



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Assembly

*Peter Ribbens, President*  
*Kelly Cooper, Vice President*  
*James Baisden*  
*Tyson Cox*  
*Willy Dunne*  
*Cindy Ecklund*  
*Bill Elam*  
*Brent Johnson*  
*Ryan Tunseth*

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Tuesday, January 7, 2025

6:00 PM

Betty J. Glick Assembly Chambers  
Meeting ID: 835 6358 3837 Passcode: 606672  
[https://yourkpb.zoom.us/j/83563583837?  
pwd=eTO44Um9ao1JJGavtBJG86PXlsuNvm.1](https://yourkpb.zoom.us/j/83563583837?pwd=eTO44Um9ao1JJGavtBJG86PXlsuNvm.1)

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Meeting ID: 835 6358 3837 Passcode: 606672

### 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-6481: December 3, 2024 Regular Assembly Meeting Minutes*

*Resolution 2025-001: Accepting \$215,725.70 from Alaska Department of Fish and Game Salmon Disaster Relief Funds for General Government Operations*

*Resolution 2025-002: Adopting an Alternate Allocation Method for the FY25 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in the Cook Inlet Fisheries Management Area*

*Resolution 2025-004: Authorizing a Standardization Policy for the Use of Analytix AN-450FG Anti-Scalent and Analytix 4930D Defoamer*

*Resolution 2025-003: Accepting the Resignation of Assembly Member Bill Elam and Declaring a Vacancy on the Assembly*

*Ordinance 2024-19-23: Appropriating Funds for the Redoubt Elementary and Skyview Middle School Portion of RFP25-008 Design Services*

*Ordinance 2025-01: Amending KPB Chapter 5.19, Uniform Remote Seller Sales Tax Code, in Accordance with Updates and Changes Adopted by the Alaska Remote Seller Sales Tax Commission*

*KPB-6511: Confirming an Appointment to the Bear Creek Fire Service Area Board*

*KPB-6512: Confirming an Appointment to the Resilience and Security Advisory Commission*

### *ACTION ITEM ELIGIBLE TO BE ADDED TO THE CONSENT AGENDA:*

*Ordinance 2024-19-22: Accepting and Appropriating \$65,000 in Federal Pass-Through Funds from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management for Cybersecurity Assessment Update*

*Ordinance 2024-34 Confirming the Assessment Roll for the Princess Lake Estates Utility Special Assessment District and Establishing the Method for Terminating Assessments and Issuing Refunds to Property Owners*

## APPROVAL OF MINUTES

1. [KPB-6481](#) December 3, 2024 Regular Assembly Meeting Minutes

*Attachments:* [December 3, 2024 Regular Assembly Meeting Minutes](#)

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

### PRESENTATIONS WITH PRIOR NOTICE

*(20 minutes total)*

1. [KPB-6478](#) Soldotna High School Student Council, Emma Glassmaker, Student Body President (10 minutes)

## PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

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

**MAYOR'S REPORT**

[KPB-6513](#) Mayor's Report Cover Memo

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

## 1. Assembly Requests/Responses

*None*

## 2. Agreements and Contracts

a. [KPB-6514](#) Authorization to Award Contract ITB25-022 – Limited Liability Reports

*Attachments:* [Authorization to Award Contract ITB25-022 Limited Liability Reports](#)

b. [KPB-6515](#) Authorization to Award Contract RFP23-001 – Mass Notification System

*Attachments:* [Authorization to Award Maintenance and Service Contract RFP23-001 Mass No](#)

c. [KPB-6516](#) Authorization to Award Contract RFP25-009 – SW Wheel Loader Purchase

*Attachments:* [Authorization to Award RFP25-009 - SW Wheel Loader Purchase](#)

d. [KPB-6517](#) Authorization to Award Contract RFP25-010 – CPL Compact Wheel Loader Purchase

*Attachments:* [Authorization to Award RFP25-010 - CPL Compact Wheel Loader Purchase](#)

e. [KPB-6518](#) Sole Source Waiver – AnalyTix Technologies, LLC, Antifoam & Descalent Chemicals

*Attachments:* [Sole Source Waiver - AnalyTix Technologies](#)

## 3. Other

a. [KPB-6519](#) Budget Revisions - November 2024

*Attachments:* [Budget Revisions - November 2024](#)

b. [KPB-6520](#) Revenue-Expenditure Report – November 2024

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

c. [KPB-6521](#) Tax Adjustment Request Approval

*Attachments:* [Tax Adjustment Request Approval](#)

- d. [KPB-6522](#) Litigation Status Report – 4th Quarter 2024

Attachments: [Litigation Status Report 4th Quarter](#)

## ITEMS NOT COMPLETED FROM PRIOR AGENDA

### PUBLIC HEARINGS ON ORDINANCES

*(Testimony limited to 3 minutes per speaker)*

Ordinances referred to Finance Committee

1. [2024-19-22](#) An Ordinance Accepting and Appropriating \$65,000 in Federal Pass-Through Funds from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management for Cybersecurity Assessment Update (Mayor)

Attachments: [Ordinance 2024-19-22](#)  
[Memo](#)

2. [2024-34](#) An Ordinance Confirming the Assessment Roll for the Princess Lake Estates Utility Special Assessment District and Establishing the Method for Terminating Assessments and Issuing Refunds to Property Owners (Mayor)

Attachments: [Ordinance 2024-34](#)  
[Princess Lake Est USAD FINAL ASSMT ROLL 10-9-2024](#)  
[Reference Copy R2024-009](#)  
[Reference Copy O2023-19-45](#)

Ordinances referred to Lands Committee

3. [2024-33](#) An Ordinance Amending KPB 21.46.070 to Create the Kenai Wellness Estates Addition Local Option Zoning District Mixed-Use District (C-3) and Granting an Exception to the Minimum Twelve-Lot Requirement in KPB 21.44.040(A) (Mayor)

Attachments: [Ordinance 2024-33](#)  
[Memo](#)  
[Ownership Map](#)  
[Overview and Vicinity Map](#)  
[Comment Penrod](#)  
[Public Comment 12/03/24](#)

Ordinances referred to Policies and Procedures Committee

4. [2024-29](#) An Ordinance Amending KPB 2.56.030 to Incorporate the 2024 Homer Transportation Plan as an Element of the Official Comprehensive Plan for that Portion of the Borough within the Boundaries of the City of Homer (Mayor)

Attachments: [Ordinance 2024-29](#)  
[Advisory Board Recommendations](#)  
[Memo](#)  
[Ltr City of Homer](#)  
[Homer Transportation Plan 2024](#)  
[Reference Homer O24-31\(S\)](#)  
[Reference Copy O2019-25](#)

5. [2024-31](#) An Ordinance Amending KPB Chapter 16.41 to Authorizing the KPB Road Service Area to Approve Minimal Maintenance Work and One-Time Maintenance Work on Roads not Currently Maintained by the KPB Road Service Area (Mayor)

Attachments: [Ordinance 2024-31](#)  
[Advisory Board Recommendations](#)  
[Memo](#)  
[Cox Amendment](#)

6. [2024-32](#) An Ordinance Amending KPB 21.50.055 Relating to the Start of Accrual of Civil Fines for Violations of Title 21 of the KPB Code (Mayor)

Attachments: [Ordinance 2024-32](#)  
[Memo](#)

7. [2024-36](#) An Ordinance Amending KPB Chapter 22.40.080, Relating to Assembly Meeting Agenda, to Increase Aggregate Time for the First Open Public Comment Opportunity and Eliminate the Second Public Comment and Public Presentation Portion (Ribbens)

Attachments: [Ordinance 2024-36](#)  
[Memo](#)  
[Pubic Comment Zoom Chat](#)  
[Public Comment](#)

## UNFINISHED BUSINESS

## NEW BUSINESS

## 1. Resolutions

## Resolutions referred to Finance Committee

- \*a. [2025-001](#) A Resolution Accepting \$215,725.70 from Alaska Department of Fish and Game Salmon Disaster Relief Funds for General Government Operations (Mayor)

*Attachments:* [Resolution 2025-001](#)  
[Memo](#)

- \*b. [2025-002](#) A Resolution Adopting an Alternate Allocation Method for the FY25 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in the Cook Inlet Fisheries Management Area (Mayor)

*Attachments:* [Resolution 2025-002](#)  
[Memo](#)

- \*c. [2025-004](#) A Resolution Authorizing a Standardization Policy for the Use of Analytix AN-450FG Anti-Scalent and Analytix 4930D Defoamer (Mayor)

*Attachments:* [Resolution 2025-004](#)  
[Memo](#)

## Resolutions referred to Policies and Procedures Committee

- \*d. [2025-003](#) A Resolution Accepting the Resignation of Assembly Member Bill Elam and Declaring a Vacancy on the Assembly (Ribbens, Cooper)

*Attachments:* [Resolution 2025-003](#)  
[Memo](#)  
[Elam Resignation Letter](#)

## 2. Ordinances for Introduction

## Ordinances for Introduction and referred to the Finance Committee

- \*a. [2024-19-23](#) An Ordinance Appropriating Funds for the Redoubt Elementary and Skyview Middle School Portion of RFP25-008 Design Services (Mayor) (Hearing on 01/21/25)

Attachments: [Ordinance 2024-19-23](#)  
[Memo](#)  
[Reference Copy R2024-053](#)

- \*b. [2025-01](#) An Ordinance Amending KPB Chapter 5.19, Uniform Remote Seller Sales Tax Code, in Accordance with Updates and Changes Adopted by the Alaska Remote Seller Sales Tax Commission (Mayor) (Hearing on 02/04/25)

Attachments: [Ordinance 2025-01](#)  
[Memo](#)

### 3. Other

Other items referred to Policies and Procedures Committee

- \*a. [KPB-6511](#) Confirming Appointment to the Bear Creek Fire Service Area Board (Mayor)  
Jason Bickling, Board Seat E, Term Expires October 2027

Attachments: [Appointment to Bear Creek Fire Service Area Board](#)

- \*b. [KPB-6512](#) Confirming Appointment to Resilience and Security Advisory Commission (Mayor)  
Appointment Philip Kaluza, Board Seat East Peninsula, Term Expires 09/30/2027

Attachments: [Appointment to RSAC \(East Peninsula\)](#)

## PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

## ASSEMBLY COMMENTS

## PENDING LEGISLATION

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

1. [2024-35](#) An Ordinance Amending KPB 21.06 .030, General Provisions, to Adopt the Most Recent FEMA Flood Insurance Study and Associated Flood Insurance Rate Maps for the Kenai Peninsula Borough (Mayor) (Hearing on 01/21/25)

Attachments: [Ordinance 2024-35](#)  
[Memo](#)  
[FIS and FIRM Adoption Supporting Documents](#)  
[Public Comment](#)  
[Public Comment 010725](#)  
[010725 Planning Department Presentation](#)

## INFORMATIONAL MATERIALS AND REPORTS

1. [KPB-6510](#) Cook Inlet Regional Citizens Advisory Council Update

Attachments: [Director Report - Merkes](#)

## ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. January 21, 2025 6:00 PM  
Regular Assembly Meeting  
Betty J. Glick Assembly Chambers  
Borough Administration Building  
Remote participation available through Zoom  
Meeting ID: 835 6358 3837 Passcode: 606672

## ADJOURNMENT

*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: 835 6358 3837 Passcode: 606672. 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 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](http://www.kpb.us) for copies of the agenda, meeting minutes, ordinances and resolutions.*





# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Minutes - Draft

### Assembly

*Peter Ribbens, President*

*Kelly Cooper, Vice President*

*James Baisden*

*Tyson Cox*

*Willy Dunne*

*Cindy Ecklund*

*Bill Elam*

*Brent Johnson*

*Ryan Tunseth*

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Tuesday, December 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

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Meeting ID: 895 1103 3332 Passcode: 193069

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### INVOCATION

The invocation was given by Tim Weekley, Chaplain for Central Emergency Services.

### ROLL CALL

*[Clerk's Note: Vice President Cooper and Assembly Member Ecklund participated via Zoom.]*

**Present:** 8 - Brent Johnson, Ryan Tunseth, Vice President Kelly Cooper, President Peter Ribbens, Bill Elam, Cindy Ecklund, James Baisden, and Willy Dunne

**Excused:** 1 - Tyson Cox

Also present were:

Brandi Harbaugh, Finance Director

Sean Kelley, Borough Attorney

Michele Turner, Borough Clerk

Jason Kasper, Deputy Borough Clerk

### COMMITTEE REPORTS

Assembly Member Tunseth stated the Finance Committee met and discussed its agenda items.

*[7 Present: Baisden, Cooper (via Zoom), Dunne, Ecklund (via Zoom), Johnson, Tunseth, Ribbens/2 Absent: Cox, Elam]*

Assembly Member Baisden stated the Policies and Procedures Committee met and discussed its agenda items.

*[8 Present: Baisden, Cooper (via Zoom), Dunne, Ecklund (via Zoom), Elam, Johnson, Tunseth, Ribbens/1 Absent: Cox]*

Assembly Member Dunne stated the Legislative Committee met and discussed its agenda items.

*[8 Present: Baisden, Cooper (via Zoom), Dunne, Ecklund (via Zoom), Elam, Johnson, Tunseth, Ribbens/1 Absent: Cox]*

**APPROVAL OF AGENDA AND CONSENT AGENDA**

**Dunne moved to approve the agenda and consent agenda.**

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

[KPB-6477](#) November 12, 2024 Regular Assembly Meeting Minutes  
**approved.**

The following public hearing items met the required conditions of KPB 22.40.110 and were added to the consent agenda:

[2024-19-20](#) An Ordinance Redirecting Previously Appropriated Solid Waste Capital Project Funds for Leachate Concentrator Upgrades (Mayor)  
**This Budget Ordinance was enacted**

[2024-19-21](#) An Ordinance Accepting and Appropriating Funding from the State of Alaska in the Amount of \$410,514 and Approving Projects to be Completed for Community Purposes Under the 2024/2025 Community Assistance Program (Mayor)

*[Clerk's Note: Assembly Member Johnson recused himself from Ordinance 2024-19-21 stating that he was the chair of the Kasilof Regional Historical Association. Legal advised recusal was appropriate to eliminate any appearance of impropriety. Mr. Johnson abstained from the discussion and vote on Ordinance 2024-19-21.]*

**This Budget Ordinance was enacted.**

**Yes:** 7 - Tunseth, Cooper, Ribbens, Elam, Ecklund, Baisden, and Dunne

**Excused:** 1 - Cox

**Abstain:** 1 - Johnson

[2024-30](#) An Ordinance Confirming the Assessment Roll for the Jubilee Street Utility Special Assessment District and Establishing the Method for Terminating Assessments and Issuing Refunds to Property Owners (Mayor)

**This Ordinance was enacted.**

#### New Business

[2024-053](#) A Resolution Authorizing Award of a Contract for RFP25-008 Soldotna Elementary & Soldotna Prep Consolidation Design Services (Mayor)

**This Resolution was adopted.**

[2024-054](#) Confirming Appointments of Assembly Members to Non-Borough Boards (Ribbens)

**This Resolution was adopted.**

[2024-055](#) LAYDOWN A Resolution Supporting Alaska State Parks Application for an Interagency Land Management Assignment ADL 233649 for Trails in the Cottonwood Eastland Unit of Kachemak Bay State Park (Dunne)

**This Resolution was adopted.**

[2024-19-22](#) An Ordinance Accepting and Appropriating \$65,000 in Federal Pass-Through Funds from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management for Cybersecurity Assessment Update (Mayor) (Hearing on 01/07/25)

**This Budget Ordinance was introduced and set for public hearing.**

[2024-34](#) An Ordinance Confirming the Assessment Roll for the Princess Lake Estates Utility Special Assessment District and Establishing the Method for Terminating Assessments and Issuing Refunds to Property Owners (Mayor) (Hearing on 01/07/25)

**This Ordinance was introduced and set for public hearing.**

[2024-35](#) An Ordinance Amending KPB 21.06 .030, General Provisions, to Adopt the Most Recent FEMA Flood Insurance Study and Associated Flood Insurance Rate Maps for the Kenai Peninsula Borough (Mayor) (Hearing on 01/21/25)

**This Ordinance was introduced and set for public hearing.**

[2024-36](#) An Ordinance Amending KPB Chapter 22.40.080, Relating to Assembly Meeting Agenda, to Increase Aggregate Time for the First Open Public Comment Opportunity and Eliminate the Second Public Comment and Public Presentation Portion (Ribbens) (Hearing on 01/07/25)

**This Ordinance was introduced and set for public hearing.**

[KPB-6476](#) Confirming Appointments to Service Area Boards (Mayor)  
Seldovia Recreational Service Area  
Valisa Higman, Seat C, Term Expires 10/2027

Western Emergency Service Area  
Janice Nofziger, Seat E, Term Expires 10/2027

**approved.**

Approval of the Agenda and Consent Agenda

President Ribbens called for public comment.

The following people spoke in opposition of Ordinance 2024-35:

**Frank Turpin**

The following people spoke in opposition of Ordinance 2024-36:

**Mary Griswold** (via Zoom)

**Joan Corr**

**Ed Martin Jr.** (via Zoom)

There being no one else who wished to speak, the public comment period was closed.

**The motion to approve the agenda and consent agenda carried by the following vote:**

**Yes:** 8 - Johnson, Tunseth, Cooper, Ribbens, Elam, Ecklund, Baisden, and Dunne

**Absent:** 1 - Cox

**COMMENDING RESOLUTIONS AND PROCLAMATIONS****PRESENTATIONS WITH PRIOR NOTICE**

1. [KPB-6462](#) Central Peninsula General Hospital Quarterly Report, Sean Keef, President (10 Minutes)

*[Clerk's Note: Sean Keef, CEO of Central Peninsula General Hospital gave a presentation to the Assembly.]*

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

President Ribbens called for public comment.

**Ed Martin Jr.** (via Zoom) addressed the Assembly regarding public access at the River Center.

There being no one else who wished to speak, the public comment period was closed.

**MAYOR'S REPORT**

[KPB-6468](#) Mayor's Cover Memo

1. Assembly Requests/Responses
2. Agreements and Contracts
  - a. [KPB-6469](#) Cascade Fire Equipment Company – Sole Source
  - b. [KPB-6470](#) Chinook Fire Protection LLC – Sole Source Waiver
3. Other
  - a. [KPB-6471](#) Budget Revisions – October 2024
  - b. [KPB-6472](#) Capital Project Reports – September 30, 2024
  - c. [KPB-6473](#) Investment Report Quarter Ended 9/30/24
  - d. [KPB-6474](#) Revenue-Expenditure Report – October 2024
  - e. [KPB-6475](#) FY25 1Q Grant Reports

**ITEMS NOT COMPLETED FROM PRIOR AGENDA**

None.

**UNFINISHED BUSINESS**

None.

**PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

President Ribbens called for public comment with none being offered.

**ASSEMBLY COMMENTS**

Assembly Member Elam stated he appreciated everyone who provided testimony. He stated January 7, 2025 was his last Assembly meeting.

Assembly Member Johnson congratulated Mr. Elam for being elected to the State House of Representatives.

Assembly Member Baisden congratulated Mr. Elam and Mr. Johnson for running good campaigns. He thanked everyone who provided testimony.

Assembly Member Tunseth congratulated the Kenai Chamber of Commerce for their "Christmas Comes to Kenai" event held on November 29, 2024. He stated he attended the December 2, 2025 Board of Education meeting.

Assembly Member Dunne thanked the public for their testimony. He stated he traveled to Seldovia and attended the city council meeting on November 25, 2025. He thanked Chapman Elementary School Principal Heidi Stokes for providing a tour of the school on December 3, 2024. He stated the "Homer Nutcracker Ballet" was held on December 6, 7, 11, 13 and 14, 2024 at Homer High School Mariner Theater.

Assembly Member Ecklund congratulated Mr. Elam and Mr. Johnson for their election campaigns. She congratulated Nikiski High School for winning the 2024 Alaska State Volleyball Championship. She thanked those who stepped up to become substitute teachers. She wished everyone a Merry Christmas and Happy New Year.

Vice President Cooper congratulated Mr. Elam on his election to the State House. She wished everyone a great holiday season.

**INFORMATIONAL MATERIALS AND REPORTS**

None.

**ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

- 1. January 7, 2025 6:00 PM  
Regular Assembly Meeting  
Betty J. Glick Assembly Chambers  
Borough Administration Building  
Remote participation available through Zoom  
Meeting ID: 835 6358 3837 Passcode: 606672

**ADJOURNMENT**

With no further business to come before the assembly, President Ribbens adjourned the meeting at 7:12 p.m.

I certify the above represents accurate minutes of the Kenai Peninsula Borough Assembly meeting of December 3, 2024.

\_\_\_\_\_  
Michele Turner, CMC, Borough Clerk

Approved by the Assembly: \_\_\_\_\_

Kenai Peninsula Borough  
Office of the Borough Mayor

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MAYOR'S REPORT TO THE ASSEMBLY

**TO:** Peter Ribbens, Assembly President  
Members, Kenai Peninsula Borough Assembly

**FROM:** Peter A. Micciche, Kenai Peninsula Borough Mayor



**DATE:** January 7, 2025

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Assembly Request / Response

*None*

Agreements and Contracts

- a. Authorization to Award Contract ITB25-022 – Limited Liability Reports
- b. Authorization to Award Contract RFP23-001 – Mass Notification System
- c. Authorization to Award Contract RFP25-009 – SW Wheel Loader Purchase
- d. Authorization to Award Contract RFP25-010 – CPL Compact Wheel Loader Purchase
- e. Sole Source Waiver – AnalyTix Technologies, LLC, Antifoam & Descalent Chemicals

Other

- a. Budget Revisions - November 2024
- b. Revenue-Expenditure Report – November 2024
- c. Tax Adjustment Request Approval
- d. Litigation Status Report – 4<sup>th</sup> Quarter 2024



# Kenai Peninsula Borough Purchasing & Contracting

## MEMORANDUM

**TO:** Peter A. Micciche, Borough Mayor

**THRU:** John Hedges, Purchasing & Contracting Director *JH*

**FROM:** Nolan Scarlett, Property Tax & Collections Manager *NS*

**DATE:** December 9, 2024

**RE:** Authorization to Award a Contract for ITB25-022 Limited Liability Reports

The Purchasing and Contracting Office formally solicited and received bids for the ITB25-022 Limited Liability Reports. Bid packets were released on November 20, 2024 and the Invitation to Bid was advertised on Bid Express on November 20, 2024.

The project consists of providing title reports for the years 2025 through 2027 for foreclosed upon real property in the Kenai, Seward, Homer/Seldovia, and Anchorage/Iliamna recording districts.

On the due date of December 5, 2024, one (1) bid was received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$63,440.00 was submitted by Stewart Title of the Kenai Peninsula, Soldotna, Alaska.

Your approval for this bid award is hereby requested. Funding for this project is in account number 100-11440-00000-43932.



Peter A. Micciche, Borough Mayor

12/10/2024

Date

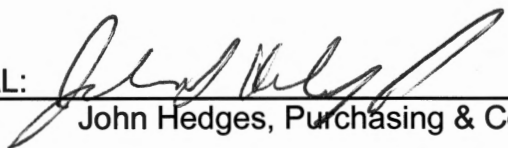
FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. _____	100-11440-00000-43932
Amount _____	\$63,440.00
By: <i>CF BH</i>	Date: 12/9/2024
NOTES: FY26 & FY27 CONTINGENT UPON ASSEMBLY APPROPRIATION.	

**KENAI PENINSULA BOROUGH  
PURCHASING & CONTRACTING**

**BID TAB FOR: ITB25-022 LIMITED LIABILITY REPORTS**

CONTRACTOR	LOCATION	BASE BID
Stewart Title of the Kenai Peninsula	Kenai, Alaska	\$63,440.00

DUE DATE: December 5, 2024

KPB OFFICIAL:   
John Hedges, Purchasing & Contracting Director

# Kenai Peninsula Borough Purchasing & Contracting

## MEMORANDUM

**TO:** Peter A. Micciche, Borough Mayor

**THRU:** John D. Hedges, Purchasing & Contracting Director *JH*

**THRU:** Brandi Harbaugh, Finance Director *BH*

**FROM:** Brenda Ahlberg, Emergency Manager *BA*

**DATE:** December 11, 2024

**RE:** Authorization to Award a Maintenance and Service Contract for RFP23-001 Mass Notification System

On August 2, 2022, the Kenai Peninsula Borough Purchasing & Contracting Department formally solicited proposals for RFP23-001 Mass Notification System. The request for proposals was advertised in the Peninsula Clarion and the Anchorage Daily News on August 2, 2022 and in the Homer News on August, 4, 2022.

As part of the Tsunami warning siren system replacement project the proposers were asked to include a cost for the annual maintenance fee and service requirements. This portion of the scope of services would start at the end of the one-year warranty period and continue for the useful life of the system.

On the due date of August 23, 2022, six (6) proposals were received and reviewed by a review committee. The Maintenance proposals were reviewed as part of the practical evaluation.

The highest-ranking proposal was submitted by HQE Systems, Inc. with an annual, recurring cost of \$51,926.38 for 10 years. A 10% discount was also negotiated and included in the price, provided that a 10-year agreement is accepted. This agreement would be contingent upon appropriation of funds on an annual basis. The proposal review committee recommends award of a contract to HQE Systems, Inc. of Temecula, California. Your approval for this award is hereby requested.

Funding of this contract will be charged to account number 100-11250-00000-43019.



Peter A. Micciche, Borough Mayor

12/17/2024

Date

NOTES: FY26 through FY35  
Contingent upon Assembly  
appropriation.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>100-11250-00000-43019 - \$51,926.38 - FY25</u>
Amount.	<u>100-11250-00000-43019 \$51,926.38 - FY26 through FY35</u>
By: <i>CJ</i>	Date: <u>12/17/2024</u>

# BUMPER-TO-BUMPER NO HASSLE MAINTENANCE SERVICE PLAN

## Kenai Peninsula Borough

### SiRcom Mass Notification Systems Service Plan



Date Submitted : 02 JUNE, 2023



This proposal contains trade secrets and confidential business or financial information exempt from disclosure under the Freedom of Information Act. This proposal includes data that shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed—in whole or in part—for any purpose other than to evaluate this proposal. If, however, a contract is awarded to this offeror as a result of—or in connection with—the submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting contract. This restriction does not limit the Government’s right to use the information contained in this data if it is obtained from another source without restriction. The data subject to this restriction is contained in this proposal and all attachments. **All product names, logos, and brands are the property of their respective owners.** All company, product, and service names used in this proposal are for identification purposes only. Use of these names, logos, and brands does not imply endorsement.



# 1. Cover Letter

To the Kenai Peninsula Borough’s Procurement Board,

HQE Systems, Inc. is a Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) Certified, Minority-Owned, Service-Disabled Veteran-Owned Small Business (SDVOSB) with its global headquarters in Temecula, CA. HQE Systems is pleased to submit the Bumper-2-Bumper No Hassle Full Service Maintenance Plan to the Kenai Peninsula Borough for consideration. Since 2014, HQE Systems has been designing, engineering, installing, and maintaining Giant Voice System (Central Control Units, Speaker Arrays, Control Cabinets, Radios, Solar Chargers, and Subcomponents) solutions for a host of clients worldwide.

It is with great pleasure that we present you with the following response to provide the Kenai Peninsula Borough with the Bumper-2-Bumper No Hassle Full Service Maintenance Plan, to include:

- ❖ A support plan to be executed by a dedicated team of factory-certified engineers and technicians
- ❖ A fixed service plan that includes factory standard annual preventive maintenance
- ❖ A fixed service plan cost for all labor, equipment, and materials utilized in the service year
- ❖ Responsive repairs and corrective maintenance service to include remote and on-site support
- ❖ Upgrade to the latest version of the SiRcom SMART Alert Software (SiSA)
- ❖ Full turn-key solution

The Bumper-2-Bumper No Hassle Full Service Maintenance Plan being offered from HQE complies with all FARS, maintenance & operational scope, requirements, and instructions outlined in the previous.

If you have any questions or concerns, please contact our dedicated team for this project:

<b>Technical Issue POC:</b>	Mr. David Ditto BD@HQESystems.com	BD Director / <b>Giant Voice Expert</b> (800) 967-3036 Ext 1109
<b>Customer Support POC:</b>	Ms. Desiree Carr Contracts@HQESystems.com	Administrative & Contracts Support (800) 967-3036 Ext 1106

**Company Name:** HQE Systems, Inc.  
**Address:** 27419 Via Industria, Temecula, CA 92590  
**Phone/Fax:** 1 (800) 967-3036 / 1 (760) 645-7183  
**Classification:** Service-Disabled Veteran-Owned Small Business (SDVOSB)

<b>DUNS/UEI Number:</b>	079240822/YGCSL35ZWAD7	<b>CA SB/DVBE:</b>	2001433/ACTIVE
<b>CAGE Code:</b>	72W82	<b>SAM/WAWF:</b>	CERTIFIED/ACTIVE
<b>Federal EIN:</b>	46-4509670	<b>SDVOSB:</b>	CERTIFIED/ACTIVE
<b>VA VetsFirst:</b>	CERTIFIED/ACTIVE	<b>CONTRACTOR LIC:</b>	1087628/ACTIVE



## 2. Company Information

### 2.1 Why Our Customers Choose Us

HQE Systems, Inc. (HQE) is a FEMA Certified, Minority Owned-Service Disabled Veteran Owned Small Business (SDVOB) with its global headquarters in Temecula, California. HQE was founded by service-disabled veterans who wanted to continue to serve our communities after honorably serving in the military. For a short period, the founders of HQE worked as Subject Matter Expert (SME) Engineers and managers for our nation's most prominent Fortune 50 technology companies. With the work ethics sharpened in the military and the technical and project management knowledge gained from working for Fortune 50 companies, the founders of HQE decided to open its door officially in 2014. Since then, HQE has become an internationally recognized full-service technology company servicing significant clients worldwide.



The value of HQE goes beyond just our technically exceptional offer and price. Since 2014, we have continued solving problems for our clients through innovative software development and systems integration. Any company can offer a piece of equipment and install it. That's the easy part. But very few are capable of integrating legacy technologies with modern systems. Ultimately, our new customers always become our longtime customers due to our ability to solve problems others won't touch. We solve problems! But more importantly, we will **ALWAYS GO THE EXTRA MILE TO SERVE YOU AND YOUR TEAM!**

### 2.2 What We Offer

SURVEILLANCE CAMERAS	ACCESS CONTROLS	INTRUSION DETECTION	OUTDOOR GIANT VOICE	INDOOR PAGING	ELECTRONIC MASS ALERTS	SOFTWARE DEVELOPMENT	SYSTEMS INTEGRATIONS



### 3. Technical Capabilities & Proposed Modern Solution

#### 3.1 HQE’s Full Mass Notification Systems Capabilities

HQE provides complete turn-key solutions and services for all MNS capabilities. Our MNS engineering and technical teams have the experience and know-how to support projects of any size and scope successfully. HQE can provide solutions for systems design, planning, installation, upgrades, and sustainment services. We can provide the full spectrum of solutions as a turnkey service because all core capabilities are in-house. HQE can provide complete solutions for the capabilities listed below:



- ❖ **Design & Upgrade Consultation:** Full design services for new and existing systems.
- ❖ **Mass Notification C2 Software:** On-Premise or Cloud-Based C2 Software
- ❖ **Electronic Mass Notification System (EMNS):** Software mass notification solution
  - Emails Alerts                      Phone Calls                      SMS Text Alerts
  - Desktop Alerts                      Social Media Alerts                      Push Notifications
- ❖ **Indoor Notification:** Unified indoor alerting capabilities
  - Fire Alarm Integration      Cable TV Alerts                      Visual/Audio Beacons
  - Marquee Sign Alerts      VoIP Integration                      Paging Systems
  - Panic Buttons                      Workplace Violence                      Active Shooter Locator
- ❖ **Giant Voice Sirens:** All-weather intelligible audio outdoor warning system
- ❖ **Maintenance Services:** On Call & Scheduled PM & CM Services.

HQE is a subject matter expert in compliance requirements for the offered systems.





\* Note: HQE provides a solution and not a compliance service.



### 3.2 HQE’s Full In-House Giant Voice Maintenance Capabilities

High Quality OEM Standard Giant Voice No Hassle Full Maintenance Service

Factory Level Inspections	Preventive Maintenance (PM) Corrective Maintenance (CM)	Detailed & Timely Reporting
		

HQE’s in-house highly experienced giant voice maintenance teams are agile and highly efficient at ensuring the highest systems readiness for our client’s outdoor warning sirens. HQE’s Subject Matter Expert (SME) Maintenance Technicians are currently performing short and long-term maintenance support contracts worldwide. Working in every environment (humid, dry, extreme heat/cold, dusty/sandy, tropical jungles, unstable local power, tornado/hurricane susceptible areas) on all known significant brands. With real-world hands-on maintenance experience, HQE is capable of providing the following maintenance solutions:

Electrical Inspections	Mechanical Inspections	Driver Inspections	Driver Repairs	Verify Op Controls
Verify Proper Voltage	Check Charger(s)	Battery Inspections	Verify Wiring/Fuses	Verify Antennas
Verify Conduit Seals	Verify AC/Solar Power	Verify AC Connectors	Verify Battery Heaters	Verify Intrusion Switch
Inspect Sirens	Grease & Lube Service	Inspect All Surfaces	Software Updates	Software Patches
Clean Connectors	Clean All Surfaces	Rust Removal	Rust Prevention	Paint Surfaces
Verify All Radios	Verify Cellular/IP/WiFi	Inspect Amplifiers	Minor Clean	Major Clean

All services will be performed to factory standards. HQE’s engineers and technical staff are certified by SiRcom as Subject Matter Experts. This ensures that HQE’s customers receive the highest quality work and service from the dedicated maintenance service team.





### 3.3 Advantages of The Bumper-2-Bumper No Hassle Service Plan

HQE provides a Bumper-To-Bumper service plan developed to provide our customers with a true solution that alleviates all of the headaches associated with installing a new early warning system while gaining all of the benefits of working with an honest and trustworthy service provider.

The advantages of the Bumper-To-Bumper program are:

- Alleviates the old “sell the systems for a low cost” and “overcharge the customers with repair parts and upgrades.” HQE is offering a fixed firm price for a full-service agreement. No matter the requirements, everything will be fixed, serviced, and upgraded under the annual fixed firm price.
- Alleviates administrative requirements for our customers to continue to submit for micro-budgets throughout the year if the early warning system requires minor or major repairs. Under the annual fixed firm price, any materials, equipment, and software issues will be fixed at no cost to the customer.
- Alleviates any upgrade charges associated with new features rollout. SiRcom is continuously upgrading and improving the SiRcom SMART Alert Software (SiSA). While under the Bumper-To-Bumper service agreement, all the upgraded features will be automatically provided to the customer at no additional cost. New features approved for the rollout are tested and accredited before being released. This ensures that our customers benefit from HQE and SiRcom’s 3rd Party accreditation and testing requirements set by the Federal Government.
- Alleviates our customers from attempting to perform preventive or corrective maintenance on equipment that is not standard for general maintenance technicians. This ensures that the burden for our customer maintenance departments is minimized as HQE’s staff will perform all preventive maintenance throughout the service year.
- Alleviates any long delays in repair parts availability that plagues the rest of the industry. HQE has two central warehouses that stock up to 10+% of repair parts for all of our clients. This means that HQE can source its internal inventory anytime to mitigate any repair issues found during a preventive maintenance visit or inspection.
- Alleviates our customers from having to replace or perform major mid-life upgrades at year ten. With HQE’s Bumper-To-Bumper service plan, at the end of the 10th year, our customers would practically have a 99.99% new system with all of the OEM standard maintenance and servicing performed on the system. This ensures that our customers can be confident that the company that installed the system, maintains the system, and is ready to support any other requirements in the future.
- Significant monetary discounts are provided to the customers for long-term sustainment plans. This ensures that the customer receives the best service from a certified company that knows the system's ins and outs. This ensures that the giant voice system has detailed continuity to alleviate any gaps in service, which can ultimately lead to a degraded system.



## The Bumper-To-Bumper Service Tasks

- Preventative Maintenance
  - Annually Inspected and Serviced (Quarterly inspections can be offered depending on the environment and conditions found during the initial inspection and servicing).
- Corrective Maintenance
  - Remote Support (24/7/365)
  - On-Site Support (Within 72 hours of completed remote support)
- Software Upgrades
  - Integrate all new features of the SiRcom SMART Alert Software (SiSA)
  - Minor changes to SiSA to improve customer experience
- Software Patches
  - Provide all security and operating systems patches and servicing to ensure proper functionality of the software and the hardware
- Systems Integration
  - Provide systems integrations of new systems procured or deployed by the customers that require interfacing with the early warning system if capable

## The Bumper-To-Bumper Service Plan Cost For Kenai Peninsula Borough

#	Bumper-To-Bumper Service Plan (Years)	Fixed Firm Cost (Yearly Rate)	Discount Rate	Annual Discount Amount	Total Saved During Service Plan Period	Final Fixed Firm Cost (Discounted Yearly Rate)
1	1	\$57,695.97	0%	\$0.00	\$0.00	\$57,695.97
2	3	\$57,695.97	2%	\$1,153.92	\$3,461.76	\$56,542.05
3	5	\$57,695.97	4%	\$2,307.84	\$11,539.19	\$55,388.14
4	7	\$57,695.97	7%	\$4,038.72	\$28,271.03	\$53,657.26
5	10	\$57,695.97	10%	\$5,769.60	\$57,695.97	\$51,926.38

### Considerations For Pricing:

- The above pricing does not include barge transportation of a lift across the bay. Instead, Preventive Maintenance for this area will be conducted using ground-level test equipment. Any repairs that require a lift will incur additional cost for the barge transportation of the lift to the sites across the bay.



## End of Proposal

*“It is our goal at HQE to continue to serve our veterans through our ‘Hire Veterans Policy HQE-2015-2025’. We appreciate all of our current and past customers who have helped us meet our goals of hiring veterans throughout the years. Your support in HQE is directly impacting the support of our amazing veterans. Thank you for your consideration and support of Minority Business Enterprise (MBE), Disadvantaged Business Enterprise (DBE), and Service Disabled Veteran Owned Small Business (SDVOSB)!.”*

***Thank You from the team of HQE Systems Inc.***

*Qais Alkurdi*

CEO, Disabled Veteran / Retired



# Kenai Peninsula Borough Purchasing & Contracting

## MEMORANDUM

**TO:** Peter A. Micciche, Borough Mayor

**THRU:** John Hedges, Purchasing & Contracting Director *JH*

**FROM:** Tim Crumrine, Acting Solid Waste Director *TC*

**DATE:** December 2, 2024

**RE:** Authorization to Award a Contract for RFP25-009 SW Wheel Loader Purchase

On October 24, 2024, the Kenai Peninsula Borough Purchasing & Contracting Department formally solicited proposals for RFP25-009 SW Wheel Loader Purchase. The request for proposals was advertised on Bid Express on October 24, 2024.

The project consists of purchasing a wheel loader for use at the Central Peninsula Landfill.

On the due date of November 7, 2024, four (4) proposals were received and reviewed by a review committee as follows:

<u>FIRMS</u>	<u>LOCATION</u>	<u>TOTAL SCORE</u>
N C Machinery Co	Anchorage, Alaska	298
Craig Taylor Equipment	Soldotna, Alaska	259
SMS Equipment	Anchorage, Alaska	189
Airport Equipment Rentals, Inc.	Soldotna, Alaska	175

The highest-ranking proposal, which includes a cost factor, was submitted by N C Machinery Co., with a lump sum cost proposal including a three-year maintenance agreement of \$671,254.03. The proposal review committee recommends award of a contract to N C Machinery Co., Anchorage, Alaska. Your approval for this award is hereby requested.

Funding of this contract will be charged to account number 705-94910-25E08-48311.



Peter A. Micciche, Borough Mayor

12/6/2024

Date

NOTES: NA

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. <u>705-94910-25E08-48311</u>	
Amount <u>\$671,254.03</u>	
By: <u><i>CSJ BH</i></u>	Date: <u>12/3/2024</u>

# Kenai Peninsula Borough Purchasing & Contracting

## MEMORANDUM

**TO:** Peter A. Micciche, Borough Mayor

**THRU:** John Hedges, Purchasing & Contracting Director *JH*

**FROM:** Tim Crumrine, Acting Solid Waste Director *TC*

**DATE:** December 2, 2024

**RE:** Authorization to Award a Contract for RFP25-010 CPL Compact Wheel Loader Purchase

On October 24, 2024, the Kenai Peninsula Borough Purchasing & Contracting Department formally solicited proposals for RFP25-009 CPL Compact Wheel Loader Purchase. The request for proposals was advertised on Bid Express on October 24, 2024.

The project consists of purchasing a compact wheel loader for use at the Central Peninsula Landfill.

On the due date of November 7, 2024, three (3) proposals were received and reviewed by a review committee as follows:

<u>FIRMS</u>	<u>LOCATION</u>	<u>TOTAL SCORE</u>
N C Machinery Co	Anchorage, Alaska	295
SMS Equipment	Anchorage, Alaska	216
Airport Equipment Rentals, Inc.	Soldotna, Alaska	174

The highest-ranking proposal, which includes a cost factor, was submitted by N C Machinery Co., with a lump sum cost proposal including a three-year maintenance agreement of \$262,731.19. The proposal review committee recommends award of a contract to N C Machinery Co., Anchorage, Alaska. Your approval for this award is hereby requested.

Funding of this contract will be charged to account number 705-94910-25E09-48311 and 705-94910-25E08-48311.



Peter A. Micciche, Borough Mayor

12/6/2024

Date

NOTES

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. <u>705-94910-25E09-48311</u>	- \$240,000.00
25E09	
Acct. No. <u>705-94910-<del>25E08</del>-48311</u>	- \$22,731.19
By: <u><i>CFJ BH</i></u>	Date: <u>12/3/2024</u>

# Kenai Peninsula Borough Solid Waste Department

## MEMORANDUM

**TO:** Peter A. Micciche, Borough Mayor

**THRU:** John Hedges, Purchasing & Contracting Director *JH*

**FROM:** Tim Crumrine, Acting Solid Waste Director *TC*

**DATE:** December 5, 2024

**RE:** Sole Source Waiver – AnalyTix Technologies, LLC

The Kenai Peninsula Borough Solid Waste Department would like to obtain a sole source to purchase antifoam and descalent chemicals from AnalyTix Technologies, LLC. We request this sole source based on chemical compatibility with our existing leachate and our chemical delivery system. We cannot mix nor switch chemicals during the leachate evaporation process without significantly impacting the evaporator system performance.

The purchase is time sensitive because this piece of equipment is vital for everyday landfill functions and our supply of product is low.

We request approval for this purchase. Funding for this project is in account number 290.32122.00000.42210 in the amount of \$28,000.00.

*P.A. Micciche*  
\_\_\_\_\_  
Peter A. Micciche, Borough Mayor

12/5/2024  
\_\_\_\_\_  
Date

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.:	<u>290.32122.00000.42210</u>
Amount:	<u>\$28,000.00</u>
By: <i>CF</i> <i>BH</i>	Date: <u>12/5/2024</u>

NOTES: NA

Kenai Peninsula Borough  
Finance Department

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**MEMORANDUM**

**TO:** Peter Ribbens, Assembly President  
Members of the Kenai Peninsula Borough Assembly

**THRU:** Peter A. Micciche, Borough Mayor *PA*

**THRU:** Brandi Harbaugh, Finance Director *BH*

**FROM:** Sara Dennis, Controller *SD*

**DATE:** December 3, 2024

**RE:** Budget Revisions – November 2024

---

Attached is a budget revision listing for November 2024. The attached list contains budget revisions between major expenditure categories (i.e., maintenance & operations and capital outlay). Other minor transfers were processed between object codes within major expenditure categories.

**911 DISPATCH**

Funds for 3KVA UPS, moving from closed project per KPB 5.04.100(b)(3).

455-11255-23432-49999 (FY23 Router/Switch Replacement, Contingency)		\$500.00
455-11255-25434-48120 (FY25 UPS, Office Machines)	\$500.00	

**INFORMATION TECHNOLOGY**

Funds for initial license cost related to a shift from Adobe PDF to a different product for cost savings.

100-11231-00000-43026 (Software Licensing)		\$3,000.00
100-11231-00000-42120 (Software/Intellectual Property)	\$3,000.00	

**SOLID WASTE - CENTRAL PENINSULA LANDFILL**

Move funds to purchase a gas powered, wheeled leaf blower.

290-32122-00000-43011 (Contract Services)		\$1,500.00
290-32122-00000-48740 (Minor Machines & Equipment)	\$1,500.00	

Move funds to purchase a diagnostic tool to troubleshoot equipment.

290-32122-00000-43011 (Contract Services)		\$3,500.00
290-32122-00000-48740 (Minor Machines & Equipment)	\$3,500.00	

Move funds to purchase a slope lazer and accessories.

290-32122-00000-43011 (Contract Services)		\$4,500.00
290-32122-00000-48740 (Minor Machines & Equipment)	\$4,500.00	

Move funds to purchase a diagnostic tool to troubleshoot equipment.

