



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, May 7, 2024

6:00 PM

Betty J. Glick Assembly Chambers

Meeting ID: 895 1103 3332 Passcode: 193069

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

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

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CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

An 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-5954: April 16, 2024 Regular Assembly Meeting Minutes

KPB-5947: Commending Allie Ostrander

KPB-5948: Commending Jim Beeson

KPB-5952: Commending the Nikiski High School Drama, Debate & Forensics Team

KPB-5953: Commending the 2024 Arctic Winter Games Athletes

Resolution 2024-009: To Form the Princess Lake Estates USAD

Resolution 2024-018: Approving the Kenai Peninsula Borough School District FY25 Budget

Resolution 2024-019: Authorizing a Sole Source Contract to Enhance the Sales Tax System

Resolution 2024-020: Requesting More Flexibility in Material Procurement for BABA

Ordinance 2023-19-48: Authorizing a Lease Agreement, Appropriating Funds for Acquisition of Three Commercial Properties on behalf of the South Kenai Peninsula Hospital Service Area

Ordinance 2023-19-49: Accepting / Appropriating Grant Funds for FY22 and FY24 AK Code Blue Grants

Ordinance 2023-19-50: Deobligating and Appropriating for the CPL Baler Building Boiler Replacement

Ordinance 2024-19: Appropriating Funds for Fiscal Year 2025

Ordinance 2024-08: Amending KPB Chapter 7.10 Relating to Liquor License Protests

Ordinance 2024-09: Amending KPB 22.40.130 Regarding Agenda for Assembly Meetings

Ordinance 2024-10: Amending KPB 22.40.080 to Place a Student Council Presentation on the Agenda

KPB-5966: Authorizing the Issuance of a Letter of Non-Objection Regarding Liquor License Endorsement Application as Requested by Bears Den Liquor dba Three Bears Alaska, Inc., License Number 976

KPB-5967: Authorizing the Issuance of a Letter of Non-Objection Regarding Liquor License Endorsement Application Hunger Hut Bar & Motel, License Number 2004

KPB-5968: Confirming the Appointment of Deputy Borough Clerk and Setting the Salary

KPB-5969: Confirming the Appointments to Board of Equalization

KPB-5970: Confirming the Appointments to Resilience and Security Advisory Commission

ACTION ITEMS ELIGIBLE TO BE ADDED TO THE CONSENT AGENDA:

Ordinance 2023-19-45: Appropriating \$627,435.60 for the Princess Lake Estates USAD

Ordinance 2023-19-46: Appropriating \$5,000 to Provide for Bond Counsel Expenditures

APPROVAL OF MINUTES

[KPB-5954](#) April 16, 2024 Regular Assembly Meeting Minutes

Attachments: [April 16, 2024 Regular Assembly Meeting Minutes](#)

COMMENDING RESOLUTIONS AND PROCLAMATIONS

[KPB-5947](#) A Resolution Commending Allie Ostrander for Her Outstanding Athletic Achievements and Her Induction into the Alaska Sports Hall of Fame (Tunseth)

Attachments: [Commending Ostrander](#)

[KPB-5948](#) A Resolution Commending Jim Beeson for His Distinguished Contributions to Athletics and His Exemplary Service to the Kenai Peninsula Borough Community (Tunseth)

Attachments: [Commending Resolution - Beeson](#)

[KPB-5952](#) A Resolution Commending the Nikiski High School Drama, Debate & Forensics Team - Division II Alaska State Champions in Drama for the Year 2024 (Mayor, Ribbens)

Attachments: [Commending 2024 State Champs Nikiski DDF](#)

[KPB-5953](#) A Resolution Commending the Kenai Peninsula Borough Athletes of the 2024 Arctic Winter Games (Mayor)

Attachments: [Commending 2024 Arctic Winter Game Athletes](#)

PRESENTATIONS WITH PRIOR NOTICE

(20 minutes total)

1. [KPB-5955](#) Central Peninsula General Hospital, Inc. Quarterly Report, Shaun Keef, CEO (10 minutes)

Attachments: [CPGH Quarterly Report](#)

2. [KPB-5956](#) South Peninsula Hospital, Inc. Quarterly Report, Ryan Smith, CEO (10 minutes)

Attachments: [SPH Quartley Report](#)

PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

(3 minutes per speaker; 20 minutes aggregate)

MAYOR'S REPORT

[KPB-5965](#) Mayor's Report Cover Memo

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

1. Assembly Requests/Responses - None.

2. Agreements and Contracts

a. [KPB-5957](#) Authorization to Award a Contract for ITB24-030 KCHS Pool Flooring

