



# 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 21, 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)

---

Meeting ID: 895 1103 3332 Passcode: 193069

### 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.*

Also present were:

Peter A. Micciche, Borough Mayor

Sean Kelley, Borough Attorney

Brandi Harbaugh, Finance Director

Michele Turner, Borough Clerk

Jason Kasper, Deputy Borough Clerk

### 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-6010: May 7, 2024 Regular Assembly Meeting Minutes

KPB-6012: Commending Coach Ward Romans

KPB-6013: Commending KCHS Cheer Team State Champs

Resolution 2024-021: Authorizing the Assessor to Accept Late Filed Exemptions

Resolution 2024-022: Authorizing the Mayor to Enter into a MOA with HEA to Provide Efficient Danger Tree Removal

Ordinance 2023-19-51: Accepting and Appropriating Opioid Settlement Funds and Amending Ordinance 2021-19-50

Ordinance 2023-19-52: Redirecting Previously Appropriated State and Federal Fiscal Recovery Funds to the BAB Roof Replacement Project

Ordinance 2023-19-53: Appropriating \$4,031 to the Special Assessment Fund for the Jubilee Street USAD

Ordinance 2024-11: Amending KPB Chapter 21.29 Relating to Consolidated Material Extraction

KPB-6022: Petition to Vacate Portions of Fritz Creek Valley Drive

KPB-6023: Petition to Vacate the Entire Circe Lane Right-of-Way

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

Ordinance 2023-19-36: \$289,178.64 to the Rollins Way RIAD

Ordinance 2023-19-49: Accepting and Appropriating Grant Funds for Alaska Code Blue Grants

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

Ordinance 2024-19: Appropriating Funds for Fiscal Year 2025

Copies have been made available to the public, Borough Clerk Michele Turner noted by title only the resolutions, ordinances and other new business items that were on the consent agenda.

[KPB-6010](#) May 7, 2024 Regular Assembly Meeting Minutes

*Attachments:* [May 7, 2024 Regular Assembly Meeting Minutes](#)

**COMMENDING RESOLUTIONS AND PROCLAMATIONS**

[KPB-6012](#) A Resolution Commending Coach Ward Romans for His Exemplary Contributions to Athletics and His Induction into the Alaska High School Hall of Fame (Tunseth, Ribbens)

*Attachments:* [Commending Ward Romans](#)

[KPB-6013](#) A Resolution Commending Kenai Central High School Cheer Team for Their Exemplary Performance and Victory in the State Championship (Tunseth)

*Attachments:* [Commending Kenai Cheer 2024 State Champs](#)

**PRESENTATIONS WITH PRIOR NOTICE**

(20 minutes total)

1. [KPB-6014](#) Alaska Christian College Update, Dr. Keith Hamilton, President (10 minutes)  
*Attachments:* [AK Christian College Presentation](#)
2. [KPB-6015](#) Voter Integrity Hand Counting Ballots, Waynette Coleman (10 minutes)  
*Attachments:* [Public Comment 052124](#)

## **PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**

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

## **MAYOR'S REPORT**

- [KPB-6016](#) 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-6017](#) Authorization to Award a Contract for ITB24-048 Kenai Central High School Site Improvements  
*Attachments:* [Auth to Award Contract ITB24-048](#)
  - b. [KPB-6018](#) Authorization to Award a Contract for ITB24-050 Asbestos Flooring Abatement  
*Attachments:* [Auth to Award Contract ITB24-050](#)
  - c. [KPB-6019](#) Replacement of Tanker 125, Under the National Purchasing Partners (NPPGov) Contract  
*Attachments:* [Tanker 125 Replacement NPPGov Request](#)
3. Other
  - a. [KPB-6020](#) Capital Project Reports – March 31, 2024  
*Attachments:* [Capital Project Reports - March 31, 2024](#)
  - b. [KPB-6021](#) Investment Report Quarter Ended March 31, 2024  
*Attachments:* [Investment Report Quarter Ended - March 31, 2024](#)

## **ITEMS NOT COMPLETED FROM PRIOR AGENDA**

**PUBLIC HEARINGS ON ORDINANCES**

*(Testimony limited to 3 minutes per speaker)*

## Ordinances referred to Finance Committee

[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 \(Dealt with on 03/19/24\)](#)

[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 \(Given on 05/07/24\)](#)

## UNFINISHED BUSINESS

### NEW BUSINESS

#### 1. Resolutions

Resolutions referred to Finance Committee

[2024-006](#) A Resolution to Form the Rollins Way Road Improvement Assessment District and Proceed with the Improvement (Mayor)

*Attachments:* [Resolution 2024-006](#)  
[Memo](#)  
[Rollins Supporting Documents](#)  
[Objections](#)

[2024-021](#) A Resolution Authorizing the Assessor to Accept Two Late-Filed Disabled Veteran Exemption Applications, One Late-Filed Proof of Disability, and One Late-Filed Senior Citizen Exemption Application (Mayor)

*Attachments:* [Resolution 2024-021](#)  
[Memo](#)

Resolutions referred to Lands Committee

[2024-022](#) A Resolution Authorizing the Mayor to Enter into a Memorandum of Agreement with Homer Electric Association, Inc. to Provide Efficient Danger Tree Removal Adjacent to Above-Ground Utility Infrastructure within KPB Lands and KPB Rights-Of-Way (Mayor)

*Attachments:* [Resolution 2024-022](#)  
[Memo](#)  
[Draft Danger Tree Removal MOA](#)

#### 2. Ordinances for Introduction

## Ordinances for Introduction and referred to Finance Committee

[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 (Mayor)

*Attachments:* [Ordinance 2023-19-51](#)  
[Memo](#)  
[Cox Amendment](#)  
[Reference Copy R2021-074](#)  
[Reference Copy O2021-19-50](#)  
[Public Comment 060424](#)

[2023-19-52](#) An Ordinance Redirecting Previously Appropriated State and Federal Fiscal Recovery Funds to the Borough Administration Building Roof Replacement Project (Mayor) (Hearing on Shortened Time on 05/21/24)

*Attachments:* [Ordinance 2023-19-52](#)  
[Memo](#)

[2023-19-53](#) An Ordinance Appropriating an Additional \$4,031 to the Special Assessment Fund for the Jubilee Street Utility Special Assessment District (Mayor)

*Attachments:* [Ordinance 2023-19-53](#)  
[Memo](#)

## Ordinances for Introduction and referred to the Lands Committee

[2024-11](#) An Ordinance Amending KPB Chapter 21.29 Relating to Consolidated Material Extraction Within Material Site Permits (Mayor, Johnson, Ribbens, Ecklund)

*Attachments:* [Ordinance 2024-11](#)  
[Admin Amendment #1](#)  
[Admin Amendment #2](#)  
[Memo](#)  
[Reference Copy O2022-36 SUB](#)

3. Other - None.

**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](#)
2.     [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](#)
3.     [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](#)
4.     [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](#)
5.     [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 \(Given on 05/07/24\)](#)

## INFORMATIONAL MATERIALS AND REPORTS

### ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. June 4, 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

*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](http://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.*