290-32122-00000-43011 (Contract Services)		\$600.00
290-32122-00000-48740 (Minor Machines & Equipment)	\$600.00	



Kenai Peninsula Borough  
Finance Department

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**MEMORANDUM**

**TO:** Peter Ribbens, Assembly President  
Members of the Kenai Peninsula Borough Assembly

**THRU:** Peter A. Micciche, Borough Mayor *AM*

**THRU:** Brandi Harbaugh, Finance Director *BA*

**FROM:** Sara Dennis, Controller *SD*

**DATE:** December 3, 2024

**RE:** Revenue-Expenditure Report – November 2024

---

Attached is the Revenue-Expenditure Report of the General Fund for the month of November 2024. Please note that 41.67% of the year has elapsed, 65.46% of budgeted revenues have been collected, and 43.54% of budgeted expenditures have been made.

KENAI PENINSULA BOROUGH  
Revenue Report  
For the Period  
November 1 through November 30 2024

ACCOUNT NUMBER	DESCRIPTION	ESTIMATED REVENUE	YEAR TO DATE RECEIPTS	MONTH TO DATE RECEIPTS	VARIANCE	% COLLECTED
31100	Real Property Tax	\$ 36,244,128	\$ 34,353,074	\$ 6,971,953	\$ (1,891,054)	94.78%
31200	Personal Property Tax	2,101,066	2,069,986	463,741	(31,080)	98.52%
31300	Oil Tax	6,958,780	6,879,010	665	(79,770)	98.85%
31400	Motor Vehicle Tax	642,580	147,686	42,366	(494,894)	22.98%
31510	Property Tax Penalty & Interest	746,815	201,001	77,560	(545,814)	26.91%
31610	Sales Tax	45,835,931	19,832,356	5,626,833	(26,003,575)	43.27%
33110	In Lieu Property Tax	3,100,000	-	-	(3,100,000)	0.00%
33117	Other Federal Revenue	51,456	1,677	-	(49,779)	3.26%
33120	Forestry Receipts	500,000	-	-	(500,000)	0.00%
34110	School Debt Reimbursement	1,795,641	-	-	(1,795,641)	0.00%
34221	Electricity & Phone Revenue	155,000	-	-	(155,000)	0.00%
34222	Fish Tax Revenue Sharing	500,000	(118,075)	-	(618,075)	-23.62%
34210	Revenue Sharing	850,000	559	-	(849,441)	0.07%
37350	Interest on Investments	812,722	2,389,544	152,735	1,576,822	294.02%
39000	Other Local Revenue	297,235	204,748	25,179	(92,487)	68.88%
290	Solid Waste	1,027,000	554,769	21,217	(472,231)	54.02%
Total Revenues		\$ 101,618,354	\$ 66,516,334	\$ 13,382,250	\$ (35,102,020)	65.46%

**KENAI PENINSULA BOROUGH**  
**Expenditure Report**  
For the Period  
November 1 through November 30 2024

DESCRIPTION	REVISED BUDGET	YEAR TO DATE EXPENDED	MONTH TO DATE EXPENDED	AMOUNT ENCUMBERED	AVAILABLE BALANCE	%
						EXPENDED
Assembly:						
Administration	\$ 650,187	\$ 319,590	\$ 23,514	\$ 52,292	\$ 278,305	49.15%
Clerk	664,699	222,297	45,549	9,610	432,792	33.44%
Elections	202,992	140,863	16,599	20,277	41,852	69.39%
Records Management	479,206	178,129	29,526	20,697	280,380	37.17%
Mayor Administration	1,108,382	280,640	53,789	32,372	795,370	25.32%
Purch/Contracting/Cap Proj	848,452	296,797	55,269	16,967	534,689	34.98%
Human Resources:						
Administration	913,368	331,648	56,148	6,186	575,534	36.31%
Print/Mail	220,493	93,225	13,351	32,632	94,636	42.28%
Custodial Maintenance	146,585	54,682	11,330	47	91,856	37.30%
Information Technology	2,963,502	1,178,961	174,273	66,105	1,718,436	39.78%
Emergency Management	1,079,815	300,155	46,323	95,809	683,851	27.80%
Legal Administration	1,205,372	370,766	73,660	20,800	813,805	30.76%
Finance:						
Administration	651,983	260,798	56,500	325	390,859	40.00%
Services	1,309,861	492,024	97,208	3,822	814,015	37.56%
Property Tax	1,223,836	503,732	63,927	18,915	701,189	41.16%
Sales Tax	1,209,309	438,662	82,806	5,731	764,916	36.27%
Assessing:						
Administration	1,695,147	632,671	93,693	52,523	1,009,953	37.32%
Appraisal	1,881,755	636,493	131,512	791	1,244,470	33.82%
Resource Planning:						
Administration	1,773,705	432,293	91,097	12,956	1,328,456	24.37%
GIS	922,674	348,804	32,538	7,815	566,055	37.80%
River Center	869,856	306,744	53,632	30,197	532,915	35.26%
Senior Citizens Grant Program	843,878	246,516	64,517	597,362	-	29.21%
School District	66,225,258	31,412,983	8,670,214	-	34,812,275	47.43%
Solid Waste Operations	13,102,842	4,511,701	913,056	3,494,721	5,096,420	34.43%
Economic Development	584,000	100,809	7,368	353,376	129,815	17.26%
Non-Departmental	1,489,877	1,308,785	101,571	27,878	153,215	87.85%
<b>Total Expenditures</b>	<b>\$ 104,267,034</b>	<b>\$ 45,400,770</b>	<b>\$ 11,058,968</b>	<b>\$ 4,980,205</b>	<b>\$ 53,886,059</b>	<b>43.54%</b>

**MEMORANDUM**

**TO:** Peter A. Micciche, Borough Mayor 

**FROM:** Adeena Wilcox, Borough Assessor 

**DATE:** December 18, 2024

**RE:** Tax Adjustment Request Approval

---

Attached is a spreadsheet of tax adjustment requests required by changes to the assessment roll. These adjustments are being submitted to the Finance Department for processing.

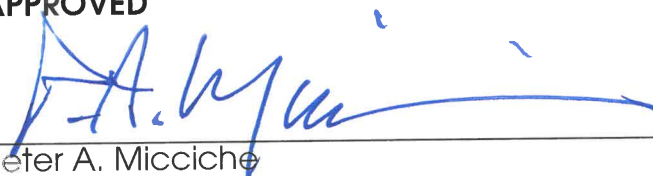
Borough code 5.12.119 (D) authorizes the mayor to approve tax adjustment requests prepared by the borough assessor.

I hereby certify that I have reviewed the tax adjustment requests submitted for your signature and I find them to be proper and correct.

DATED: December 18, 2024

Adeena Wilcox  
Borough Assessor

**APPROVED**

  
\_\_\_\_\_  
Peter A. Micciche  
Borough Mayor



## DECEMBER TARS

	2024	2023	2022	2021	2020
TAG 10 (assessed)					
(taxable)					
TAG 11 (assessed)					
(taxable)					
TAG 20 (assessed)					
(taxable)					
TAG 21 (assessed)					
(taxable)					
TAG 30 (assessed)		(\$281,800)			
(taxable)		(\$281,800)			
TAG 40 (assessed)					
(taxable)					
TAG 41 (assessed)					
(taxable)					
TAG 42 (assessed)					
(taxable)					
TAG 43 (assessed)					
(taxable)					
TAG 52 (assessed)					
(taxable)					
TAG 53 (assessed)					
(taxable)					
TAG 54 (assessed)					
(taxable)					
TAG 55 (assessed)		\$0			
(taxable)	(\$101,500)				
TAG 57 (assessed)		\$0			
(taxable)	(\$450,300)				
TAG 58 (assessed)					
(taxable)					
TAG 59 (assessed)					
(taxable)					
TAG 61 (assessed)					
(taxable)					
TAG 63 (assessed)					
(taxable)					
TAG 64 (assessed)					
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TAG 65 (assessed)					
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TAG 67 (assessed)					
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TAG 68 (assessed)					
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TAG 69 (assessed)					
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TAG 70 (assessed)					
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TAG 80 (assessed)					
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TAG 81 (assessed)					
(taxable)					
<b>TOTAL ASSESSED</b>	<b>\$0</b>	<b>(\$281,800)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>TOTAL TAXABLE</b>	<b>(\$551,800)</b>	<b>(\$281,800)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>KPB FLAT TAX</b>	<b>(\$250)</b>				

## DECEMBER TARS CITY VALUES

	2024	2023	2022	2021	2020
<b>TAG 10 (assessed)</b>					
<b>(taxable)</b>					
<b>Seldovia Flat Tax</b>					
<b>TAG 20 (assessed)</b>					
<b>(taxable)</b>					
<b>Homer Flat Tax</b>		<b>(\$50)</b>			
<b>TAG 21 (assessed)</b>					
<b>(taxable)</b>					
<b>TAG 30 (assessed)</b>		<b>(\$281,800)</b>			
<b>(taxable)</b>		<b>(\$281,800)</b>			
<b>Disability Tax Credit</b>					
<b>TAG 40 (assessed)</b>					
<b>(taxable)</b>					
<b>TAG 41 (assessed)</b>					
<b>(taxable)</b>					
<b>TAG 70 (assessed)</b>					
<b>(taxable)</b>					
<b>Soldotna Flat Tax</b>					
<b>TAG 80 (assessed)</b>					
<b>(taxable)</b>					
<b>TOTAL ASSESSED</b>	<b>\$0</b>	<b>(\$281,800)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>TOTAL TAXABLE</b>	<b>\$0</b>	<b>(\$281,800)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>KPB FLAT TAX</b>	<b>(\$50)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

# TAX ADJUSTMENT REQUEST

ROLL/YEAR 2024 TAR NUMBER 20-24-028  
 PARCEL ID 71522  
 PRIMARY OWNER MARUSHEV ANATOLI

	CURRENT VALUE	CORRECTED VALUE
TAG	<u>20</u>	<u>20</u>
BOAT CLASS/COUNT	<u>BC5 -1</u>	<u>BC5 -0</u>
PLANE CLASS/COUNT	<u></u>	<u></u>
KPB ASSESSED (VT 1001)	<u>\$0</u>	<u>\$0</u>
KPB TAXABLE (VT 1003)	<u>\$0</u>	<u>\$0</u>
CITY ASSESSED (VT 1011)	<u>\$0</u>	<u>\$0</u>
CITY TAXABLE (V 1013)	<u>\$0</u>	<u>\$0</u>

EXPLANATION MANIFEST CLERICAL ERROR. ACCOUNT SUPPLEMENTAL ROLLOVER FOR 2024.  
BOAT WAS SOLD OCT 2023. ACCOUNT SHOULD HAVE BEEN CLOSED FOR 2024.

		CHANGE SUMMARY
DATE	<u>10/30/24</u>	KPB ASSESSED <u>\$0</u>
SUBMITTED BY	<u>C. JOHNSON</u>	KPB TAXABLE <u>\$0</u>
VERIFIED BY	<u>C. FINLEY</u>	CITY ASSESSED <u>\$0</u>
		CITY TAXABLE <u>\$0</u>
		KPB FLAT TAX <u>(\$250)</u>
		CITY FLAT TAX <u>(\$50)</u>



Cadastral Values					Expand to Filter Values	
Site	Class	Value Type	Attribute	Secondary Attribute	Previous Amount	Amount
Default - Default Value Group	Appraised	Improvement Market Value			\$10,000.00	
		TAG			20.00	
	Assessed	Personal Property Assessed Value			0	
		Total Assessed Value - City			0	
		Total City Optional Exempt Value			0	
		Total Assessed Value - Borough			0	
		City Taxable Value		20 - HOMER CITY		0
	Taxable	Taxable Value - Borough			0	0
		Exemption Value City		20 - HOMER CITY	0	
		OP PP Bor \$100K Exe Value			0	0
	Date	Exemption Value Borough			0	0
		Year of Cadastre			2024.0000000000	
		Effective date of value change			20240101.0000000000	





# TAX ADJUSTMENT REQUEST

ROLL/YEAR 2024

TAR NUMBER 55-24-013

PARCEL ID 012-290-27

PRIMARY OWNER HAMBORD, RICHARD

	CURRENT VALUE	CORRECTED VALUE
TAG	<u>55</u>	<u>55</u>
CLASS CODE	<u>110</u>	<u>110</u>
LAND ASSESSED (VT4)	<u>36,500</u>	<u>36,500</u>
IMPROVEMENT ASSESSED (VT5)	<u>65,000</u>	<u>65,000</u>
KPB ASSESSED (VT 1001)	<u>101,500</u>	<u>101,500</u>
KPB TAXABLE (VT 1003)	<u>101,500</u>	<u>0</u>
CITY ASSESSED (VT 1011)	<u>0</u>	<u>0</u>
CITY TAXABLE (VT 1013)	<u>0</u>	<u>0</u>

EXPLANATION SENIOR EXE APPROVED AFTER CONFIRMING PFD ELIGIBLE FOR 2024

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		CHANGE SUMMARY
DATE	<u>12/04/24</u>	KPB ASSESSED <u>\$0</u>
SUBMITTED BY	<u>S NOTTER</u>	KPB TAXABLE <u>(\$101,500)</u>
VERIFIED BY	<u>C. FINLEY</u>	CITY ASSESSED <u>\$0</u>
		CITY TAXABLE <u>\$0</u>
		KPB FLAT TAX <u></u>
		CITY FLAT TAX <u></u>

Cadastral Values							Expand to Filter Values	
Site	Class	Value Type	Attribute	Secondary Attribute	Previous Amount	Amount		
Default - Default Value Group		Legal Acres			6.31 Acres		6.31 Acres	
	Appraised	Improvement Market value			\$65,000.00		\$65,000.00	
		Land Market value			\$36,500.00		\$36,500.00	
		TAG			\$5.00		\$5.00	
		TAG.Lid			\$5.00		\$5.00	
	Assessed	Improvements			\$65,000.00		\$65,000.00	
		Land			\$36,500.00		\$36,500.00	
		Parcel Assessed Value			\$101,500.00		\$101,500.00	
		Personal Property Assessed Value			0		0	
		Qualified for Exemption			\$101,500.00		\$101,500.00	
		Total Assessed Value - City			0		0	
		Total City Optional Exempt Value			0		0	
			<b>Total Mandatory Exempt Value</b>					<b>\$101,500.00</b>
			Land Assessed Value			\$36,500.00		\$36,500.00
			Improvement Assessed Value			\$65,000.00		\$65,000.00
			Total Assessed Value - Borough			\$101,500.00		\$101,500.00
	Taxable		City Taxable Value	55 - NIKISKI SN.		0		0
			<b>Taxable Value - Borough</b>			<b>\$101,500.00</b>		<b>0</b>
	Exemption		BOROUGH SENIOR Exempt Value					\$101,500.00
			Cap for Senior Exemption					\$150,000.00
			Exemption Value City	55 - NIKISKI SN.		0		0
			Residential Exemption					\$50,000.00
			Senior Citizen Exemption					\$101,500.00
			Senior Mandatory Exempt Value					\$101,500.00
			Senior MandatoryTemp					\$65,000.00
		Senior MandatoryLand					\$36,500.00	
		Working Improvement Assessed Value			\$65,000.00		\$65,000.00	
		Exemption Value Borough			0		\$101,500.00	
Date		Year of Cadastre			2024.000000000		2024.000000000	
		Effective date of value change			20240101.000000000		20240101.000000000	

# TAX ADJUSTMENT REQUEST

ROLL/YEAR 2023

TAR NUMBER 30-23-011

PARCEL ID 049-300-11

PRIMARY OWNER Hendrickson, Merlin & Megan

	CURRENT VALUE	CORRECTED VALUE
TAG	<u>30</u>	<u>30</u>
CLASS CODE	<u>110</u>	<u>110</u>
LAND ASSESSED (VT4)	<u>14,300</u>	<u>14,300</u>
IMPROVEMENT ASSESSED (VT5)	<u>616,100</u>	<u>334,300</u>
KPB ASSESSED (VT 1001)	<u>630,400</u>	<u>348,600</u>
KPB TAXABLE (VT 1003)	<u>630,400</u>	<u>348,600</u>
CITY ASSESSED (VT 1011)	<u>630,400</u>	<u>348,600</u>
CITY TAXABLE (VT 1013)	<u>630,400</u>	<u>348,600</u>

EXPLANATION The sketch was stacked incorrectly, adding an additional level. 2SFR should have been a 1SFR upper.

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		CHANGE SUMMARY
DATE	<u>10/23/24</u>	KPB ASSESSED <u>(\$281,800)</u>
SUBMITTED BY	<u>SR</u>	KPB TAXABLE <u>(\$281,800)</u>
VERIFIED BY	<u>C. FINLEY</u>	CITY ASSESSED <u>(\$281,800)</u>
		CITY TAXABLE <u>(\$281,800)</u>
		KPB FLAT TAX <u></u>
		CITY FLAT TAX <u></u>

Cdastre Values						Expand to Filter Values	
Site	Class	Value Type	Attribute	Secondary Attribute	Previous Amount	Amount	
Default - Default Value Group		Legal Acres			.29 Acres	.29 Acres	
	Appraised	Improvement Market value			\$616,100.00	\$334,300.00	
		Land Market value			\$14,300.00	\$14,300.00	
		TAG			30.00	30.00	
	Assessed	Personal Property Assessed Value			0	0	
		Qualified for Exemption			\$630,400.00	\$348,600.00	
		Total Assessed Value - City			\$630,400.00	\$348,600.00	
		Total City Optional Exempt Value			0	0	
		Land Assessed Value			\$14,300.00	\$14,300.00	
		Improvement Assessed Value			\$616,100.00	\$334,300.00	
		Total Assessed Value - Borough			\$630,400.00	\$348,600.00	
	Taxable	City Taxable Value		30 - KENAI CITY	\$630,400.00	\$348,600.00	
		Taxable Value - Borough			\$630,400.00	\$348,600.00	
	Exemption	Exemption Value City		30 - KENAI CITY	0	0	
Exemption Value Borough				0	0		
Date	Year of Cdastre				2023.0000000000	2023.0000000000	
	Effective date of value change				20230101.0000000000	20230101.0000000000	

## MANIFEST CLERICAL ERROR - CHECKLIST

The assembly may correct manifest clerical errors made by the borough in an assessment notice, tax statement or other borough tax record at any time. A manifest clerical error is a typographical, computational or other similar error readily apparent from the assessment notice, tax statement or other borough tax record and made by a borough employee in the performance of typing, record keeping, filing, measuring, or other similar duties.

Parcel ID / Acct # 04930011

- X  Typographical, computational or other similar error?  
*Identify & Describe:*  
*The sketch was stacked incorrectly, adding an additional level. 2SFR should have been a 1SFR upper.*
- X  Readily apparent from the assessment notice, tax statement or other borough tax record?  
*Identify & Describe:*  
*The sketch was stacked incorrectly, adding an additional level. 2SFR should have been a 1SFR upper.*
- X  Made by a borough employee in the performance of typing, record keeping, filing, measuring, or other similar duties?  
*Identify & Describe:*  
*The sketch was stacked incorrectly, adding an additional level. 2SFR should have been a 1SFR upper.*

Certified Value	Land	\$14,300
	Improvements	\$616,100
	Personal Property	\$0
	<b>Total</b>	<b>\$630,400</b>

Adjusted Value	Land	\$14,300
	Improvements	\$334,300
	Personal Property	\$0
	<b>Total</b>	<b>\$348,600</b>

Prepared by SR 10/23/2024

Approved by *Ardean Dewitz* 10/23/24  
 Department Director Date





# TAX ADJUSTMENT REQUEST

ROLL/YEAR 2024 TAR NUMBER 57-24-004  
 PARCEL ID 125-380-11  
 PRIMARY OWNER PATRICIA MCCUEN

	CURRENT VALUE	CORRECTED VALUE
TAG	<u>57</u>	<u>57</u>
CLASS CODE	<u>110</u>	<u>110</u>
LAND ASSESSED (VT4)	<u>65,300</u>	<u>65,300</u>
IMPROVEMENT ASSESSED (VT5)	<u>268,100</u>	<u>268,100</u>
KPB ASSESSED (VT 1001)	<u>333,400</u>	<u>333,400</u>
KPB TAXABLE (VT 1003)	<u>283,400</u>	<u>116,500</u>
CITY ASSESSED (VT 1011)	<u>0</u>	<u>0</u>
CITY TAXABLE (VT 1013)	<u>0</u>	<u>0</u>

EXPLANATION 2024 SENIOR CITIZEN EXEMPTION VARIABLE APPROVED AFTER CONFIRMING  
APPLICANTS 2024 PFD WAS APPROVED.

		CHANGE SUMMARY
DATE	<u>11/20/24</u>	KPB ASSESSED <u>\$0</u>
SUBMITTED BY	<u>S NOTTER</u>	KPB TAXABLE <u>(\$166,900)</u>
VERIFIED BY	<u>C. FINLEY</u>	CITY ASSESSED <u>\$0</u>
		CITY TAXABLE <u>\$0</u>
		KPB FLAT TAX <u></u>
		CITY FLAT TAX <u></u>

PERSON - LIBERTY VALUE GROUP		2024 VALUES	2024 VALUES	2024 VALUES
Appraised	Improve/ent Market value	\$268,100.00		\$268,100.00
	Land Market value	\$65,300.00		\$65,300.00
	TAG	\$7.00		\$7.00
	TAG.Id	\$7.00		\$7.00
Assessed	Improvements	\$268,100.00		\$134,200.00
	Land	\$65,300.00		\$32,700.00
	Parcel Assessed Value	\$333,400.00		\$333,400.00
	Personal Property Assessed Value	0		0
	Qualified for Exemption	\$333,400.00		\$166,900.00
	Total Assessed Value - City	0		0
	Total Borough Optional Exempt Value	\$183,400.00		\$66,900.00
	Total City Optional Exempt Value	0		0
	Total Mandatory Exempt Value	\$150,000.00		\$150,000.00
	Unqualified Improvements			\$133,900.00
Taxable	Unqualified Land			\$32,600.00
	Land Assessed Value	\$65,300.00		\$65,300.00
	Improvement Assessed Value	\$268,100.00		\$268,100.00
	Total Assessed Value - Borough	\$333,400.00		\$333,400.00
	City Taxable Value	0	57 - BEAR CREEK FIRE	0
	Taxable Value - Borough	0		\$116,500.00
	BOROUGH SENIOR Exempt Value	\$300,000.00		\$166,900.00
	Cap for Senior Exemption	\$150,000.00		\$150,000.00
	Disabled Resident \$500TAX CREDIT Borough	\$500.00		\$500.00
	Exemption Value City	0	57 - BEAR CREEK FIRE	0
Exemption	OP Residential Boro Exemption	\$33,400.00		\$50,000.00
	OP Senior Resident >150k Exempt Value	\$150,000.00		\$16,900.00
	Residential Exemption	\$50,000.00		\$50,000.00
	Senior Citizen Exemption	\$150,000.00		\$150,000.00
	Senior Mandatory Exempt Value	\$150,000.00		\$150,000.00
	Senior Mandatory/Imp	\$150,000.00		\$134,200.00
	Senior Mandatory/Land			\$15,900.00
	Working Improvement Assessed Value	\$268,100.00		\$268,100.00
	Exemption Value Borough	\$333,400.00		\$216,900.00
	Date	Year of Cadastre	2024.0000000000	

# TAX ADJUSTMENT REQUEST

ROLL/YEAR 2024

TAR NUMBER 57-24-005

PARCEL ID 125-410-41

PRIMARY OWNER MINNITI, JOHN

	CURRENT VALUE	CORRECTED VALUE
TAG	<u>57</u>	<u>57</u>
CLASS CODE	<u>110</u>	<u>110</u>
LAND ASSESSED (VT4)	<u>42,800</u>	<u>42,800</u>
IMPROVEMENT ASSESSED (VT5)	<u>302,000</u>	<u>302,000</u>
KPB ASSESSED (VT 1001)	<u>344,800</u>	<u>344,800</u>
KPB TAXABLE (VT 1003)	<u>344,800</u>	<u>0</u>
CITY ASSESSED (VT 1011)	<u>0</u>	<u>0</u>
CITY TAXABLE (VT 1013)	<u>0</u>	<u>0</u>

EXPLANATION SENIOR AND 50K EXEMPTION APPROVED AFTER CONFIRMING PFD ELIGIBILITY

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		CHANGE SUMMARY
DATE	<u>12/05/24</u>	KPB ASSESSED <u>\$0</u>
SUBMITTED BY	<u>S NOTTER</u>	KPB TAXABLE <u>(\$344,800)</u>
VERIFIED BY	<u>C. FINLEY</u>	CITY ASSESSED <u>\$0</u>
		CITY TAXABLE <u>\$0</u>
		KPB FLAT TAX <u></u>
		CITY FLAT TAX <u></u>

Site	Class	Value Type	Attribute	Secondary Attribute	Previous Amount	Amount	
Default - Default Value Group		Legal Acres			.46 Acres	.46 Acres	
	Appraised	Improvement Market Value			\$302,000.00	\$302,000.00	
		Land Market Value			\$42,800.00	\$42,800.00	
		TAG			57.00	57.00	
	Assessed	TAG.Ld			57.00	57.00	
		Improvements			\$302,000.00	\$302,000.00	
		Land			\$42,800.00	\$42,800.00	
		Parcel Assessed Value			0	0	
		Personal Property Assessed Value			0	0	
		Qualified for Exemption			\$344,800.00	\$344,800.00	
		Total Assessed Value - City			0	0	
		<b>Total Borough Optional Exempt Value</b>					<b>\$194,800.00</b>
		Total City Optional Exempt Value			0	0	
		<b>Total Mandatory Exempt Value</b>					<b>\$150,000.00</b>
	Taxable	Land Assessed Value			\$42,800.00	\$42,800.00	
		Improvement Assessed Value			\$302,000.00	\$302,000.00	
		Total Assessed Value - Borough			\$344,800.00	\$344,800.00	
		City Taxable Value		57 - BEAR CREEK FIRE	0	0	
		<b>Taxable Value - Borough</b>					<b>\$344,800.00</b>
		Exemption	BOROUGH SENIOR Exempt Value				\$300,000.00
			Cap for Senior Exemption				\$150,000.00
			Exemption Value City		57 - BEAR CREEK FIRE	0	0
			OP Residential Boro Exemption				\$44,800.00
OP Senior Resident >150k Exempt Value						\$150,000.00	
Residential Exemption					\$50,000.00		
Senior Citizen Exemption					\$150,000.00		
Senior Mandatory Exempt Value					\$150,000.00		
Senior Mandatory Imp					\$150,000.00		
Working Improvement Assessed Value				\$302,000.00	\$302,000.00		
Exemption Value Borough			0	\$344,800.00			
Date	Year of Cadastre			2024.0000000000	2024.0000000000		
	Effective date of value change			20240101.0000000000	20240101.0000000000		

Kenai Peninsula Borough  
Legal Department

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**LITIGATION STATUS REPORT**

**TO:** Peter Ribbens, KPB Assembly President  
Members, KPB Assembly  
Zen Kelly, KPBSD Board of Education President  
Members, KPBSD Board of Education

**THRU:** Peter A. Micciche, Mayor *PM*  
Clayton Holland, KPBSD Superintendent *CH*

**FROM:** Sean Kelley, Borough Attorney *SK*

**DATE:** December 19, 2024

**RE:** Litigation Status Report – Quarter Ending 12/31/24

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This report includes brief descriptions of pending non-routine court cases, as well as administrative appeals and code compliance enforcement actions set for hearing before the administrative hearing officer, which name the KPB and/or School District as parties.

- A. Administrative Appeals. The following is a summary of open or recently resolved administrative appeals from Planning Commission decisions:
1. Case No. 2020-01 PCA, Beachcomber. Neighboring property owners appealed a Planning Commission's decision approving a modification of a conditional use material site permit. The KPB filed a notice of non-participation in the matter and is not a party to the appeal. This case is currently stayed.
- B. Alaska District Court Cases
1. Conner v. KPB and Kenai River Center, Case No. 3KN-24-00920CI. Plaintiff, Nicholas Conner, filed a complaint in district court seeking equitable relief and \$50,000 for "emotional distress, inconvenience, and harm resulting from" allegations that making the Kenai River Center a by-appointment-only facility and having restrooms that are not open to general public use violates state law. After filing the case, Plaintiff requested that the court change venue to Anchorage, alleging that he cannot get a fair trial on the Kenai Peninsula due to an incident at the courthouse involving judicial services, social media, and other platforms where Plaintiff believes his case is being discussed. KPB filed a motion to dismiss the claim due to lack of subject matter jurisdiction and failure to state a claim upon which relief can be granted. KPB also opposed the request to change venue. The respective motions are pending before the court. No other dates have been set in this matter.

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Quarter ending 12/31/24

Re: Litigation Status Report

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- C. Alaska Superior Court cases. This list does not include the real property tax foreclosures and numerous standard tax collection cases pursued by the KPB:
1. *Furie Operating Alaska, LLC. v. State of Alaska, Department of Revenue, and State Assessment Review Board, Case No. 3AN-21-06462CI.* The owner of oil and gas production property appealed the State Assessment Review Board's decision upholding the tax assessment of the property performed by the State of Alaska, Department of Revenue pursuant to AS 43.56. A non-jury trial was held the week of July 24, 2023. The court issued its decision on May 16, 2024, denying Furie's appeal and upholding the State of Alaska, Department of Revenue's tax assessment. Currently pending before the Superior Court are motions for prevailing party attorney fees and costs filed on behalf of KPB and the State. Furie has appealed the case to the Supreme Court. The KPB filed a notice of non-participation in the Supreme Court case.
  2. *Jennifer Harvey-Kindred, et al. v. Kenai Peninsula Borough, Kenai Peninsula Borough School District, 3AN-23-08723CI.* This matter involves a lawsuit against KPB and KPBSD alleging that Plaintiffs' various medical ailments were caused by alleged exposure to toxic mold in KPBSD schools from 2004-2020. Discovery is ongoing. Trial is currently scheduled for the week of December 1, 2025, before Anchorage Superior Court Judge Crosby.
  3. *David and Mary Jeanne Yragui, v. Kenai Peninsula Borough, 3KN-24-00123CI.* The Yraguis filed suit for damages to property and for defamation related to their unpermitted activities within KPB rights-of-way. Subsequently, Plaintiff Mary Jeanne Yragui was dismissed from the case. Trial is scheduled for the week of November 3, 2025. Discovery is ongoing. Plaintiff filed for declaratory judgment. The KPB opposed and filed a cross motion for summary judgment. Plaintiff has not timely responded to KPB's motion for summary judgment. The respective motions are pending before the Court.
  4. *David Yragui v. Kenai Peninsula Borough, Case No. 3KN-24-00788CI.* Plaintiff David Yragui filed a quiet title action requesting that the court to find that Eastway Road public right-of-way, a thirty-three-foot strip of land abutting KPB property in the Yragui Tract Subdivision near Kalifonsky Beach Road, is Mr. Yragui's property in fee simple. KPB has filed its *Answer* and a counterclaim seeking declaratory judgment that the Eastway Road right-of-way is a public right-of-way dedicated to public use. KPB has also filed a third-party complaint for the same relief against the other holders of interests in the land adjacent to the Eastway Road public right-of-way—Mary Jeanne Yragui, Hay Ground, LLC, the David N. Yragui Qualified Personal Residence Trust, and the Mary Jeanne Yragui Qualified Personal Residence Trust. KPB filed a motion for judgment on the pleadings on its counterclaim and a separate motion for judgment on the pleadings on its third-party complaint asserting that the public right-of-way at issue was dedicated in 2010 when the plat was approved and recorded.
  5. *Jonathan Teates v. Kenai Peninsula Borough* (Case No. 3KN-14-00749CI), Consolidated w/, *Jonathan Teates v. Central Peninsula Hospital, Inc.* (Case No. 3KN-24-650CI). Consolidated Case Nos. 3KN-24-00749. This consolidated case relates to a slip-and-fall injury lawsuit against KPB and CPGH, Inc. Per the operating agreement with CPGH, Inc.,

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Quarter ending 12/31/24

Re: Litigation Status Report

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CPGH will defend and indemnify KPB against the claims alleged in this action. Trial week is scheduled for the week of June 22, 2026. Discovery is ongoing.

6. *Furie Operating Alaska, LLC. v. State of Alaska, Department of Revenue, and State Assessment Review Board*, Case No. 3AN-24-066722CI. The owner of oil and gas production property appealed the State Assessment Review Board's decision upholding the tax assessment of the property performed by the State of Alaska, Department of Revenue pursuant to AS 43.56. KPB has filed a notice of non-participation in this appeal.
7. *2FishAlaska v. Kenai Peninsula Borough*, 3KN-24-00905CI. This owner of real property appealed the denial of charitable purpose exemption application. The agency record has been transmitted to the Court and the KPB awaits further direction from the Court.
8. *Kenai Peninsula Borough School District v. Fischer*, Case No. S-18687 (Trial Court Case No. 3KN-19-00185CI). This appeal to the Alaska Supreme Court arises from a subrogation case filed against a School District employee to recover substantial health care costs paid by the health care plan. The Supreme Court upheld summary judgment in favor of the School District on breach of contract grounds but determined a genuine dispute of material fact remained regarding damages and remanded this case to the Superior Court on the limited issue of determining if some of the costs included in the damage determination were not subject to subrogation. There are respective motions pending before the Superior Court on remand. Trial is scheduled for the week of April 7, 2025.
9. *Haybeck v. KPBSD; Peninsula Art Guild*, Case No. 3KN-14-00951CI. This case relates to an alleged slip-and-fall injury at Kenai Central High School during the annual Winter Arts & Crafts fair hosted by the Peninsula Art Guild. This is an insurance defense claim and KPBSD is represented by the Farley & Graves law firm. No dates have been set.

D. Alaska Supreme Court cases.

1. *Beachcomber v. Kenai Peninsula Borough Planning Commission*, Case Nos. S-19091 & S-19092 (Consolidated) (Trial Court Case Nos. 3KN-20-00034CI & 3KN-23-00004CI). This is an appeal of the April 4, 2024, decision issued by Superior Court Judge Joanis affirming OAH's decision in Case No. 2022-04 PCA, *Bilben, et al. v. KPB PC, Beachcomber LLC, et al*, which upheld the KPB Planning Commission's denial of Beachcomber, LLC's CLUP and dismissing Beachcomber's appeal. Judge Joanis's April 4, 2024, decision also constituted a final decision in case 3KN-20-00034CI that was before Judge Gist. The Supreme Court issued an order on July 8, 2024, consolidating Beachcomber's appeals for the purposes of briefing, consideration and decision. Due to claims of constitutional defects in the process, KPB is participating on appeal and timely filed its brief in this matter. Beachcomber's reply brief is due on December 26, 2024.



Introduced by: Mayor  
Date: 12/03/24  
Hearing: 01/07/25  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2024-19-22**

**AN ORDINANCE ACCEPTING AND APPROPRIATING \$65,000 IN FEDERAL PASS-THROUGH FUNDS FROM THE STATE OF ALASKA DEPARTMENT OF MILITARY AND VETERANS AFFAIRS, DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT FOR CYBERSECURITY ASSESSMENT UPDATE**

**WHEREAS**, the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security & Emergency Management (DHS&EM) provides funds to enhance the capability of local governments to prevent, deter, respond to and recover from all-hazard incidents and to enhance regional preparedness efforts; and

**WHEREAS**, the DHS&EM State Homeland Security Program is a federal grant pass-through program with the Federal Emergency Management Agency which provides funding for planning, equipment, training and exercises; and

**WHEREAS**, the Kenai Peninsula Borough (KPB) applied for and received funding to complete a cybersecurity vulnerability assessment through a contractor in the amount of \$65,000; and

**WHEREAS**, it is in the best interest of the KPB to accept the grant funds;

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

**SECTION 1.** That the Mayor is authorized to accept \$65,000 in federal pass-through funds from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management and to execute a grant agreement and all other documents deemed necessary to accept and to expend the grant funds and to fulfill the intents and purposes of this ordinance.

**SECTION 2.** That grant funds in the amount of \$65,000 are appropriated to the account 271.11231.25CYB.49999 for the cybersecurity project and related expenditures.

**SECTION 3.** This ordinance shall be effective immediately.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \* DAY  
OF \* 2025.**

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Peter Ribbens, Assembly President

ATTEST:

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Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

# Kenai Peninsula Borough Grants Administration

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## MEMORANDUM

**TO:** Peter Ribbens, Assembly President  
Members, KPB Assembly

**THRU:** Peter A. Micciche, Mayor *PMK*  
Brandi Harbaugh, Finance Director *BH*  
Ben Hanson, IT Director *BH*  
Louis Forstner, IT Systems Manager *LF*

**FROM:** Elizabeth Hardie, Grants Administrator & Community Liaison *EH*

**DATE:** November 21, 2024

**SUBJECT:** Ordinance 2024-19- 22, Accepting and Appropriating \$65,000 in Federal Pass-Through Funds from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management for Cybersecurity Assessment Update (Mayor)

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The KPB received an award notification from the Alaska Division of Homeland Security and Emergency Management through the State and Local Cybersecurity Grant Program to fund an update to KPB’s 2021 Cybersecurity Assessment. There is no match requirement.

The assessment will be conducted by a contractor, with guidance from the KPB IT Department. The Project Director is Louis Forstner, IT Systems Manager. The period of performance ends December 31, 2026.

Your consideration is appreciated.

FINANCE DEPARTMENT FUNDS/ACCOUNT VERIFIED	
Acct. No.:	<u>271-11231-25CYB-49999</u>
Amount:	\$ 65,000
By: <i>EH</i>	Date: <u>11/19/2024</u>

Introduced by: Mayor  
Date: 12/03/24  
Hearing: 01/07/25  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2024-34**

**AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL  
FOR THE PRINCESS LAKE ESTATES UTILITY SPECIAL ASSESSMENT DISTRICT  
AND ESTABLISHING THE METHOD FOR TERMINATING ASSESSMENTS AND  
ISSUING REFUNDS TO PROPERTY OWNERS**

- WHEREAS,** on November 16, 2023 the Kenai Peninsula Borough (KPB) Mayor approved the petition application for the formation of the Princess Lake Estates Utility Special Assessment District (the District); and
- WHEREAS,** Resolution 2024-009 established the District and authorized the construction of the improvement; and
- WHEREAS,** Ordinance 2023-19-45 appropriated \$627,435.60 for the District natural gas line project; and
- WHEREAS,** the total costs of constructing the improvements, including all allowable amounts as provided in KPB 5.35.080 and AS 29.46.110 (Costs) are now known; and
- WHEREAS,** the District special assessment roll has been prepared with the total Costs of the improvement spread equally among all the lots within the District; and
- WHEREAS,** the Borough Clerk has published a notice of the filing of the assessment roll once in a newspaper of general circulation within the KPB stating that such assessment has been made and is on file in the office of the Borough Clerk, and providing notice of the time and place for the hearing held January 7, 2025 where objections would be heard; and
- WHEREAS,** on January 7, 2025, the Assembly held a hearing on the assessment roll at which time all persons objecting to assessments were given an opportunity to present their objections; and
- WHEREAS,** notice of the assessment and hearing was mailed to each owner of record as shown on the rolls of the Borough Assessor not less than ten days before the hearing; and
- WHEREAS,** the Assembly found no errors or inequalities in the roll; and

**WHEREAS,** the Assembly finds that the roll should be confirmed; and

**WHEREAS,** the mainline has been constructed and any necessary property acquisitions completed for the natural gas pipeline in the District (the Project); and

**WHEREAS,** special assessments will be levied on properties in the District that are specially benefited by the Project, and said special assessments, with interest thereon, will be sufficient (together with other amounts) and available to pay the actual cost to the KPB of the improvements plus interest;

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

**SECTION 1. Classification.** That this ordinance is a non-code ordinance.

**SECTION 2. Confirmation of Roll.** That the assessment roll for Princess Lake Estates Utility Special Assessment District (“the District”), attached as Exhibit A to this ordinance, as presented to the Assembly on May 7, 2024 in the total amount of \$627,435.60 is confirmed.

**SECTION 3. Notice of Assessment.** On the first day of the month following the enactment date of this ordinance, the Finance Director will mail to the record owner of each property assessed a statement designating the property, the assessment amount, the schedule of payments, the time of delinquency, and penalties. Within five days after the statements are mailed, the Finance Director will publish a notice that the statements have been mailed and that the assessment roll is on file in the office of the Borough Clerk. After enactment of this ordinance the Clerk will record, in the Kenai Recording District, a notice of assessment on all parcels assessed within the utility special assessment district.

**SECTION 4. Payment of Assessment.** That the entire assessment may be prepaid without interest or penalty within thirty days of the date of mailing of the assessment statement. Thereafter, the assessment may be prepaid in whole or in part with interest to the payment date. Interest on the unpaid amount of the assessment will accrue at the rate of 10% per annum. Assessments that are not prepaid will be paid in ten equal annual installments on March 31 of each year, commencing March 31, 2026. Installments will include principal plus accrued interest.

**SECTION 5. Delinquencies.** That if an installment of the assessment is delinquent, notice of the delinquency will be mailed to the owner of record. The notice must contain notice of the nonpayment of the installment and that the delinquent balance of the assessment, plus accrued interest and penalty, will become due within thirty days of the date of the notice. The penalty for delinquent installment and assessment payments is the same as the penalty for delinquent real property taxes in effect on the date of the delinquency.

**SECTION 6. Establishment of Reserve and Refund Accounts.**

- A. That there is established the District Reserve and Refund Account (the "Reserve and Refund Account").
- B. That the following will be paid into the Reserve and Refund Account:
  - 1. All monies received from ENSTAR Natural Gas Company that are refund entitlements arising out of new customers connecting to the gas line installed within the District; and
  - 2. The final refund due under the ENSTAR line extension tariff; and
  - 3. Interest on the average Reserve and Refund Account balance at the rate determined by the Finance Director to be the average interest earned on KPB investments during the year.

**SECTION 7. Distribution of Reserve and Refund Account Funds.**

- A. The KPB will refund the funds in the Reserve and Refund Account at the end of each fiscal year an amount equal to the fund balance divided by the number of lots within the District provided the refunded amount is greater than or equal to \$250.00 per parcel. If the amount is under \$250.00, the refund will be carried over to the following fiscal year. The order of refund will be: First, to any outstanding balance applied in the order of unpaid costs, penalty, interest, and then principal; and, Second, to the owner of record as shown on the most recent records of the Borough Assessor. If any lot within the District is divided into two or more lots, the refund for such re-subdivided lots will be computed by counting the re-subdivided lots as a single lot for purposes of determining the initial refund entitlement. If any lots are consolidated, the converse will apply. The initial refund entitlement will then be divided equally among the subject lots. If an account is in a delinquent or foreclosure status, any such refund will be applied against the delinquent balance in the order described above.
- B. That upon the repayment to the KPB of all indebtedness incurred for this assessment district or after the KPB receives the final refund entitlements arising out of new customers connecting to the gas line, any funds remaining in the Reserve and Refund Account will be distributed as provided under this section.

**SECTION 8. Termination of Assessment and Refund of Pro Rata Share of Assessment Prepayments.**

- A. That upon the discharge of all indebtedness to the KPB, all unpaid, non-delinquent assessment installments are cancelled. The Finance Director will refund to the owner of record as shown on the records of the Borough Assessor an amount equal to the fund balance divided by the number of lots within the District.
- B. That for any lot upon which foreclosure proceedings to recover delinquent assessment installments has been commenced prior to the cancellation of remaining assessment installments, the amount due will be recomputed as

provided in subsection A, except there will be no refund.

**SECTION 9. Appropriation.** That there is appropriated for the purposes set out in this ordinance, the refunds from ENSTAR attributable to the District, all assessments and interest in the District, assessment foreclosure proceeds and interest earned on the funds as provided in Section 6(B)(2). The appropriation under this section does not lapse until after the final refund required under section 7(A) has been made.

**SECTION 10. Authority for Ordinance.** That this ordinance is enacted pursuant to KPB Chapter 5.35 and in accordance with applicable Alaska State law.

**SECTION 11. Severability.** That if any one or more of the covenants and agreements provided in this ordinance to be performed on the part of the KPB is declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreements or agreements are void and deemed separable from the remaining covenants and agreements in this ordinance and shall in no way affect the validity of the other provisions of this ordinance.

