copy O2020-19-21](#)
[Reference Copy O2021-19-28](#)

3. Other

Other items referred to Lands Committee

- *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

[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.]

Attachments: [Assembly Memo ROWV Rowen Circle](#)

Other items referred to Policies and Procedures Committee

- *b. [KPB-6285](#) Confirming an Appointment the Road Service Area Board (Mayor)

Road Service Area
James Fellman, Central Seat, Term Expires 10/2027
Edward Holsten, East Seat, Term Expires 10/2027

Attachments: [Appointments to Road Service Area Board](#)

- *c. [KPB-6288](#) Confirming an Appointment to the Seldovia Recreational Service Area Board (Mayor)

Seldovia Recreational Service Area
Piper Paulish, Seat A, Term Expires 10/2027

Attachments: [Appointment to Seldovia Recreational Service Area Board](#)

- *d. [KPB-6286](#) Confirming Appointments to the Advisory Planning Commissions (Mayor)

Anchor Point
Jeff Kirchner, Seat G, Term Expires 09/30/2027

Cooper Landing
David Story, Seat E, Term Expires 09/30/2027
Kathryn Recken, Seat F, Term Expires 09/30/2027

Funny River
Allen Rasmusan, Seat C, Term Expires 09/30/2027

Attachments: [Appointments to Advisory Planning Commissions](#)

PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

ASSEMBLY COMMENTS

PENDING LEGISLATION

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

- [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]

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

[2024-029](#) (Cox, Hibbert) Substitute: A Resolution 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) (Referred to Finance Committee) [Tabled on 06/18/24]

Attachments:

[Resolution 2024-029 Substitute](#)

[Memo Substitute](#)

[SOA Bed Tax Comparison](#)

[Cox Lodging Tax Benefits Summary](#)

[Public Comment 070924](#)

[Resolution 2024-029 \(amended by Sub 06/18/24\)](#)

[Public Comment 061824](#)

[Fiscal Note](#)

[CPL Master Plan 2023 Data](#)

[Memo](#)

[eComment 061824](#)

INFORMATIONAL MATERIALS AND REPORTS

1. [KPB-6287](#) 2024 Community Meeting Schedule

Attachments:

[2024 Community Meeting Schedule](#)

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. Next meeting Information

ADJOURNMENT

The next meeting of the Kenai Peninsula Borough Assembly will be held on January 21, 2014, at 6:00 P.M. in the Borough Assembly Chambers, Soldotna, Alaska.

This meeting will be broadcast on KDLL-FM 91.9 (Central Peninsula), KBBI-AM 890 (South Peninsula), K201AO(KSKA)-FM 88.1 (East Peninsula).

The meeting will be held in the Betty J. Glick Assembly Chambers, Borough Administration Building, Soldotna, Alaska. The 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. Detailed instructions will be posted on at the Kenai Peninsula Borough's main page at www.kpb.us: "Borough Assembly Meeting 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 for copies of the agenda, meeting minutes, ordinances and resolutions.