Attachments: [Auth to Award Contract ITB24-030](#)

b. [KPB-5958](#) Authorization to Award a Contract for ITB24-044 Beluga Landfill

Operations & Maintenance

Attachments: [Auth to Award Contract ITB24-044](#)

- c. [KPB-5959](#) Authorization to Award a Contract for RFP24-009 Dieckgraeff Road and Culvert Design

Attachments: [Auth to Award Contract RFP24-009](#)

3. Other

- a. [KPB-5960](#) Litigation Status Report – Quarter Ending 3/31/24

Attachments: [Litigation Status Report Q3](#)

- b. [KPB-5961](#) Budget Revisions – March 2024

Attachments: [Budget Revisions - March 2024](#)

- c. [KPB-5962](#) Revenue-Expenditure Report – March 2024

Attachments: [Revenue Expenditure Report - March 2024](#)

- d. [KPB-5963](#) Senior Centers FY24 Q3 Grant Reports

Attachments: [Senior Centers Q3 Grant Reports](#)

- e. [KPB-5964](#) Kenai Peninsula Economic Development District (KPEDD) FY24 Quarter 3 Grant Report

Attachments: [KPEDD FY24 Quarter 3 Grant Report](#)

- f. [KPB-5985](#) Alaska Small Business Development Center Grant Report

Attachments: [ASBDC FY24 Q3 Grant Report](#)

ITEMS NOT COMPLETED FROM PRIOR AGENDA**PUBLIC HEARINGS ON ORDINANCES**

(Testimony limited to 3 minutes per speaker)

- [2023-19-45](#) An Ordinance Appropriating \$627,435.60 to the Special Assessment Fund for the Princess Lake Estates Utility Special Assessment District (Mayor)

Attachments: [Ordinance 2023-19-45](#)
[Memo](#)

- [2023-19-46](#) An Ordinance Appropriating \$5,000 from South Kenai Peninsula Hospital Service Area Fund Balance to Provide for Bond Counsel Expenditures on Preliminary Bond Related Services (Mayor)

Attachments: [Ordinance 2023-19-46](#)
[Memo](#)
[Advisory Board Recommendations](#)

UNFINISHED BUSINESS

1. Notice of Consideration

[2023-19-36](#) An Ordinance Appropriating \$289,178.64 to the Rollins Way Road Improvement Assessment District (Mayor)

Attachments: [Ordinance 2023-19-36](#)
[Memo](#)
[Request to Remove from Table \(Dealt with on 04/16/24\)](#)
[Memo Request to Table \(Dealt with on 03/19/24\)](#)

NEW BUSINESS

1. Resolutions

Resolutions referred to Finance Committee

[2024-009](#) A Resolution Forming the Princess Lake Estates Utility Special Assessment District and Proceeding with the Improvement of a Natural Gas Main Line Extension (Mayor)

Attachments: [Resolution 2024-009](#)
[Memo](#)
[Princess Lake Supporting Documents](#)

[2024-018](#) A Resolution Determining the Amount to be Provided from Local Sources for School Purposes During Fiscal Year 2025 and Approving the Kenai Peninsula Borough School District Total Budget (Mayor)

Attachments: [Resolution 2024-018](#)
[Memo](#)
[FY25 KPBSD Budget Request](#)

[2024-019](#) A Resolution Authorizing a Sole Source Contract with Harris Govern to Enhance the Sales Tax System (Mayor)

Attachments: [Resolution 2024-019](#)
[Memo](#)

Resolutions referred to Legislative Committee

[2024-020](#) A Resolution Requesting that United States Policymakers Allow More

Flexibility in Material Procurement for Build America, Buy America Act Infrastructure Projects (Cox)

Attachments: [Resolution 2024-020](#)
[Memo with Amendments](#)
[Memo](#)
[Supporting Documents](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

[2023-19-48](#) An Ordinance Authorizing a Lease Agreement for Medical Office Space Located at 4251 Hohe Street, Appropriating Funds for Acquisition Due Diligence and Earnest Money, and Authorizing Conditional Acquisition for Three Commercial Properties in Homer, Alaska, on Behalf of the South Kenai Peninsula Hospital Service Area (Mayor)

Attachments: [Ordinance 2023-19-48](#)
[Memo](#)
[Advisory Board Recommendations](#)
[Draft Lease Agreement](#)
[Revised Map](#)
[Objections](#)

[2023-19-49](#) An Ordinance Accepting and Appropriating Grant Funds from Southern Region Emergency Medical Services, Inc. on Behalf of Central Emergency Services and Appropriating Central Emergency Service Area Operating Fund Balance to Provide Local Match Funds for FY2022 and FY2024 Alaska Code Blue Grants (Mayor)

Attachments: [Ordinance 2023-19-49](#)
[Memo](#)
[Supporting Documents](#)