**SECTION 12. Effective Date.** That this ordinance shall be effective immediately.

**ENACTED BY THE KENAI PENINSULA BOROUGH ASSEMBLY THIS \*DAY OF \*, 2025.**

\_\_\_\_\_  
Peter Ribbens, Assembly President

ATTEST:

\_\_\_\_\_  
Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

**PRINCESS LAKE ESTATES USAD - FINAL Assessment Roll**  
ORDINANCE OF ASSESSMENT

FINAL Costs	
Enstar Construction Cost:	607,708.00
Enstar Non-Standard Cost:	4,488.00
<b>Enstar Final Cost:</b>	<b>612,196.00</b>
KPB USAD Administration Cost:	15,239.60
<b>Total Project Cost:</b>	<b>627,435.60</b>
<b>Total # of Parcels for Assessments:</b>	<b>132</b>
<b>Final Cost Per Parcel:</b>	<b>4,753.30</b>

USAD Filing Fee per 5.35.030(D): \$1,000 KPB 5.35.030(D)  
Paid: September 13, 2023

Total Assessed Value (AV) for Calculations: **2023 AV**  
Total Project Cost: 627,435.60  
(Less) Total Prepayments of Assessments: (9,959.90) Based on 2023 AV  
**Total Assessments: 617,475.70**

% Parcels Delinquent for Real Property Taxes (<10%): 0.76% KPB 5.35.070(D), <10%  
Total number of parcels for petition % thresholds: 132  
Total # of parcels voted IN FAVOR of project: 92 KPB 5.35.107(C)(6)  
% of total parcels IN FAVOR of project: 69.70% KPB 5.35.107(C)(a), 60%  
% of district's assessed value IN FAVOR of project: 74.39% KPB 5.35.107(C)(b), 60% based on 2023 AV

PARCEL ID <small>** New parcels for 2024</small>	PHYSICAL ADDRESS	LEGAL	2024 ASSESSED VALUE	LIEN LIMIT <50% A.V. 5.35.070(C)	MAXIMUM ASSESSMENT (Inaccessible)	Prepayment Amounts <small>Based on 2023 AV</small>	OWNER	MAILING ADDRESS	CITY, ST, ZIP	2023 DEL TAXES	SPC ASSMTS	IN FAVOR 'YES'	IN FAVOR \$ AV <small>(based on 2023 AV)</small>
017-080-03		T 6N R 11W SEC 7 & 8 SEWARD MERIDIAN KN S1/2 SEC 7; SW1/4 SEC 8	417,800	1.14%	4,753.30	0.00	KENAI NATIVES ASSN INC	215 FIDALGO AVE STE 204B	KENAI AK 99611	NO	NO	YES	362,500
017-080-17		T 6N R 11W SEC 5 & 6 & 7 SEWARD MERIDIAN KN GL 3 & 4 & S1/2 NW1/4 & SW1/4 NE1/4 & N1/2 SW1/4 & SW1/4 SW1/4 IN SEC 5; GL 3, 6 & 7 & SE1/4 NW1/4 & E1/2 SW1/4 & SE1/4 IN SEC 6; GL 1 & 2 & E1/2 NW1/4 & N1/2 NE1/4 IN SEC 7	776,900	0.61%	4,753.30	0.00	ALASKA MENTAL HEALTH TRUST AUTHORITY	3745 COMMUNITY PARK LOOP STE 200	ANCHORAGE AK 99508	NO	NO	YES	674,700
017-080-19	44973 OPAL ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2009088 PRINCESS LAKE ESTATES PHASE 1 LOT 1	209,400	2.27%	4,753.30	0.00	LAURITSEN HOLLIE & GUY R	PO BOX 2623	KENAI AK 99611	NO	NO	YES	198,700
017-080-20	44935 OPAL ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2009088 PRINCESS LAKE ESTATES PHASE 1 LOT 2	187,400	2.54%	4,753.30	0.00	STATON DEBORAH STATON MICHAEL	PO BOX 606 2812 W OKMULGEE ST	KENAI AK 99611 MUSHOGEE OK 74401	NO	NO	YES	199,700
017-080-21	44897 OPAL ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2009088 PRINCESS LAKE ESTATES PHASE 1 LOT 3	40,700	11.68%	4,753.30	0.00	RANDOLPH JAMES THOMAS	PO BOX 7058	NIKISKI AK 99635	YES	NO	YES	56,000
017-080-31	44859 OPAL ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2010006 PRINCESS LAKE ESTATES PHASE 2 LOT 4	36,400	13.06%	4,753.30	0.00	VELIE MICHAEL & VELIE MICHAEL C	44859 OPAL ST	KENAI AK 99611	NO	NO	YES	64,900
017-080-32	44823 OPAL ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2010006 PRINCESS LAKE ESTATES PHASE 2 LOT 5	124,500	3.82%	4,753.30	0.00	MCCURDY KELSEY L	44823 OPAL ST	KENAI AK 99611	NO	NO	YES	160,900
017-080-33	44783 OPAL ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2010006 PRINCESS LAKE ESTATES PHASE 2 LOT 6	84,100	5.65%	4,753.30	0.00	DEGG LALONNIE L LAMB, AVIS & DANIEL	31758 SARY SU ST 1986 BEATTY RD	ANCHOR POINT AK 99556 HILLSBORO OH 45133	NO	NO	YES	86,300
017-080-34	44735 OPAL ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2010006 PRINCESS LAKE ESTATES PHASE 2 LOT 7	29,900	15.90%	4,753.30	0.00	JAGD KELLY & MICHAEL	PO BOX 303	KENAI AK 99611	NO	NO	YES	45,100
017-080-35	44697 OPAL ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2010006 PRINCESS LAKE ESTATES PHASE 2 LOT 8	133,300	3.57%	4,753.30	0.00	SOLOWAY MARIA & KEVIN	5511 TYLER CT	FREMONT CA 94538	NO	NO		0
017-080-36	44661 OPAL ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2010006 PRINCESS LAKE ESTATES PHASE 2 LOT 9	28,100	16.92%	4,753.30	0.00	OSORIO ELIZABETH	8111 E 36TH AVE, UNIT B	ANCHORAGE AK 99504	NO	NO	YES	48,600
017-080-37	44627 OPAL ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2010006 PRINCESS LAKE ESTATES PHASE 2 LOT 10	26,100	18.21%	4,753.30	0.00	WHITING DAVID	2910 W 34TH AVE	ANCHORAGE AK 99517	NO	NO		0
017-080-38	44589 OPAL ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2010006 PRINCESS LAKE ESTATES PHASE 2 LOT 11	105,600	4.50%	4,753.30	0.00	HOLLEYMAN ALVINA & HOLLEYMAN LON	3000 S EISENHOWER RD	ROSWELL NM 88203	NO	NO		0
017-080-39	44517 OPAL ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2010006 PRINCESS LAKE ESTATES PHASE 2 LOT 12	28,100	16.92%	4,753.30	0.00	BARNUM KIM & TIM	44517 OPAL ST	KENAI AK 99611	NO	NO		0
017-080-40	44517 OPAL ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2010006 PRINCESS LAKE ESTATES PHASE 2 LOT 13	136,400	3.48%	4,753.30	0.00	BARNUM KIM & TIM	44517 OPAL ST	KENAI AK 99611	NO	NO		0
017-080-64	44546 OPAL ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 59A	79,700	5.96%	4,753.30	0.00	STOUT KENNETH L	8301 NORTHWIND AVE	ANCHORAGE AK 99504	NO	NO	YES	88,700
017-080-65	44580 OPAL ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 60A	150,100	3.17%	4,753.30	0.00	ANASOGAK WAYNE & NICOLE M	PO BOX 1047	KENAI AK 99611	NO	NO		0
017-080-66	44606 OPAL ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 61A	33,100	14.36%	4,753.30	0.00	KEWAN MELVIN	PO BOX 2404	SOLDOTNA AK 99669	NO	NO	YES	50,900
017-080-67	44644 OPAL ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 62A	95,900	4.96%	4,753.30	0.00	HENDERSHOT ERIC	44644 OPAL ST	KENAI AK 99611	NO	NO	YES	50,900
017-080-68	44668 OPAL ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 63A	183,200	2.59%	4,753.30	0.00	ROHN CHRISTINE L	44668 OPAL ST	KENAI AK 99611	NO	NO	YES	185,900
017-080-69	44702 OPAL ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 64A	33,900	14.02%	4,753.30	0.00	JEFFRIES NITA & REDENBACH ELIZABETH A	44702 OPAL ST	KENAI AK 99611	NO	NO		0
017-080-70	44736 OPAL ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 65A	39,100	12.16%	4,753.30	0.00	OSBORN JENNIFER E & HENDRICKSON ERIC M	PO BOX 1918	KENAI AK 99611	NO	NO		0
017-080-71	44770 OPAL ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 66A	33,100	14.36%	4,753.30	0.00	MARTIN GREGOR P JR	34404 FOREST LN	SOLDOTNA AK 99669	NO	NO	YES	52,100
017-080-72	44810 OPAL ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 67A	32,500	14.63%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	49,900
017-080-73	44842 OPAL ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 68A	30,500	15.58%	4,753.30	0.00	MARKS LOREN	44842 OPAL ST	KENAI AK 99611	NO	NO	YES	47,900
017-080-74	44950 OPAL ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 70A	47,900	9.92%	4,753.30	0.00	FLEMING LEON RAY JR	13943 W KNIGHTS DR	WASILLA AK 99623	NO	NO		0
017-080-75	44950 OPAL ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 71A	69,600	6.83%	4,753.30	0.00	CRAWFORD TYANE MARIE & CRAWFORD JEFFREY THOMAS	44950 OPAL ST	KENAI AK 99611	NO	NO		0
017-080-76	52151 LOWER SALAMATOF AVE	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 72A	211,600	2.25%	4,753.30	0.00	HILL KATY M & RONALD E	52151 LOWER SALAMATOF AVE	KENAI AK 99611	NO	NO	YES	222,700
017-080-77	52109 LOWER SALAMATOF AVE	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 73A	59,700	7.96%	4,753.30	0.00	JEWELL AMY SPENCER & BILLY	PO BOX 740	KENAI AK 99611	NO	NO		0
017-080-78	52075 LOWER SALAMATOF AVE	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 74A	70,000	6.79%	4,753.30	0.00	HILL CHERYL	52075 LOWER SALAMATOF AVE	KENAI AK 99611	NO	NO		0



PARCEL ID <i>** New parcels for 2024</i>	PHYSICAL ADDRESS	LEGAL	2024 ASSESSED VALUE	LIEN LIMIT <50% A.V. 5.35.070(C)	MAXIMUM ASSESSMENT (Infinanceable)	Prepayment Amounts Based on 2023 AV	OWNER	MAILING ADDRESS	CITY, ST, ZIP	2023 DEL TAXES	SPC ASSMTS	IN FAVOR 'YES'	IN FAVOR \$ AV (based on 2023 AV)
017-080-79	52037 LOWER SALAMATOF AVE	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 75A	26,800	17.74%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	40,900
017-080-80	44955 WALLERS ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 76A	41,600	11.43%	4,753.30	0.00	BICHLER JEREMY	44955 WALLERS ST	KENAI AK 99611	NO	NO	YES	54,300
017-080-81	44905 WALLERS ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 77A	27,400	17.35%	4,753.30	0.00	GALYEAN TERRY L	44835 WALLERS ST	KENAI AK 99611	NO	NO	YES	43,900
017-080-82	44869 WALLERS ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 78A	31,000	15.33%	0.00	4,753.30	LORRING KARI & ERIC	46060 RIVERSIDE LN	SOLDOTNA AK 99669	NO	NO		0
017-080-83	44835 WALLERS ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 79A	37,600	12.64%	4,753.30	0.00	GALYEAN TERRY L	44835 WALLERS ST	KENAI AK 99611	NO	NO	YES	55,400
017-080-84	44771 WALLERS ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 80A	33,000	14.40%	4,753.30	0.00	LG REVOCABLE LIVING TRUST	PO BOX 220625	ANCHORAGE AK 99522	NO	NO	YES	50,800
017-080-85	44771 WALLERS ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 81A	29,200	16.28%	4,753.30	0.00	HEMPHILL GREGORY L	44771 WALLERS ST	KENAI AK 99611	NO	NO	YES	47,000
017-080-86	44737 WALLERS ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 82A	33,000	14.40%	4,753.30	0.00	REESE MICHELLE	PO BOX 911	MEEKER CO 81641	NO	NO		0
017-080-87	44713 WALLERS ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 83A	31,500	15.09%	4,753.30	0.00	LG REVOCABLE LIVING TRUST	PO BOX 220625	ANCHORAGE AK 99522	NO	NO	YES	49,300
017-080-88	44673 WALLERS ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 84A	267,300	1.78%	4,753.30	0.00	WILCOX MARY LOU S & WILLIAM L	PO BOX 772	SOLDOTNA AK 99669	NO	NO	YES	195,600
017-080-89	44641 WALLERS ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 85A	165,200	2.88%	4,753.30	0.00	WELLS ZACHARY	PO BOX 766	KENAI AK 99611	NO	NO	YES	177,600
017-080-90	44605 WALLERS ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 86A	29,200	16.28%	4,753.30	0.00	YOUNG MIKALELA ROSE	PO BOX 60061	FAIRBANKS AK 99706	NO	NO	YES	47,000
017-080-91	44571 WALLERS ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 87A	29,200	16.28%	4,753.30	0.00	HALLENBECK RONDA L HALLENBECK LOUIS J	6709 LIPSCOMB DR 44571 WALLERS ST	WILLINGMINGTON NC 28412 KENAI AK 99611	NO	NO	YES	47,000
017-080-92	44539 WALLERS ST	T 6N R 11W SEC 12 SEWARD MERIDIAN KN 2011090 PRINCESS LAKE ESTATES 2011 REPLAT LOT 88A	154,400	3.08%	4,753.30	0.00	PAULSON MARSHALL	110 FBO RD	KENAI AK 99611	NO	NO	YES	145,000
017-200-01		T 6N R 12W SEC 13 & 24 SEWARD MERIDIAN KN ALL OF SEC 13; N1/2 & SE1/4 & N1/2 SW1/4 & SE1/4 SW1/4 IN SEC 24	955,500	0.50%	4,753.30	0.00	KENAI NATIVES ASSN INC	215 FIDALGO AVE STE 204B	KENAI AK 99611	NO	NO	YES	829,200
017-254-21		T 6N R 12W SEC 1 SEWARD MERIDIAN KN A PORTION OF THE E1/2 SE1/4 EXCL ROWS	193,800	2.45%	4,753.30	0.00	ALCAN VENTURES LIMITED	8090 JACKPINE RD	VERNON V1B3M9 CANADA	NO	NO	YES	168,600
017-254-27		T 6N R 12W SEC 1 SEWARD MERIDIAN KN 2008093 SALAMATOF AIR PARK ALCAN ADDN NO 1 LOT B4 <i>[No Known Restrictions to Develop this parcel]</i>	0	0.00%	0.00	4,753.30	SALAMATOF AIR PARK SUBDIVISION OWNERS INC	PO BOX 768	KENAI AK 99611	NO	NO		0
017-254-28		T 6N R 12W SEC 1 SEWARD MERIDIAN KN 2008093 SALAMATOF AIR PARK ALCAN ADDN NO 1 LOT B5	9,900	48.01%	4,300.00	453.30	ALCAN VENTURES LIMITED	8090 JACKPINE RD	VERNON V1B3M9 CANADA	NO	NO	YES	8,600
017-260-73	44635 LAKE VISTA DR	T 6N R 12W SEC 12 SEWARD MERIDIAN KN NW1/4 EXCLUDING LAKE VISTA ESTATES SUB PART 4	180,400	2.63%	4,753.30	0.00	KEGLER CARRIE MARIE & KRUGER JON	48419 GRANT AVE	KENAI AK 99611	NO	NO		0
017-265-03		T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014011 PRINCESS LAKE ESTATES PHASE 3 LOT 17	60,300	7.88%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	53,000
017-265-04		T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014011 PRINCESS LAKE ESTATES PHASE 3 LOT 24	41,300	11.51%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	36,200
017-265-05	52486 TREASURE CHEST AVE	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014011 PRINCESS LAKE ESTATES PHASE 3 LOT 28	155,600	3.05%	4,753.30	0.00	HEALE EMILY M & WIZIK ANDREW J	52486 TREASURE CHEST AVE	KENAI AK 99611	NO	NO	YES	160,700
017-265-11		T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 69A	32,500	14.63%	4,753.30	0.00	ROPER MARYNA	48166 RYAN CREEK CIR	SOLDOTNA AK 99669	NO	NO	YES	49,900
017-265-12	52438 TREASURE CHEST AVE	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 29	24,400	19.48%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO		0
017-265-14		T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 89	27,400	17.35%	4,753.30	0.00	MUNSELL MARLENE & BARRY R	PO BOX 876211	WASILLA AK 99687	NO	NO		0
017-265-15		T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 90	25,100	18.94%	4,753.30	0.00	DELPH KIMBERLY E & TIMOTHY M	5661 E CHERRY CIR	WASILLA AK 99654	NO	NO		0
017-265-16		T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 91	27,400	17.35%	4,753.30	0.00	DELPH KIMBERLY E & TIMOTHY M	5661 E CHERRY CIR	WASILLA AK 99654	NO	NO		0
017-265-17	44407 WALLERS ST	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 92	25,100	18.94%	4,753.30	0.00	BRIGGS LARRY	44373 WALLERS ST	KENAI AK 99611	NO	NO	YES	47,000
017-265-18	44373 WALLERS ST	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 93	162,800	2.92%	4,753.30	0.00	TUCKER RHONDA L & BRIGGS LARRY G	44373 WALLERS ST	KENAI AK 99611	NO	NO	YES	154,800
017-265-19	44331 WALLERS ST	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 94	134,500	3.53%	4,753.30	0.00	TUCKER RHONDA & BRIGGS LARRY	44373 WALLERS ST	KENAI AK 99611	NO	NO	YES	129,800
017-265-20		T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 95	22,600	21.03%	4,753.30	0.00	YORK MATTHEW D	PO BOX 2300	KENAI AK 99611	NO	NO		0
017-265-21	44275 WALLERS ST	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 96	108,700	4.37%	4,753.30	0.00	FICK SARA J & RAND RICHARD J III	44275 WALLERS ST	KENA AK 99611	NO	NO	YES	42,300
017-265-22	44229 WALLERS ST	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 97	74,100	6.41%	4,753.30	0.00	CHRISTENSEN LUCIANA & RANDALL	44229 WALLERS ST	KENAI AK 99611	NO	NO		0
017-265-23	44199 WALLERS ST	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 98	60,700	7.83%	4,753.30	0.00	CHOCKLEY TRACY M	44199 WALLERS ST	KENAI AK 99611	NO	NO		0
017-265-24	44167 WALLERS ST	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 99	22,600	21.03%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO		0
017-265-25	44133 WALLERS ST	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 100	29,100	16.33%	4,753.30	0.00	MILLER CASEY V & SAMAKIN DOUGLAS P	PO BOX 1426	KENAI AK 99611	NO	NO		0
017-265-26	44105 WALLERS ST	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 101	31,700	14.99%	4,753.30	0.00	ZUDELL TAMMY & STACY	1604 TWILIGHT WAY	KENAI AK 99611	NO	NO	YES	51,500
017-265-27	44067 WALLERS ST	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 102	22,600	21.03%	4,753.30	0.00	ZUDELL TAMMY & STACY	1604 TWILIGHT WAY	KENAI AK 99611	NO	NO	YES	42,300
017-265-28	52028 TREASURE CHEST AVE	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 103	176,900	2.69%	4,753.30	0.00	DILLON JOAN L & TIMOTHY J	14896 KENAI SPUR HWY STE 204	KENAI AK 99611	NO	NO	YES	191,800

PARCEL ID <i>** New parcels for 2024</i>	PHYSICAL ADDRESS	LEGAL	2024 ASSESSED VALUE	LIEN LIMIT <50% A.V. 5.35.070(C)	MAXIMUM ASSESSMENT (Infinanceable)	Prepayment Amounts Based on 2023 AV	OWNER	MAILING ADDRESS	CITY, ST, ZIP	2023 DEL TAXES	SPC ASSMTS	IN FAVOR 'YES'	IN FAVOR \$ AV (based on 2023 AV)
017-265-29	52072 TREASURE CHEST AVE	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 104	23,300	20.40%	4,753.30	0.00	DILLON AARON M	35555 KENAI SPUR HWY PMB 119	SOLDOTNA AK 99669	NO	NO		0
017-265-30	52114 TREASURE CHEST AVE	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 105	42,800	11.11%	4,753.30	0.00	MARTIN RACHELE	52114 TREASURE CHEST AVE	KENAI AK 99611	NO	NO	YES	63,500
017-265-31	52170 TREASURE CHEST AVE	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 124	30,200	15.74%	4,753.30	0.00	BROYLES TERESA	3501 TANGLEWOOD PL	ANCHORAGE AK 99517	NO	NO	YES	47,900
017-265-32	52202 TREASURE CHEST AVE	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 125	20,300	23.42%	4,753.30	0.00	COMODERO LIGAYA & MURPHY ROBERT	PO BOX 1141	KENA AK 99611	NO	NO		0
017-265-33	52234 TREASURE CHEST AVE	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 126	29,600	16.06%	4,753.30	0.00	WHYBARK MARY E	PO BOX 1755	KENAI AK 99611	NO	NO	YES	47,200
017-265-34	52268 TREASURE CHEST AVE	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 127	20,300	23.42%	4,753.30	0.00	DEATER DARREN D	PO BOX 111042	ANCHORAGE AK 99511	NO	NO		0
017-265-35	52302 TREASURE CHEST AVE	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 128	20,300	23.42%	4,753.30	0.00	JONES KALLIE A	3030 E SANDMAN CIR	WASILLA AK 99654	NO	NO		0
017-265-36	52332 TREASURE CHEST AVE	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 129	34,900	13.62%	4,753.30	0.00	PATCHETT GERMAINE	PO BOX 428	KASIOF AK 99610	NO	NO		0
017-265-37	52360 TREASURE CHEST AVE	T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2014013 PRINCESS LAKE ESTATES PHASE 4 LOT 130	34,500	13.78%	4,753.30	0.00	BROWN WILLIAM	52360 TREASURE CHEST AVE	KENAI AK 99611	NO	NO	YES	37,900
017-265-38		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 30	16,600	28.63%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	14,300
017-265-39		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 31	16,600	28.63%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	14,400
017-265-40		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 32	16,600	28.63%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	14,400
017-265-41		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 33	16,700	28.46%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	14,500
017-265-42		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 34	16,700	28.46%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	14,500
017-265-43		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 35	16,600	28.63%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	14,400
017-265-44		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 36	16,700	28.46%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	14,500
017-265-45		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 37	17,000	27.96%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	14,800
017-265-46		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 131	17,600	27.01%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	15,200
017-265-47		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 132	16,600	28.63%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	14,400
017-265-48		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 133	16,800	28.29%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	14,500
017-265-49		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 134	16,800	28.29%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	14,500
017-265-50		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 135	16,600	28.63%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	14,400
017-265-51		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 136	16,100	29.52%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	13,900
017-265-52		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 54	18,500	25.69%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	16,000
017-265-53		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 55	21,600	22.01%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	18,700
017-265-54		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 56	20,400	23.30%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	17,800
017-265-55		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 58A	22,300	21.32%	4,753.30	0.00	MEADOWS STEVEN LEWIS TALEITHA	53093 THUNDER RD PO BOX 1868	KENAI AK 99611 KENAI AK 99611	NO	NO	YES	43,500
017-265-56		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 14A	16,800	28.29%	4,753.30	0.00	BARNUM TIM	44517 OPAL ST	KENAI AK 99611	NO	NO		0
017-265-57	44461 OPAL ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 15A	19,000	25.02%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	16,800
017-265-58		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 16	18,800	25.28%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	16,500
017-265-59		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 TRACT D1	49,200	9.66%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	42,600
017-265-60		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 50	17,000	27.96%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	14,800
017-265-61		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 51	17,300	27.48%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	15,000
017-265-62		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 52	17,300	27.48%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	36,900
017-265-63		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 53	19,300	24.63%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	36,900
017-265-64		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 38	18,700	25.42%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	16,300
017-265-65		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 39	16,600	28.63%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	14,300
017-265-66		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 40	19,100	24.89%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	16,600
017-265-67		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 41	19,100	24.89%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	16,600
017-265-68		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 42	19,800	24.01%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	17,200

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017-265-69	52322 THORITE LN	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 43	19,400	24.50%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO		0
017-265-71		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 118	29,600	16.06%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	25,900
017-265-72	44211 ERINITE ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 119	20,900	22.74%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	18,400
017-265-73	44175 ERINITE ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 120	18,800	25.28%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO		0
017-265-74	44133 ERINITE ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 121	18,800	25.28%	4,753.30	0.00	CALVIN JESSICA	25593 SUSAN DR	KASIOF AK 99610	NO	NO		0
017-265-75	44103 ERINITE ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 122	21,300	22.32%	4,753.30	0.00	ANDERSON SIERRA & BRANDON	2710 WATERGATE WAY	KENAI AK 99611	NO	NO		0
017-265-76	44071 ERINITE ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 LOT 123	18,900	25.15%	4,753.30	0.00	COOPER VERONICA	601 E NORTHERN LIGHTS BLVD STE A	ANCHORAGE AK 99503	NO	NO		0
017-265-77	52412 TREASURE CHEST AVE	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 TRACT B1	43,100	11.03%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	37,700
017-265-80	44070 ERINITE ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2020030 PRINCESS LAKE ESTATES PHASE 7 LOT 106	24,400	19.48%	4,753.30	0.00	CARVALHO MICHAEL STEVEN	PO BOX 235	PALMER TX 75152	NO	NO		0
017-265-81	44102 ERINITE ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2020030 PRINCESS LAKE ESTATES PHASE 7 LOT 107	19,600	24.25%	4,753.30	0.00	ZUDELL TAMMY & STACY	1604 TWILIGHT WAY	KENAI AK 99611	NO	NO		0
017-265-82	44134 ERINITE ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2020030 PRINCESS LAKE ESTATES PHASE 7 LOT 108	22,600	21.03%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	19,900
017-265-83	44160 ERINITE ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2020030 PRINCESS LAKE ESTATES PHASE 7 LOT 109	22,600	21.03%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	19,900
017-265-84	44196 ERINITE ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2020030 PRINCESS LAKE ESTATES PHASE 7 LOT 110	22,600	21.03%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	19,900
017-265-85	44226 ERINITE ST	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2020030 PRINCESS LAKE ESTATES PHASE 7 LOT 111	19,600	24.25%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	39,800
017-265-86		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2020030 PRINCESS LAKE ESTATES PHASE 7 LOT 112	22,400	21.22%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	19,800
017-265-87	44288 ERINITE CIR	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2020030 PRINCESS LAKE ESTATES PHASE 7 LOT 113	18,800	25.28%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	38,000
017-265-88	44296 ERINITE CIR	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2020030 PRINCESS LAKE ESTATES PHASE 7 LOT 114	28,200	16.86%	4,753.30	0.00	MARTIN KARLI	52114 TREASURE CHEST AVE	KENAI AK 99611	NO	NO	YES	57,800
017-265-89		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2020030 PRINCESS LAKE ESTATES PHASE 7 LOT 115	17,100	27.80%	4,753.30	0.00	OVERTON OLGA & LARRY	1401 NE STODDARD LN	HERMISTON OR 97838	NO	NO		0
017-265-90		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2020030 PRINCESS LAKE ESTATES PHASE 7 LOT 116	18,900	25.15%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO		0
017-265-91		T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2020030 PRINCESS LAKE ESTATES PHASE 7 LOT 117	20,200	23.53%	4,753.30	0.00	KENAI GRAVEL PRODUCTS LLC	PO BOX 540155	NORTH SALT LAKE UT 84054	NO	NO	YES	17,700
** 017-254-52		T 06N R 12W SEC 01 Seward Meridian KN 2023042 SALAMATOF AIR PARK ALCAN 2022 REPLAT LOT CSA	26,800	17.74%	4,753.30	0.00	ALCAN VENTURES LIMITED	8090 JACKPINE RD	VERNON V1B3M9 CANADA	NO	NO	YES	26,800
** 017-260-78		T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2023025 SMITH STATION SUB TRACT A	108,100	4.40%	4,753.30	0.00	SMITH MELISSA & JOSHUA	44540 BERYL ST	KENAI AK 99611	NO	NO	YES	97,300
** 017-260-79		T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2023025 SMITH STATION SUB TRACT B	100,300	4.74%	4,753.30	0.00	STATON STEPHEN	28850 REFLECTION LAKE RD	SOLDOTNA AK 99669	NO	NO	YES	78,500
<b>132</b>		<b># Parcels for Assessment &amp; Petition Calculation</b>	<b>8,600,000</b>		<b>617,475.70</b>	<b>9,959.90 = Total Prepayments Paid</b>				<b>1</b>		<b>92</b>	<b>6,839,000</b>

\*\*New parcels for 2024, Certified 2024 Values: KN 2023042 recorded 9/1/2023; KN 2023025 recorded 6/13/2023

0.76% <10% 5.35.070(D) # in favor \$ AV in favor  
% of parcels del Total 2023 AV: \$9,192,900

Parcel Excluded by Assessing Due to Assessed Value & Restriction for Improvements										Notes:
017-265-79	AIRSTrip	T 06N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 TRACT E	0.00				TREASURE CHEST AIRPARK HOMEOWNERS ASSOCIATION INC	PO BOX 1597	KENAI AK 99611	Treasure Chest Airport
<b>1</b>	<b># Parcels excluded by Assessing</b>									
<b>133</b>	<b>Total Number of Parcels in District</b>									

as of 10/9/2024

Introduced by: Mayor  
Date: 05/07/24  
Action: Adopted  
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH  
RESOLUTION 2024-009**

**A RESOLUTION FORMING THE PRINCESS LAKE ESTATES UTILITY SPECIAL  
ASSESSMENT DISTRICT AND PROCEEDING WITH THE IMPROVEMENT OF A  
NATURAL GAS MAIN LINE**

**WHEREAS,** KPB Chapter 5.35 authorizes the formation of utility special assessment districts within the Kenai Peninsula Borough (“KPB”); and

**WHEREAS,** an application for a petition to form a utility special assessment district (“USAD”) was received from the property owners within the proposed district; and

**WHEREAS,** on November 16, 2023, the Mayor approved the Administrative Review of the Petition Report, pursuant to KPB 5.35.105 requirements, for the formation of the Princess Lake Estates USAD for construction of a natural gas main line extension, attached as Mayor’s Report Attachment 1; and

**WHEREAS,** KPB 5.35.107(C) requires signatures of the owners of record of (a) at least 60 percent of the total number of parcels subject to assessment within the proposed district and (b) at least 60 percent in value of the property to be benefited, in order to be considered by the assembly for formation; and the owners of record of 69.70 percent of the total number of parcels, and 74.39 percent in value of the properties to be benefited, have signed the petition; and

**WHEREAS,** the petition was submitted timely by the sponsor on February 15, 2024, and on February 21, 2024, the Clerk determined that the petition bears sufficient signatures meeting the signature thresholds as required by KPB 5.35.107, and acknowledged receipt of a filing fee for \$1,000 as required by KPB 5.35.030(D), (see Mayor’s Report Attachment 3, Certification of Petition); and

**WHEREAS,** KPB gave notice of the public hearing for this resolution by certified mail, return receipt requested, mailed not less than 35 days before the date of the hearing, to each record owner of a parcel in the proposed district; and

**WHEREAS,** KPB further gave notice by publication once a week for two consecutive weeks in a newspaper of general circulation in the KPB, with the first publication appearing not less than 30 days before the date of the hearing; and

**WHEREAS,** more than 35 days have passed since the mailing of the notice of the public hearing to each record owner of a parcel in the proposed district, and zero (0) written objection to the necessity of formation of the district has been filed with the KPB Clerk; and

**WHEREAS,** KPB 5.35.110(A) requires the Mayor to prepare for Assembly consideration a resolution to form the special assessment district and proceed with the improvement, and to submit with the resolution a copy of the petition as described in KPB 5.35.107(A);

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

**SECTION 1.** That the KPB will form the Princess Lake Estates (USAD, and the Mayor is authorized to proceed with the construction of the improvement in accordance with the provisions of KPB Chapter 5.35, and negotiate and execute such documents as are determined to be in the best interests of the KPB to accomplish this project.

**SECTION 2.** That pursuant to the requirements of KPB 5.35.110, this resolution is supported by the Mayor's Report, which is attached hereto and incorporated herein by reference.

**SECTION 3.** That the proposed Princess Lake Estates USAD is necessary and should be made and is hereby formed, and the KPB will proceed with the construction of an extension of Enstar Natural Gas Company's natural gas main line extension to a district encompassing 132 benefited parcels in the area of Salamatof, including those section of Lower Salamatof Avenue and Treasure Chest Avenue, Erinite Street, Lake Vista Drive, Opal Street, Thorite Lane, and Wallers Street.

**SECTION 4.** That the boundaries of the USAD for the natural gas main line extension set forth in the district map as Mayor's Report Attachment 2, page 11, and the properties legally described in the Estimate Assessment Roll as Mayor's Report Attachment 2, page 13, are hereby approved as comprising the USAD.

**SECTION 5.** That the estimated cost of the project of \$627,435.60, which includes direct costs of \$612,196.00 and KPB Administrative costs of \$15,239.60, is approved.

**SECTION 6.** That the attached Estimate Assessment Roll, Mayor's Report Attachment 2, page 13, which includes properties within the district to be properly included and subject to an assessment of \$4,753.30 per parcel for the improvement, is incorporated by reference herein and adopted.

**SECTION 7.** Pursuant to the requirements of KPB 5.35.105(B) and 5.35.110(E)(4), that the following one (1) property shall be excluded from the district and will not receive the benefit of the improvement and will not be subject to the assessment as the Mayor has determined this property as not directly benefiting from the improvement due to the property's physical characteristic, T 6N R 12W SEC 12 SEWARD MERIDIAN KN 2016001 PRINCESS LAKE ESTATES PHASE 5 TRACT E (PIN 017-265-79); see Attachment 1, page 3.

**SECTION 8.** That the Mayor is authorized to negotiate and execute such documents as are determined to be in the best interests of the KPB to proceed with construction of the improvement and to accomplish this project.

**SECTION 9.** That the Clerk shall cause a copy of this resolution and the estimated assessment roll to be recorded in the District Recorder's office for the State of Alaska in Kenai.

**SECTION 10.** That notice is hereby given that a property owner within the boundaries of the Princess Lake Estates USAD, unless excluded by Section 6 of this resolution, must pay off the remaining balance of any special assessment on property to be subdivided, or prepay estimated costs if the final assessment has not been determined, before a final plat may be signed and recorded pursuant to KPB 20.60.030.

**SECTION 11.** That this resolution shall be effective immediately.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF MAY, 2024.**

*Brent Johnson*

Brent Johnson, Assembly President

ATTEST:

*Michele Turner*

Michele Turner, CMC, Borough Clerk



Yes: Cooper, Cox, Ecklund, Elam, Hibbert, Ribbens, Tunseth, Tupper, Johnson

No: None

Absent: None

Introduced by: Mayor  
Date: 04/16/24  
Hearing: 05/07/24  
Action: Enacted  
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2023-19-45**

**AN ORDINANCE APPROPRIATING \$627,435.60 TO THE SPECIAL ASSESSMENT  
FUND FOR THE PRINCESS LAKE ESTATES UTILITY SPECIAL ASSESSMENT  
DISTRICT**

**WHEREAS,** KPB 5.35 provides authority for creating and financing utility special assessment districts for utility line extension; and

**WHEREAS,** a petition has been received requesting the formation of a special assessment district in the north Kenai area for construction of a natural gas mainline; and

**WHEREAS,** a resolution to form the Princess Lake Estates Utility Special Assessment District (“USAD”) and proceed with the improvement will be scheduled for Assembly consideration at its May 7, 2024 meeting; and

**WHEREAS,** financing is necessary to complete the administrative requirements under KPB Code; and

**WHEREAS,** pursuant to KPB 5.10.040(A)(13), KPB may invest in special assessment districts; and

**WHEREAS,** the estimated total cost of the project of \$627,435.60 is an investment appropriation from the General Fund which will be repaid with interest through assessments on the parcels within the USAD;

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

**SECTION 1.** That the amount of \$627,435.60 is authorized to be advanced to the assessment fund from the General Fund fund balance and appropriated into account 847.94912.PRNLK.49999 for the Princess Lake Estates Utility Natural Gas Line project.

**SECTION 2.** That the special assessment fund shall repay the full amount with interest to the General Fund through payments made on the special assessments levied.

**SECTION 3.** That the appropriations made in this ordinance are of project length nature and as such do not lapse at the end of any particular fiscal year.



**SECTION 4.** That this ordinance shall be effective immediately.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF MAY, 2024.**

*Brent Johnson*

Brent Johnson, Assembly President

ATTEST:

*Michele Turner*

Michele Turner, CMC, Borough Clerk



Yes: Cooper, Cox, Ecklund, Elam, Hibbert, Ribbens, Tunseth, Tupper, Johnson

No: None

Absent: None

Introduced by: Mayor  
Date: 11/12/24  
Hearing: 01/07/25  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2024-33**

**AN ORDINANCE AMENDING KPB 21.46.070 TO CREATE THE KENAI WELLNESS  
ESTATES ADDITION LOCAL OPTION ZONING DISTRICT MIXED-USE DISTRICT  
(C-3) AND GRANTING AN EXCEPTION TO THE MINIMUM TWELVE-LOT  
REQUIREMENT IN KPB 21.44.040(A)**

- WHEREAS,** on July 24, 2024, the Applicant submitted an application to rezone three parcels within the existing Diamond Willow-Fairfield Single-Family Residential (R-1) LOZD to create a new Mixed-Use (C-3) LOZD; and
- WHEREAS,** the Applicant also requests an exception to the minimum twelve-lot requirement in KPB 21.44.040(A); and
- WHEREAS,** on August 14, 2024, the Planning Department held a community meeting regarding the LOZD application at the Donald E. Gilman River Center; and
- WHEREAS,** on September 23, 2024, a petition supporting the proposed Mixed-Use (C-3) LOZD was submitted to the Planning Department with signatures of at least 60 percent of the owners of parcels within the existing Diamond Willow-Fairfield Single-Family Residential (R-1) LOZD; and
- WHEREAS,** Goal 2, Focus Area: Land Use, Objective A of the Kenai Peninsula Borough's 2019 Comprehensive Plan is to establish policies that better guide land use to minimize land use conflicts, maintain property values, protect natural systems and support individual land use freedoms; and
- WHEREAS,** the Kenai Peninsula Borough Planning Commission reviewed the proposed Mixed-Use (C-3) LOZD at its regularly scheduled meeting of October 28, 2024 and recommended approval by unanimous consent;

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

- SECTION 1.** That the Assembly finds the adoption of the Kenai Wellness Estates Addition Mixed-Use (C-3) LOZD to be consistent with surrounding land uses and the 2019 Kenai Peninsula Borough Comprehensive Plan.

**SECTION 2.** That KPB 21.46.070 is hereby amended as follows:

**21.46.070. Mixed Use (C-3) Districts.**

A. The following Mixed Use (C-3) districts and official maps are hereby adopted:

1. Diamond Willow – Kenai Wellness Estates Addition, described as Kenai Wellness Estates Addition Lots A3, A4, and A5, according to Plat 2023-079, Kenai Recording District.
  - a. The local option zone applies to any further replats of Diamond Willow – Kenai Wellness Estates Addition Subdivision.

**SECTION 3.** That the Assembly grants an exception to the minimum twelve-lot requirement in KPB 21.44.040(A).

**SECTION 4.** That Diamond Willow – Kenai Wellness Estates Addition LOZD will be recorded in the Kenai Recording District.

**SECTION 5.** That this ordinance shall take effect immediately.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \* DAY OF \* 2024.**

\_\_\_\_\_  
Peter Ribbens, Assembly President

ATTEST:

\_\_\_\_\_  
Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

# Kenai Peninsula Borough

## Planning Department

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### MEMORANDUM

**TO:** Peter Ribbens, Assembly President  
Members, KPB Assembly

**THRU:** Peter A. Micciche, Mayor *PM*  
Robert Ruffner, Planning Director *RR*  
Samantha Lopez, River Center Manager *SL*

**FROM:** Ryan Raidmae, Planner *RR*

**DATE:** October 30, 2024, 2024

**RE:** Ordinance 2024- 33 , Amending KPB 21.46.070 to Create the Kenai Wellness Estates Addition Local Option Zoning District Mixed-Use District (C-3) and Granting an Exception to the Minimum Twelve-Lot Requirement in KPB 21.44.040(A) (Mayor)

---

On July 24, 2024, Consolidated Development and Management (Applicant) submitted an application to rezone three parcels within the existing Diamond Willow-Fairfield Single-Family Residential (R-1) LOZD to create a new Mixed-Use (C-3) LOZD. The Applicant also requests an exception to the minimum twelve-lot requirement in KPB 21.44.040(A). The proposed LOZD includes three lots, encompasses 4.86 acres, and is adjacent to Ciechanski Road off Kalifornsky Beach.

In 2018, the Applicant re-platted a forty-acre undeveloped parcel within the Diamond Willow-Fairfield LOZD and this replat led to litigation between the Applicant and the Diamond Willow Homeowners Association (DW-HOA). KPB was not a party to that litigation. The litigation between the Applicant and DW-HOA was resolved by entering into a comprehensive settlement agreement wherein DW-HOA agreed to support an application to rezone for commercial use a portion of the existing Diamond Willow-Fairfield Single-Family Residential (R-1) LOZD.

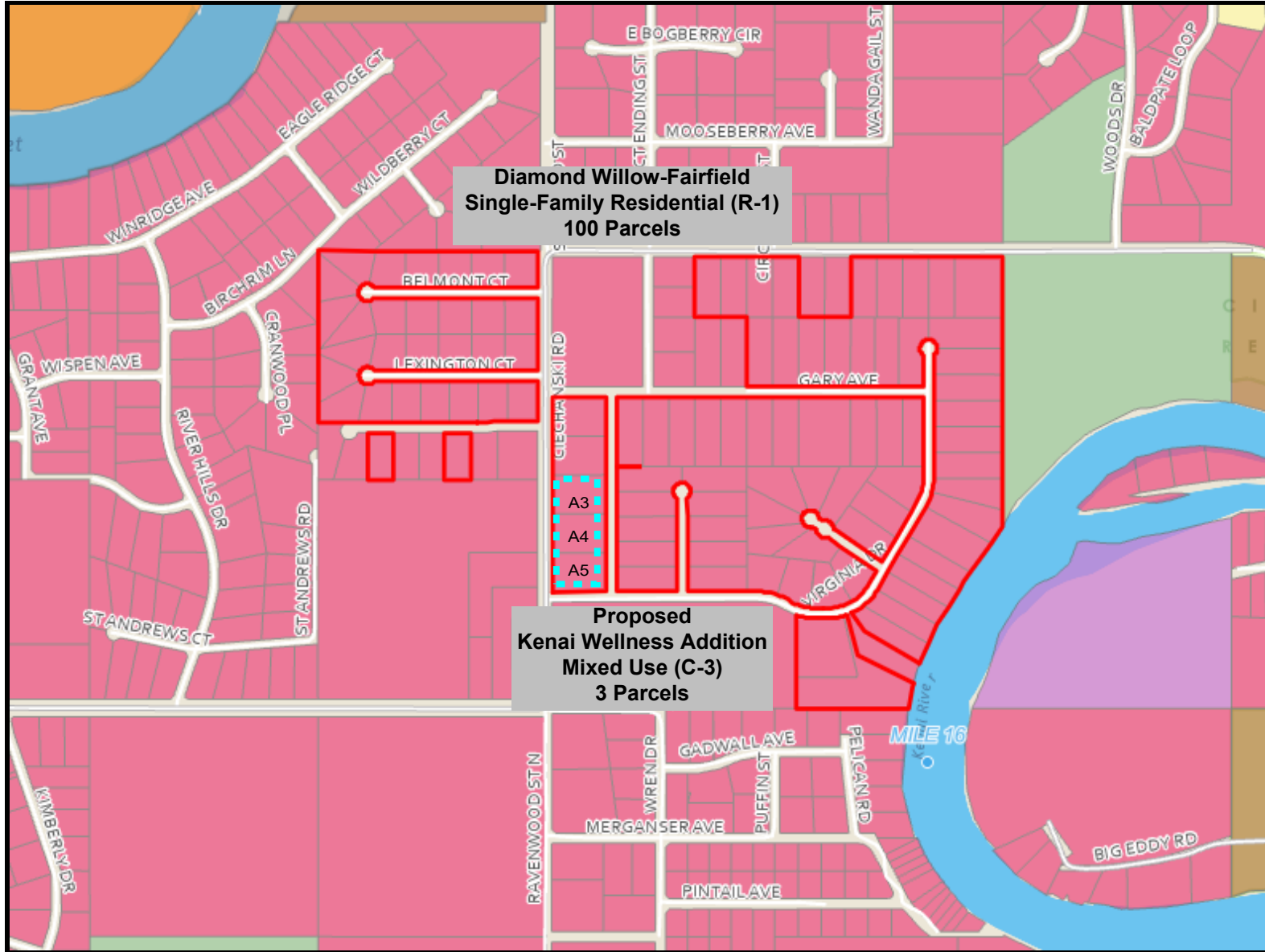
A petition with the required number of signatures supporting the proposed Mixed-Use (C-3) LOZD was submitted to the Planning Department within the allotted timeframe. Public notice was sent to property owners within the LOZD to notify them of upcoming public hearings.

Per KPB 21.44.060(A), “The assembly shall approve, disapprove, or modify the proposed LOZD. The assembly, in its legislative capacity, may disapprove an LOZD notwithstanding the district's meeting the criteria of this chapter.”

Your consideration is appreciated.

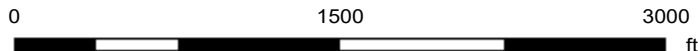


### Local Option Zoning District (LOZD), Proposed Rezone, Diamond Willow - Kenai Wellness Estates Addition, Mixed Use (C-3)



- Project Area
- Existing LOZD Diamond Willow - Fairfield
- New District, Proposed
- 
- River Miles
- 
- Parcel Ownership Type
- Parcel Ownership
  - Borough
  - Federal
  - Native
  - Municipal
  - Private
  - State

Map created on Monday, September 16, 2024



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



# Planning

## Local Option Zoning District (LOZD), Proposed Rezone, Diamond Willow - Kenai Wellness Estates Addition, Mixed Use (C-3)



Project Area

River Miles

Tax Parcels

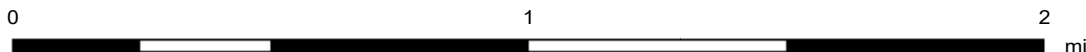
Existing LOZD Diamond Willow - Fairfield

New District, Proposed

### Vicinity: Kalifornsky



Map created on Monday, September 16, 20



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

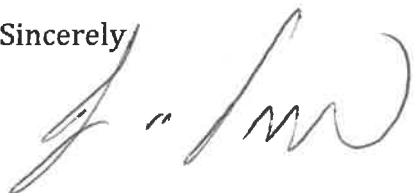
**Public Hearing Response  
Diamond Willow-Fairfield LOZD Rezone**

KPB Planning Commission & Assembly,

I am writing this letter on behalf of the Diamond Willow Homeowners Association (DWHA). The rezoning of the Diamond Willow-Fairfield LOZ three lots as presented in this hearing from R-1 to C-3 meets the requirements of our legal agreement that is attached to this letter. DWHA was instrumental in attaining the required signatures to move this petition forward as it is presented.

DWHA supports and consents to this rezoning.

Sincerely,

A handwritten signature in black ink, appearing to read "Travis Penrod". The signature is fluid and cursive, with a large initial "T" and "P".

Travis Penrod, Chairman  
Diamond Willow Homeowners Association

1 IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
2 THIRD JUDICIAL DISTRICT AT ANCHORAGE

FILED IN THE TRIAL COURTS  
STATE OF ALASKA THIRD DISTRICT  
AT KENAI ALASKA

MAY - 8 2020

Clerk of the Trial Courts  
By \_\_\_\_\_ Deputy

3 DIAMOND WILLOW HOMEOWNERS )  
4 ASSOCIATION, an Alaskan non-profit )  
5 organization, )

6 Plaintiff,

7 vs.

Case No. 3KN-19-319 CI

8 CONSOLIDATED DEVELOPMENT & )  
9 MANAGEMENT, LLC, )

10 Defendant.

11 **JUDGMENT ON STIPULATION OF THE PARTIES**

12 This judgment and stipulation interprets and applies those *Building and Use*  
13 *Restrictions*, dated and recorded August 7, 1975 at Book 86, Pages 202-203 ("*Restrictions*")  
14 affecting the following described real property:

15 The W1/2 NW1/4, NE1/4 NW1/4 and Gov't Lot 3, Section 24, T5N, R11W,  
16 Seward Meridian, AK, containing 152.4 acres more or less, Kenai Recording  
District, Third Judicial District, State of Alaska.

17 The parties, Plaintiff Diamond Willow Homeowners, Inc. ("DWHA"), and  
18 Consolidated Development & Management, LLC ("Consolidated"), hereby stipulate and  
19 agree to the following, and to entry of judgment thereon, by this Court:

20 **STIPULATED RECITALS OF FACT**

21 1. Diamond Willow Homeowners Association, Inc. ("DWHA"), is a non-profit  
22 corporation organized and existing under the laws of the State of Alaska.

23 2. Consolidated Development & Management, LLC ("Consolidated"), is a limited  
24 liability company organized and existing under the laws of the State of Alaska, whose sole  
25 member and manager is Ray Oyemi.

26 3. Consolidated is the owner of real property located in the Kenai Recording District,  
27 Third Judicial District, State of Alaska, and this stipulation and judgment affect that real  
28 property described as follows:



1           Lots 1A, B2 and 2, DIAMOND WILLOW ESTATES, PART 11,  
2 according to the official plat thereof filed as Plat No. 2012-93 in the records  
of the Kenai Recording District;

3           Lots 6,7, 8 and Tract A, DIAMOND WILLOW ESTATES, SUNVILLE  
4 ACRES ADDITION, according to the official plat thereof filed as Plat No.  
2015-69 in the records of the Kenai Recording District (“Sunville No. 1”); and

5           Lots 1A, 1B, 2A, 2B, 3A, 3B, 4A, 4B, 5A and 5B, DIAMOND  
6 WILLOW ESTATES, SUNVILLE ACRES ADDITION NO. 2, according to  
the official plat thereof filed as Plat No. 2019-14 in the records of the Kenai  
Recording District (“Sunville No. 2”).

7           4. In 2018, Consolidated sought approval for a replat of a portion of Diamond Willow  
8 Estates, Sunville Acres Addition, Plat No. 2015-69.

9           5. DWHA opposed the replat based in part upon a prohibition contained in the  
10 *Restrictions* and in part upon its rights as a common interest community association.

11           6. The replat was granted by the Kenai Peninsula Borough Planning Commission and  
12 approved by its hearing officer over opposition of the DWHA.

13           7. DWHA appealed this decision to the Alaska Superior Court in the appeal captioned  
14 *Diamond Willow Homeowners Association, Inc. v. Consolidated Development &*  
15 *Management, LLC*, Case No. 3KN-19-319 CI (“replat appeal”), which appeal is briefed and  
16 awaiting decision.

17           8. The reference in the *Restrictions* to lots that may be used for non-residential  
18 purposes is to lots that do not exist in a recorded plat, except as to Tract A, DIAMOND  
19 WILLOW ESTATES, PART 6, according to the official plat thereof filed as Plat No. 81-49  
20 in the Kenai Recording District. The *Restrictions* are therefore ambiguous as to the  
21 description of the real property that may be used for commercial purposes, except for Tract  
22 A, DIAMOND WILLOW ESTATES, PART 6. The only documentary evidence reflecting  
23 the intent of the developer as to the lots reserved for commercial use was an unrecorded,  
24 draft plat map filed with the Kenai Peninsula Borough Planning Department in 1975  
25 depicting HEA easements, which draft plat indicated that the lots that were reserved for non-  
26 residential purposes in the *Restrictions* included those bordering Ciechanski Road between  
27 Virginia and Gary Avenues, within what is now known as Tract A, DIAMOND WILLOW

1 ESTATES, SUNVILLE ACRES ADDITION, Plat No. 2015-69 (“Gibb’s development  
2 plan”).

3 9. DWHA also instituted the present litigation against Consolidated seeking  
4 declaratory and other relief, including enforcement of the prohibition in the *Restrictions*  
5 against other than single family residential use, which case is captioned *Diamond Willow*  
6 *Homeowners Association, Inc. v. Consolidated Development & Management, LLC*, 3KN-19-  
7 335 CI (“DWHA litigation”). Consolidated counterclaimed challenging DWHA’s status as  
8 a common interest community. association and the application of the *Restrictions* to the  
9 property within Sunville Nos. 1 and 2.

10 STIPULATION OF FINDINGS OF FACT AND CONCLUSIONS OF LAW

11 In resolution of the plat appeal and the present litigation, the parties further stipulate  
12 and agree to findings of fact and conclusions of law, as follows:

13 10. The *Restrictions*, as recorded on August 7, 1975, are applicable to the real  
14 property owned by Consolidated within Diamond Willow Estates, including that described  
15 in Section 3 above.

16 11. As applied to the real property presently contained in Sunville Nos. 1 and 2, the  
17 *Restrictions* will not be further amended without the consent of a majority of the lot owners  
18 of Sunville Nos. 1 and 2 (and a majority of the lot owners as described in paragraph 14) for  
19 a period of 10 years from the date of entry of this judgment.

20 12. A subdivision and/or development of Tract A, DIAMOND WILLOW ESTATES,  
21 SUNVILLE ACRES ADDITION, Plat No. 2015-69, as follows, is compliant with the terms  
22 of the *Restrictions* and Gibb’s development plan;

23 a. A parcel 220 feet wide fronting Ciechanski Road for its entire length  
24 between Virginia and Gary Avenue (or an equivalent sized rectangle parcel located at the  
25 corner of Ciechanski Road and Virginia Avenue with frontage on Ciechanski of equal or  
26 greater length to that on Virginia), which parcel may be used for commercial purposes, as  
27

28 JUDGMENT AND STIPULATION - PAGE 3

1 defined by the KPB zoning regulations for the C-3 designation that allows for mixed, non-  
2 industrial uses, and which parcel can be comprised of one or more lots; and

3 b. The balance of Tract A may be subdivided for single family dwellings as  
4 defined by the R-1 zoning regulations for the Kenai Peninsula Borough.

5 These parcels may be replatted by Consolidated or its successors without consent of  
6 other lot owners for a period of 10 years from the date of this judgment, provided that the  
7 redrawn lots comply with the requirements of the above sections (a) and (b). Rezoning will  
8 be allowed to the extent required to effectuate the above development, including the adoption  
9 of an LOZ or amendment to the current one such as will allow the use of the commercial  
10 property for that purpose. DWHA will support and consent to such a rezoning or amendment  
11 to the LOZ.

12 13. Consolidated's property is not within or a part of DWHA or its jurisdiction, and  
13 Consolidated does not have any membership therein unless incorporated pursuant to Section  
14 15.

15 14. DWHA is a common interest community association applicable to the portion of  
16 the subdivision that does not include (1) Consolidated's property, referenced in paragraph  
17 3 above, or (2) that portion of Diamond Willow Estates subdivision included within the  
18 original Tract A, DIAMOND WILLOW ESTATES, PART 6, according to the official plat  
19 thereof files as Plat No. 81-49. DWHA includes the following property:

20 Lots 4, 5, 6, 7, 8, 9, 10, 18, 19, 20, 21 and 22, Block 1, Diamond Willow  
21 Estates Subdivision - Part One, according to Plat 75-68;  
22 Lot 11, Block 1, Diamond Willow Estates Subdivision - Part Two, according  
23 to Plat 76-38;  
24 Lots 12, 13, 14, and 15, Block 1, Diamond Willow Estates Subdivision - Part  
25 Four, according to Plat 77-4;  
26 Lots 26, 27, 28, and 29, Block 1, Diamond Willow Estates Subdivision - Part  
27 5, according to Plat 81-100;  
28 Lots 30-A, 31-A, and 32-A, Block 1, Diamond Willow Estates Subdivision  
Part 7, according to Plat 82-62;  
Lots 33, 34, 35, 36, 37, 38, and 39, Diamond Willow Estates Subdivision Part  
- 9, according to Plat 2005-5;  
Lot 3, Diamond Willow Estates Subdivision Part - 8 amended, according to  
Plat 2006-104;

1 Lots B2-2, B2-3, B2-4, and B2-5, Diamond Willow Estates Part 12, according  
2 to Plat 2014-38; and  
3 that portion of the Northeast ¼ Northwest ¼, Section 24, Township 5 North,  
4 Range 11 West, Seward Meridian, lying north of the northerly most boundary  
5 of Lot 15, Block 1, Diamond Willow Estates Subdivision, Part Four, Plat  
6 77-44 and east of the easterly most boundary of Lot 18, Block 1, Diamond  
7 Willow Estates Subdivision, Part One, Plat 75-68; all located in the Kenai  
8 Recording District, Third Judicial District, State of Alaska.

9 This stipulation and the judgment entered hereon is binding upon the DWHA and its  
10 members.

11 15. The residential lot owners within Sunville Acres Nos. 1 and 2, including those  
12 residential lots created from Tract A, Sunville No. 1, may incorporate their respective lot into  
13 the DWHA by recording such a declaration in the records of the Kenai Recording District.

14 16. Any remaining claims of the parties in the present litigation are dismissed without  
15 prejudice except as provided herein.

16 17. The appeal of the KPB planning board decision in the replat appeal shall be  
17 withdrawn and dismissed.

18 18. The parties shall bear their own costs and attorney fees in both the replat appeal  
19 and the present litigation. Consolidated agrees that the appeal bond shall be returned to  
20 Appellant DWHA.

21 19. This settlement will be effective upon approval of the Court.


22 DATED 5 May 2020

23 ALASKA LAW OFFICE  
24 Attorney for Plaintiff

25 By:   
26 Clayton Walker, Esq.  
27 Alaska Bar No. 0001002

1 DATED 5/5/2020

LAW OFFICES OF ROBERT K. REIMAN  
Attorney for Defendant

4 By:   
Robert K. Reiman  
Alaska Bar No. 8310145

7 JUDGMENT

8 Now therefore, THIS COURT upon stipulation of the parties and having been fully  
9 advised in the premises, hereby enters judgment as follows:


10 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the foregoing  
11 stipulated findings of fact and conclusions of law are adopted as the final judgment of this  
12 Court.

13 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any remaining  
14 issues pending herein are dismissed without prejudice, each party to bear their own costs and  
15 attorney fees.

16 DATED this 12<sup>th</sup> day of May, 2020, in Kenai, Alaska.

18   
19 JUDGE OF THE SUPERIOR COURT

20 Jennifer K. Wells

22 I certify that a copy of the forgoing was  
23 \_\_\_ mailed to \_\_\_  
24 \_\_\_ placed in court box to \_\_\_  
25  scanned to Walker, Reiman - (1cc)  
26  1 5-13-20  
Judicial Assistant (1cc) Date

Rasor, Jessica

---

**Subject:** FW: <EXTERNAL-SENDER>Fw: KPB Public Meeting Comment  
**Attachments:** Office Depot Scan 11-11-2024\_16-04-05-723.pdf

---

**From:** [mgrtotravel@aol.com](mailto:mgrtotravel@aol.com) <[mgrtotravel@aol.com](mailto:mgrtotravel@aol.com)>  
**Sent:** Monday, November 11, 2024 4:12 PM  
**To:** G\_Notify\_AssemblyClerk <[G\\_Notify\\_AssemblyClerk@kpb.us](mailto:G_Notify_AssemblyClerk@kpb.us)>  
**Subject:** <EXTERNAL-SENDER>Fw: KPB Public Meeting Comment

---

**CAUTION:** This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

---





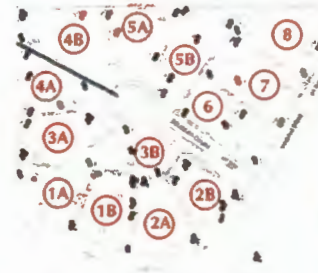
# Pick Your Lot Today! Ciechanski Residences at...

## Kenai Wellness & Hospitality Estates

Walk...Run...Bike



# Welcome Home To Your New Community!



Commute...Shuttle

# Trust Us With Your Dream Home Plans... And

**K-Beach  
To Ciechanski  
To Virginia Dr.**



...Stroll Your  
Neighborhood

# Bring Your Cherished Loved Ones



Now Building...

# Ciechanski Residences

on one acre + lots

A perfect fit for a river view lot



At Ciechanski & Virginia Dr.  
Off K-Beach, on the way to Boat Launch



Affordable Luxury.  
Move In & Age In Place.

Photo similar images of 3rd party's finished products. See us for more of their lines or bring us your dream home plans



Welcome Home To Your New Community.

ADA Compliant Homes

# AFFORDABLE LUXURY HOUSING IN KENAI

Now Building...

## Ciechanski Residences

Pre-Qualify Now!

First Home • Retirement Home • Investment

Welcome home to your new community.

FREE Use of Community Hospitality House for Gatherings



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SCAN ME FOR MORE INFORMATION



\*Photos of similar homes of 3<sup>rd</sup> party finished products.

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**Ray Oyemi**

Property Portfolio Manager,  
Broker, Developer.

(907) 301-5185

mgrtotravel@aol.com

See Reverse for More Information  
3581006485

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## NOW BUILDING KENAI'S MOST AFFORDABLE & ATTAINABLE SINGLE-FAMILY HOMES IN A COMMUNITY OF CARE

**Ciechanski Residences at Kenai Wellness & Hospitality Estates**

Multiple Floor Plans Available  
Build to Suit  
ADA Compliant  
Owner Finance or Lease to Own

**SELECT YOUR LOT TODAY!**

**Ray Oyemi**  
Property Portfolio Manager, Broker, Developer.

(907) 301-5185   mgrtotravel@aol.com

PHASE 1    PHASE 2    PHASE 3

BY: CONSOLIDATED DEVELOPMENT & MANAGEMENT, LLC

# EXHIBIT A

Under development...

## **CIECHANSKI RESIDENCES <sup>AT</sup>** **KENAI WELLNESS & HOSPITALITY ESTATES <sup>TM</sup>**

*"Kenai is not just for fishing.....not, anymore..."<sup>SM</sup>*

### **A Build Well To Live Well Health Care Campus Community Development Featuring:**

- **Alpha-Omega Homes<sup>TM</sup> - Affordable, ADA Compliant Single Family Residences on one acre+ ready to build lots;**
- **Active Retirement Homes with Assisted Living features;**
- **Convalescent Treatment & Continuing Therapy/Transitional Living; IN YOUR OWN HOME.**
- ~~**Medical Radiation Oncology**~~, FACILITY IN THE NEIGHBORHOOD.
- ~~**Ambulatory / Medical Surgery;**~~ IN THE NEIGHBORHOOD.
- **Nursing School Program.** IN THE COMMUNITY.
- **Bed & Breakfast;**
- ~~**Commercial/Retail/Groceries;**~~ **COMMUNITY COMMISSARY**
- **Medi-Vac/Helicopter Pad;** PLANNED.
- **Mini-Golf, Spa, Outdoor Recreation, Dog Park.**
- **Childcare/Pre-School; and an Adult Daycare**
- **Bait & Tackle for your fishing needs**
- **United States Mail/Postal Annex.**
- **Shuttle Transportation to and between:** NIKISKI, HOMER, SEWARD, SOLDOTNA, COOPER LANDING, AND OTHER POINTS OF INTEREST.

*Presented By:*

**Ray Oyemi**, ARM/Kellogg Executive Scholar.  
*Principal/Broker.*  
CONSOLIDATED DEV. & MGMT., LLC

**Subject: Submission in view of "written comment"**

TO KENAI PENINSULA BOROUGH ASSEMBLY PUBLIC HEARING, NOVEMBER 12, 2024.

Re: Consolidated Development & Management, summary introduction of intent and purposes, Kenai Project, and a cursory glance at the two sided coin of a mixed use community of Neighborhood Commercial (C-3 light Commercial) interplay with convalescence retirement and a multigenerational constituent.

This project as an accompaniment is highly complementary as well as complimentary to the Borough's own Strategic Development Plan (of any prescribed year or period of time). All of its components provide some immediate answers to our continuum of needs in critical care areas such as AFFORDABLE HOUSING and WELLNESS. The development as it progresses would evidence a great support of open space living, and the concept of "BUILD WELL TO LIVE WELL".

To whom is this best addressed?

CPH could achieve continuing growth without assimilating Providence concrete jungle model, while Heritage Place could benefit from a satellite care hub such as proposed herein.

Chief amongst a list of potential beneficiaries of this development would be our very own KENAI PENINSULA HOSPITAL, A GROUP OF INTELLECTUALS AND THEIR SUPPORT PERSONNEL BEST SUITED FOR SOCIAL ENTERPRISE IN THEIR INTERACTIONS WITH THEIR CONSTITUENTS, MORE SO THAN PAN HANDLING FOR GRANTS! This constitutes a must look into type of acquisition or collaborative development by KPGH

Close lock: APPEAL FEATURES.

The business, light commercial appeal:

Exhibit A attached outlines the core components of the project – Kenai Wellness and Hospitality Estates, showing the revised aspects in our response to community feedback. Some of the revised items are also deferred for potential end users. Example a health or medical end user may have more need for helicopter transport of patients, just as a medical radiation oncologist might need to open a second office or consulting location not so far away from Kenai.

Patient rentals and Travelling Nurse rentals constitute another significant constituent – lumped with housing category

It is worth mentioning that each service discipline has its own budget and individual business plan. In the same professional courtesy, the final design package is on hold for input by designated end users' input.

The residential/community appeal: Exhibit 3. Attracting upscale prospects. No haggling on home cost!

Come along with me and read through engaging communication with one party of the three families that each purchased two lots to be built for them. End revelation; Alaska has the appeal of a state to return to for the last moments with loved ones or simply retirement. Further, Kenai and Soldotna are gaining as retirement destination points for wellness and recuperation. We captured seven of each such pairs during each of the last two KPB Home shows! This development has been seven years in the making! Completed, it will be at \$28 million valuation, light commercial, health care and residential.

***Kenai is no longer just for fishing.....Not anymore!***

**Welcome To Your New Community!**

Aspiring to be your neighbor.

Sincerely,



**Ray Oyemi** Consolidated Development & Mgmt., LLC

Management/Development/Acquisition/Repositioning/Divestiture.

**CONSOLIDATED DEV. & MGMT., LLC ANCHORAGE/KENAI.**

# EXHIBIT B1 DISCLOSURE.

**Fw: Additional information to: Know your drinking water quality way before you build!  
Welcome To Your New Community!**

From: mgrtotravel@aol.com (mgrtotravel@aol.com)

To: mgrtotravel@aol.com

Date: Sunday, November 10, 2024 at 03:01 PM AKST

----- Forwarded Message -----

From: mgrtotravel@aol.com <mgrtotravel@aol.com>

To: [REDACTED]

Cc: mgrtotravel@aol.com <mgrtotravel@aol.com>

Sent: Saturday, November 9, 2024 at 10:05:21 PM AKST

Subject: Additional information to: Know your drinking water quality way before you build! Welcome To Your New Community!

For Ms. [REDACTED] and the Buying Party of [REDACTED] and [REDACTED]. (Please share with them).

Dear Ms. [REDACTED],

As a matter of disclosure and welcoming information while you are still looking into the community of Ciechanski Residences at Kenai Wellness and Hospitality estates, you will be getting memos and information on current and on-going items and issues of importance.

Such issues both current and in recent past included observations and any concerns on the gravel pit (which you saw during your site visit), as well as running into Mr. Travis Penrod (President of DWE HOA). As I explained, our development is not part of the HOA, and not subject to HOA fees.

Contested issues have also included rezoning a portion of the development to light commercial (C-3) for the benefit of the community in light of amenities. This was hotly contested. This community is very active and dedicated to addressing issues as these. The C-3 aspect eventually got a buy in by the community at large. Hearings are still going on. Further, on the issue of the Gravel Pit an application recently came in to expand the operation. This was met with diligent opposition, which continues to this day. Without knowing the future outcome, Consolidated Development for its part plans on adding monitoring wells for underground water monitoring, should this be needed at strategic places on our development.

I am taking the liberty to share some recent correspondence and memos with you, to be shared with your Buying Party. You are also invited to attend scheduled meetings as may interest you, to make contributions even though you are not yet a resident.

I still look forward to looking over some floor plan and home designs with you and your buying party.

Please feel free to call, at any time. This is going to be a pleasant community to move into, and Age In Place

Your future neighbor,

Ray Oyemi.

(Attachments).

On Thursday, October 24, 2024 at 09:38:06 AM AKDT, [REDACTED] wrote:

Sent from my iPhone

Begin forwarded message:

**From:** "[REDACTED]" [REDACTED]  
**Date:** October 23, 2024 at 8:25:09 AM AKDT  
**To:** [mgtrtotravel@aol.com](mailto:mgtrtotravel@aol.com)  
**Cc:** [REDACTED]  
**Subject:** FW: Purchase & Sales Agreement Drafts. Know your drinking water quality way before you build! Welcome To Your New Community!

Thanks Ray. I will review the agreements today.

Do you mean to say the well must be installed this month?

What kind of well are we talking about? Will it be a drilled well or driven well?

I thought if we committed to the purchase by the end of this month, the well would be included.

Just want to clarify. Thanks, [REDACTED]

**From:** [mgtrtotravel@aol.com](mailto:mgtrtotravel@aol.com)  
**Date:** October 22, 2024 at 8:13:33 PM AKDT  
**To:** [REDACTED]  
**Subject:** Purchase & Sales Agreement Drafts. Know your drinking water quality way before you build! Welcome To Your New Community!

Dear [REDACTED]

It is important to keep in mind that while this proposal is aimed at encouraging you to take advantage of early water well (as well as

some cost savings), I will still honor the \$55,000 for each lot in the event that you do not care for early well installation by

the end of this month. My "unearned commission" enables me to pass on some savings to prospective community members.

On the issue of early development, this would not affect persons who are purchasing two lots as the two would not have to be

built immediately, but the vacant one will definitely need to be "dressed" (as in groomed yard or decorated yard). This is to enhance

my community growth and outlook initiative.

I look forward to your comments and feedback. WELCOME TO YOUR NEW COMMUNITY!

Sincerely,

**Ray Oyemi,** *Kellogg Executive Scholar.*

Sales/Development/Acquisition/Management/Divestiture/Repositioning

[www.purposefulhomes.net](http://www.purposefulhomes.net)

On Tuesday, October 22, 2024 at 06:58:52 AM AKDT, [REDACTED] wrote:

I believe 3a and 3b will be our choice. I like that they will have southern exposure in the back yard.

Sent from my iPhone

On Oct 21, 2024, at 9:07 PM, [mgrtotravel@aol.com](mailto:mgrtotravel@aol.com) wrote:

Dear Ms. [REDACTED],

I am truly glad that you found the two lots that you anticipated for your retirement living in our upcoming Community of Care here at Ciechanski Residences on Kenai Wellness and Hospitality Estates. I also understand why you would want me to write up the Purchase and Sales Agreement as soon as possible.

May I suggest the following:



That I write up both sets of 1 acre+ properties 3A and 3B, as well as 5A and 5B while you consider the appealing as well as competing attributes of each set of these 1 + acre properties, including their proximities to the conveniences such as planned shuttle service and open space.

I will present you with a gallery of one level ADA Compliant, breadth taking homes to be built cost effectively by any of our builders, which will also give you the opportunity to further evaluate which lots combination best meets your retirement aspirations. A connoisseur and multiple lot owner as yourself would enjoy this exercise.

Should you still just want to close on the lots (either combination), I shall be glad to accept your chosen lot combination.

It has been delightful making your acquaintance. I look forward to consummating additional transactions.

Sincerely,

**Ray Oyemi**, *Kellogg Executive Scholar*

Consolidated Development & Mgmt., LLC

[www.purposefulhomes.net](http://www.purposefulhomes.net)

907-301-5185

On Monday, October 21, 2024 at 08:13:45 AM AKDT, [REDACTED] wrote:

Lunch is difficult for me. I have foster dog and must check on her at lunch.

Do you have a purchase agreement, or shall I draft one?

Sent from my iPhone

On Oct 20, 2024, at 7:57 PM, [mgrtotravel@aol.com](mailto:mgrtotravel@aol.com) wrote:

This is not a solicitation for any unethical reason, but I would appreciate treating you to lunch in Anchorage as I would like to know you and your knowledge base better. The era of build/develop and hold is here!! I would like to discuss this prospect with you.

I am home in Anchorage. Second home, Kenai.

Respectfully,

Ray

Consolidated Development & Mgmt.

On Saturday, October 19, 2024 at 10:14:37 PM AKDT, [mgrtotravel@aol.com](mailto:mgrtotravel@aol.com) <[mgrtotravel@aol.com](mailto:mgrtotravel@aol.com)> wrote:

Note: I forgot to mention that I am in Anchorage for the week, in case you have any questions.

I returned tonight, so it is no bother at all should you have any questions.

Ray.

On Saturday, October 19, 2024 at 07:30:08 PM AKDT, [mgrtotravel@aol.com](mailto:mgrtotravel@aol.com) <[mgrtotravel@aol.com](mailto:mgrtotravel@aol.com)> wrote:

No.

On Saturday, October 19, 2024 at 06:43:01 PM AKDT, [REDACTED] <[REDACTED]> wrote:

Ray. Will there be HOA fees?

Ray Oyemi

(Side note/comment: Buyer indicated cash purchase. No further comment on the subject, except for home type and style).



KBP Memos and notes.pdf

644.8kB



EXHIBIT  
B2 ATTACHMENT TO  
PROSPECTIVE RESIDENT'S  
DISCLOSURE.



KENAI PENINSULA  
**Borough**

**Planning Department**

144 North Binkley Street, Soldotna, AK 99669 | (P) 907-714-2200 | (F) 907-714-2378 | [www.kpb.us](http://www.kpb.us)

**NOTICE OF PUBLIC HEARING**

CONSOLIDATED DEVELOPMENT & MANAGEMENT LLC  
200 W 34TH AVE  
ANCHORAGE, AK 99503

October 9, 2024

**NOTICE IS HEREBY GIVEN** that the Kenai Peninsula Borough (KPB) received a petition to amend the Diamond Willow-Fairfield Local Option Zoning District (LOZD) in Soldotna, Alaska, and will conduct public hearings on the matter. This ordinance would re-zone three parcels from the current Single Family Residential District (R-1) to a Mixed-Use District (C-3).

**Petitioner:** Ray Oyemi, Consolidated Development & Management, LLC.  
**Parcel ID(s):** 05527213, 05527214, 05527215  
**Legal:** Diamond Willow Kenai Wellness Estates Addn Lot A3, A4, A5

You are being sent this notice because you own property in, or within 300 feet of, the Diamond Willow – Fairfield LOZD and are invited to comment and give testimony at the following public meetings:

- **KPB Planning Commission:** Monday, October 28, 2024 7:30 p.m., in the KPB Assembly Chambers, 144 N. Binkley St. Soldotna, Alaska and via Zoom, Meeting ID 907 714 2200. Written comments for this meeting must be received by 1:00 pm Friday, October 25, 2024 and may be mailed to 144 N. Binkley St., Soldotna, Alaska 99669, Soldotna, Alaska 99669 or emailed to [planning@kpb.us](mailto:planning@kpb.us).
- **KPB Assembly Introduction:** Tuesday, November 12, 2024, 6:00 p.m. in the KPB Assembly Chambers, 144 N. Binkley St. Soldotna, Alaska, and via Zoom, Meeting ID 895 1103 3332 Passcode 193069. Written comments for this meeting must be received by 5:00 p.m. Tuesday, November 12, 2024 and may be mailed to 144 N. Binkley St., Soldotna, Alaska 99669 or emailed to [assemblyclerk@kpb.us](mailto:assemblyclerk@kpb.us).
- **KPB Assembly Public Hearing:** Tuesday, December 10, 2024, 6:00 p.m. in the KPB Assembly Chambers, 144 N. Binkley St. Soldotna, Alaska, and via Zoom, Meeting ID 895 1103 3332 Passcode 193069. Written comments for this meeting must be received by 5:00 p.m. Tuesday, December 10, 2024 and may be mailed to 144 N. Binkley St., Soldotna, Alaska 99669 or emailed to [assemblyclerk@kpb.us](mailto:assemblyclerk@kpb.us).

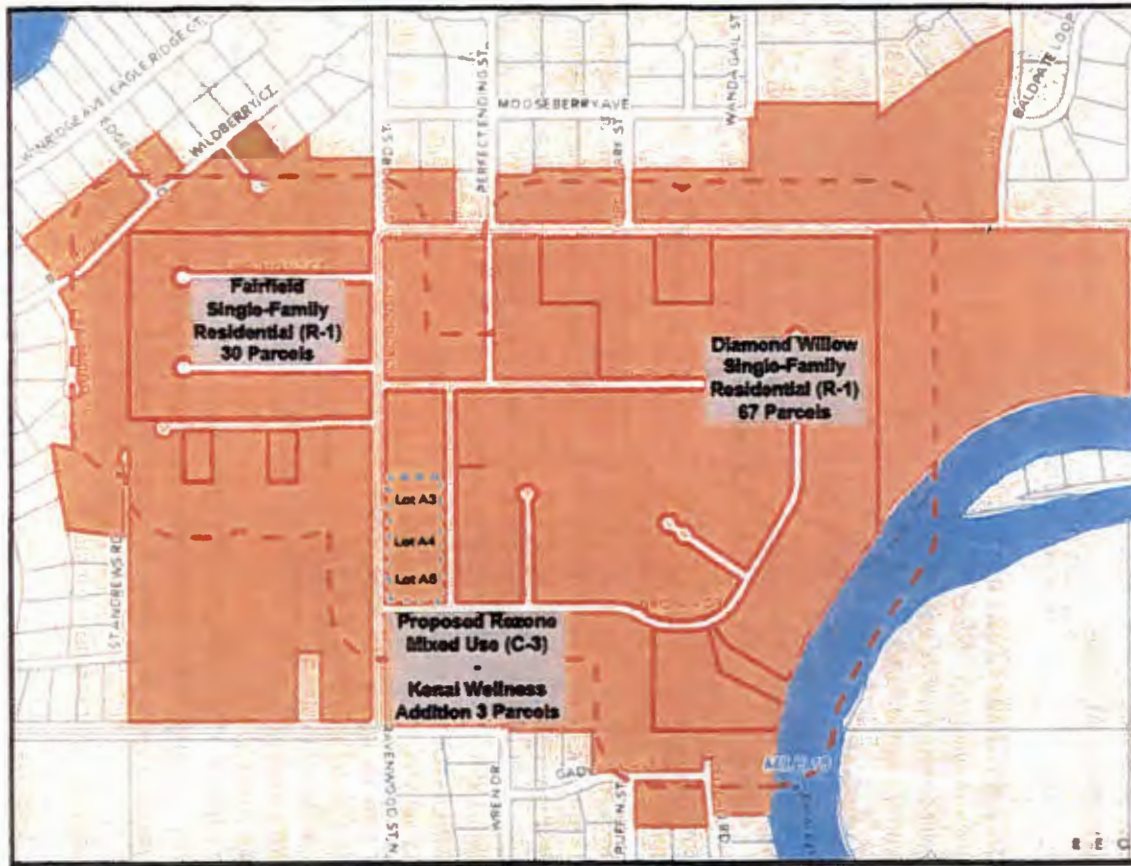
For additional information, contact Ryan Raidmae at [rraidmae@kpb.us](mailto:rraidmae@kpb.us) or (907) 714-2462.

Ryan Raidmae  
KPB Planner



**KENAI PENINSULA BOROUGH  
Planning**

**Local Option Zoning District (LOZD), Proposed Rezone,  
Diamond Willow - Kenai Wellness Estates Addition, Mixed Use (C-3)  
Parcels Within and 300 ft From the Proposed District**



North Arrow

- River Miles
- Tax Parcels
- Existing LOZD Diamond Willow - Fairfield
- New District Proposed



The information depicted herein is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

Monday, September 16, 2024



OYEMI RAY

August 21, 2024

200 W 34TH AVE STE 367  
ANCHORAGE, AK99503

**KENAI PENINSULA BOROUGH PLANNING COMMISSION  
NOTICE OF PUBLIC HEARING**

Public notice is hereby given that a Conditional Land Use Permit application has been received to develop a material site (gravel pit) on a property located in the Kalifornsky area. These applications are reviewed by the Kenai Peninsula Borough Planning Commission in accordance with KP 21.25 and KP 21.29. You are receiving this notice because you are a landowner within a half-mile radius of the subject property, and are invited to provide comment at the below public hearing.

**Applicant:** SEAN CUDE  
**Landowner:** SBC 2012 IRREVOCABLE TRUST  
**Parcel Number(s):** 05527001  
**Legal Description:** DIAMOND WILLOW ESTATES SUB PART 13 TRACT 13  
**Address:** 36498 Virginia Drive  
**Project Description:** This application is requesting a modification to PC2014-20 to allow excavation in the water table and for temporary, localized dewatering.

**Public Hearing:**

**Date and Time:** Monday, September 9, 2024 at 7:30 p.m.

**Location:** Kenai Peninsula Borough  
Betty Glick Assembly Chambers  
144 N. Binkley, Soldotna, AK 99669

**Zoom Meeting ID:** Meeting ID 907 714 2200

**Zoom Link:** <https://us06web.zoom.us/j/9077142200>

**Telephonic:** 1-888-788-0099 or 1-877-853-5247

**Public Comment:** You can provide verbal comment at the hearing (see information above). You may also submit written comments by emailing them to [rraidmae@kpb.us](mailto:rraidmae@kpb.us). **Written comments must be received by 1:00 pm Friday, September 6, 2024.** Note that persons who participate in the public hearing, either by written or verbal comment, may appeal the Planning Commission's decision within 15 days of the date of notice of the decision.

The meeting packet will be posted the week prior to the meeting. Once it has been posted, you can view the application and additional maps at [kpb.legistar.com/Calendar](http://kpb.legistar.com/Calendar). For additional information, contact Ryan Raidmae at [rraidmae@kpb.us](mailto:rraidmae@kpb.us) or 907-714-2462.

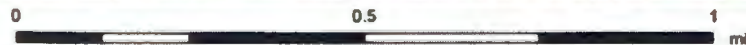
Please see the attached vicinity map of the proposed activities.



River Miles



Tax Parcels



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

Friday, August 16, 2024

Fwd: URGENT! Gravel Pit Hearing Nov. 18th!

From: Crystal Penrod (diamondwillowhomeowners@gmail.com)

To: mgrtotravel@aol.com; reiman@alaska.net

Date: Sunday, November 3, 2024 at 04:22 AM AKST

Dear Neighbors,

I'm writing to inform you of the upcoming Planning Commission hearing on **MONDAY, NOV. 18TH at 7:30 PM at the Borough Building in Soldotna**. This is the previously rescheduled hearing to approve or deny Sean Cude's gravel pit expansion in our housing development on the corner of Virginia Drive and Clechanski. If approved, this expansion will be absolutely devastating to our neighborhood. This expansion allows Sean Cude to excavate an additional 18 feet into the water table, the full length of the existing pit. In order to accomplish this, all of the fill in the reclaimed area will have to be removed. Sean Cude's final reclamation plan is to leave this enormous and dangerous 18-foot plus deep water hole forever, as a continual threat to our children, drinking water, the Kenai River and also local wildlife. The new site plan brings the ingress and egress for the gravel pit back to Virginia Drive, which means large trucks and equipment running around the clock on the only road in or out of the subdivision. This will greatly degrade the road conditions and threaten our safety by potentially blocking emergency responders. The last time Mr. Cude was allowed to use Virginia Drive it became so eroded and dangerous, it was down to a single lane and had many deep crevasses to navigate. . Furthermore, Cude's gravel pit expansion requests to process material, meaning he plans on having an industrial rock crusher 100 feet from Virginia Drive. The noise will be unimaginable, and the vibration will accelerate the erosion on the Kenai River bluff that borders Diamond Willow Estates & Ravenwood Subdivisions. To make matters worse, the pit expansion will allow Cude to dewater inside the pit. We have dealt with this type of activity here before, and it is an immediate threat to our drinking water and the Kenai River ecosystem. Any equipment or material used in the excavation process will be directly submerging in our water aquifer. This activity will surely degrade the water quality in our neighborhood and the property owners will have no recourse to this due to the Borough Ordinance not requiring protection against water quality. Once the water is contaminated, our property will not even be safe to reside on, much less qualify to sell. We, as a neighborhood, must fight the approval of Cude's application at the upcoming Borough hearing on November 18th, 7:30pm. Please mark your calendar and attend this critical hearing. It is also imperative that you **send a letter or email to the Borough Planning Department BY NOVEMBER 15TH at 1:00 PM and SPEAK AT THE HEARING**. Even if you stand up and simply say "I object to this application being approved". By doing this you will become a "Person Of Record" and will be informed of future events concerning this hearing. **More importantly, it allows you to participate in the Appeal Process should it be necessary**. Homeowners in the area are developing a strategy to defeat this pit expansion, and will be fine-tuning information and testimony in the next two weeks. If you would like to participate more fully, or need assistance with your letters, please reply to this email or contact me at (907) 301-5972. Feel free to pass this message along to any neighbors we may have missed. I hope you appreciate the urgency in having a full house at this hearing to testify and stand up for our rights as property owners, and that we'll see all of you on the 18th at the Borough Building in Soldotna.

Thank you for your support.

Travis Penrod, Chairman  
Diamond Willow Homeowners Association  
(907) 301 5972

—  
Diamond Willow Homeowners Association  
36860 Virginia Drive  
Kenai, AK 99611  
Travis Penrod, Chair  
Timothy Agosti, Vice Chair



**Rasor, Jessica**

---

**Subject:** FW: <EXTERNAL-SENDER>Public Meeting  
**Attachments:** Assembly Public Meeting.pdf

---

**From:** The UPS Store #2752 <[store2752@theupsstore.com](mailto:store2752@theupsstore.com)>  
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**To:** G\_Notify\_AssemblyClerk <[G\\_Notify\\_AssemblyClerk@kpb.us](mailto:G_Notify_AssemblyClerk@kpb.us)>  
**Cc:** [mgrtotravel@aol.com](mailto:mgrtotravel@aol.com)  
**Subject:** <EXTERNAL-SENDER>Public Meeting

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ASSEMBLY

PUBLIC MEETING

ADDITIONAL

COMMENT 1.

Applicant Consolidated Development & Management, LLC, the owner of thirty-five lots located in the Diamond Willow - Fairview R-1 Local Option Zone is applying for rezoning of Lots A3, A4 and A5 of Diamond Willow Kenai Wellness Estates Addition (Plat No. 2023-60), comprising 4.5 acres, to create a C-3 Local Option Zone. While this is in variance with the standards provided in the KPB Code of Regulations, specifically the requirement of a minimum of 12 lots to create a Local Option Zone, the special circumstances here warrant an exception to that rule against spot zoning.

In 2018, a dispute arose between Consolidated and the Diamond Willow Homeowners Association (which included about 60% of the voting members of the Diamond-Willow - Fairview R-1 LOZ) over the replatting of what had been a large undeveloped parcel of over 40 acres previously included in that LOZ. While this dispute ended up in litigation, the parties resolved their differences by entering into a comprehensive settlement agreement governing the development and use of all of Consolidated's property within the Diamond Willow Subdivision. This settlement agreement was intended to give effect to the intent of the developer at the time that the CC&Rs were originally filed that approximately 6 acres at the corner of Ciechanski Road and Virginia Drive would be reserved for commercial use. This settlement included a provision in which the parties agreed that the Diamond Willow HOA would support a rezoning of that property from R-1 to C-3. A copy of the *Judgment* entered to effectuate the settlement has been made available to the KPB Planning Department.

While development of the property could proceed if the affected property were to be merely removed from the Diamond Willow - Fairview LOZ, the Diamond Willow HOA has requested Consolidated seek a rezoning of the property to create an agreed C-3 LOZ. The Diamond Willow HOA understandably prefers that Consolidated be required to comply with the C-3 zoning as a part of any permitting process in the development of the lots, and have given their signatures in support of that zoning change as was agreed. If the lots are removed from the R-1 LOZ and a C-3 LOZ is not created, then the Diamond Willow HOA would bear the entire responsibility for evaluating whether Consolidated's development of those lots was in compliance with the equivalent of C-3 zoning. Then, if they concluded it was not in compliance, they would be required to attempt to enforce compliance through the court system. The alternative of creating a C-3 LOZ of 12 lots in the Diamond-Willow Subdivision would conflict with the settlement agreement and the CC&Rs applicable to those additional 9 lots and may create confusion in future owners of the property. Consolidated agrees with the Diamond-Willow HOA that creation of the requested C-3 LOZ for the three lots, as requested, will greatly reduce the possibility of future disagreements and foster a more harmonious relationship between it and its neighbors. For that reason, Consolidated requests the removal of three lots from the Diamond Willow - Fairview R-1 Local Option Zone and an exception from the requirements of KPB Code Chapter 21-44 be allowed in order to establish a C-3 LOZ comprised of those 3 lots.

Ray DeJerni

FOR  
CONSOLIDATED DEV.  
& MGMT. LLC

9/26/24.

ASSEMBLY.

PUBLIC MEETING 11/12/24

ADDITIONAL  
COMMENT 2.

TO:

SELECT PROSPECTIVE END USERS/LESSEES/COLABORATOR/BANK/CORPORATE LENDING DIVISION/ENTITIES AND NEIGHBORS.

**Subject: ENHANCING AND FURTHERING THE DESTINATION POSITIONING OF KENAI.**

Vehicle: KENAI WELLNESS & HOSPITALITY ESTATES, KENAI, ALASKA.

**Featuring; CIECHANSKI RESIDENCES.**

**(Proprietary, Confidential materials.)**

**Collaborators and Stakeholders at large: The KPB, Board of Tourism, UAA, APU, Collective Institutional and Academic Healthcare Providers, and The Local Chamber of Commerce entities.**

Per necessity here is a compilation of a summary lead into this uniquely unique community development project being undertaken by Consolidated Development & Mgmt., LLC (an Alaskan entity).

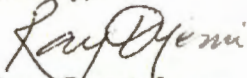
(IMPORTANT NOTE: Separate business plans exist each for the development, and individual business units).