[2023-19-50](#) An Ordinance Deobligating and Appropriating Solid Waste Capital Project Funds Previously Appropriated for the Gas to Energy Project and Dumpster Replacement Projects at Central Peninsula Landfill to the CPL Baler Building Boiler Replacement (Mayor)

Attachments: [Ordinance 2023-19-50](#)
[Memo](#)

[2024-19](#) An Ordinance Appropriating Funds for Fiscal Year 2025 (Mayor)

Attachments: [Ordinance 2024-19](#)
[Mayor Amendment Memo](#)
[Johnson Amendment](#)
[Memo](#)
[Mayor Proposed FY25 Budget](#)
[Borough Wide Budget Presentation \(Given on 05/07/24\)](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

[2024-08](#) An Ordinance Amending KPB Chapter 7.10 Relating to Liquor License Protests to Account for License Endorsements and Deadlines for a Protest (Johnson at the Request of the Borough Clerk)

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

[2024-09](#) An Ordinance Amending KPB 22.40.130 Regarding Agenda for Assembly Meetings, Providing Materials for Public Presentation and Removing Language Regarding Requesting Teleconferencing (Johnson at the Request of the Borough Clerk)

Attachments: [Ordinance 2024-09](#)
[Memo](#)
[Cox Amendment Memo](#)

[2024-10](#) An Ordinance Amending KPB 22.40.080 to Place a Student Council Presentation with Prior Notice on the Agenda (Cox, Tunseth)

Attachments: [Ordinance 2024-10](#)
[Memo](#)
[Cox Amendment Memo](#)

3. Other

Other items referred to Finance Committee

[KPB-5966](#) Authorizing the Issuance of a Letter of Non-Objection to the Alcohol and Marijuana Control Office Regarding the Package Store Sampling Liquor License Endorsement Application as Requested by Bears Den Liquor dba Three Bears Alaska, Inc., License Number 976, Sterling

Attachments: [Complete Endorsement Application](#)

[KPB-5967](#) Authorizing the Issuance of a Letter of Non-Objection to the Alcohol and Marijuana Control Office Regarding the Package Store Sampling Liquor License Endorsement Application as Requested by Hunger Hut,

Inc. dba Hunger Hut Bar & Motel, License Number 2004, Nikiski

Attachments: [Complete Endorsement Application](#)

Other items referred to Policies and Procedures Committee

[KPB-5968](#) Confirming the Appointment of Jason Kasper to the Position of Deputy Borough Clerk and Setting the Salary

Attachments: [Confirming Deputy Borough Clerk](#)

[KPB-5969](#) Confirming the Appointments to Board of Equalization

Michelle Glaves, Seat A, Term Expires 12/31/2024

Bentley Hamilton, Alternate Seat A, Term Expires 12/31/2024

Attachments: [Board of Equalization Appointments](#)

[KPB-5970](#) Confirming the Appointments to Resilience and Security Advisory Commission

Bradley David Smith, At-Large Seat, Term Expires 09/30/2026

Rollin Byron McCord, Southcentral Peninsula, Term Expires 09/30/2026

Attachments: [Resilience and Security Advisory Commission Appointments](#)

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) (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](#)

INFORMATIONAL MATERIALS AND REPORTS

1. [KPB-5971](#) Cook Inlet Regional Citizens Advisory Council Director Report

Attachments: [CIRCAC Director Report](#)

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. May 20, 2024 9:00 AM
Budget Work Session #3
Betty J. Glick Assembly Chambers
Borough Administration Building
Remote participation available through Zoom
Meeting ID: 895 1103 3332 Passcode: 193069
2. May 21, 2024 9:00 AM
Budget Work Session #4
Betty J. Glick Assembly Chambers
Borough Administration Building
Remote participation available through Zoom
Meeting ID: 895 1103 3332 Passcode: 193069
3. May 21, 2024 6:00 PM Regular Assembly Meeting
Betty J. Glick Assembly Chambers
Borough Administration Building
Remote participation available through Zoom
Meeting ID: 895 1103 3332 Passcode: 193069

ADJOURNMENT

The next meeting of the Kenai Peninsula Borough Assembly will be held on April 2, 2024, at 6:00 P.M. in the Betty J. Glick Assembly Chambers, Soldotna, Alaska.

This meeting will be broadcast on KDLL-FM 91.9 (Central Peninsula), KBBI-AM 890 (South Peninsula and KIBH FM 91.7 (East Peninsula).

The meeting will be held through Zoom, the Meeting ID: 895 1103 3332 Passcode: 193069 and in-person from the Betty J. Glick Assembly Chambers, George A. Navarre 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: 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 Agendas" "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 <https://kpb.legistar.com/Calendar.aspx> for copies of the agenda, meeting minutes, ordinances and resolutions.