- In the capable hands of a Nonprofit management entity, this development outcome would best manifest itself as a highly aggressive, successful and financially self sustainable social enterprise.
- At second best, this business model offers us a prototype profile of a set of solutions toward alleviating some critical aspects and issues of continuum of care that have eluded us continually and continuously as a care and caring community. Highlights of some segments follow:
  1. Invitation to prime builders/developers to visit this 58 acres of contiguous campus of strategic assemblage of parcels (two structures are in use, one an extended single family housing and the other a non restricted use property).
  2. During the coming months the Development's principal and managing member shall announce the entity's Board of Directors. Shortly after, a managing nonprofit entity shall be instituted.
  3. The development's planned features, complimentary and compatible services are listed.
  4. Types of business/enterprises attracted and committed to owning operations indicated, with name(s) currently withheld until leases are executed.
  5. Segregated, yet a unique multi-generational 'campus' community.
  6. Mixed use (light commercial and residential) convenience to include Wellness and Convalescence, highlighting Cancer/Cardiovascular lodge of Alaska. First of its kind.
  7. Cost effective facilities and upscale yet affordable AND ATTAINABLE HOMES!
  8. By its completion, the development is expected to be a \$28 mil accomplishment, housing some world-class programs (as in Nursing Education). A final design package is in the works.
  9. Business/Economics prospects to date: There has been an early written development interest in a 16-bed assisted living facility with staff living quarters. This would amount to a \$3.5mil small business development on a portion of this scheduled multi-generational campus community.
- Development has been methodically phase by phase in the absence of grants or funding. Strategically selective land acquisition, COVID-19, Plat and Zone, Housing Market temperament; all at play.
- Financial strategy to continue development through the season entails setting aside and maintaining a Line of Credit of \$525,000 (CD secured \$300,000 and land secured \$225,000); assuming a debt service of \$42,000 or \$3,500 month payment based on 8% interest only LOC), with an escrow reserve of \$21,000 for 6 months (first 6 winter months debt service back up/reserve).

- This continued activity, as small as it appears, has its worthiness by supplementing the regular contractor-finance feature of the development. A list of qualified lots has been identified for Bank's consideration to facilitate Commercial Lending in term of LOC (combination of CD secured and real property collateral) as this has a direct bearing on the operation's/developer's ability to jump start and bring more rental units and hospital patient rental, including traveling nurses rental units – in high demand.
- While the \$2.4mil development land's valuation is in good ratio to the debt of \$935,000, it is anticipated that the overall proactive growth would enable it into endorsement as an SBA or USDA worthy Borrowing Candidate, with LOC anticipated to establish commercial creditworthiness.

I shall look forward to your support and guidance in your capacity as citizens of a “Community of Care”  
™.

Sincerely,



**Ray Oyemi, ARM**

*Kellogg Executive Scholar,*

*Civil Air Patrol, Senior Alumni.*

**CONSOLIDATED DEVELOPMENT & MGMT., LLC**

[www.purposefulhomes.net](http://www.purposefulhomes.net)

*Enhancing A Destination Point.*

*Kenai Is No longer Just For Fishing.....Not Anymore! ™*

**CONSOLIDATED DEVELOPMENT & MGMT., LLC**

907-301-5185 [mgrtotravel@aol.com](mailto:mgrtotravel@aol.com)

Introduced by: Mayor  
Date: 11/12/24  
Hearing: 01/07/25  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2024-29**

**AN ORDINANCE AMENDING KP.B 2.56.030 TO INCORPORATE THE 2024 HOMER  
TRANSPORTATION PLAN AS AN ELEMENT OF THE OFFICIAL  
COMPREHENSIVE PLAN FOR THAT PORTION OF THE BOROUGH WITHIN THE  
BOUNDARIES OF THE CITY OF HOMER**

**WHEREAS,** the Kenai Peninsula Borough (KPB) as a second-class borough provides for planning on an areawide basis in accordance with Alaska Statutes (AS) Chapter 29.40; and

**WHEREAS,** AS 29.40.030(b) provides that the Assembly, after receiving the recommendations of the Planning Commission, will periodically undertake a review of the comprehensive plan and update the plan as necessary; and

**WHEREAS,** the KPB’s comprehensive plan was last updated in 2019, via Ordinance 2019-25, and should be amended with new planning documents as described in the executive summary; and

**WHEREAS,** AS Chapter 29.40 describes the comprehensive plan as a compilation of policy statements, goals, standards, and other planning documents such as transportation plans, community facilities' plans, and land use plans to be used for the systematic and organized development of the KPB; and

**WHEREAS,** on September 24, 2024, the Homer City Council Enacted Homer Ordinance 24-31(s), “An Ordinance of the Homer City Council Adopting the 2024 Homer Transportation Plan, Amending the Homer Comprehensive Plan to Include the Transportation Plan and Recommending Adoption by the Kenai Peninsula Borough”; and

**WHEREAS,** the Planning Commission at its regularly scheduled meeting of November 18, 2024 recommended approval by unanimous consent;

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

**SECTION 1.** That KPB 2.56.030 is hereby amended as follows:

**2.56.030. - Homer comprehensive plan adopted.**

- A. The assembly adopts the “2018 Homer Comprehensive Plan” approved by Homer Ordinance 18-47 on November 26, 2018 as the official borough comprehensive plan for that portion of the borough within the boundaries of the City of Homer.
  
- [B. THE ASSEMBLY ADOPTS THE HOMER NON-MOTORIZED TRANSPORTATION AND TRAIL PLAN AS AN ELEMENT OF THE BOROUGH'S COMPREHENSIVE PLAN FOR THAT PORTION OF THE BOROUGH WITHIN THE BOUNDARIES OF THE CITY OF HOMER.]
  
- [C]B. The assembly adopts and incorporates the [2006] 2024 Homer Area Transportation Plan into [CHAPTER 3 of] the borough's comprehensive plan for that portion of the borough within the boundaries of the City of Homer.]
  
- [D] C. The assembly adopts and incorporates the Homer Town Center Plan in Chapter 1 of the borough's comprehensive plan for that portion of the borough within the boundaries of the City of Homer.
  
- [E]D. The assembly adopts and incorporates the Homer Spit Comprehensive Plan as an element of that portion of the borough within the boundaries of the city limits of Homer.

**SECTION 2.** That this ordinance shall be effective immediately.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \* DAY OF \* 2024.**

---

Peter Ribbens, Assembly President

ATTEST:

---

Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:




Kenai Peninsula Borough  
Office of the Borough Clerk

---

**MEMORANDUM**

**TO:** Peter Ribbens, Assembly President  
Kenai Peninsula Borough Assembly Members

**FROM:** Michele Turner, Borough Clerk 

**DATE:** December 19, 2024

**RE:** Ordinance 2024-29: Amending KPB 2.56.030 to Incorporate the 2024 Homer Transportation Plan as an Element of the Official Comprehensive Plan for that Portion of the Borough Within the Boundaries of the City of Homer (Mayor)

---

Per KPB 22.40.050(F), the borough clerk, or the clerk's designee in his or her absence, has the authority to revise pending resolutions and ordinances prior to assembly action, by filling in any blanks in the legislation stating advisory board recommendations made concerning the legislation. This serves as our memorandum to advise the assembly of same.

Conforming to the advisory boards' actions, the last Whereas clause has been updated to read:

“**WHEREAS**, the planning Commission at its regularly scheduled meeting of November 18, 2024 recommended approval by unanimous consent; and”

Thank you.

# Kenai Peninsula Borough

## Planning Department

---

### MEMORANDUM

**TO:** Peter Ribbens, Assembly President  
Members, KPB Assembly

**THRU:** Peter A. Micciche, Mayor *PM*

**FROM:** Robert Ruffner, Planning Director *RR*

**DATE:** October 30, 2024

**SUBJECT:** Ordinance 2024- 29, Amending KPB 2.56.030 to Incorporate the 2024 Homer Transportation Plan as an Element of the Official Comprehensive Plan for that Portion of the Borough within the Boundaries of the City of Homer (Mayor)

---

The City of Homer (the City) has been working with Kinney Engineering since 2022 to update the transportation and trails elements of the City's Comprehensive Plan.

On October 7, 2024, the Kenai Peninsula Borough Planning Department received a transmittal letter from the City's Development Director, Julie Engebretsen. The letter requested the Kenai Peninsula Borough update its comprehensive plan to remove the now outdated 2005 Homer Area Transportation Plan and the 2004 Homer Non-Motorized Transportation and Trails Plan. These two plans are to be replaced by the singular 2024 Homer Transportation Plan as adopted by Homer Ordinance 24-31(S). The Ordinance amends KPB 2.56.030 accordingly.

Pursuant to KPB 21.01.025 Comprehensive plans – Amendments, the Kenai Peninsula Borough Planning Commission is scheduled to hear and make a recommendation to the Assembly on the requested changes at its regularly scheduled meeting on November 18<sup>th</sup>.

Your consideration is appreciated.



## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

October 7, 2024

Robert Ruffner, Planning Director  
Kenai Peninsula Borough  
144 North Binkley Street  
Soldotna, AK 99669

Dear Mr. Ruffner,

I am pleased to present the 2024 Homer Transportation Plan for inclusion in the City of Homer's Comprehensive Plan. The City of Homer contracted with Kinney Engineering to update the Transportation Plan in 2022, and spent two years conducting extensive public process to create the plan. The new document is a major update to the 2005 Homer Area Transportation Plan and the Homer Non-Motorized Transportation and Trails Plan (2004). This 2024 Homer Transportation Plan replaces both of those documents as part of the Homer Comprehensive Plan.

Please let me know if I can provide any further assistance in the adoption process through the Kenai Peninsula Borough Planning Commission and Assembly.

Sincerely,

Julie Engebretsen  
Community Development Director

### **Attachments**

2024 Homer Transportation Plan  
Ordinance 24-31(S)

# Transportation Plan

June 2024



Prepared For:

**City of Homer**

Prepared By:

**Kinney Engineering, LLC**

3909 Arctic Blvd, Ste 400  
Anchorage, AK 99503  
907-346-2373  
AECL1102



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# Introduction



The City of Homer is the largest city on the southern Kenai Peninsula and serves as a central hub for goods and services for nearby communities. Within the city limits, Homer has a population of about 5,719; however, an estimated 12,200 individuals reside within a 15-mile radius of Homer. With the arrival of seasonal residents and visitors during tourist season, the community experiences significant increases in vehicular traffic.

This **Homer Transportation Plan** presents the goals and objectives for the Homer transportation network and describes policies, actions, and projects

that will help to achieve those goals over the next 20 years. The Transportation Plan falls under the umbrella of the Homer Comprehensive Plan which looks at land use and development throughout the City and provides a broad overview on the interaction between land use and transportation. This Transportation Plan will provide additional detail regarding the transportation network and will support the City's land use and development goals. *Table 1* presents previous City of Homer plans that relate to the transportation plan and *Table 2* presents pending and ongoing projects.

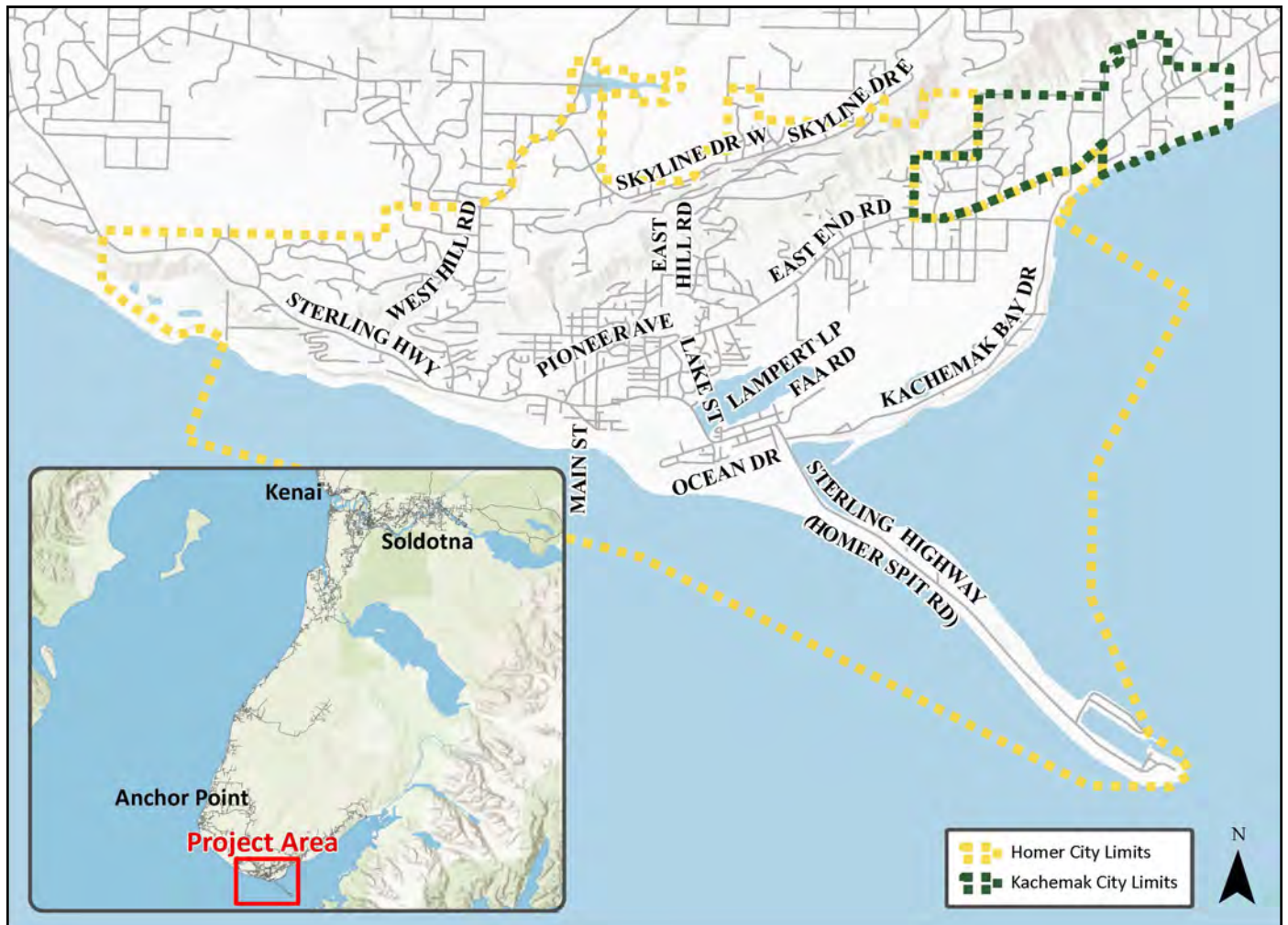


Figure 1: Homer Vicinity Map



RELATED PLANS	DESCRIPTION
<b>City of Homer Non-Motorized Transportation and Trails Plan 2022 Implementation Plan (2022)</b>	Guides the development of a non-motorized network in Homer.
<b>Green Infrastructure – Storm Water Management Plan (2021)</b>	Examines the benefits of integrating green infrastructure for stormwater mitigation.
<b>Homer Spit Parking Study (2021)</b>	Examines parking concerns on the Homer Spit and makes suggestions for improvements.
<b>All-Hazard Mitigation Plan (2018)</b>	Outlines actions taken during hazardous situations, including tsunami evacuation routes.
<b>Homer Comprehensive Plan (2018)</b>	Establishes goals, standards, and policies for land use and development.
<b>Climate Action Plan (2007)</b>	Outlines how to reduce energy usage and greenhouse gas emissions.
<b>Homer Area Transportation Plan (2005)</b>	Identifies needs, guides planning, and aids funding efforts for roads and trails capital improvement projects.
<b>Homer Non-Motorized Transportation and Trail Plan (2004)</b>	Provides a development manual for creating and integrating a non-motorized transportation and trail system over the period from 2004 to 2024.

Table 1: Past Plans

PLANS AND PROJECTS	DESCRIPTION
<b>Homer Comprehensive Plan Update (pending)</b>	Updates the 2018 plan, establishing goals, standards, and policies for land use and development.
<b>Homer All Ages &amp; Abilities Pedestrian Path Project (ongoing)</b>	Connects the Senior Center, medical district, and Central Business District with an accessible pathway for year-round, non-motorized access.
<b>Homer Harbor Expansion Project (ongoing)</b>	Addresses Homer’s need for additional harbor space to moor large vessels.
<b>Stormwater Management Projects (ongoing)</b>	Uses green infrastructure and natural systems to improve water quality and prevent flooding/erosion. There are currently four projects in the conceptual phase.

Table 2: Pending and Ongoing Plans and Projects

## The Transportation Plan includes the following key sections:

**Public Involvement Summary.** Describes how input from the public was solicited and incorporated into this plan.

**State of the System.** Describes the transportation infrastructure within the City, including state roads, City roads, and non-motorized trails, paths, and sidewalks; evaluates how the transportation network operates, including consideration of seasonal impacts, as well as the impacts of schools, hospitals, and events such as the Farmers Market on system operations; discusses the transportation needs of persons of all ages and abilities; and describes the existing evacuation routes for emergency events such as tsunamis and wildfires.

**Transportation System Guidelines.** Presents brief summaries of current best practices for transportation systems pertinent to the City of Homer.

**Goals and Objectives.** Presents the goals and objectives for the City of Homer transportation network. These goals address community desires for increased safety when using different modes of transportation and better connectivity for all users.

**Recommendations.** Presents policies, actions, and projects that need to be implemented to reach the City’s goals.

**Funding.** Describes potential sources of funding for the recommended policies, actions, and projects.

# Public Involvement Summary



In the fall of 2022, as part of the Transportation Plan effort, the City of Homer and community stakeholders conducted multiple public outreach events as well as focused group discussions with target populations in mind. Outreach activities included:

- Discussion at Homer High School
- Discussion at Senior Center
- Booth at Rotary Health Fair
- Discussions with representatives from:
  - Independent Living Center
  - Local taxi companies
  - Heavy equipment and freight operators
- Presentations to City of Homer commissions and Council

**In addition, comments from the public at large were solicited in four other ways:**

- 1** An online mapping tool where community members could identify specific locations of interest as well as share specific concerns and offer potential solutions. Nearly 500 specific comments were made using this tool.
- 2** Comments from the Non-Motorized Transportation Symposium held by Homer Drawdown (a community effort focused on local efforts to mitigate climate change) on October 1, 2022, were added to the online mapping tool.
- 3** An online survey, which asked specific questions about how individuals travel, their concerns while traveling, and what travel options they preferred. This survey was also available in print. Nearly 300 people responded to this survey.
- 4** A public open house focused on identifying goals and objectives for the Transportation Plan.



Figure 2: Transportation Plan Open House (November 9, 2022)

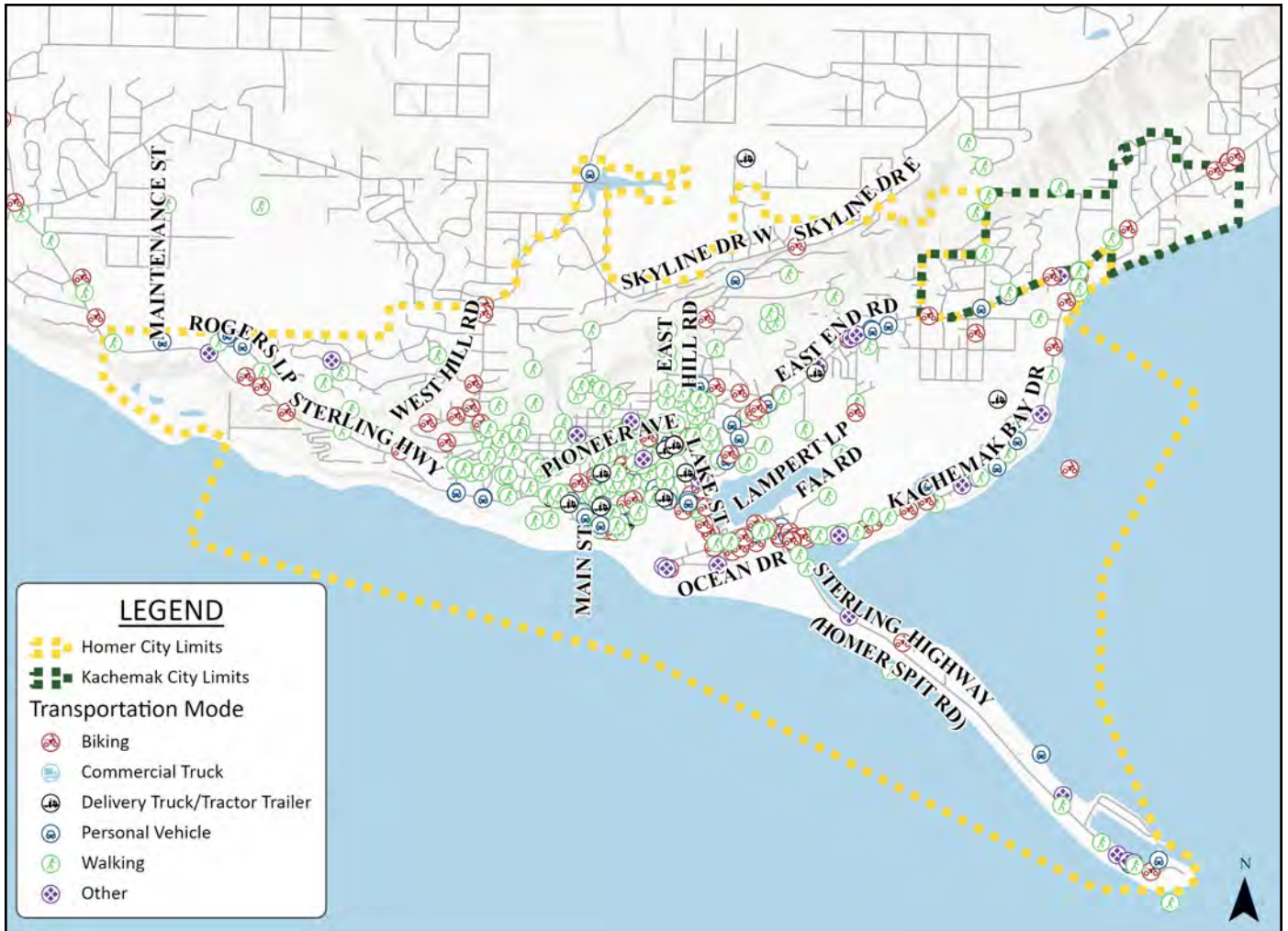
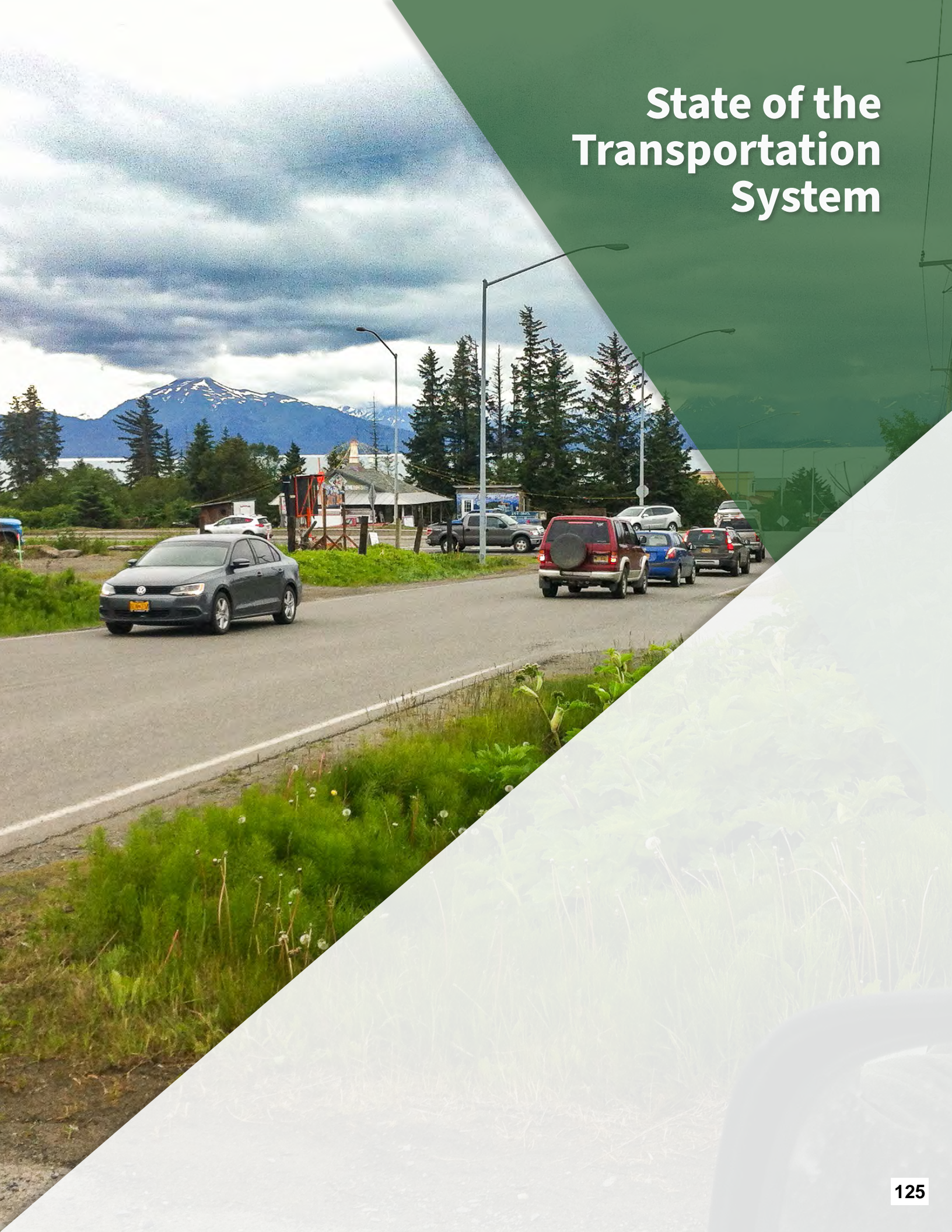


Figure 3: Online Map of Public Comments

The received comments were used to develop draft goals and objectives for the Transportation Plan, and to identify policies, projects, and activities that meet the needs of the community and support the goals and objectives.

Appendix A includes a more detailed summary of the public involvement efforts.

# State of the Transportation System



State roads make up the backbone of the City of Homer transportation system, providing key connections between local city roads for walking, biking, driving, and the movement of freight. Alaska Department of Transportation and Public Facilities' (DOT&PF) roads emphasize moving traffic quickly over relatively longer distances and connect to areas outside of the city. City of Homer roads emphasize access to residences, businesses, and other attractions. Both state- and city-owned roads are needed to provide safe transportation options for residents, visitors, and the movement of freight.

Nearby communities connected to the City of Homer via the Sterling Highway and East End Road include Anchor Point, Diamond Ridge, Happy Valley, Kachemak City, Kachemak Selo, Voznesenka, Razdolna, Nikolaevsk, and Fritz Creek. Homer also provides goods and services to communities across Kachemak Bay, including Halibut Cove, Seldovia, Nanwalek, and Port Graham. In addition to the roadway network, Homer is reached via public ferries, private boats, and the Homer Airport.

## ROAD SYSTEM

### Functional Classification

Roads are divided into three main functional classes: arterials, collectors, and local roads. In Alaska, the DOT&PF assigns classifications for all state-owned roads and local agencies assign classifications for locally-owned roads. These classifications help to define the purpose of each road within the road network and relate to roadway design decisions, such as design speed and walking and biking amenities. Arterial roads are generally designed to carry higher volumes of vehicles at higher speeds over longer distances. Often, separated paths or wide shoulders are provided for walking and biking. Local roads carry lower volumes of traffic at lower speeds, are focused on providing access to homes and businesses, and carry travelers for only a short distance.

Figure 4 presents the functional classification for both the DOT&PF roads and the city-owned roads in Homer.

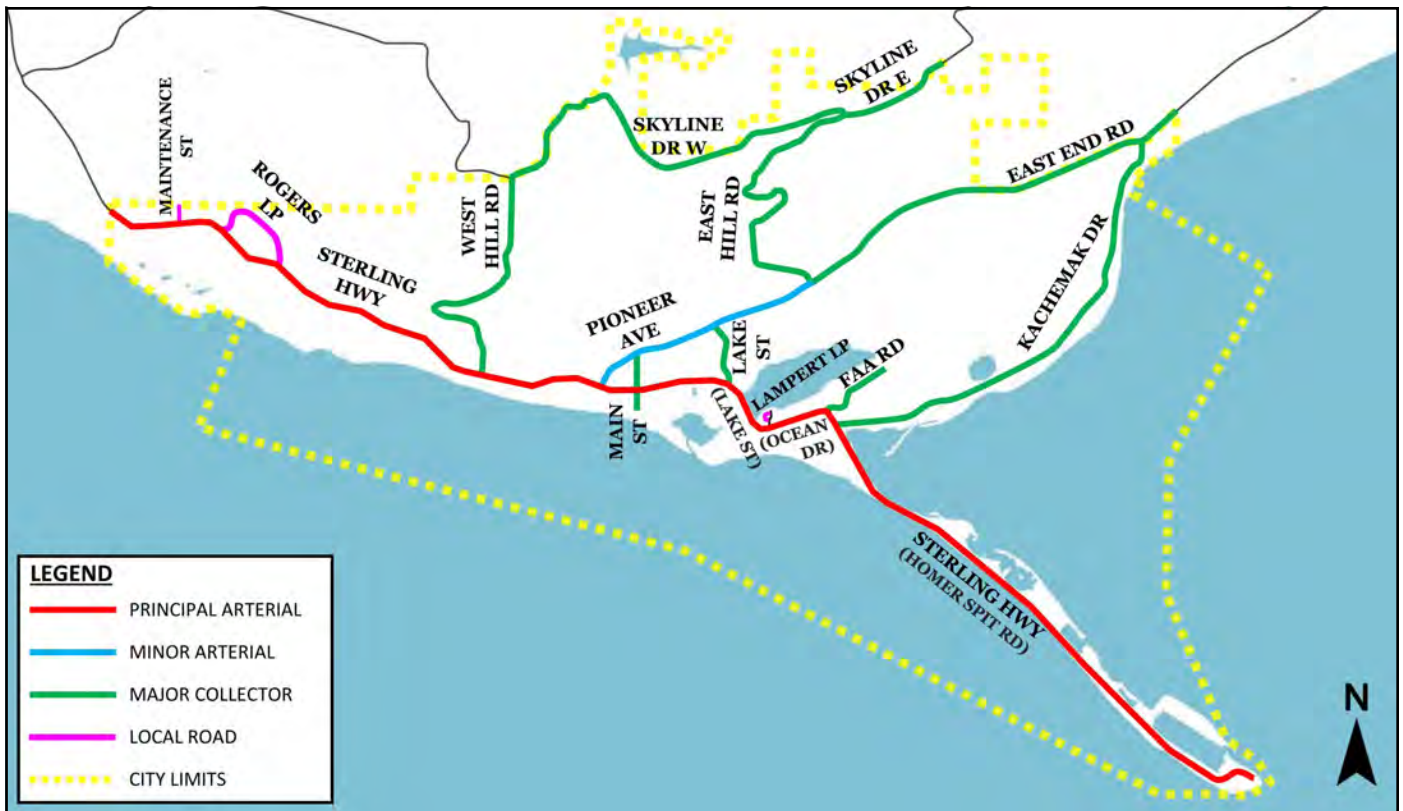


Figure 4: Roadway Functional Classification (State Roads)

Often, pedestrians and bicyclists share the road with vehicles, although sometimes a sidewalk or wide shoulder may be provided. Collector roads distribute trips between local and arterial roads, with appropriate spaces for walking and biking.

### DOT&PF Routes

There are fourteen DOT&PF-owned roads within the City of Homer city limits as shown in Figure 5. Of the state roads, only the Sterling Highway is part of the National Highway System (NHS), but it includes portions of Lake Street, Ocean Drive, and Homer Spit Road. Maintenance Street and Lampert Loop are access roads that lead to state-owned lands.

Table 3 (page 10) summarizes the existing walking and biking infrastructure along DOT&PF roads and Figure 6 (page 11) maps the facilities. There are many routes without dedicated infrastructure for walking and biking.

DOT&PF prioritizes the maintenance of their roads as shown in Figure 7 (page 11). Roads with a priority level of one are maintained first, with maintenance on the other roads following sequentially. The priority level for the Sterling Highway is level 1; most of the other DOT&PF roads in Homer fall under the priority levels 3 and 4, with sidewalks given similar priority depending on the availability of resources.

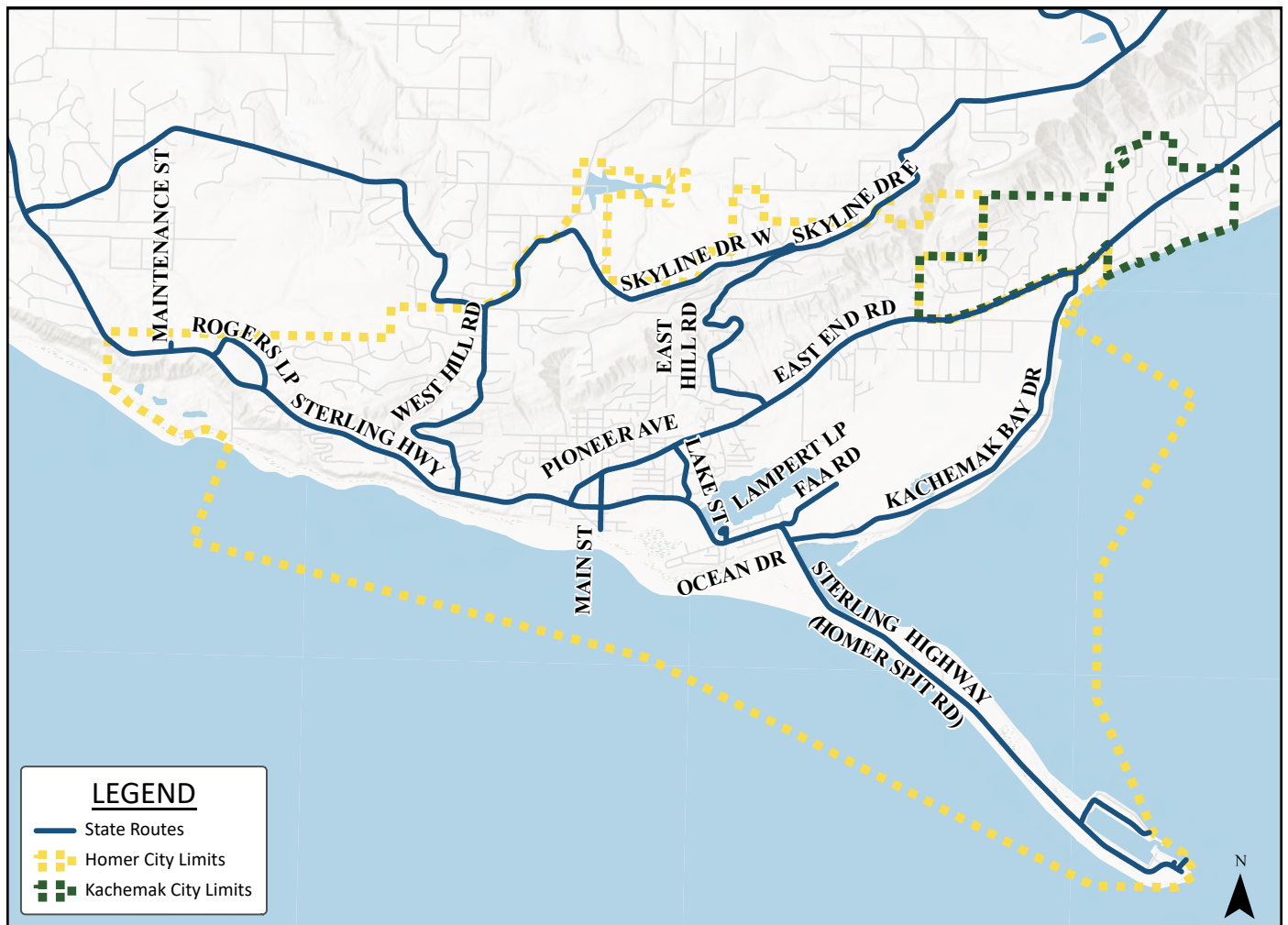


Figure 5: DOT&PF State Routes

ROUTE NAME	SUB-SEGMENT EXTENTS	NON-MOTORIZED INFRASTRUCTURE
<b>Sterling Highway</b>	Bluff Road to Rogers Loop	None
	Rogers Loop to Glenview Street	Sidewalk (north side)
	Glenview Street to Brown Bear Loop	Sidewalks
	Brown Bear Loop to Lake Street/Ocean Drive	Separated pathway (west side)
	Lake Street/Ocean Drive to Kachemak Drive	Bike lane (south/west side)
	Kachemak Drive to end of Homer Spit Road	Separated pathway
<b>Pioneer Avenue</b>	Sterling Highway to Lake Street	Sidewalk
<b>East End Road</b>	Lake Street to East Hill Road	Sidewalk
	East Hill Road to McLay Road	Separated pathway (north side)
<b>Lake Street</b>	Sterling Highway to East End Road	Sidewalk (east side), bike lanes
<b>Kachemak Drive</b>	Sterling Highway to East End Road	None
<b>West Hill Road</b>	Sterling Highway to Skyline Drive West	None
<b>East Hill Road</b>	East End Road to Skyline Drive West	None
<b>Skyline Drive West</b>	Diamond Ridge Road to East Hill Road	None
<b>Skyline Drive East</b>	East Hill Road to Woodman Lane	None
<b>Main Street</b>	Bunnell Avenue to Pioneer Avenue	None
<b>FAA Road</b>	Sterling Highway to Airport Parking Entrance	Bike lane (north side)
<b>Rogers Loop</b>	Sterling Highway to Sterling Highway	None
<b>Maintenance Street</b>	Sterling Highway to Road End	None
<b>Lampert Loop</b>	Lampert Lane to Lambert Lane	None

Table 3: Description of Non-Motorized Facilities along State Routes

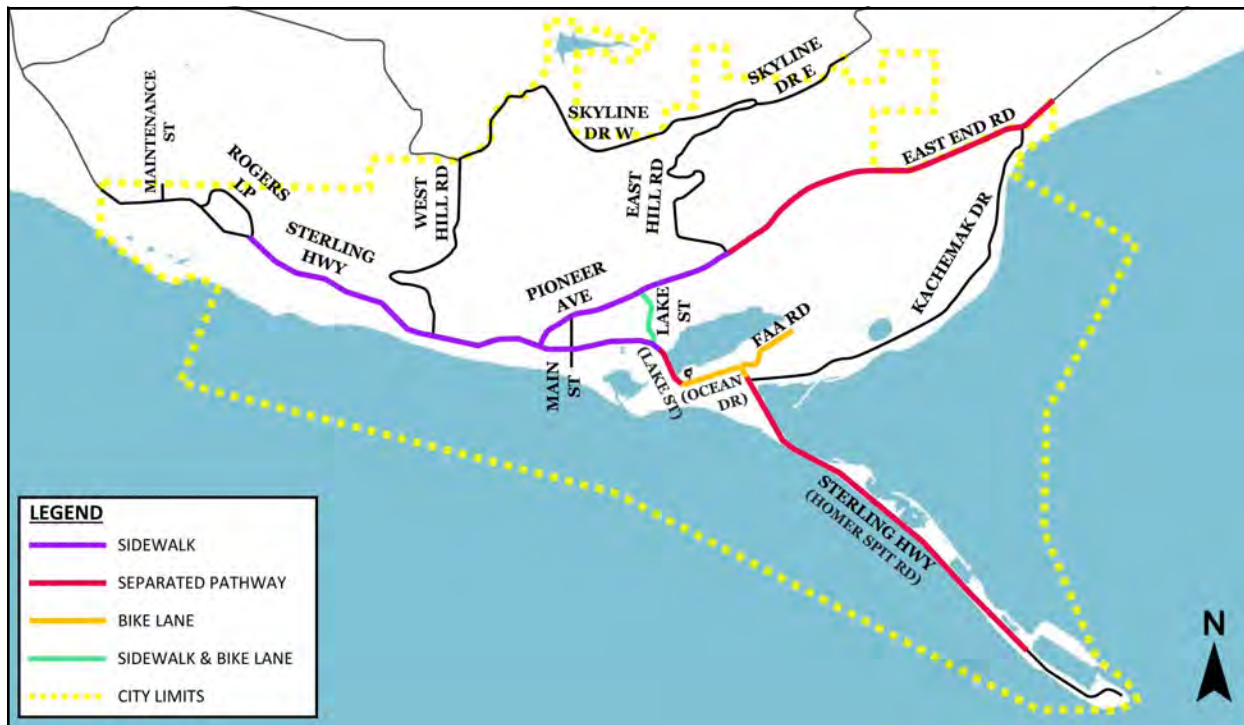


Figure 6: Non-Motorized Facilities along State Routes





Figure 7: DOT&PF Maintenance Priority Map

## City-Owned Routes

The city roads in Homer provide access to homes, local businesses, and attractions for residents and visitors. Since the 2005 Homer Area Transportation Plan, the City of Homer has been working to build a well-connected network of local and collector roads. This effort will allow users to get to their destinations without traveling out of their way and relieve arterial roads from carrying short-distance trips. Additionally, a well-connected network allows everyone access to signalized intersections on the major arterials, reducing safety concerns

and delay associated with turning left onto busier roads such as the Sterling Highway, Pioneer Avenue, and East End Road. These connections can also reduce the challenges associated with school drop off and pick up.

Examples of connections that have been made since the 2005 plan include the extension of Grubstake Avenue from Heath Street to Lake Street and the extension of Greatland Street to Pioneer Avenue.

## Traffic Volumes

The 2021 annual average daily traffic (AADT) volumes are shown in Figure 8. The highest volume roads carry around 8,500 to 9,500 vehicles per day and include the Sterling Highway between Pioneer Avenue and FAA Road, as well as East End Road between Lake Street and East Hill Road.

Monthly traffic volumes within Homer vary widely throughout the year due to the influx of visitors primarily in the summer. At the most extreme, Homer Spit Road traffic volumes drop to 40 to 45% of the yearly average in December and January and rise to 215% of the yearly average in July. In the busiest areas of town where residents travel daily (Sterling Highway between Pioneer Avenue and FAA Road, as well as East End Road between Lake Street and East Hill Road), traffic varies less: volumes drop to 75 to 85% of the yearly average in November

through February and increases to 115 to 135% of the yearly average in June through August.

The 2024 Homer Transportation Plan is a 20-year plan, with a planning year of 2045. An annual traffic growth rate was forecasted by first identifying the relationship between historical population and traffic volumes and then applying that relationship to population growth forecasts for the Kenai Peninsula Borough to determine traffic volumes. This method yields a very low growth rate (0.1% per year) since the borough population is forecasted to not grow very much over this time period. A second traffic forecasting method looked at the historical growth rate from 2012 through 2019 and applied the same rate to future growth. This method yields a modest growth rate of 1.0% per year (equivalent to a 30% increase from 2021 to 2045).

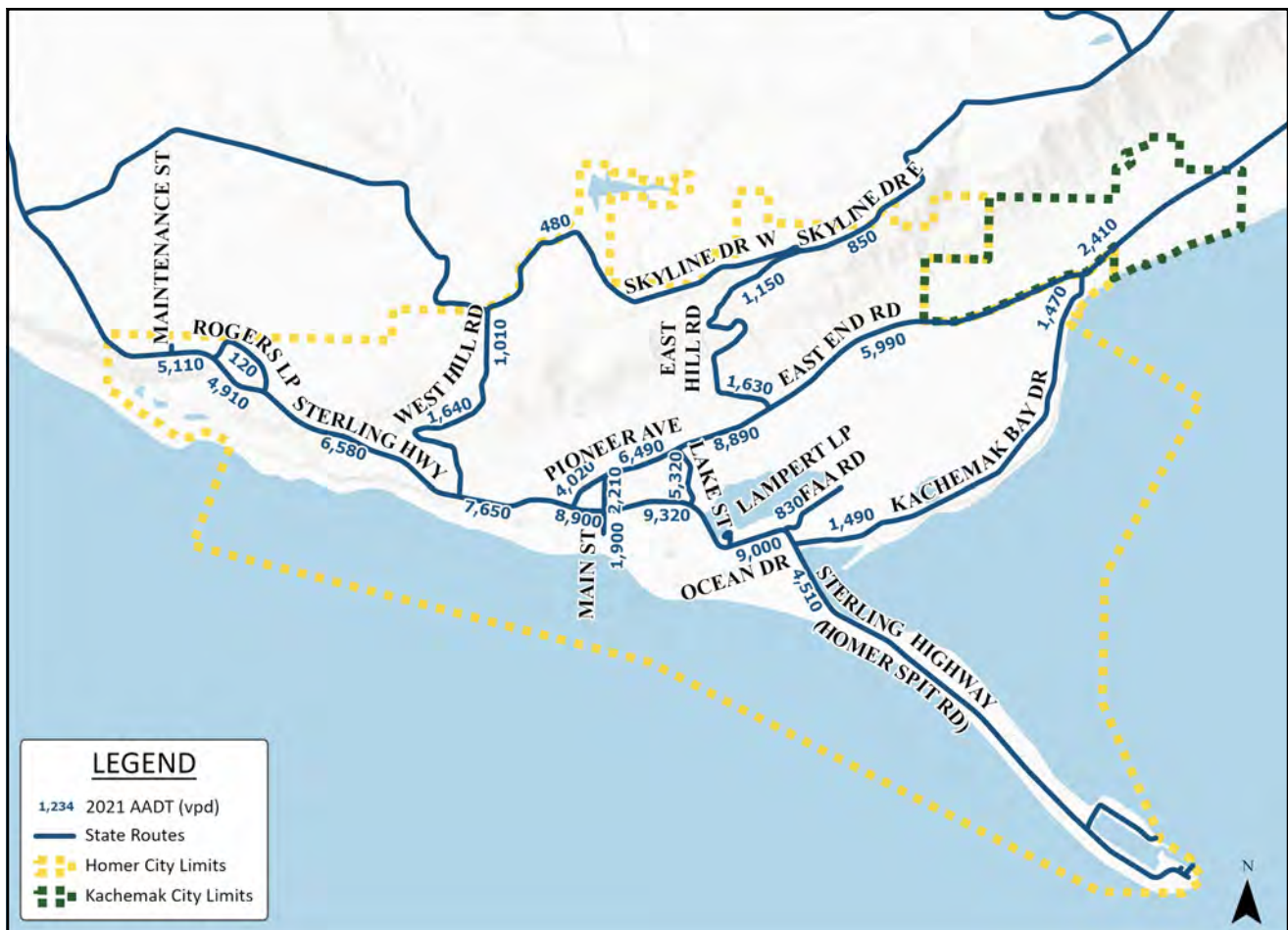


Figure 8: 2021 AADT State Roads

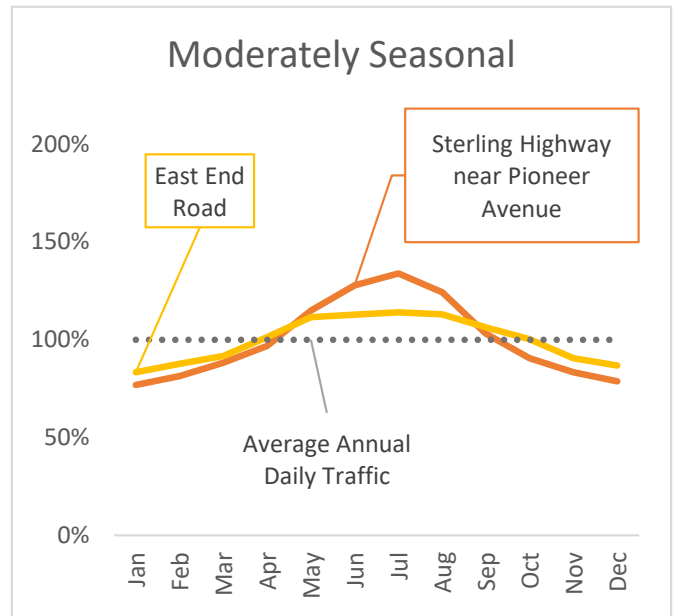
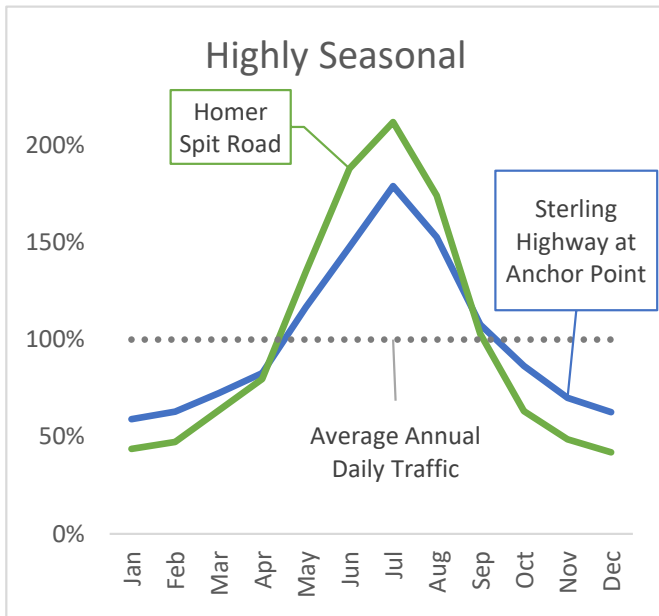


Figure 9: Monthly Traffic Volume as a Percentage of Average Annual Daily Traffic

## Operational Quality of State Roads

The state roads represent roads used for higher speed, longer distance travel within Homer. Table 4 presents the planning level volume-to-capacity (v/c) ratio and an estimate of vehicular level of service (LOS) for state roads in Homer using 2021 peak hour directional volumes.

The **level of service** concept describes the user experience for different modes of travel (pedestrians, bicycles, transit, and vehicles). Level of service uses different metrics for different modes and for different types of facilities and rates them all on a scale of A (best conditions for individual users) to F (worst conditions). Often, LOS C or D is comfortable for most users, balancing delay for most users. For the state roadways in Homer, vehicle level of service is generally a measure of how much vehicle speed drops due to interactions with other vehicles.

The **v/c ratio** compares the capacity of the roadway (the volume of traffic the roadway is designed to carry) to the traffic volume actually being carried by the roadway. Generally, v/c values of 0.85 or less indicate that traffic on the road is operating reasonably well.

As shown in Table 4, all state roadways in 2021 operated within capacity and under the target threshold v/c ratio of 0.85. The 2021 values also represent operations in 2045 under the low growth rate scenario. To determine operations in 2045 under the moderate growth scenario, the directional peak hour volumes were increased by 1.0% annually. There are only two state road segments (the Sterling Highway between Glenview and Lake Streets and East End Road from Lake Street to Ben Walters Lane) where the v/c ratio is expected to exceed the 0.85 threshold in 2045 under the moderate growth scenario.

## What improvements are needed?

### Roadway Ownership and Maintenance

City of Homer residents desire improved walking and biking on many state-owned roads. This includes both construction of separated paths, sidewalks, and bike lanes and improved year-round maintenance of these facilities (removing dirt and debris in the summer and snow and ice in the winter). In the case of Pioneer Avenue, the City of Homer has formed an agreement with DOT&PF (known as a TORA) for Homer to maintain Pioneer Avenue, so that the city can respond to the community desires. Another possible option for some roads could be to pursue a transfer of ownership from the state to the City.

### Winter Maintenance and Snow Storage

Traditionally, the City of Homer has placed snow storage at the ends of dead-end roads or in vacant lots. However, as development occurs and roadways get connected, there are fewer locations like this to use. Similarly, when sidewalks are plowed, the snow is pushed to the center of the road and then picked up and carried to snow dumps. As the number of sidewalks increases, this maintenance burden will increase. These issues will need to be addressed as the City of Homer continues to develop its transportation system.

### Electric Vehicles

As the number of electric vehicles increases, there will be a need for public charging station infrastructure.

ROUTE NAME	EXTENTS	2021			2045 (MODERATE GROWTH)			
		DIRECTIONAL PEAK HOUR CAPACITY (VEHICLES PER HOUR)	DIRECTIONAL PEAK HOUR VOLUME (VEHICLE PER HOUR)	V/C	ESTIMATED VEHICLE LOS	DIRECTIONAL PEAK HOUR VOLUME (VEHICLE PER HOUR)	V/C	ESTIMATED VEHICLE LOS
<b>Sterling Highway</b>	Bluff Road to Maintenance Street	1350	280	0.20	A	360	0.25	B
	Maintenance Street to Rogers Loop	2200	280	0.15	A	360	0.15	A
	Rogers Loop to West Hill Road	2200	430	0.20	A	540	0.25	B
	West Hill Road to Glenview Street	1130	540	0.50	C	680	0.60	D
	Glenview Street to Lake Street	830	650	0.80	C	830	1.00	F
	Lake Street to Lake Street/Ocean Drive	1080	570	0.55	C	730	0.65	D
	Lake Street/Ocean Drive to Kachemak Drive	1080	570	0.55	C	730	0.65	D
	Kachemak Drive to Road End	1350	450	0.35	B	570	0.40	C
<b>Pioneer Avenue</b>	Sterling Highway to Lake Street	850	410	0.50	B	510	0.60	B
<b>East End Road</b>	Lake Street to Ben Walters Lane	810	570	0.70	D	720	0.90	E
	Ben Walters Lane to East Hill Road	1080	570	0.55	C	720	0.65	D
<b>East End Road</b>	East Hill Road to Sabrina Road	1080	380	0.35	B	480	0.45	C
	Sabrina Road to McLay Road	1350	380	0.30	B	480	0.35	B
<b>Lake Street</b>	Sterling Highway to East End Road	810	320	0.40	C	410	0.50	C
<b>Kachemak Drive</b>	Sterling Highway to East End Road	1080	160	0.15	A	200	0.20	A
<b>West Hill Road</b>	Sterling Highway to Skyline Drive West	950	120	0.10	A	150	0.15	A
<b>East Hill Road</b>	East End Road to Skyline Drive West	950	140	0.15	A	180	0.20	A
<b>Skyline Drive West</b>	Diamond Ridge Road to East Hill Road	1080	40	0.05	A	50	0.05	A
<b>Skyline Drive East</b>	East Hill Road to Eagleerie Avenue	1080	90	0.10	A	110	0.10	A
<b>Main Street</b>	Bunnell Avenue to Pioneer Avenue	810	120	0.15	A	150	0.20	A
<b>FAA Road</b>	Sterling Highway to Airport Parking Entrance	810	60	0.10	A	80	0.10	A

Table 4. Planning-Level Operational Analysis for State Roadways (Improvements may be needed to address future congestion for the highlighted segment. Network connections and improved bicycle or pedestrian facilities should be considered.)

## Walking and Biking

The City of Homer has also been actively adding walking and biking infrastructure to city-owned roads. Projects that are currently underway include the addition of sidewalks along Ben Walters Lane and Svedlund Street, where many pedestrians travel to school, shopping, and other activities. On Kachemak Drive, where motorized and non-motorized users are forced into conflicts due to higher speeds, narrow roads, and low visibility, the City of Homer has been advocating a project to construct a separated pathway. The City has also been working to improve safe travel for persons of all ages and abilities. One project to address this is the Homer All-Ages and Abilities Pedestrian Pathway (HAP) (see Figure 10), made up of two interconnected loops that join the Senior Center, main medical district, library, post office, police station, grocery store, and pharmacy, as well as connecting with existing trails. These projects will improve the non-motorized transportation network, but there are still many places that need more work. For example, the 2004 Homer Non-Motorized Transportation and Trail Plan identified a sidewalk gap on Main Street south of Pioneer Avenue that still needs to be addressed.

## What improvements are needed?

### *Walking and Biking*

While the City of Homer has been improving sidewalk connections, lengthy sidewalk gaps still exist. Additionally, Homer's reliance on official and unofficial trails for pedestrian connectivity often include unimproved footpaths that are narrow and with surfaces that are not firm and stable. While these trails provide route alternatives for some Homer residents and visitors, there are a significant number of individuals who cannot safely use these connections as they currently exist. Constructed trails have not always been designed to be usable year-round and are often avoided by pedestrians who are concerned about trip hazards, icing during winter months, wildlife interactions, and personal safety concerns, particularly at night. Many community members would rather use neighborhood streets than the trail system. Future construction of walking and biking facilities should consider ease of winter and summer maintenance.

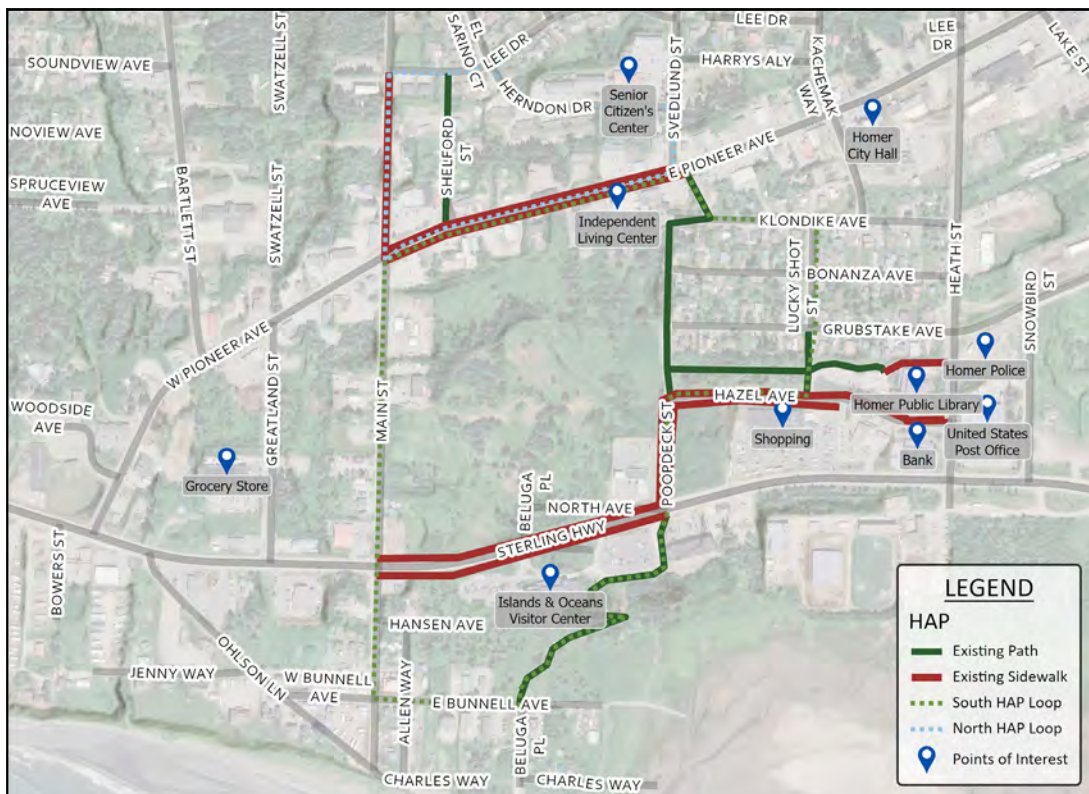


Figure 10: Homer All-Ages and Abilities Pedestrian Pathway (HAP)

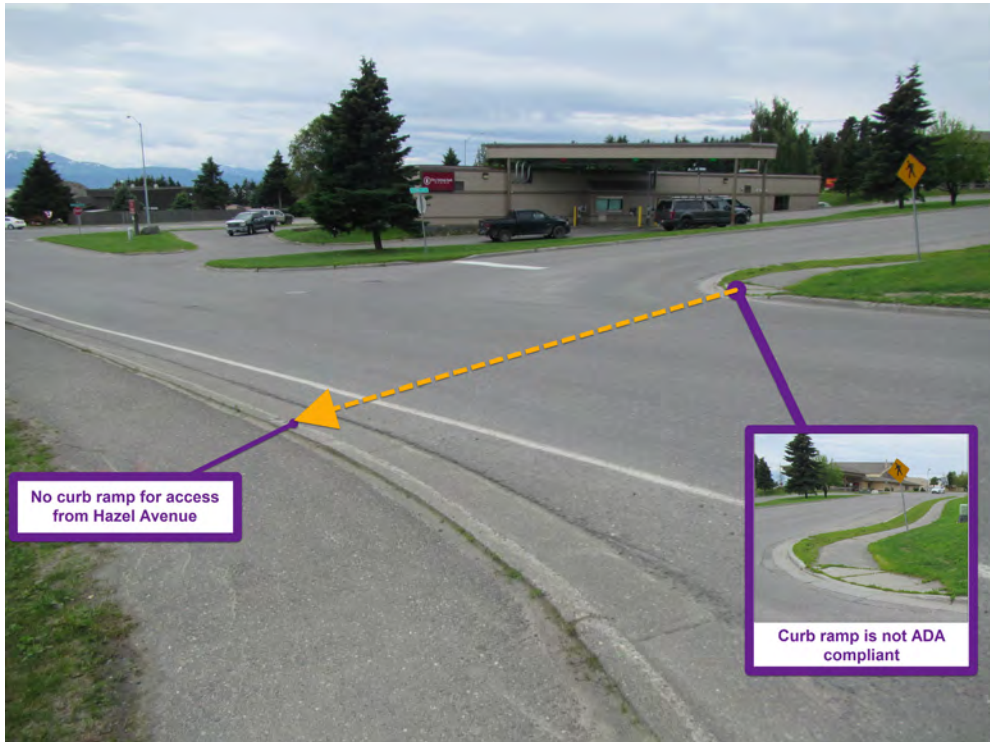


Figure 11: Obstructed Path of Travel near the Homer Public Library and Post Office

*What improvements are needed? (continued)*

Homer has a significant population that walks or bikes regularly. Needs related to walking and biking that were identified by the public through the online mapping tool include:

- Bike lanes or sidewalks
- Paths that would provide shorter connections, safer travel, or more scenic routes
- Neighborhood connectors
- New crosswalks, improved crosswalks and relocated crosswalks
- New or improved streetlights
- More traffic calming measures
- Reduced speeds
- Additional signs
- Improved wayfinding
- Improved winter and summer maintenance

Appendix B provides maps of specific trails or paths that were proposed using the online mapping tool.

*Connectivity and “Path of Travel”*

Defined as a “Path of Travel” within the Americans with Disabilities Act,<sup>1</sup> (ADA) a continuous and unobstructed pedestrian route (or “path of travel”) is essential when

considering accessibility realities within the pedestrian network as a whole. Often, a single barrier can make an entire route no longer function as intended.

Identifying, planning, designing, and constructing continuous pedestrian travel corridors is central to creating equitable and accessible connections for all members of the community. These continuous travel corridors should also take into consideration the routes pedestrians prefer based on their own experiences with a path of travel that is direct and that they deem safe.

An example of a location with a lack of accessible connectivity is between the Homer Public Library and destinations to the east, such as the Homer Post Office, the Homer Police Department, as well as destinations along Grubstake Avenue such as Ulmer’s Drug and Ace Hardware, the Center for Alaskan Coastal Studies, the Department of Motor Vehicles, and other shops and restaurants. Important social service agencies also located within a one mile radius of the library include the Rec Room, Kachemak Bay Family Planning Clinic, Haven House, South Peninsula Behavioral Health Services, Alaska Social Services, Homer Courthouse as well as low-income housing. The sidewalk running along Hazel Avenue from the library has a non-ADA-compliant curb ramp at Heath Street that is steep and guides users toward vehicular travel lanes. Pedestrians must cross Heath Street to access the sidewalk along Heath Street; however, there is no curb ramp for the Heath Street sidewalk at Hazel Avenue, forcing users to use the roadway (see Figure 11). One

1 CFR 28.1.35.151(b)(4)

community member with a visual impairment reported being struck by a motor vehicle at this intersection, resulting in severe injuries. Comments from the online mapping survey also included: “Sidewalk ramps and connections feel way off” and “Getting from the library to the post office seems like it should be an easy task. It is not.” When routes of pedestrian movement or “paths of travel” are disrupted, access to services and amenities are also significantly disrupted.

“Path of Travel” should also consider the route from the roadway right-of-way to the front door of a business or residence. Some development has been built without constructing walkway connections to sidewalks, which is a barrier to walking. Private development and the City need to work together to eliminate these obstacles as new development is built.

### *Winter Maintenance and Snow Storage*

The equipment needed for maintaining sidewalks, paths, and trails free from snow and ice depends on design elements, such as width and steepness, as well as whether it is connected to or separated from the roadway. There are several paths that are currently difficult for the City of Homer to maintain. For example, the Harbor Boardwalk has a wooden deck that cannot be cleared by a snowblower due to the damage it would cause the wood; instead, it must be cleared by hand. Other examples are sidewalks that are not directly adjacent to a road cannot be cleared with a grader blade, so a tool cat or hand-pushed snow blower must be used. Roads and trails with steep grades also require special consideration, adding to the maintenance time after each snow fall. As new walking and biking facilities are constructed, the design should consider efficient ways to accommodate the needed maintenance equipment.

## Recreational Trails

The City of Homer currently has 5.41 miles of trails within the city limits, most of which provide a walking connection between neighborhoods and all of which can be used for recreation. Some of these trails are maintained year-round, while others cannot be maintained in the winter. In addition, Calvin and Coyle Woodland Park (on property owned by the Kachemak Heritage Land Trust) includes 1.5 miles of recreational trail. The Woodard Creek Watershed Plan (November 2016) includes several priority projects to develop trails that either provide access from neighborhoods to the watershed area or provide views of the watershed.

Just outside of the city limits, the Diamond Creek Recreation Area (DCRA) is a 275-acre property which the City has acquired and designated as park land. DCRA is immediately adjacent to the State of Alaska Homer Demonstration Forest. The Kachemak Nordic Ski Club maintains winter trails that cross both properties and provide connections between Rogers Loop, the Sterling Highway, Diamond Ridge Road, and West Hill Road. In summer, the trails become very wet and some areas are unusable. The Diamond Creek Recreation Area Management Plan (May 2013) describes goals, objectives, and strategies for constructing summer-use trails in the recreation area.

## Truck Routes

Truck traffic through the City of Homer has been increasing due to construction activity along East End Road. Many of these trucks travel on Pioneer Avenue to access East End Road from the Sterling Highway. Truck volumes were measured on Pioneer Avenue for a 10-day period in October 2022. An average of 150 trucks a day drove along Pioneer Avenue during that period, which represented about 3% of the total traffic. The trucks were present mostly during the day; 85 to 90% of the trucks traveled between 7 AM and 6 PM.

### What improvements are needed?

#### *Truck Routing*

With the ongoing construction activities occurring on or along East End Road, heavy vehicles are frequently driving between Sterling Highway and East End Road along Pioneer Avenue. Pioneer Avenue has a downtown feel with many restaurants, cafes, and shops and is characterized by frequent driveways and moderate pedestrian activity. Thus, heavy vehicles using Pioneer Avenue frequently interact with other vehicles and with pedestrians.

Consideration should be given to establishing a truck route through Homer that uses roads where there are fewer interactions. Two potential routes include:

- Sterling Highway to Lake Street to East End Road; however, intersection improvements would be needed to accommodate turning vehicles.
- Sterling Highway to Kachemak Drive; however, this route is longer than the current route and interactions between bicyclists and vehicles has been noted as a concern for this route.

## Special Traffic Generators

Special traffic generators are facilities that generate irregular traffic patterns through the day, impacting the road network surrounding them.

### Schools

The City of Homer is served by seven elementary and secondary schools. Table 5 lists start and end times for each school. Areas surrounding the schools experience an increase in traffic congestion during pick up and drop off times, and this congestion can be amplified when school start and end times occur at the same time as other traffic peaks, such as commute times. While the congestion lasts for relatively short periods of time (15 to 30 minutes), queues affect both state and local roads and result in undesirable driver behavior. Possible mitigations include changes to start and end times and adjustments to

on-site queue and parking management. Schools with known traffic concerns include Homer High School, Paul Banks Elementary School, and West Homer Elementary School.

NAME OF SCHOOL	START TIME	END TIME
Paul Banks Elementary (K-2)	7:50 am	2:30 pm
West Homer Elementary (3-6)	8:00 am	2:50 pm
Little Fireweed (K-2)	7:50 am	2:25 pm
Fireweed Academy (3-6)	8:00 am	2:50 pm
Homer Middle School	9:00 am	3:50 pm
Homer Flex High School	9:00 am	3:35 pm
Homer High School	9:00 am	3:50 pm

Table 5: Homer Schools Start and End Times

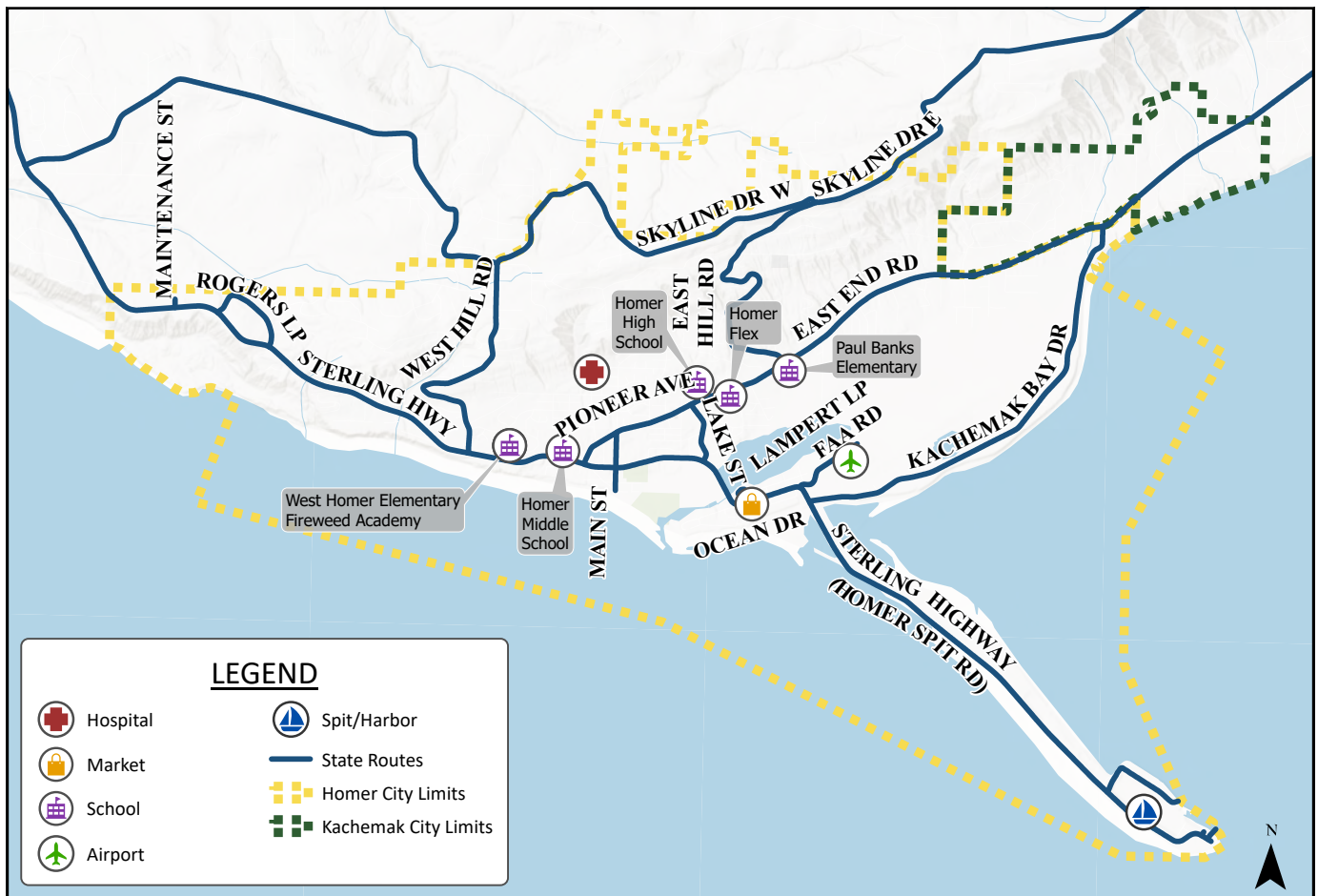


Figure 12: Special Traffic Generators within the City of Homer



### *Hospital Shifts*

The main hospital in Homer is the South Peninsula Hospital. During shift changes, the road network near the hospital experiences a sharp peak in traffic volumes. Recent changes to school start times for middle and high school have mitigated some of the traffic concerns associated with hospital shifts. Small changes in shift times could have a large impact on reducing or increasing congestion related to the hospital. The hospital could also be a key generator for transit trips for staff, patients, and hospital visitors.

### *Farmers Market*

The Homer Farmers Market, located on Ocean Drive, just east of Lake Street, begins Memorial Day weekend and continues until the end of September. It's open on Saturdays and Wednesdays. The Farmers Market attracts both Homer residents and visitors, which results in increased vehicle and non-motorized traffic in the surrounding area. Community members reported backups on Ocean Drive due to traffic turning into and out of the Farmers Market, especially on Saturdays. One possible mitigation would be to require the Farmers Market to hire traffic officers to provide traffic control.

### *Homer Spit*

The Spit is a major seasonal destination. It is a 4.5-mile long landform that juts out into Kachemak Bay. The Spit is a popular destination for boating, fishing, and camping, and there are also restaurants and shops located on the Spit. Because the Spit is narrow, there is only one route onto and off of the Spit, and parking and traffic problems are common in the summer. The City of Homer works to control parking issues through fee schedules and has encouraged non-motorized travel along the Spit by creating trails, but community members still report problems here. Because of the seasonality and unpredictability of traffic along the Spit, parking and traffic problems are likely to need continuous improvements.

### *The City of Homer Port & Harbor*

The City of Homer Port & Harbor provides service to many vessels and is busiest during the summer months. The port is located at the tip of the Homer Spit and is within a short walking or driving distance from many businesses, attractions, and beautiful beaches. The Alaska Ferry brings many people to Homer through this port. The short distance from attractions provides an incentive for visitors to disembark and enjoy the Spit, even on short layovers. There is a significant increase in both vehicle and non-motorized traffic as cruise ship passengers leave the port to experience Homer.

### *Homer Airport*

The Homer Airport is accessed via FAA Road, which connects to the Sterling Highway as the road makes a 90 degree turn from Ocean Drive to Homer Spit Road. The airport, owned by DOT&PF, includes both an asphalt runway and a floatplane facility on Beluga Lake. The airport serves approximately 30,000 passengers a year. The terminal building is owned and managed by the City of Homer.



Figure 13: Homer Spit path

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## TRANSIT

### Existing Transit System

Currently, Homer has no year-round, accessible public transit that meets community transportation needs. Local taxi companies play a significant role in transporting Homer residents and visitors around the community. A few local organizations and residential facilities, such as the Homer Senior Center and the Center for Alaskan Coastal Studies, provide vans for their programs. There have been multiple efforts by private companies to run shuttles, but they have been financially unsustainable.

Homer's lone connection to a year-round public transit system is the Ninilchik-based BUMPS (Basic Unified Multi-Path Service) bus, which serves Homer three days per week. The BUMPS bus, operated by the Ninilchik Traditional Council, travels roundtrip connecting Homer to Ninilchik, Soldotna, and Kenai, and communities along the route and stopping at major retail outlets in each community.

Two local non-profit organizations provide free and/or subsidized taxi vouchers to ensure individuals have access to vital goods and services. The Independent Living Center (ILC) provides a low-cost taxi voucher program to eligible area residents, while the Homer Food Pantry fills urgent individual funding gaps for transportation. The ILC program began in 2000. Trip numbers have been relatively stable over the last 20 years. For fiscal year 2022, the ILC voucher program logged 5,846 passenger trips, with an operating budget of over \$78,000. For fiscal year 2024, ILC anticipates over 200 different riders will use the program and a budget that will exceed \$100,000. Likewise, in 2021, the Homer Food Pantry distributed over \$5,000 in free taxi vouchers, while also distributing over \$30,000 in gas vouchers to area residents. The gas voucher program has recently been suspended as the costs became prohibitive for the organization.

### What improvements are needed?

Area residents without a vehicle have few options for accessing goods and services and traveling to participate in local community activities. Additionally, a transit system could help to address seasonal congestion as well as the environmental impacts of personal automobile dependence.

#### *Transportation for Young Adults*

Young adults and providers who serve them point to a lack of transportation options as a community issue affecting youth.

Many students are dependent on the school bus to transport them home, which does not allow them to participate in after school activities. This concern was shared by respondents affiliated with Homer High School, the Homer Public Library, entities supporting youth employment, and the Homer REC Room. The lack of transportation options for youth and young adults is a major barrier to educational, occupational, and social opportunities.

#### *Affordable Transportation*

Transportation support provided by ILC and the Homer Food Pantry illustrate community need for subsidized public transportation. One measure of this need is the user numbers for the ILC taxi voucher program which have remained steady over the last four years even though national transit usership dropped precipitously during COVID.<sup>2</sup> The ILC taxi voucher program provides assistance for essential trips by users for whom private transportation is not affordable.

#### *Seasonal Congestion and Parking*

Many groups pointed to seasonal high traffic volumes and congestion on roadways as reasons for a seasonal shuttle connecting the Spit to the business district. Two problems frequently mentioned were: difficulty “turning left anywhere in town” and “parking on the Spit.” Left turns were identified as a specific concern along Pioneer Avenue from most feedback groups, including taxi operators, senior citizens, BUMPS operators, community forums, and the online mapping survey.

Parking issues on the Spit also warrant ongoing attention as evidenced by the recent Homer Spit Parking Study and subsequent proposals to construct new parking areas. Providing public or private seasonal shuttle services could help to address these issues.

#### *Environmental Impacts*

In 2022, from Memorial Day weekend to Labor Day, 817,000 vehicle trips were counted at the Spit data collection location, equivalent to approximately 153,000 gallons of gasoline consumed and the release of 1,400 metric tons in CO<sub>2</sub> emissions. If even 10% of those trips could be made by transit, there would be a reduction in CO<sub>2</sub> emissions of 140 metric tons.

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2 *Changes in Mobility by State*. Bureau of Transportation Statistics. (n.d.)

## EVACUATION ROUTES

### Tsunamis

Earthquakes can trigger an underwater landslide in Kachemak Bay, which means it is essential to evacuate within minutes of a tsunami warning being issued. The City of Homer has three tsunami evacuation routes, shown in Figure 14. The routes from the Homer Spit and areas south of Beluga Slough use Kachemak Drive to get to East End Road. Areas north of Beluga Slough use Lake Street and Heath Street to get to Pioneer Avenue. These evacuation routes are marked with official blue and white Tsunami Evacuation Route road signs.

### Wildfires

Wildfires are a growing concern in Homer. According to a climate

risk analysis done by the Woodwell Climate Research Center the length of the wildfire season will increase as Alaska's climate changes. While the City of Homer does not have specific wildfire evacuation routes laid out, their Emergency Operations Plan does allow the Incident Commander to issue evacuation orders as necessary. In the event of a wildfire, the City of Homer would partner with state fire response to evacuate the rural areas of the City.

#### What improvements are needed?

As road improvements are made to identified evacuation routes, the ability to evacuate areas at risk of a tsunami or wildfire needs to be a consideration in the road design. Improving the network of neighborhood connections will facilitate wildfire evacuation.

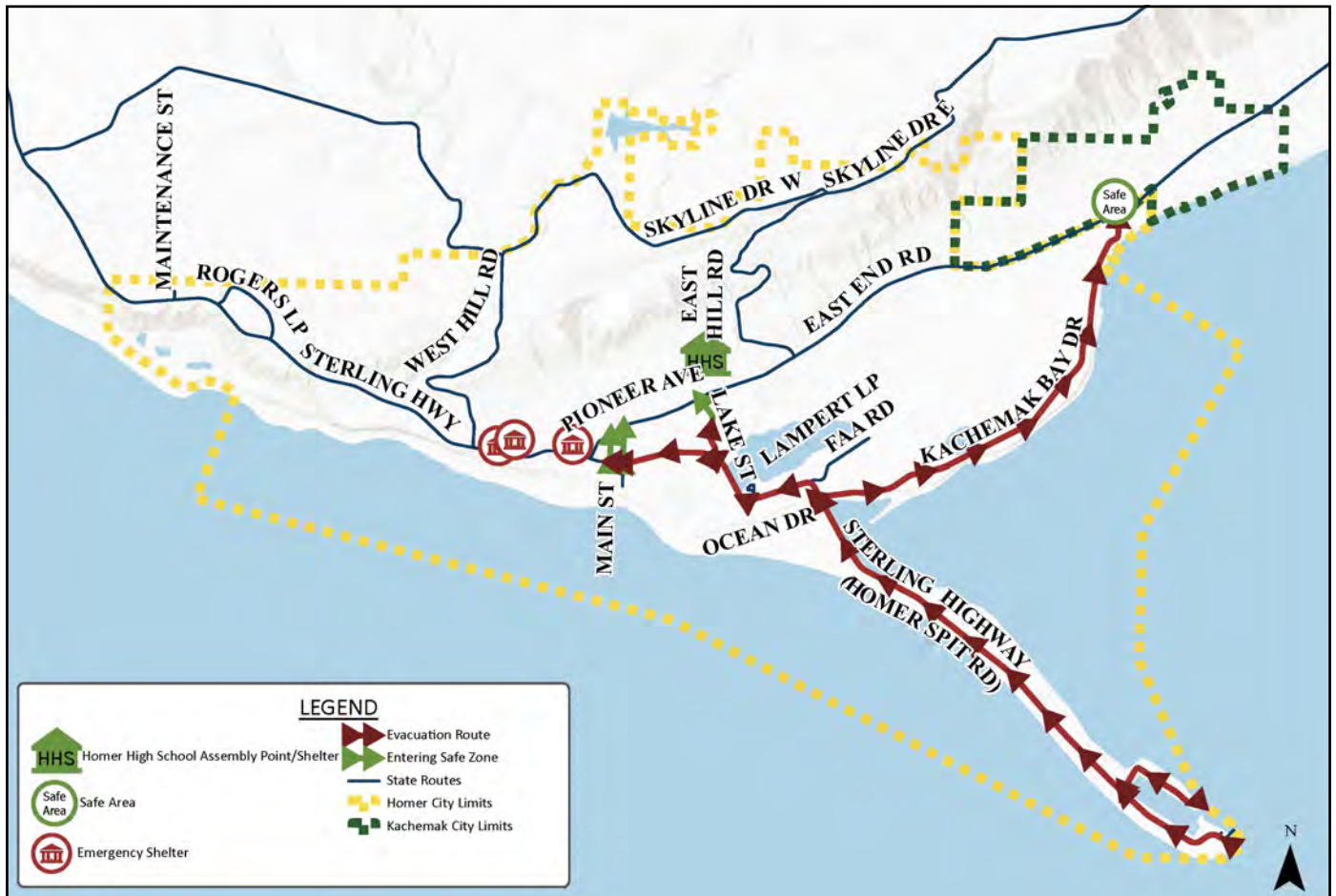


Figure 14: City of Homer Tsunami Evacuation Routes

## TRANSPORTATION FUNDING

The City of Homer Accelerated Roads and Trails (HART) Program is funded by a voter-approved sales tax and properties assessments. The fund is used to reconstruct substandard city roads, upgrade existing roads, and to construct new streets and non-motorized trails. The current program was authorized by voters for a 20-year period, through December 31, 2027. Roads (including associated non-motorized infrastructure such as sidewalks) are allocated 90% of the available fund and trails are allocated the remaining 10%. The HART funds can be used for projects that the City funds completely, as the City contribution to grant-funded projects, and as the City contribution to projects where the developer is required to construct a street to full arterial or collector road standards (see Title 11.04.050).

The HART funds allow the City of Homer to improve the transportation system in accordance with City of Homer transportation planning documents. The criteria for use of HART funds are reviewed every other year by the Homer Planning Commission. The use of the HART funds is reviewed by the City Council annually.

The HART fund authorization period will end within the first five years of this plan and will need to be reauthorized in order to continue to fund projects that meet the City's goals as identified in this plan.



Figure 15: City of Homer Poopdeck trail at the Homer Public Library.



Figure 16: Greatland Street Improvements were a HART funded project in 2017.

# Transportation System Guidelines



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## DESIGNING FOR PERSONS OF ALL AGES AND ABILITIES

Homer residents and community leaders have a long-standing commitment to developing transportation corridors and mobility networks that are inclusive for individuals of all ages and abilities; however, mobility barriers need continued attention.

Over the last 20 years, the need for transportation networks to support mobility for all ages and abilities were explicitly stated in the City's planning documents. The 2004 Homer Non-Motorized Transportation and Trail Plan called for "creating an interconnected, accessible, non-motorized transportation system in Homer." Similarly, the 2005 Homer Area Transportation Plan (originally drafted in 1999), explained that "an accessible, non-motorized transportation system increases opportunities for mobility." The 2008 Homer Comprehensive Plan, echoed in the 2018 Homer Comprehensive Plan Update, noted that "without linked sidewalks, trails, crosswalks, and pedestrian ways, it is often difficult for seniors to navigate on foot and often impossible for those with disabilities that require a wheelchair."

### Specific Needs

#### *Seniors*

Homer is relatively unique in its senior population when compared to Alaska in general and the nation at large. According to 2021 data from the U.S. Census Bureau<sup>1</sup>, roughly 20.3% of the Homer population is age 65 and older, compared to 13% statewide. While the median age of Homer residents is about 39 years of age, there is also a significant portion of residents that are nearing retirement age. Homer's aging population of persons 60 years and older shows a continuing upward trend.

A recent report from the U.S. Department of Health and Human Services quantifies mobility realities for aging individuals. The *2020 Profile of Older Americans*<sup>2</sup> reports that 40% of adults aged 65 and older experience "difficulty with

mobility" and experience challenges "walking and climbing stairs." Likewise, 22% of the aging population self-report "difficulty seeing," 31% report "difficulty hearing," and an additional 27% report "difficulty with cognition." All these factors need to be considered within Homer's transportation planning.

Previously identified non-motorized corridors near the Senior Center and surrounding neighborhood need particular attention to create dedicated, safe, and inclusive infrastructure with connections made to the business district, shopping, and restaurants, as well as to the medical district.

#### *Individuals with Disabilities*

According to the most recent nationwide data collected, 1 in 4 adults, roughly 61 million Americans, experience a significant disability that impacts "major life activities." Of those identified disabilities, the majority involve mobility issues, followed by cognition, vision, and hearing. Those experiencing a disability also have a far greater likelihood of experiencing job insecurity, housing insecurity, low income households, as well as transportation insecurity. As identified by the Alaska Mental Health Trust Authority, lack of transportation and mobility options increases the likelihood of individuals with disabilities experiencing social isolation, unemployment, lack of independence, limited access to medical care, limited access to rehabilitation programs, as well as significant barriers to accessing goods and services as part of everyday activities.<sup>3</sup> The non-motorized transportation network is of particular importance when considering how individuals with disabilities travel within the community.<sup>4</sup>

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1 *Census Bureau Profile for Homer, Alaska*. U. S. Census Bureau. (n.d.).

2 *2020 Profile of Older Americans*. Administration for Community Living. (May 2021).

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3 *2022 Alaska Scorecard*, Alaska Mental Health Trust Authority. (April 2023).

4 *CDC: 1 in 4 US adults live with a disability*. Centers for Disease Control and Prevention. (2018, August 16).

## Speed, Safety, and Crash Outcomes

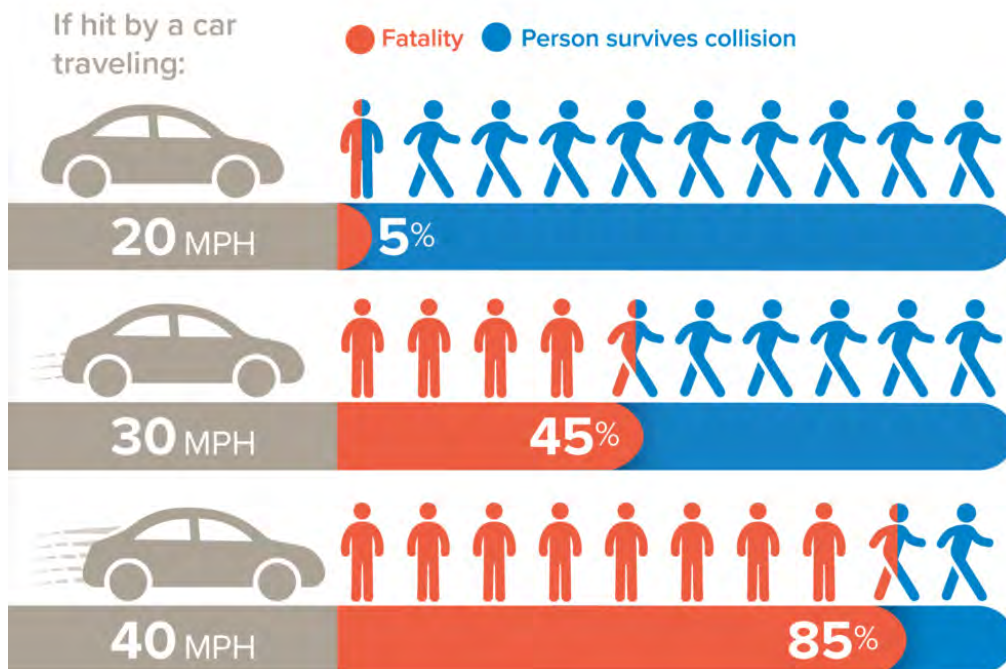
Aging adults and individuals with disabilities are far more likely to experience serious injury or death within transportation networks. Both groups are typically more reliant on the pedestrian environment to meet daily mobility needs and as such are more vulnerable. Studies also indicate a much higher rate of injury for both groups when involved in pedestrian-vehicle collisions. According to recent studies, individuals using wheelchairs have a 36% higher mortality rate in pedestrian/vehicle crashes than the general population. Similarly, the risk of severe injury or death for a 70-year-old pedestrian involved in a vehicular collision at 25 mph is similar to the risk for a 30-year-old pedestrian at 35 mph.<sup>5</sup>

In all cases of pedestrian and vehicular crashes, speed is a clear determining factor for injury and fatality outcomes for pedestrians. The vehicle speed to pedestrian injury rate increases exponentially as vehicle speed increases. Injury rates increase when size and mass of vehicles are also taken into account.

## All Ages & Abilities Design Best Practice and the ADA

**“Designing for all abilities: The design of sidewalk environments is important to all pedestrians, but is particularly important to those with disabilities who have limited travel choices and rely most on the pedestrian environment. For example, older adults, persons with vision impairments, and children frequently rely on the sidewalk to travel independently within their community for shopping, recreation, exercise, and walking to school.”**

*Federal Highway Administration*



National Traffic Safety Board (2017) Reducing Speeding-Related Crashes Involving Passenger Vehicles. Available from: <https://www.nts.gov/safety/safety-studies/Documents/SS1701.pdf>

Figure 17: Pedestrian Injury Rates by Speed of Vehicle

<sup>5</sup> Kraemer, J. D., & Benton, C. S. (2015, November 20). *Disparities in road crash mortality among pedestrians using wheelchairs in the USA: Results of a Capture-recapture analysis*. BMJ open.



Figure 18: Curb Ramps that Direct the User into the Crosswalk

Homer’s infrastructure can be planned and constructed with users of all ages and abilities in mind, using ADA compliance as a minimum standard as well as consulting the U.S. Access Board’s *(Proposed) Public Rights-of-Way Accessibility Guidelines* (PROWAG) and FHWA’s *Accessible Sidewalks and Street Crossings* recommendations as design best practice.

While ADA guidelines set minimum standards for slope, width, length, and surface conditions for an accessible pedestrian route, the experience of users of all ages and abilities should also be considered. Diagonal curb ramps at intersections, for instance, meet minimum ADA requirements and are employed at various locations throughout the City of Homer. However, they are not the ideal design because they direct wheelchair users, and possibly visually impaired pedestrians, towards the middle intersection. Parallel or perpendicular curb ramps

that direct users into the crosswalk are the preferred design. Diagonal curb ramps, however, do provide an acceptable, cost-effective solution in retrofit situations when other types of ramps may be cost-prohibitive.

Another common barrier frequently encountered is steep sidewalk cross slopes, particularly at driveways. ADA requires a maximum cross slope of 2% but this has been frequently exceeded. Severe cross slopes require wheelchair users and other pedestrians to work against the effects of gravity to maintain their lateral balance. Pedestrians using crutches or canes may be forced to turn sideways to keep their base of support at a manageable angle. Plans and specifications need to clearly call out the maximum allowable grades and contractors need to be held accountable for constructing in accordance with the documents.



Figure 19: Driveway Entrance with Level Cross Slope



Figure 20: Driveway Entrance with Steep Cross Slope





## PEDESTRIAN CROSSWALKS

Difficult road crossings can be a barrier, separating otherwise connected walking and biking networks. Areas where improved pedestrian crossings are desired include:

- **Homer Spit (specific locations along the last mile of roadway)**
- **Pioneer Avenue (at Svedlund Street, Kachemak Way, Heath Street, and Lake Street)**
- **East End Road (at Ben Walters Lane and Paul Banks Elementary School)**
- **Sterling Highway (on Lake Street at both ends of the Beluga Lake causeway)**

The *Alaska Traffic Manual* gives guidance on where marked pedestrian crosswalks are desirable as well as the type of traffic control that is desirable (e.g., pavement markings, signs, signals).

An engineering study considers pedestrian volume, street width, traffic volumes, traffic approach speed, sight distance, availability of gaps in the traffic stream, and crash experience as part of making recommendations for a specific location. These guidelines are based on safety studies and are designed to ensure that drivers see pedestrians as they enter crosswalks and that drivers and pedestrians have similar expectations.

In general, traffic volumes are low enough in Homer that marked crosswalks can be considered for anywhere speed limits are 35 mph or lower. Where pedestrians have difficulty finding enough opportunities to cross between vehicles, a median refuge island could be useful. Alternatively, an electrical warning device could be used to alert drivers to yield to pedestrians (Figure 21). Where vehicle speeds are higher, a pedestrian hybrid beacon could be considered.



Figure 21: Electrical Warning Devices (Rectangular Rapid Flashing Beacon, or RRFB) on University of Alaska Fairbanks Campus

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## TRAFFIC CALMING

Traffic calming treatments can be used to reduce the speeds of vehicles in a specific area. Speed management can allow drivers more time to react and reduce the severity of a crash.<sup>6</sup> In general, traffic calming devices are only suitable for local or collector roads. An engineering study will consider vehicle volume, speed limits compared to actual vehicle speeds, the presence of school zones or other pedestrian generators, crash history, and the availability of sidewalks. In addition to reconstruction, traffic calming elements can be incorporated into initial design projects.

### Traffic Calming and Complete Streets

Traffic calming is often used to improve safety and comfort for walking and biking through retroactive treatments that decrease vehicle speeds in a neighborhood or along a corridor.

Designing for Complete Streets is proactive and includes: considering walking and biking when setting design speeds; appropriately separating users in time and space; improving connectivity and access for walking, biking, and transit; and implementing safety treatments.

Complete Streets provides a mechanism for considering the land use context of the neighborhood in determining needed improvements. For example, the types of improvements needed will vary depending on if the area is residential, commercial, industrial, or mixed; natural, rural, suburban, or town center.

Complete Streets is one of several safety-focused approaches to transportation planning. Figure 22 briefly describes several of these.



Figure 22: Safety-focused approaches to transportation planning

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6 Xu, G. (2022). *Speed Management is Key to Road Safety*. Public Roads, Vol 85 No. 4. FHWA.

## Traffic Calming Devices

Traffic calming treatments are most effective in the immediate area surrounding each device. As such, a series of devices should be installed to keep speeds low throughout a corridor. The following sections describe effective strategies for calming traffic.

### *Speed Humps and Tables*

Speed humps are parabolic raised areas of pavement. They are typically between 12 and 22 feet in length with a relative rise of 3 inches and extending the width of the travel way. Speed humps are designed to reduce 85<sup>th</sup> percentile speeds between 25 to 35 miles per hour. Speed tables have a similar size and shape to speed humps; however, they have a flat top. The flat surface is usually textured and can be used as a crosswalk for pedestrians. Speed humps and tables are most effective when used in a series or with other traffic calming measures.

**Advantages:** These traffic calming devices are compatible with bike lanes if the speed humps and tables do not encroach into the bike lanes. Large vehicles can traverse speed humps and tables at low speeds.

**Disadvantages:** Speed humps and tables can be damaged by snowplows and graders, and may require additional costs. Supplemental signs and markers also require additional maintenance efforts. Emergency response times are affected by these devices and emergency personnel have been injured while traversing speed humps.

### *On Street Parking*

On street parking reduces street width and can be applied alongside other traffic calming measures. Parallel parking is the most effective form of on-street parking as it increases side friction to traffic flow.

**Advantages:** On street parking provides convenient access to local businesses. First responders prefer this traffic calming device to all other devices.

**Disadvantages:** This can reduce road visibility and intersection sight distance. Vehicles must be removed from the road during snow plowing operations.



Figure 23: Speed Hump on Beluga Pl

### *Bulb-Out*

A bulb-out is when the curb is extended horizontally into the street, making the roadway narrower. Alone, it is not effective at reducing vehicle speeds, but bulb-outs can be effective when used with other traffic calming measures.

**Advantages:** Bulb-outs provide a lot of improvements for pedestrians. They control parking encroachment into crosswalks, increase pedestrian sight distance, and reduce pedestrian crossing distances. These changes mean that pedestrians are more likely to cross when gaps between traffic are desirable. Mid-block bulb-outs can be used for beautification and landscaping.

**Disadvantages:** Bulb-outs can be damaged by snowplows and graders and may require a metal armor plate at likely strike points.

### *Chicanes*

Chicanes are a series of at least three mid-block curb extensions that create S-shaped curves on the roadway. They reduce speed by forcing drivers to move horizontally and slow down around curves. To be effective, they must be placed in such a way that deflects traffic rather than simply narrowing the roadway.

**Advantages:** Bike lanes are compatible with chicanes. Large vehicles and emergency response vehicles can negotiate chicanes. Chicanes can also be used for landscaping which may further reduce speed by eliminating long sight lines.

**Disadvantages:** Chicanes require additional maintenance efforts. They can also result in increased response times to emergency calls.



Figure 24: Curb Bulb-outs in Downtown Anchorage, Alaska

### *Traffic Circles*

Traffic circles are circular islands in the middle of an intersection. They slow down traffic by causing drivers to deflect right upon approach, make a short left “turn” around the circle, and then to do a sharp right turn to exit the intersection.

**Advantages:** Bike lanes are compatible with traffic circles. Landscaping on the traffic circles may reduce speed by eliminating long sight lines.

**Disadvantages:** Traffic circles require additional maintenance efforts and may be difficult to negotiate for larger vehicles. The slower speed necessary to navigate the circle may result in increased response time to emergency calls. Trucks and emergency vehicles may need truck aprons to accommodate vehicles with a larger turn radius.



Figure 25: Traffic Circle on Gillam Way in Fairbanks

### *Speed Feedback Signs*

These signs monitor the speeds of passing vehicles and display the speeds on a variable message board. When a vehicle traveling at a speed that exceeds the posted speed limit passes, the sign will flash or display a message such as “slow down”.

**Advantages:** Bike lanes and large vehicles are compatible with speed feedback signs. This traffic calming treatment may address the public perception of speeding better than any other treatment.

**Disadvantages:** There are ongoing maintenance and operation costs in providing electrical service to the sign.

### *Supplemental Traffic Calming Measures*

**Sidewalks and Crosswalks** – Increase pedestrian compliance which reduces conflicts between pedestrians and vehicles.

**Landscaping** – Increase vehicle and pedestrian visibility.

**Education and Enforcement** – These can be used as a precursor to physical measures to help roadway users know how to navigate upcoming traffic calming measures.



Figure 26: Speed Feedback Sign on Gillam Way in Fairbanks

# Goals and Objectives for the Transportation System



The City of Homer recognizes the critical role that transportation plays in shaping the community's livability, sustainability, and economic vitality. The goals and objectives for the Transportation Plan were developed with input from the city staff and members of the community. The goals describe the fundamental outcomes of the Transportation Plan, while the objectives are more specific and measurable outcomes that support the goals. The following goals and objectives represent the community's commitment to building a safe, sustainable, and accessible transportation system that meets the needs of all members of the community.

## GOAL 1: INCREASE SAFETY OF INTERACTIONS BETWEEN DIFFERENT MODES OF TRAVEL

Community members want travel within the city to be safer, including for people walking, biking, and driving, as well as for the movement of goods.

### *Objective 1A: Improve safety at conflict points between pedestrians and motor vehicles, especially at intersections*

Safety can be improved at conflict points (where pedestrian and motor vehicle paths cross) by making crossing locations more visible, encouraging motor vehicles to yield to pedestrians, and reducing the crossing distance.

### *Objective 1B: Provide for safe use of the right-of-way by all transportation modes, considering the land use context and type of vehicle*

Safety can be improved by policies that help to define the network for different users (such as defining truck routes or defining maximum speeds for e-bikes on pathways) and through infrastructure improvements to help separate users with different weight and speed characteristics (such as building bike lanes, pathways, and sidewalks).

### *Objective 1C: Improve user understanding of how to safely share the public right-of-way*

Public awareness campaigns are another method to improve safety. One example of education that has been shown to reduce crashes is safety education for children regarding safe pedestrian and bicycle behaviors.

## GOAL 2: PROVIDE A CONNECTED NETWORK OF LOCAL AND COLLECTOR ROADS AND TRAILS THAT BALANCES MODES BASED ON LAND USE CONTEXTS

Community members desire a connected network for all users. Connected walking and biking networks provide more opportunities for walking and biking. A connected collector road network helps to reduce the number of short trips on the arterial road network. This reduces the need for increasing the number of traffic lanes or installing more restrictive traffic control on arterial networks. A connected collector road network works hand-in-hand with the walking and biking networks to reduce the overall cost of the transportation network and address climate impacts. As new connections are built, the design for each user type should reflect the land use context. For example, frequent safe pedestrian crossings are needed in commercial areas.

### *Objective 2A: Identify a priority pedestrian network that connects key generators and develop a plan to build these connections*

Community members desire to walk more frequently. Building or improving pedestrian facilities that connect to locations where people want to walk (such as schools, the library, and shopping areas) will improve options for walking.

### *Objective 2B: Identify a priority low-stress bicycle network that connects key generators, develop a plan to build these connections, and encourage appropriate bicycle parking*

Community members desire to bicycle for transportation more frequently. Building or improving low-stress bicycle facilities that connect to locations where people want to travel and providing appropriate bicycle parking at those locations (such as schools, the library, and shopping areas) will improve options for biking.

**The Low-Stress Bicycle Network describes a connected system (or network) of shared roadways, bike lanes, sidewalks, paths, and trails that are suitable for bicyclists of all ages and abilities.**

### *Objective 2C: Identify key gaps in the collector road network and develop a plan to build these connections*

Prioritizing building or improving collector roads that allow drivers to access a signal on a major arterial or travel directly between adjacent neighborhoods will decrease delay and trip length without necessitating major improvements to the arterial network.

*Objective 2D: Identify and address opportunities for parking once and then walking, ride-sharing, or using transit*

Park-and-ride facilities allow visitors to get out of their car or RV and travel to attractions using transit. Consolidated parking that serves several businesses allows people to park once and then visit several businesses without driving between each one.

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## **GOAL 3: MAINTAIN TRANSPORTATION NETWORK TO BE USABLE YEAR-ROUND**

Community members desire roads and walking and biking facilities to be maintained so they are usable in the winter and in summer.

*Objective 3A: Reconstruct and proactively maintain pedestrian facilities to ensure year-round usability*

Sidewalks, paths, and trails are less usable when drainage, lighting, and wayfinding are inadequate. Addressing problems with the existing pedestrian system will help to make them usable year-round. Additionally, establishing standards for winter and summer maintenance for specific locations will help users know what to expect.

*Objective 3B: Reconstruct and proactively maintain bicycle facilities to ensure year-round usability*

Shared roadways, bike lanes, paths, and trails are less usable when drainage, lighting, and wayfinding are inadequate. Addressing problems with the existing bicycle network will help to make it usable year-round. Additionally, establishing standards for winter and summer maintenance will help users know what to expect.

*Objective 3C: Reconstruct and proactively maintain City of Homer roadways to ensure year-round usability*

Inadequate drainage can also impact the usability of roadways. Improving drainage during roadway reconstruction can help keep the pavement in good condition for a longer period of time. Establishing maintenance standards for city roads and ways for the public to alert the city when there are concerns at specific locations can help make roadways usable year-round.

*Objective 3D: Work with DOT&PF to improve winter maintenance on state-owned sidewalks, paths, or bike lanes*

The public has identified maintenance of the sidewalks, paths, or bike lanes along DOT&PF-owned roadways as a top priority

for improvement. Transferring maintenance responsibility is one possible solution. There may be some roads currently under state ownership that should be under city ownership. It is necessary for the COH and ADOTPF to cooperate in jointly planning for roads in the COH (and broader) area.

*Objective 3E: Manage resources to maximize and balance maintenance efforts*

Improving the efficiency of maintenance activities allows better maintenance without increasing resources. Designing new roadways, sidewalks, paths, or trails to accommodate the existing equipment or buying new equipment that makes it easier to clear debris and snow from existing infrastructure could help balance maintenance efforts and make them more efficient.

*Objective 3F: Update and enforce design standards for walking, biking, road, and public transportation networks*

Enforcing and updating standards for infrastructure that serves all modes during design reviews will ensure consistency and improve travel options.

*Objective 3G: Include appropriate improvements for each travel mode as part of reconstruction or new construction projects within the public right-of-way*

As roads are constructed or reconstructed, infrastructure should be considered for each mode. New or improved infrastructure should be consistent with the land use context (such as providing sidewalks in urban areas and wide shoulders or separated paths in rural areas), meet design standards, and help to complete the priority network for that mode.

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## **GOAL 4: PROVIDE EXPANDED TRANSPORTATION OPTIONS FOR RESIDENTS AND VISITORS**

Community members desire a transportation system that provides additional transportation options and reduces environmental impacts.

*Objective 4A: Support the development of a public transportation network*

Public transit provides additional travel options and reduces travel by a single occupant in a vehicle. The City could support the private development of transit by building transit stops or park-and-ride facilities.




# Recommendations



To achieve the goals and objectives of the Transportation Plan, the following policies and projects should be implemented. Many will be accomplished using working groups or task forces. These are not arranged in order of priority. Many will be accomplished using working groups or task forces.

## POLICIES

### Truck Network

<b>Goals and Objectives</b> 	<b>Objective 1B</b> <b>Provide for safe use of the right-of-way by all transportation modes, considering the land use context and type of vehicle</b>
<b>Policy Description</b>	<b>Establish Truck Routes for the City of Homer to reduce the number of through trucks traveling on Pioneer Avenue</b> , taking into consideration land use context, pavement structure, and heavy vehicle turning requirements.
<b>Benefits</b>	Could reduce truck-pedestrian interactions. Establishes understanding between different agencies and companies for where trucks should be traveling.
<b>Challenges</b>	Truck routes must be designed to accommodate truck movements. Designating truck routes for DOT&PF roads will need DOT&PF approval. Consult with trucking companies and the public to ensure concerns are addressed.


A freight network map for all of Alaska lists the highways that are essential for freight routes, including the entire section of the Sterling Highway all the way to the end of the Homer Spit. DOT&PF Title 17 AAC 25.014 describes the type of trucks that are allowed on these freight routes. The federal and state governments leave non-highway truck route decisions to local governments.




Figure 27: Dump truck turning from Lake Street onto East End Road



## E-Bike Legislation

<b>Goals and Objectives</b> 	<b>Objective 1B</b> <b>Provide for safe use of the right-of-way by all transportation modes, considering the land use context and type of vehicle</b>
<b>Policy Description</b>	<p><b>Consider legislation governing the use of electric bikes (e-bikes)</b> to reduce the possibility of unsafe interactions with other modes.</p> <p>E-bikes are popular for many reasons: they allow riders to go farther with less effort than traditional bikes, they are environmentally friendly, and they cost less to use than cars.<sup>1</sup></p> <p>However, e-bikes present a unique dilemma as they are a hybrid between a human powered bicycle and a motorcycle. Currently, e-bikes fall under the Alaska definition of “motor-driven cycle”, which requires an operating license and has a minimum age requirement of 14. The classification also prohibits e-bikes from sidewalks or bike paths.</p> <p>Local governments, however, can enact their own legislation regulating e-bikes.</p> <p>A task force would be a good way to implement this effort; input from the cycling community should be solicited. The Municipality of Anchorage has a policy that could be used as a starting point.</p>
<b>Benefits</b>	<p>Increases safety of e-bike usage.</p> <p>Supports transportation mode options.</p> <p>Reduces conflicts between e-bikes users and other users.</p> <p>Encourages increased e-bike usage.</p>
<b>Challenges</b>	<p>Balancing regulations and allowances for E-bikes to satisfy the residents of Homer.</p>


## Bicycle Parking

<b>Goals and Objectives</b> 	<b>Objective 2B</b> <b>Identify a priority low-stress bicycle network that connects key generators, develop a plan to build these connections, and encourage appropriate bicycle parking</b>
<b>Policy Description</b>	<p><b>Adopt a bicycle parking ordinance for new and existing buildings</b> that specifies the amount and location of secure, convenient bicycle parking available. Bicycle trips require safe and secure bicycle parking at either end of the trip. Adopting a bicycle parking ordinance for new and existing buildings would make the City of Homer a more bicycle friendly community. A task force would be a good way to implement this effort.</p>
<b>Benefits</b>	<p>Reduces the likelihood of bike theft.</p> <p>Protects vegetation (which would otherwise be used for bike parking if other options weren't made available).</p> <p>Encourages community members to bike more often.</p>
<b>Challenges</b>	<p>Determining where to place bicycle parking and where different types (short- versus long-term) of bicycle parking should be.</p>

As an example, Sitka, which received a Silver Bicycle Friendly Community Award from the League of American Bicyclists, used these APBP guidelines to improve their bike parking by recommending a minimum number of bicycle parking spaces for each land use category. A local biking advocacy group in Sitka also conducted a survey of community members to identify where bicycle parking was needed. New bike racks were installed in places identified by the community as part of Sitka's Walk, Bike, Win! downtown commuter challenge. These changes resulted in Sitka becoming a more bike friendly community.

1 (ABC10), A. M. S. A. (2022, August 27). *E-bikes are gaining popularity in the US. here's why.* abc10.com. Retrieved March 31, 2023

## Transfer of Responsibility Agreements for State Roads

<b>Goals and Objectives</b> 	<b>Objective 3D</b> <b>Work with DOT&amp;PF to improve winter maintenance on state-owned sidewalks, paths, or bike lanes</b>
<b>Policy Description</b>	<p><b>Pursue additional Transfer of Responsibility Agreements (TORAs) to allow the city to maintain roads and pathways that are currently maintained by DOT&amp;PF.</b> If the City has the resources (staffing and equipment) to take on the added responsibility, the City should then enter into discussions with the DOT&amp;PF regarding transferring maintenance responsibility. The pathways along the Sterling Highway, East End Road, Lake Street, and Main Street could benefit from a TORA with the State of Alaska.</p>
<b>Benefits</b>	<p>Maintain roads and pathways to a higher standard than current maintenance efforts.</p>
<b>Challenges</b>	<p>City of Homer needs sufficient staffing and equipment to take on added maintenance responsibility.          Payments from DOT&amp;PF to City of Homer under a TORA agreement are not guaranteed to cover all of the City's costs.          Coming to a mutually beneficial agreement between DOT&amp;PF and the City of Homer.</p>

DOT&PF and the City of Homer currently have two TORAs: one for the Homer Spit and one for Pioneer Avenue. These two TORAs allow the City of Homer to maintain these state roads to the standards desired by community members.

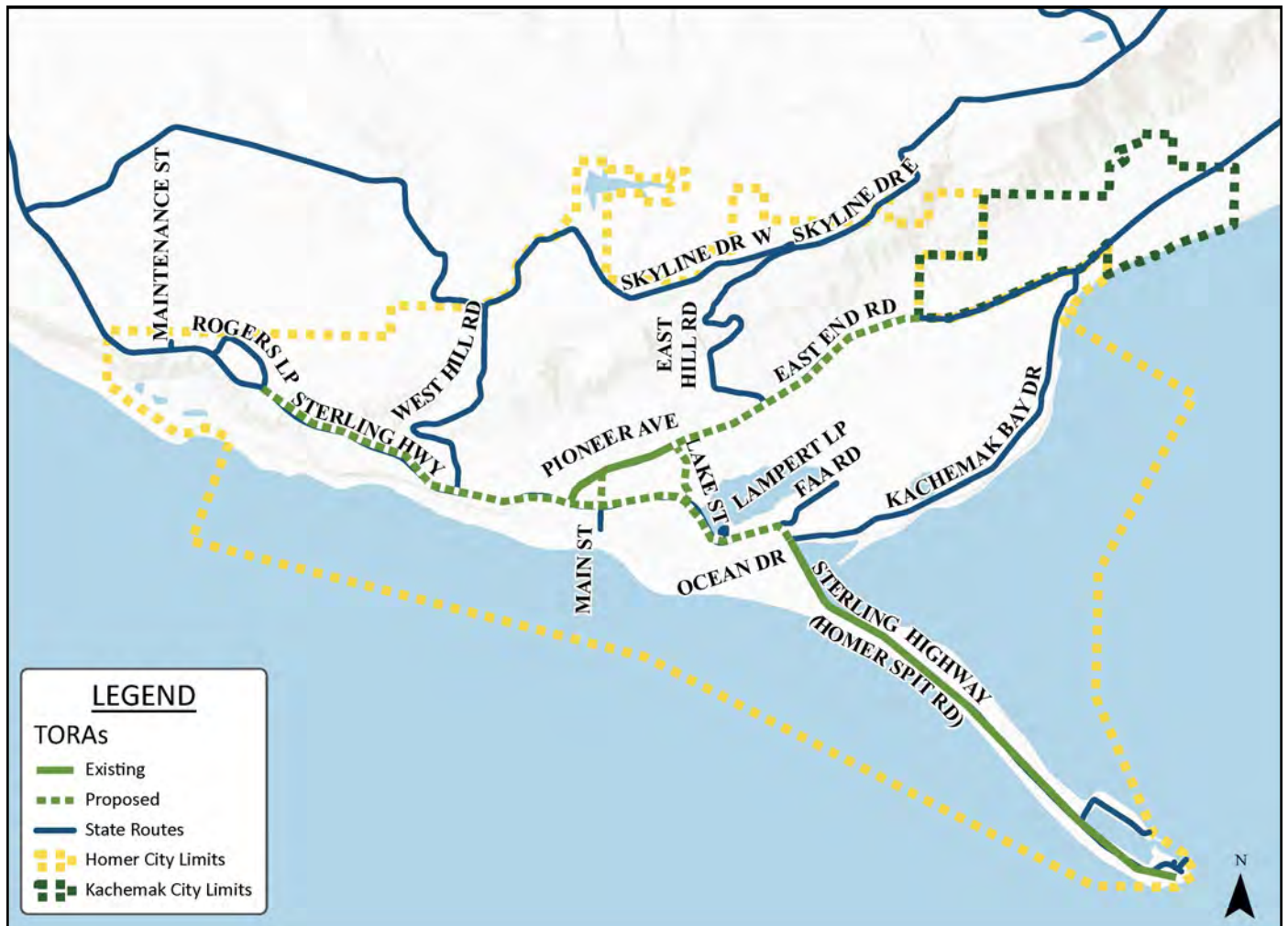



Figure 28: Existing and Proposed Transfer of Responsibility Agreements


## Ownership of State Roads

<b>Goals and Objectives</b> 	<b>Objective 3D</b> <b>Work with DOT&amp;PF to improve winter maintenance on state-owned sidewalks, paths, or bike lanes</b>
<b>Policy Description</b>	<b>Develop an agreement with the state to transfer ownership of some state roads to the city.</b> Under these agreements, the state pays to have the road constructed to Homer’s standards, and then the City takes over ownership and maintenance responsibility. Main Street is a good example of a road that functions more like a local road. As such, it may be in the best interests of the City of Homer to take over ownership of Main Street. Pioneer Avenue is another example of a street the City may want to take over.
<b>Benefits</b>	The City can maintain the road to the community’s standards. The City can control design decisions, such as the presence of a sidewalk or pathway.
<b>Challenges</b>	Coming to an agreement that is equally beneficial for the state and city.

## Maintenance Standards


<b>Goals and Objectives</b> 	<b>Objective 3E</b> <b>Manage resources to maximize and balance maintenance efforts</b>
<b>Policy Description</b>	<b>Set maintenance standards for the City of Homer</b> to meet public expectation, such as how frequently or under what circumstances roads, sidewalks, paths, and trails will be plowed in winter and swept in summer.
<b>Benefits</b>	Helps define the level of effort needed so the City can plan for maintenance equipment and budget to meet that need. Standards can also be communicated to the public.
<b>Challenges</b>	Determining priorities for sidewalks, paths, and trails within the existing road priorities. Deciding a reasonable maintenance time frame that satisfies the public and is achievable by the maintenance crew.

## Update Non-Motorized Facility Design Standards


<b>Goals and Objectives</b> 	<b>Objective 2A</b> <b>Identify a priority pedestrian network that connects key generators and develop a plan to build these connections</b> <b>Objective 2B</b> <b>Identify a priority low-stress bicycle network that connects key generators, develop a plan to build these connections and encourage appropriate bicycle parking</b> <b>Objective 3F</b> <b>Update and enforce design standards for walking, biking, road, and public transportation networks</b>
<b>Policy Description</b>	<b>Update design standards for walking and biking infrastructure to ensure they are connected and are maintainable.</b> New development should include connections to sidewalks and paths. Standards for the way sidewalks and paths are built in the future can ensure that the available equipment can be effective in maintaining future paths. A task force could help to implement this policy.
<b>Benefits</b>	Reviewing development plans for connectivity to sidewalks and paths will remove obstacles to walking and biking. Designing new roads, sidewalks, paths, and trails to meet the operational characteristics of the City’s maintenance equipment will increase the effectiveness of maintenance efforts.
<b>Challenges</b>	Keeping standards up to date to include new equipment. Adapting to locations where design standards cannot be met.




## Complete Streets/All Ages and Abilities Policy

<b>Goals and Objectives</b> 	<b>Objective 3G</b> <b>Include appropriate improvements for each travel mode as part of reconstruction or new construction projects within the public right-of-way</b>
<b>Policy Description</b>	<b>Develop a Complete Streets policy for Homer.</b> “Complete streets” is an approach to planning, designing, building, and maintaining streets that supports safe travel and access for all ages and abilities of all modes, including pedestrians, bicyclists, motorists, and transit riders. A complete streets policy ensures that all users are considered at all phases of all projects.
<b>Benefits</b>	Can be applied to all streets for assessment. Will determine if a street is missing important safety elements.
<b>Challenges</b>	Determining appropriate treatments for variety of contexts. Attaining funding.

## Transit Options


<b>Goals and Objectives</b> 	<b>Objective 4A</b> <b>Support the development of a public transportation network</b>
<b>Policy Description</b>	<b>Seek out partners to provide public transportation service in the Homer area.</b> Of particular interest are year-round transit options that serve area residents and seasonal options that encourage visitors and employees to park their vehicles and travel to the Homer Spit and other highly visited areas by bus and on foot.  There are numerous examples of small community systems throughout the state, including Glacier Valley Transit, Soaring Eagle Transit, Sunshine Transit, Valley Transit, CARTS, and BUMPS.
<b>Benefits</b>	Helps people without access to vehicles get to jobs, shops, and services, and also increases travel options for everyone.  Reduces environmental impacts by reducing vehicle miles traveled.
<b>Challenges</b>	Federal funding is available for systems providing year-round service.  Attaining funding.  Seasonal variation in demand.  Requires public and non-profit partnership.

## Traffic Calming


<b>Goals and Objectives</b> 	<b>Objective 1B</b> <b>Provide for safe use of the right-of-way by all transportation modes, considering the land use context and type of vehicle</b>
<b>Policy Description</b>	<b>Develop a Traffic Calming Manual that describes treatments that are effective and acceptable to the City of Homer.</b> Traffic calming treatments discourage cut-through traffic and encourage vehicles to travel at speeds that are appropriate for the land use context. The Traffic Calming Manual should describe the data needs for the analysis and how it should be collected; address the types of treatments available, lighting and signage needs, and when and where a treatment is appropriate; and describe how to select treatments for a specific location.
<b>Benefits</b>	Walking and biking along a road, as well as recreating near a road, is safer and more comfortable when adjacent vehicles are traveling at slower speeds.
<b>Challenges</b>	Attaining funding.  Educating the public.  Potential for additional maintenance burden.

## PROJECTS

### Bicycle Safety Campaign


<b>Goals and Objectives</b>	 <b>Objective 1C</b> <b>Improve user understanding of how to safely share the public right-of-way</b>
<b>Project Description</b>	<b>Support efforts of a private partner to develop an effective education campaign that targets teaching bike safety to children.</b> Safety education campaigns have been shown to be effective where new information is presented and where the target audience has not already formed habits. Thus, children are the best targets for bicycle safety campaigns. <sup>2</sup>
<b>Benefits</b>	Reduces crashes and conflicts due to interactions between bicycles and vehicles.
<b>Challenges</b>	Finding appropriate private partner. Homer Bicycle Club has a “Homer Shares the Road” campaign that could be built upon.
<b>Related Projects</b>	N/A

### Parking Study


<b>Goals and Objectives</b>	 <b>Objective 2D</b> <b>Identify and address opportunities for parking once and then walking, ride-sharing, or using transit</b>
<b>Project Description</b>	<b>Conduct a parking study to determine the location and benefits of centralized parking lots.</b> Many members of the community voiced frustrations with parking options, especially along the Spit and in the Central Business District (CBD). Parking along the Spit is particularly difficult in the summer when the port is in constant use by residents, businesses, and tourists. When there are visitors to the CBD, they must drive between stops, which increases congestion and discourages them from visiting multiple businesses. The lack of centralized parking options negatively affects local business owners in these areas by limiting the amount of foot traffic to their businesses. Building parking facilities in association with transit will allow visitors to get out of their car or RV and travel to attractions using walking or transit.
<b>Benefits</b>	Reduces the amount of vehicle traffic in congested areas. Encourages visitors to the CBD and Spit to visit more than one business and increase economic growth by connecting attractions and businesses. Potentially provides extra space for beautification and more local businesses by adding centralized parking locations.
<b>Challenges</b>	Cooperation of private entities. Determining the location of bus stops and parking lots that work well for transit users and the transit operator. Costs to acquire land for shared off-street parking.
<b>Related Projects</b>	Policy 9 Transit Options

<sup>2</sup> *Improving the effectiveness of road safety campaigns: Current and new practices.* IATSS Research, Vol 34 No. 2. (March 2011).

## Improve Drop-Off and Pick-Up Locations at Schools


<b>Goals and Objectives</b> 	<p><b>Objective 1A</b>  <b>Improve safety at conflict points between pedestrians and motor vehicles, especially at intersections</b></p> <p><b>Objective 2A</b>  <b>Identify a priority pedestrian network that connects key generators and develop a plan to build these connections</b></p> <p><b>Objective 2B</b>  <b>Identify a priority low-stress bicycle network that connects key generators, develop a plan to build these connections and encourage appropriate bicycle parking</b></p>
<b>Project Description</b>	<p><b>Study schools with circulation concerns and develop plans to improve them.</b> Traffic congestion during school pick-up and drop-off times is a safety concern for several schools in Homer. Improving bus circulation, parent pick-up and drop-off areas, bicycle parking, sidewalk connections, and signage could reduce these problems.</p>
<b>Benefits</b>	<p>Reduces congestion on roads near schools.</p> <p>Protects children and increases drivers' awareness of them during pick-up and drop-off.</p> <p>Encourages student to walk or bike to school by improving pedestrian facilities.</p> <p>Encourages practice of healthy habits and decreases use of motor vehicles, thereby improving air quality.</p>
<b>Challenges</b>	<p>Right-of-way and utilities may limit feasible alternatives.</p> <p>Coordination with Kenai Peninsula Borough, Kenai Peninsula School District, and DOT&amp;PF.</p>
<b>Related Projects</b>	Project 4 Neighborhood Connectivity to Schools

## Neighborhood Connectivity to Schools


<b>Goals and Objectives</b> 	<p><b>Objective 2A</b>  <b>Identify a priority pedestrian network that connects key generators and develop a plan to build these connections</b></p> <p><b>Objective 2B</b>  <b>Identify a priority low-stress bicycle network that connects key generators, develop a plan to build these connections and encourage appropriate bicycle parking</b></p> <p><b>Objective 2B</b>  <b>Identify a priority low-stress bicycle network that connects key generators, develop a plan to build these connections and encourage appropriate bicycle parking</b></p> <p><b>Objective 3A</b>  <b>Reconstruct and proactively maintain pedestrian facilities to ensure year-round usability</b></p> <p><b>Objective 3B</b>  <b>Reconstruct and proactively maintain bicycle facilities to ensure year-round usability</b></p>
<b>Project Description</b>	<p><b>Encourage Kenai Peninsula Borough to build improved trails between schools and surrounding neighborhoods.</b> Several survey comments requested established trails from neighborhoods to the nearby schools. West Homer Elementary, Middle, and High schools all have natural surroundings to the north. It seems that students have been traversing these areas despite the lack of a maintained and designated trail. To ensure the safety of children walking to school, and to create more connectivity to the schools, a set of trails between the schools and the surrounding neighborhoods should be identified, constructed, and maintained.</p>
<b>Benefits</b>	<p>Provides a safe passage for children walking to school, encouraging active transportation, and providing additional travel options.</p>
<b>Challenges</b>	<p>Coordination with Kenai Peninsula Borough.</p>
<b>Related Projects</b>	<p>Project 3 Improve Drop-Off and Pick-Up Locations at Schools</p> <p>Project 9 Identify Additional Priorities for Walking &amp; Biking Infrastructure</p>



## Pioneer Avenue as an Extension of the HAP Loop


<p><b>Goals and Objectives</b></p> 	<p><b>Objective 1A</b>  <b>Improve safety at conflict points between pedestrians and motor vehicles, especially at intersections</b></p> <p><b>Objective 2A</b>  <b>Identify a priority pedestrian network that connects key generators and develop a plan to build these connections</b></p> <p><b>Objective 2B</b>  <b>Identify a priority low-stress bicycle network that connects key generators, develop a plan to build these connections and encourage appropriate bicycle parking</b></p> <p><b>Objective 3G</b>  <b>Include appropriate improvements for each travel mode as part of reconstruction or new construction projects within the public right-of-way</b></p>
<p><b>Project Description</b></p>	<p><b>Evaluate pedestrian crossing improvements for Pioneer Avenue intersections.</b> Community members identified the main intersections along Pioneer Avenue as being high stress locations for pedestrian crossings. An engineering study is needed to determine whether existing crossing treatments should be improved and what treatment(s) should be applied. Examples of treatments to be considered include high-visibility pavement markings, curb extensions, and rectangular rapid flashing beacons. There is already a plan in place to improve the intersections along Pioneer Avenue at Main Street and at Svedlund Street as part of the HAP Loop project.</p>
<p><b>Benefits</b></p>	<p>Eliminates barriers to walking and improves safety.</p>
<p><b>Challenges</b></p>	<p>Attaining funding.          Right-of-way and utilities may be a concern.</p>
<p><b>Related Projects</b></p>	<p>HAP Loop Project (ongoing)          Project 6 Old Town Connections as an Extension of HAP Loop</p>

## Old Town Connections as an Extension of HAP Loop


<p><b>Goals and Objectives</b></p> 	<p><b>Objective 2A</b>  <b>Identify a priority pedestrian network that connects key generators and develop a plan to build these connections</b></p> <p><b>Objective 2B</b>  <b>Identify a priority low-stress bicycle network that connects key generators, develop a plan to build these connections and encourage appropriate bicycle parking</b></p>
<p><b>Project Description</b></p>	<p><b>Evaluate connecting HAP Loop through Old Town.</b> Old Town is home to many hotels, restaurants, and local businesses. The HAP Loop provides access to the eastern part of Old Town but fails to connect the neighborhoods to the west. This project would evaluate the addition of pedestrian facilities in west Old Town with connections to the HAP Loop. It would also evaluate the need for improvements to the pedestrian crossing at the intersections of Sterling Highway and Pioneer Avenue.</p>
<p><b>Benefits</b></p>	<p>Increases non-motorized accessibility, provide travelers with more options.          Improves the areas near many hotels, which will provide seasonal visitors with more travel options.          Could reduce the amount of motorized traffic traveling on and across the Sterling Highway at Pioneer Avenue, an intersection that was identified as being difficult in the summer.</p>
<p><b>Challenges</b></p>	<p>Attaining funding.          Right-of-way and utilities may be a concern.          Coordination with DOT&amp;PF is required for Main Street.</p>
<p><b>Related Projects</b></p>	<p>HAP Loop Project (ongoing)          Project 5 Pioneer Avenue as an Extension of the HAP Loop</p>



## Kachemak Drive Reconnaissance Engineering Study


<b>Goals and Objectives</b> 	<p><b>Objective 1A</b>  <b>Improve safety at conflict points between pedestrians and motor vehicles, especially at intersections</b></p> <p><b>Objective 1B</b>  <b>Provide for safe use of the right-of-way by all transportation modes, considering the land use context and type of vehicle</b></p>
<b>Project Description</b>	<p><b>Conduct a reconnaissance engineering study to identify concerns, needs, and obstacles for improving Kachemak Drive for non-motorized travel and to develop potential solutions.</b> The safety of non-motorized transportation and interactions between motorized vehicles along Kachemak Drive was a repeated concern of survey participants. A two-lane road with a 35-mph speed limit and limited shoulders, this route is popular for walking, biking, and driving, but the interactions between users is uncomfortable and there is limited right-of-way for improvements.</p>
<b>Benefits</b>	<p>Improves safety.</p>
<b>Challenges</b>	<p>Attaining funding.          Limited right of way.          Coordination with DOT&amp;PF.</p>
<b>Related Projects</b>	<p>Project 9 Identify Additional Priorities for Non-Motorized Infrastructure</p>

## Regularly Update Existing Trails Maps


<b>Goals and Objectives</b> 	<p><b>Objective 2A</b>  <b>Identify a priority pedestrian network that connects key generators and develop a plan to build these connections</b></p> <p><b>Objective 2B</b>  <b>Identify a priority low-stress bicycle network that connects key generators, develop a plan to build these connections and encourage appropriate bicycle parking</b></p> <p><b>Objective 3A</b>  <b>Reconstruct and proactively maintain pedestrian facilities to ensure year-round usability</b></p> <p><b>Objective 3B</b>  <b>Reconstruct and proactively maintain bicycle facilities to ensure year-round usability</b></p>
<b>Project Description</b>	<p><b>Regularly update existing trails maps in GIS for online use and for creating print maps.</b> Trails such as the Beluga Trail and Reber Trail extend the non-motorized network. Trails are only effective when potential users are aware of them. Updating maps to include information about the difficulty level and type of maintenance, will help individuals to understand which routes are best for them.</p>
<b>Benefits</b>	<p>Informs the public of the trail routes available to them.          Helps to identify gaps within the non-motorized network and inform the public as they are filled.</p>
<b>Challenges</b>	<p>Staffing.          Coordination with trail user groups, such as Homer Trails Alliance and Kachemak Nordic Ski Club.</p>
<b>Related Projects</b>	<p>Project 9 Identify Additional Priorities for Non-Motorized Infrastructure</p>



## Identify Additional Priorities for Walking & Biking Infrastructure

<b>Goals and Objectives</b> 	<b>Objective 3A</b> <b>Reconstruct and proactively maintain non-motorized facilities to ensure year-round usability</b>
<b>Project Description</b>	<p><b>Identify priority areas for non-motorized travel and develop a plan for constructing sidewalks, paths, and trails in those areas.</b> Wayfinding and streetscape improvements should be included. Survey respondents identified numerous sidewalks, paths, and trails that they would like to see constructed. These include:</p> <ul style="list-style-type: none"> <li>Connections between neighborhoods along Skyline Drive and those near the hospital and the high school</li> <li>Sidewalk or bike lanes along East Hill and West Hill Roads</li> <li>Pathways further out on the Sterling Highway and on East End Road</li> <li>Path along routes parallel to Ocean Drive</li> <li>Paths around the airport and connecting to areas along East End Road</li> <li>Traffic calming along Skyline Drive</li> <li>Access to beaches</li> <li>Connections from outlying areas into Homer (ex: Diamond Creek Trails)</li> </ul>
<b>Benefits</b>	<ul style="list-style-type: none"> <li>Satisfies the public desire for trails, sidewalks, and bike lanes.</li> <li>Improves pedestrian safety.</li> <li>Adds to the transportation network.</li> </ul>
<b>Challenges</b>	<ul style="list-style-type: none"> <li>Attaining funding.</li> <li>Coordination with DOT&amp;PF.</li> <li>Increased maintenance burden.</li> </ul>
<b>Related Projects</b>	<ul style="list-style-type: none"> <li>Project 8 Regularly Update Existing Trails Maps</li> </ul>

## Complete East-West Connections

<b>Goals and Objectives</b> 	<b>Objective 2C</b> <b>Identify key gaps in the collector road network and develop a plan to build these connections</b>
<b>Project Description</b>	<p><b>Build additional east-west connections.</b> This will add to the collector network and provide alternative routes to the heavily traveled arterial roadways. The road construction should include walking and biking infrastructure and traffic calming.</p>
<b>Benefits</b>	<ul style="list-style-type: none"> <li>Improves the collector network and reduces the stress on arterials like Pioneer Avenue.</li> </ul>
<b>Challenges</b>	<ul style="list-style-type: none"> <li>Attaining funding</li> <li>Right-of-way and utilities may be a concern</li> <li>Local public opposition due to change in neighborhood traffic volumes and speeds</li> </ul>
<b>Related Projects</b>	<ul style="list-style-type: none"> <li>Project 3 Improve Drop-Off and Pick-Up Locations at Schools</li> </ul>



# Abbreviations



<b>AADT</b>	Annual Average Daily Traffic
<b>AASHTO</b>	American Association of State Highway Transportation Officials
<b>ADA</b>	Americans with Disabilities Act
<b>APBP</b>	Association of Pedestrian and Bicycle Professionals
<b>BUMPS</b>	Basic Unified Multi-Path Service
<b>CBD</b>	Central Business District
<b>DOT&amp;PF</b>	Alaska Department of Transportation and Public Facilities
<b>EPA</b>	United States Environmental Protection Agency
<b>FAA</b>	Federal Aviation Administration
<b>FHWA</b>	Federal Highway Administration
<b>HAP</b>	Homer All Ages and Abilities Pedestrian Pathway
<b>IATSS</b>	International Association of Traffic and Safety Sciences
<b>ILC</b>	Independent Living Center
<b>KE</b>	Kinney Engineering
<b>LOS</b>	Level of Service
<b>M&amp;O</b>	Maintenance and Operations
<b>NHS</b>	National Highway System
<b>TORA</b>	Transfer of Responsibility Agreement
<b>USDOT</b>	United States Department of Transportation

# Definition of Terms



**Arterial Road:** Functional classification describing roads that are generally designed to carry higher volumes of vehicles at higher speeds over longer distances. Often, separated paths or wide shoulders are provided for walking and biking.

**Americans with Disabilities Act (ADA):** A civil rights law that prohibits discrimination against people with disabilities.

**All Ages and Abilities:** Refers to a design effort to make a transportation system that everyone can access safely.

**Average Annual Daily Traffic (AADT):** A measurement of the number of vehicles traveling on a segment of highway each day, averaged over the year.

**Collector Road:** Functional classification describing roads that distribute trips between local and arterial roads.

**Complete Streets:** An approach to planning, designing, building, and maintaining streets that supports safe travel and access for all users.

**Land Use Context:** Principle of transportation planning that allows the surrounding land uses to be considered in choosing transportation network elements for each mode of travel, such as walking, biking, parking, freight delivery, etc.

**Level of Service (LOS):** Performance measure concept used to quantify the operational performance of a transportation facility (sidewalk, bikeway, roadway, etc.) and present the information to users and operating agencies. The actual performance measure used varies by the type of facility; however, all use a scale of A (best conditions for individual users) to F (worst conditions).

**Local Road:** Functional classification describing roads that carry lower volumes of traffic at slower speeds, are focused on providing access to homes and businesses, and carry travelers for only a short distance. Often, pedestrians and bicyclists share the road with vehicles, although sometimes a sidewalk or wide shoulder may be provided.

**Low-Stress Bicycle Network:** Connected system of bicycle facilities (such as shared roadways, bike lanes, sidewalks, paths, and trails) suitable for bicyclists of all ages and abilities.

**Mobility:** The ability to move freely throughout a transportation network.

**Monthly Average Daily Traffic (MADT):** A measurement of the number of vehicles traveling on a segment of highway each day, averaged over a month.

**Path of Travel:** A continuous and unobstructed pedestrian route.

**Peak Hour Factor (PHF):** Measure of traffic variability over an hour period calculated by dividing the hourly flowrate by the peak 15-minute flowrate. PHF values can vary from 0.25 (all traffic for the hour arrives in the same 15-minute period) to 1.00 (traffic is spread evenly throughout the hour).

**Public Parking:** Locations available for all members of the public to park a vehicle. Public parking may be free, or users may be required to pay a fee to park.

**Speed Reduction:** Lowering the speed limit on roadways as a traffic calming measure.

**Traffic Calming:** Treatments that discourage cut-through traffic and encourage vehicles to travel at speeds that are appropriate for the land use context.

**Transit:** Transportation mode using buses or shuttles that charges set fares and is available to the public.

**Vehicle Capacity:** The maximum number of vehicles per hour that a roadway can sustain based on roadway geometry, environmental conditions, traffic volumes, and traffic control.

**Volume to Capacity Ratio (v/c):** Compares the capacity of a roadway to how many vehicles per hour are actually using a roadway. Values of 0.85 or less are optimal.

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# Appendix A: Summary of Public Involvement



## City of Homer Transportation Plan Survey Results

In the fall of 2022, 289 people responded to the survey.

**83% use a car daily**



**27% walk daily**



**29% walk weekly**



### Concerns raised when using different modes of travel



- » Traffic
- » Left-turn congestion
- » Summer traffic
- » Pavement conditions
- » Parking



- » Road accessibility
- » Pavement conditions
- » Parking
- » Pedestrians



- » Sidewalks
- » Crosswalks
- » Drivers
- » Winter conditions
- » Safety
- » Trails



- » Drivers
- » Bike Lanes
- » Bike Paths
- » Safety
- » Trails

What should the Transportation Plan prioritize?

**SAFETY**

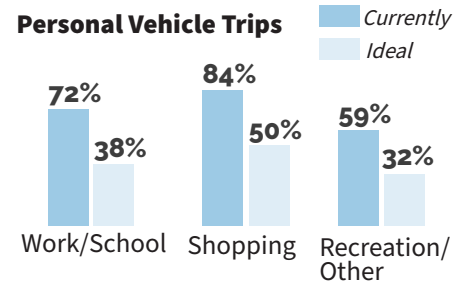
**MAINTENANCE**

**CONNECTIVITY**

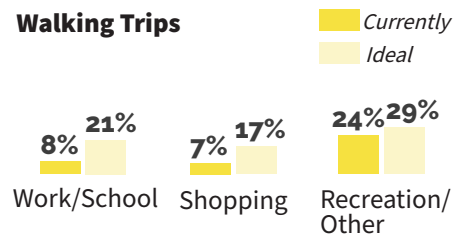
### Travel Habits – Current & Ideal

What percentage of the time do you use your personal vehicle for the following trips? What about walking or biking? Under ideal conditions, would you use your personal vehicle more or less? What percentage of your trips would be by personal vehicle, walking or biking?

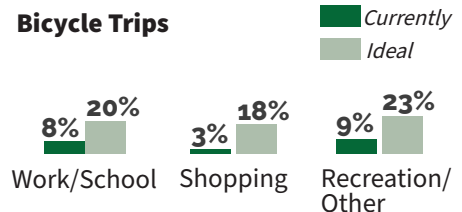
#### Personal Vehicle Trips



#### Walking Trips



#### Bicycle Trips

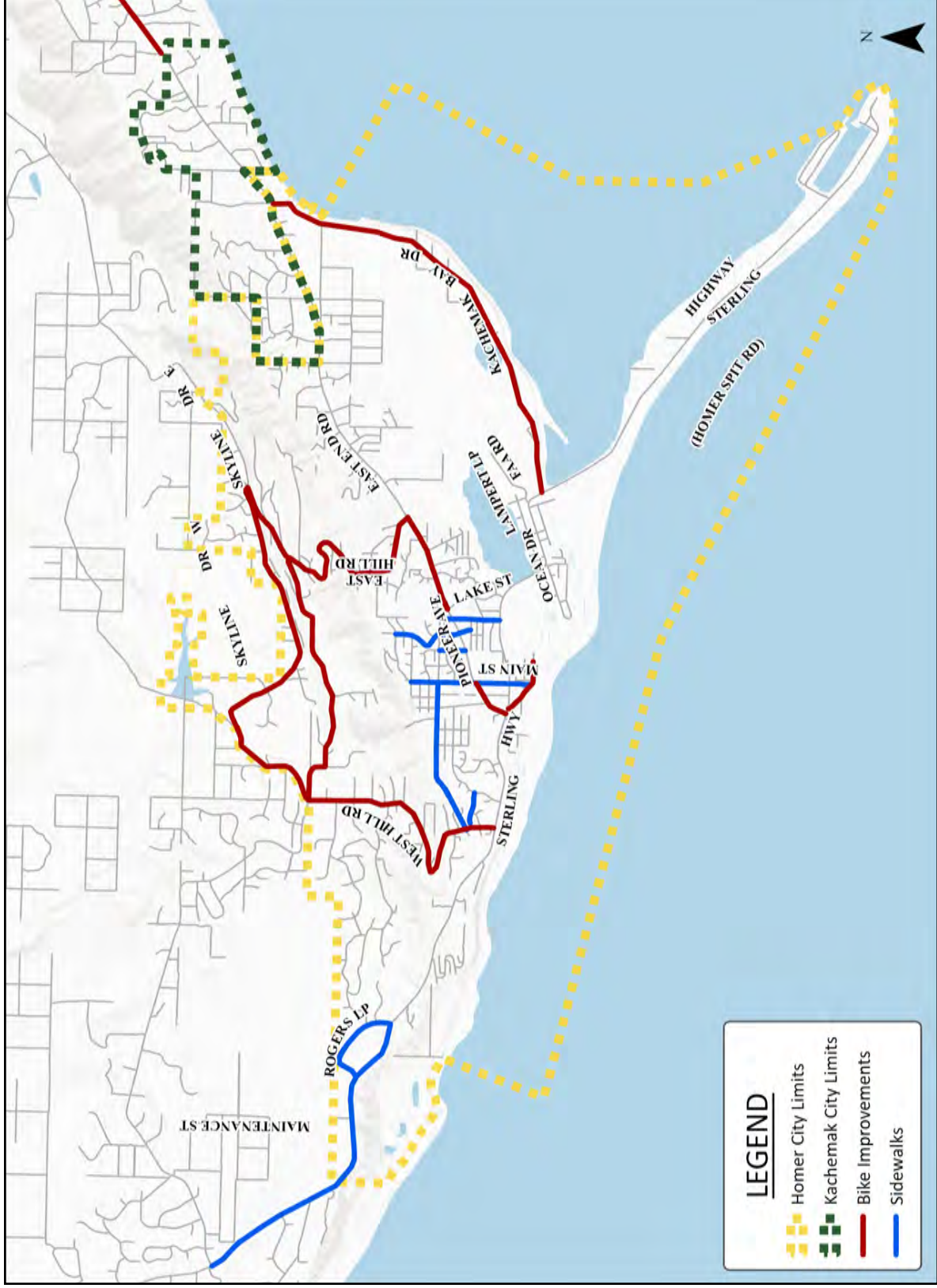


### What would you like to see more of in Homer's transportation system?

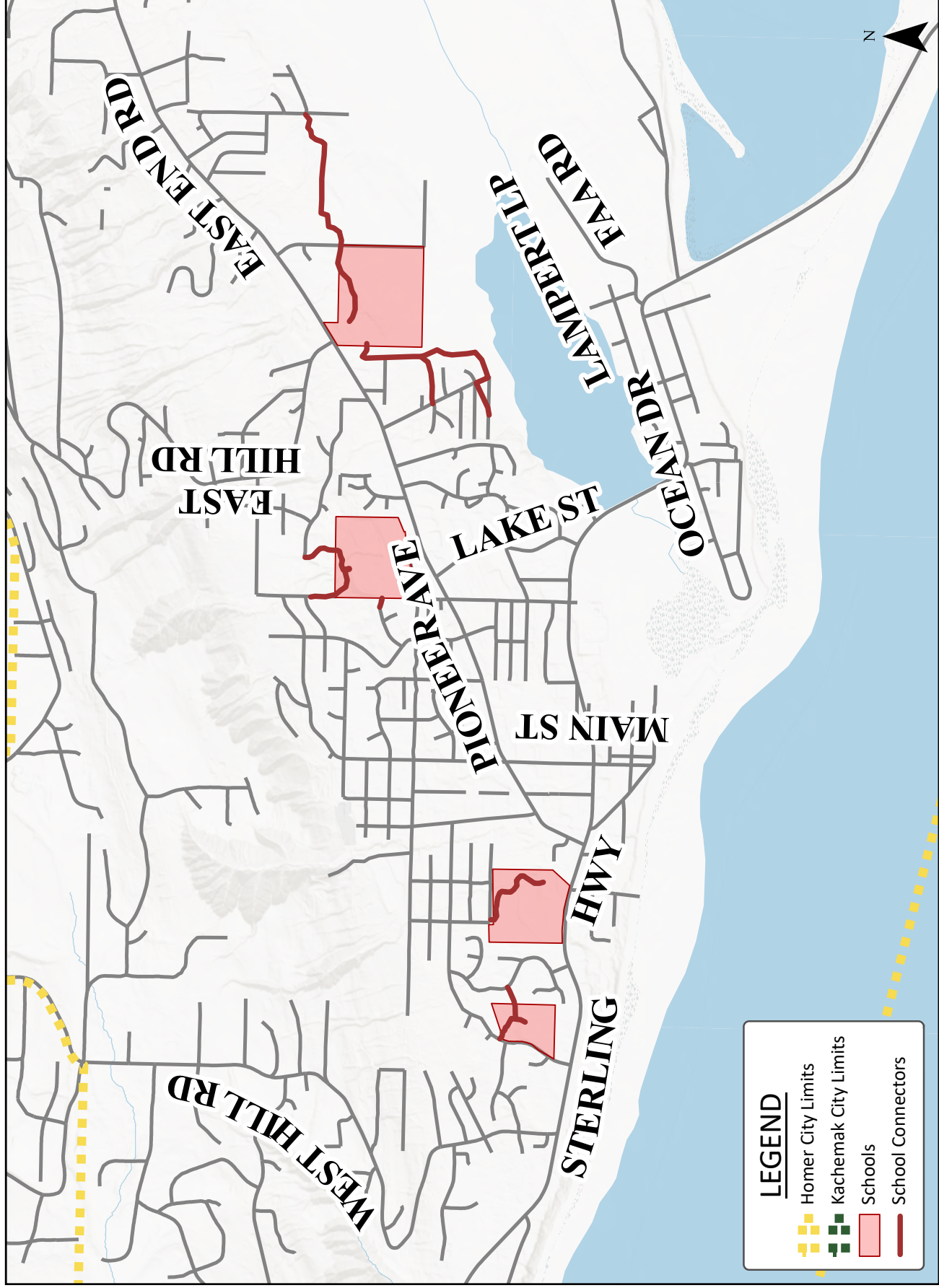


## Appendix B: Desired Walking or Biking Improvements from Public Comment

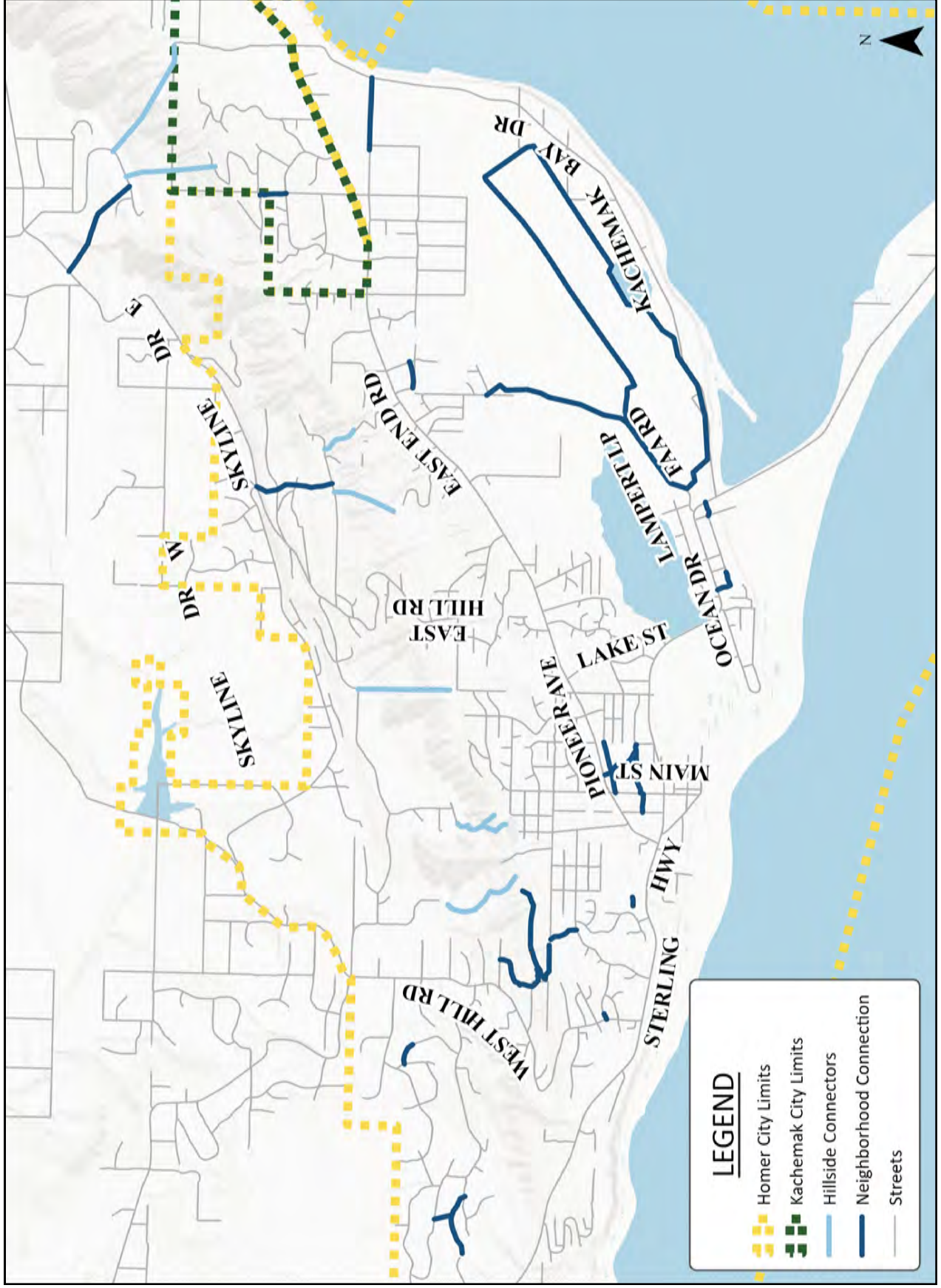
Respondents made comments in an online map. Requests for sidewalk improvements were focused in the central Homer area. Requests for bike facilities focused on longer distance connections.



Respondents made comments in an online map. Many requests focused on connecting schools to neighborhoods through path or trail improvements.



Respondents made comments in an online map. Many requests focused on connecting neighborhoods, including connecting upper hillside with lower hillside, through path or trail improvements.



Respondents made comments in an online map. Several comments focused on creating connections between local streets and the beach.

- \* from Waddell Street, Hidden Way, and Crittenden Drive
- \* extension of Main Street or Charles Way
- \* from Ocean Drive Loop
- \* from Kachemak Drive near Lampert Lake
- \* from the north end of Kachemak Drive where it turns away from the beach to connect to East End Road

1 **CITY OF HOMER**  
2 **HOMER, ALASKA**

3 City Manager

4 **ORDINANCE 24-31(S)**  
5

6 AN ORDINANCE OF THE HOMER CITY COUNCIL ADOPTING THE  
7 2024 HOMER TRANSPORTATION PLAN, AMENDING THE HOMER  
8 COMPREHENSIVE PLAN TO INCLUDE THE TRANSPORTATION  
9 PLAN AND RECOMMENDING ADOPTION BY THE KENAI PENINSULA  
10 BOROUGH.

11  
12 WHEREAS, The Kenai Peninsula Borough as a Second Class Borough shall provide for  
13 planning on an area wide basis in accordance with AS 29.40; and  
14

15 WHEREAS, As provided in Kenai Peninsula Borough Code 21.01.025, cities in the  
16 Borough requesting extensive comprehensive plan amendments may recommend to the Kenai  
17 Peninsula Borough Planning Commission a change to the city comprehensive plan; and  
18

19 WHEREAS, The City of Homer has prepared an extensive comprehensive plan update in  
20 the form of the 2024 Homer Transportation Plan; and  
21

22 WHEREAS, The 2024 Homer Transportation plan will guide the development motorized  
23 and non-motorized transportation for the City of Homer; and  
24

25 WHEREAS, City of Homer Commissions participated in the plan creation and provided  
26 comments; and  
27

28 WHEREAS, There was extensive public participation, including a yearlong focus of the  
29 grass roots group Homer Drawdown and a survey that included over five hundred responses;  
30 and  
31

32 WHEREAS The Homer Planning Commission conducted a public hearing on May 1, 2024  
33 and recommended approval by the Kenai Peninsula Borough; and  
34

35 WHEREAS, The Homer City Council, based upon the recommendation of the Homer  
36 Planning Commission, recommends that the Kenai Peninsula Borough Planning Commission  
37 and Assembly adopt the 2024 Homer Transportation Plan.  
38

39 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:  
40

41 Section 1. The 2024 Homer Transportation Plan is hereby adopted as an element of the  
42 City of Homer Comprehensive Plan, superseding the 2004 Homer Non-Motorized  
43 Transportation and Trails Plan and the 2005 Homer Area Transportation Plan.

44            Section 2. The previously adopted Homer Master Roads and Streets Plan (1986), and  
45 the Homer Town Center Development Plan (2006), Homer Spit Plan (2010) and the Homer  
46 Comprehensive Plan (2018) remain part of the Homer Comprehensive Plan.  
47

48            Section 3. Subsection (b) of Homer City Code 21.02.010, Comprehensive Plan—  
49 Adoption, is amended to read as follows:

50        b. The following documents, as initially approved and subsequently amended, are  
51 adopted by reference as comprising the Homer Comprehensive Plan.

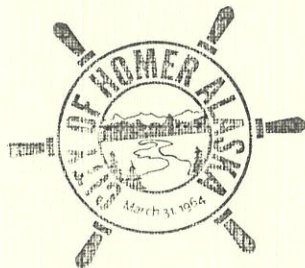
- 52            1. Homer Comprehensive Plan (2018)
- 53            2. Homer Master Roads and Streets Plan (1986)
- 54            ~~3. Homer Non-Motorized Transportation and Trail Plan (2004)~~
- 55            **4.3.** Homer ~~Area~~ Transportation Plan (**2005 2024**)
- 56            **5.4.** Homer Town Center Development Plan (2006)
- 57            **6.5.** Homer Spit Plan (2010)

58  
59            Section 4. The City hereby recommends that the Kenai Peninsula Borough Planning  
60 Commission and Assembly adopt the 2024 Homer Transportation Plan as extensive  
61 comprehensive plan amendments under Kenai Peninsula Borough Code 21.01.025, and as an  
62 element of the Official Borough Comprehensive Plan within the City of Homer planning area of  
63 the Borough.  
64

65            Section 5. Sections 1 through 3 of this ordinance shall take effect upon the adoption of  
66 the 2024 Homer Transportation Plan by the Kenai Peninsula Borough Assembly. The  
67 remainder of this ordinance shall take effect upon its adoption by the Homer City Council.  
68

69            Section 6. Section 3 of this ordinance is of a permanent and general character and shall  
70 be included in the city code. The remainder of this ordinance is not of a permanent nature and  
71 is a non-code ordinance.  
72

73            ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 24<sup>th</sup> day of September, 2024.  
74



CITY OF HOMER

KEN CASTNER, MAYOR

83            ATTEST:

84              
85            \_\_\_\_\_  
86            RENEE KRAUSE, MMC, CITY CLERK



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YES: 5

NO: 0

ABSTAIN: 0

ABSENT: 1

First Reading: 7/22/24

Public Hearing: 8/12/24

Second Reading: 8/19/24 + 9/23/24

Effective Date: 9/24/24

Introduced by: Mayor  
Date: 10/08/19  
Hearing: 11/05/19  
Action: Enacted  
Vote: 6 Yes, 3 No, 0 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2019-25**

**AN ORDINANCE AMENDING KPB 2.56.006 AND KPB 2.56.007, ADOPTING THE 2019  
KENAI PENINSULA BOROUGH COMPREHENSIVE PLAN**

- WHEREAS,** the Kenai Peninsula Borough provides for planning on an areawide basis in accordance with AS 29.40.010; and
- WHEREAS,** Alaska Statute 29.40.020(b)(1) requires the planning commission to prepare and submit to the assembly a proposed comprehensive plan for the systematic and organized development of the borough; and
- WHEREAS,** the assembly is required by AS 29.40.030(b) to periodically undertake an overall review of the comprehensive plan and update the plan as necessary; and
- WHEREAS,** goal 1.1, objective 7, of the 2005 Kenai Peninsula Borough Comprehensive Plan is to regularly update the comprehensive plan to reflect changing conditions, trends, laws, regulations and policies; and
- WHEREAS,** the existing comprehensive plan was last updated in 2005; and
- WHEREAS,** the social, economic, and environmental conditions of the Kenai Peninsula Borough have changed over the past fourteen years; and
- WHEREAS,** in February of 2017 the Kenai Peninsula Borough contracted with the consulting firm of Agnew::Beck to facilitate a public process and update the existing comprehensive plan; and
- WHEREAS,** throughout 2017 over 2,000 residents of the borough shared their ideas with the project team, the team conducted more than 50 interviews and small group discussions with local organizations, they conducted a random sample telephone survey of 600 households within the borough, and the team had a booth or other presence at 20 public events throughout the borough; and
- WHEREAS,** the planning commission conducted a public hearing for the proposed 2019 comprehensive plan at its August 26, 2019 regular meeting; and
- WHEREAS,** the planning commission at its September 23, 2019 meeting, recommended enactment of the 2019 comprehensive plan;

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

**SECTION 1.** That KPB 2.56.006 is hereby amended as follows:

**2.56.006. Kenai Peninsula Borough Comprehensive Plan adopted.**

The document entitled “[2005] 2019 Kenai Peninsula Borough Comprehensive Plan” is adopted as the Comprehensive Plan of the Kenai Peninsula Borough.

**SECTION 2.** That KPB 2.56.007 is hereby amended as follows:

**2.56.007. Borough plan amendments.**

A. The following plans are incorporated as elements of the [2005] 2019 comprehensive plan, subject to the applicable goals, objectives, and [ACTIONS] strategies listed [IN CHAPTER 6 OF] within the [2005] 2019 Kenai Peninsula Borough Comprehensive Plan. The classification of borough land shall be consistent with the intent of the following land use plans, provided such classifications are consistent with the findings of fact required by KPB 17.10.080(I).

1. “Community Land Use Plan for Borough Lands in Hope, 1987.”
2. “Community Recommendations on a Land Use Plan for Borough Lands, Hope and Sunrise, 1992 Additions.”
3. “Community Land Use Plan for Borough Lands in Sunrise, 1988.”
4. “Community Recommendations on a Land Use Plan for Borough Lands at Cooper Landing, 1992”, as amended by Ordinance 2018-06.
5. “1996 Cooper Landing Land Use Plan Update.”

B. The document entitled "Comprehensive Plan for Moose Pass, 1993" with boundaries amended by the map dated July 1994 is incorporated as an element of the [2005] 2019 comprehensive plan, subject to the applicable goals, objections, and [ACTIONS LISTED IN CHAPTERS 1 AND 6] strategies within the 2019 comprehensive plan.

C. The document entitled "Kenai Peninsula Borough Trail Plan, 1998" is incorporated as an element of the [2005] 2019 comprehensive plan, subject to the applicable goals, objections, and strategies within the 2019 comprehensive plan.

D. The document entitled "Seward Highway Corridor Partnership Plan, A Strategy for Management, Economic Development, and Conservation 1998" is incorporated as an element of the [2005] 2019 comprehensive plan, subject to the applicable goals, objections, and strategies within the 2019 comprehensive plan.

E. "Cooper Landing Walkable Community Project" dated March 2010 is hereby adopted as [APPENDIX K IN CHAPTER 5, TRANSPORTATION,] an element of the [2005] 2019 Kenai Peninsula Borough Comprehensive Plan, subject to the applicable goals, objections, and strategies within the 2019 comprehensive plan.


**SECTION 3.** That the comprehensive plan shall be reviewed periodically and updated to reflect changing conditions, trends, laws and policies of the borough.

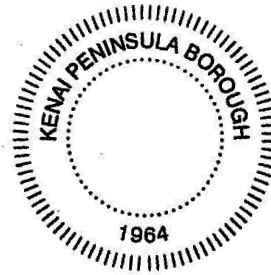
**SECTION 4.** That this ordinance shall become effective upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH DAY OF NOVEMBER, 2019.**

  
\_\_\_\_\_  
Kelly Cooper, Assembly President

ATTEST:

  
\_\_\_\_\_  
Johni Blankenship, MMC, Borough Clerk



Yes: Carpenter, Cox, Dunne, Johnson, Smalley, Cooper  
No: Blakeley, Bjorkman, Hibbert  
Absent: None

Introduced by: Mayor  
Date: 11/12/24  
Hearing: 01/07/25  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2024-31**

**AN ORDINANCE AMENDING KPB CHAPTER 16.41 AUTHORIZING THE KPB ROAD SERVICE AREA BOARD TO APPROVE MINIMAL MAINTENANCE WORK AND ONE-TIME MINIMAL MAINTENANCE WORK ON ROADS NOT CURRENTLY MAINTAINED BY THE KPB ROAD SERVICE AREA**

**WHEREAS**, conditions on public lands and roads not maintained by the Kenai Peninsula Borough (KPB) Road Service Area (RSA) Department sometimes impact KPB-maintained roads; and

**WHEREAS**, presently there is not a code mechanism to allow the RSA Department to undertake minimal maintenance work to address issues impacting KPB-maintained roads from public lands and unmaintained roads within the KPB RSA; and

**WHEREAS**, it is in the interest of KPB to allow greater flexibility to address issues affecting the roads maintained by the KPB RSA Department; and

**WHEREAS**, at its regularly scheduled meeting held on November 19, 2024, the Kenai Peninsula Borough Road Service Area Board recommended approval by unanimous consent;

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

**SECTION 1.** That KPB 16.41.190 is hereby amended read as follows:

**16.41.190. - Road construction projects—Assembly approval.**

A. Annually the Road Service Area Board [SHALL] will make a report and recommendation to the Assembly regarding whether any road construction projects should be undertaken. The report may be[, BUT NEED NOT BE,] included in the annual report required by KPB 16.41.110. In making the board’s recommendation, the following criteria supports consideration of a construction project:

1. Whether there is available road service area funding;
2. Whether the road accesses public lands or facilities;
3. Whether the road is a collector road;
4. Whether there are funding sources in addition to road service area funds available for the project; and
5. Whether the construction will provide an improved alternate route to a road currently certified for maintenance.

- B. Specific road construction projects [SHALL] will be approved by the Assembly upon consideration of the Road Service Area Board’s recommendation.
- C. The Road Service Area Board [SHALL] will recommend to the Assembly, for approval, procedures for implementing the criteria in KPB 16.41.190(A).

**SECTION 3.** That KPB Chapter 16.41 is hereby amended to add a new section, KPB 16.41.195, as follows:

**16.41.195. – Minimal maintenance work—Board approval.**

- A. Notwithstanding KPB 16.41.190, the road service area board may, by resolution, approve minimal maintenance work for roads not currently maintained by the road service area to correct issues directly impacting borough-maintained roads from unmaintained rights-of-way or public lands. Minimal maintenance work is subject to the availability of road service area operating funds and must not generate the need for a supplemental appropriation. Nothing in this section may be construed as requiring the road service area board to approve any requests for minimal maintenance work. For the purposes of this section, “road” has the definition given in KPB 14.40.390.
- B. A resolution approving minimal maintenance work is limited to two (2) years in duration from the date the resolution is passed and may not exceed more than \$5,000.00 in annual cost. The cost will be as adjusted annually by the Anchorage CPI.
- C. The road service area board may not approve more than five resolutions for the same portion of road as provided for in this section unless a RIAD is formed that will bring the road to the standards required by KPB Chapter 14.06.

**SECTION 4.** That KPB Chapter 16.41 is hereby amended to add a new section, KPB 16.41.197, as follows:

**16.41.197. – One-time minimal maintenance work—Director approval.**

Notwithstanding KPB 16.41.190 and KPB 16.41.195, the road service area director may approve one-time minimal maintenance work for roads not currently maintained by the road service area to correct issues directly impacting borough-maintained roads from unmaintained rights-of-way or public lands. One-time minimal maintenance work is subject to the availability of road service area operating funds and must not generate the need for a supplemental appropriation. Nothing in this section may be construed as requiring the road service area director to approve any requests for one-time minimal maintenance work. For the purposes of this section, “road” has the definition given in KPB 14.40.390.

**SECTION 5.** That KPB 16.41.200 is hereby amended read as follows:

**16.41.200. – Definitions.**

...

*Minimal maintenance:* For purposes of this chapter, “minimal maintenance” means maintenance necessary to maintain the integrity of the existing roadway.

*Maintenance:* “Maintenance” means: snow removal; grading; replacing lost gravel (up to a depth of sixth inches); reshaping shoulders, slopes, and ditches; unplugging culverts and clearing ditches; filling potholes; dust control; and other activities consistent with sound road maintenance practice.

**SECTION 6.** That this ordinance shall be effective immediately.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \* DAY OF \* 2024.**

\_\_\_\_\_  
Peter Ribbens, Assembly President

ATTEST:

\_\_\_\_\_  
Michele Turner, CMC, Borough Clerk

Yes:

No:


Absent:

Kenai Peninsula Borough  
Office of the Borough Clerk

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**MEMORANDUM**

**TO:** Peter Ribbens, Assembly President  
Kenai Peninsula Borough Assembly Members

**FROM:** Michele Turner, Borough Clerk 

**DATE:** December 19, 2024

**RE:** Ordinance 2024-31: Amending KPB Chapter 16.41 Authorizing the KPB Road Service Area Board to Approve Minimal Maintenance Work and the One-Time Minimal maintenance Work on Roads Not Currently Maintained by the KPB Road Service Area (Mayor)

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Per KPB 22.40.050(F), the borough clerk, or the clerk's designee in his or her absence, has the authority to revise pending resolutions and ordinances prior to assembly action, by filling in any blanks in the legislation stating advisory board recommendations made concerning the legislation. This serves as our memorandum to advise the assembly of same.

Conforming to the advisory boards' actions, the last Whereas clause has been updated to read:

“**WHEREAS**, at its regularly scheduled meeting held November 19, 2024, the Kenai Peninsula Borough Road Service Area Board recommended approval by unanimous consent; and”

Thank you.



# Kenai Peninsula Borough

## Road Service Area Department

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### MEMORANDUM

**TO:** Peter Ribbens, Assembly President  
Members, KPB Assembly

**THRU:** Peter A. Micciche, Mayor *PM*  
Sean Kelley, Borough Attorney *SK*

**FROM:** Scott Griebel, Road Service Area Director *SG*

**DATE:** October 30, 2024

**RE:** Ordinance 2024-31, Amending KPB Chapter 16.41 to Authorizing the KPB Road Service Area to Approve Minimal Maintenance Work and One-Time Maintenance Work on Roads not Currently Maintained by the KPB Road Service Area (Mayor)

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This code amendment would authorize the KPB Road Service Area (RSA) Department to perform minimal maintenance work on roads not maintained by the RSA Department when conditions on unmaintained roads or public lands impact RSA-maintained roadways. The proposed code amendments define “minimal maintenance work” and provide for both one-time minimal maintenance work and up to ten years of minimal maintenance work on the same portion of roadway unless a RIAD is formed. The minimal maintenance work performed through these code mechanisms would require approval through resolution by the RSA Board. Moreover, the minimal maintenance work would be limited in cost and duration, would be subject to available RSA funding, and must not require a separate Assembly appropriation.

The proposed amendments to KPB 16.41 would support the RSA Department’s ability to perform work in areas not under maintenance, when conditions in those areas affect KPB-maintained roadways.

Your consideration is appreciated.

# Kenai Peninsula Borough Assembly

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## MEMORANDUM

**TO:** Peter Ribbens, Assembly President  
Members, KPB Assembly

**FROM:** Tyson Cox, Assembly Member *TRC*

**DATE:** December 19, 2024

**SUBJECT:** **Cox Amendment** to Ordinance 2024-31, Amending KPB Chapter 16.41 Authorizing the KPB Road Service Area Board to Approve Minimal Maintenance Work and One-Time Minimal Maintenance Work on Roads not Currently Maintained by the KPB Road Service Area (Mayor)

---

(Please note the bold underlined language is new and the bracketed strikethrough language is to be deleted.)

➤ Amend Section 1, as follows:

**SECTION 1.** That KPB 16.41.190 is hereby amended read as follows:

**16.41.190. - Road construction projects—Assembly approval.**

- A. Annually the Road Service Area Board [SHALL] will make a report and recommendation to the Assembly regarding whether any road construction projects should be undertaken. The report may be[, BUT NEED NOT BE,] included in the annual report required by KPB 16.41.110. In making the board's recommendation, the following criteria supports consideration of a construction project:
1. Whether there is available road service area funding;
  2. Whether the road accesses public lands or facilities;
  3. Whether the road is a collector road;
  4. Whether there are funding sources in addition to road service area funds available for the project; and
  5. Whether the construction will provide an improved alternate route to a road currently certified for maintenance.
- B. **Funding for a road construction project recommended by the Road Service Area Board is subject to Assembly approval.** [~~SPECIFIC ROAD CONSTRUCTION PROJECTS [SHALL] WILL BE APPROVED BY THE ASSEMBLY UPON CONSIDERATION OF THE ROAD SERVICE AREA BOARD'S RECOMMENDATION.~~]
- C. [~~THE ROAD SERVICE AREA BOARD [SHALL] WILL RECOMMEND TO THE ASSEMBLY, FOR APPROVAL, PROCEDURES FOR IMPLEMENTING THE CRITERIA IN KPB 16.41.190(A).]~~]

Your consideration is appreciated.

Introduced by: Mayor  
Date: 11/12/24  
Hearing: 01/07/25  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2024-32**

**AMENDING KPB 21.50.055 RELATING TO THE START OF ACCRUAL OF CIVIL  
FINES FOR VIOLATIONS OF TITLE 21 OF THE KPB CODE**

**WHEREAS,** the purpose of KPB Chapter 21.50 is to promote compliance with KPB ordinances and promote consistency in enforcement of the KPB land use and subdivision regulations codified in KPB Title 21; and

**WHEREAS,** KPB 21.50.040 provides for cumulative remedies for violations of KPB Title 21, including civil penalties and fines; and

**WHEREAS,** KPB 21.50.055 sets forth the fines for violations of KPB Title 21; and

**WHEREAS,** KPB 21.50.055, as presently written, does not provide for accrual of fines until the date an enforcement notice is issued; and,

**WHEREAS,** KPB Chapter 1.24 provides for a general penalty for violations of KPB Code; and

**WHEREAS,** KPB 1.24.020(C) states, “Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense[]”; and

**WHEREAS,** KPB Chapter 1.24 provides for cumulative remedies for violations of KPB Code, including civil penalties and fines but does not require issuance of an enforcement notice to begin fine or penalty accrual; and

**WHEREAS,** the Assembly finds it is in the best interests of the KPB to provide consistency among the discrete Titles, Chapters and Sections of its Code; and

**WHEREAS,** the Assembly finds it is in the best interests of the KPB to allow greater flexibility when enforcing its land use and subdivision regulations;

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

**SECTION 1.** That KPB 21.50.055(A), Fines, is hereby amended to read as follows:

**CHAPTER 21.50. -Violations and Enforcement.**

....

**21.50.055. - Fines.**

A. Following are the fines for violations of this title. Each day a violation occurs is a separate violation. Violations begin to accrue [THE DATE THE ENFORCEMENT NOTICE IS ISSUED] on the first day of violation and continue to the date the enforcement is initially set for hearing, or the first day of trial, as applicable. The fine for a violation may not be reduced by the hearing officer or judicial officer, as applicable, to less than the equivalent of one day’s fine for each type of violation.

....

**SECTION 2.** That this ordinance shall be effective immediately.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \* DAY OF \* 2024.**

\_\_\_\_\_  
Peter Ribbens, Assembly President

ATTEST:

\_\_\_\_\_  
Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

# Kenai Peninsula Borough

## Planning Department

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### MEMORANDUM

**TO:** Peter Ribbens, Assembly President  
Members, KPB Assembly

**THRU:** Peter A. Micciche, Mayor *PM*

**FROM:** Robert Ruffner, Planning Director *RR*

**DATE:** October 30, 2024

**RE:** Ordinance 2024- 32, Amending KPB 21.50.055 Relating to the Start of Accrual of Civil Fines for Violations of Title 21 of the KPB Code (Mayor)

---

The purpose of KPB Chapter 21.50 is to promote compliance with KPB ordinances and promote consistency in enforcement of the KPB land use and subdivision regulations codified in KPB Title 21. KPB 21.50.040 provides for cumulative remedies for violations of KPB Title 21, including civil penalties and fines.

The fines for violations of KPB Title 21 are set forth in KPB 21.50.055. As presently written, however, fines for violations of KPB Title 21 do not begin to accrue until the date an enforcement notice is issued. An enforcement notice initiates an enforcement proceeding and although enforcement proceedings are important enforcement tools, they require KPB to hire a hearing officer and have procedural features similar to civil bench trials. Additionally, other enforcement mechanisms such as stipulated agreements are available to address violations of KPB Title 21.

Moreover, KPB Chapter 1.24 also provides for cumulative remedies for violations of KPB Code—including civil penalties and fines—but does not require issuance of an enforcement notice to begin fine or penalty accrual. Instead, KPB 1.24.020(C) states, “Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense.

The amendment to KPB 21.50.055 proposed by the Ordinance will provide consistency between KPB Chapter 1.24 and KPB Chapter 21.50 and will allow greater flexibility when enforcing KPB’s land use and subdivision regulations.

Your consideration is appreciated.

Introduced by: Ribbens  
Date: 12/03/24  
Hearing: 01/07/25  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2024-36**

**AMENDING KPB CHAPTER 22.40.080, RELATING TO ASSEMBLY MEETING  
AGENDA, TO INCREASE AGGREGATE TIME FOR THE FIRST OPEN PUBLIC  
COMMENT OPPORTUNITY AND ELIMINATE THE SECOND PUBLIC COMMENT  
AND PUBLIC PRESENTATION PORTION**

**WHEREAS**, efficiently conducting Kenai Peninsula Borough business during Assembly meetings is the best use of public resources and will encourage public and civic engagement; and

**WHEREAS**, the public has numerous opportunities to engage with assembly members through official public comments submitted online, email comments, social media, and formally during Assembly meetings wherein the public has the opportunity to speak to items on the consent agenda, provide public comment on anything not appearing on the agenda, and provide public comment during each action item before the Assembly deliberates and votes on the item; and

**WHEREAS**, the agenda item listed as "Public Comments and Public Presentations (Limited To 3 Minutes Per Speaker)" is being used as a speaker's second opportunity to repeat prior statements; and

**WHEREAS**, this code amendment ordinance also increases the aggregate time listed for public comments on items not appearing on the agenda from 20 minutes to 30 minutes; and

**WHEREAS**, these amendments aim to continue to provide a transparent Assembly meeting agenda, eliminates redundancies, and ensures the people's business is conducted in an efficient and effective manner while continuing to provide opportunities for the Assembly to receive public comment;

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

**SECTION 1.** That the KPB 22.40.080. Agenda—Order of business, is hereby amended as follows:

**22.40.080. Agenda—Order of business.**

The order of business shall be:

Call to order;  
Pledge of allegiance;  
Invocation;  
Roll call;  
Committee reports;  
Vacancy, designation or seating members (only when needed);  
Approval of agenda and consent agenda;  
Approval of minutes;  
Commending resolutions and proclamations;  
KPBSD high school student council presentation with prior notice (10 minutes total and only when needed);  
Presentations with prior notice (20 minutes total);  
Public comments on items not appearing on the agenda (three minutes per speaker; [20]30 minutes aggregate);  
Mayor's Report;  
Items not completed from prior agenda;  
Public hearings on ordinances (Testimony limited to 3 minutes per speaker);  
Unfinished business  
1. Postponed items  
2. Notices to reconsider/rescind;  
New business;  
1. Bid awards  
2. Resolutions  
3. Ordinances for introduction  
4. Other (including addition of late items);  
[PUBLIC COMMENTS AND PUBLIC PRESENTATIONS (LIMITED TO 3 MINUTES PER SPEAKER); ]  
Assembly comments;  
Pending legislation;  
Informational materials and reports;  
Assembly meeting and hearing announcements;  
Adjournment

**SECTION 2.** That this ordinance shall be effective immediately.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \*  
DAY OF \* 2025.**

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Peter Ribbens, Assembly President

ATTEST:

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Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:



# Kenai Peninsula Borough Assembly

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## MEMORANDUM

**TO:** Members, KPB Assembly

**FROM:** Peter Ribbens, Assembly President *PR*

**DATE:** November 21, 2024

**RE:** Ordinance 2024- 36, Amending KPB Chapter 22.40.080, Relating to Assembly Meeting Agenda, to Increase Aggregate Time for the First Open Public Comment Opportunity and Eliminate the Second Public Comment and Public Presentation Portion (Ribbens)

---

Efficiently conducting Kenai Peninsula Borough business at Assembly meetings is a high priority to encourage public engagement. The current Assembly meetings include two separate agenda slots for public comment on non-agenda topics, which can lead to uncertainty for participants on which period to present concerns. Additionally, the second slot is also entitled “Public Presentations”, which inaccurately describes how the agenda item is utilized.

Public comment to the Assembly is facilitated and encouraged through multiple avenues outside Assembly meetings without the subject or content size limitations.

This Ordinance streamlines and clarifies the Assembly agenda by expanding the initial open public comment period to 30 aggregate minutes and removing the second open public comment period.

Your consideration is appreciated.

Public Comment – Zoom Chat  
Ordinance 2024-36

Roger's iPhone to You (direct mes... 6:43 PM

RI

I agree w our citizen commenters.... citizens SHOULD be allowed and encouraged to be allowed to speak and participate in these 'community' meetings as much, and as often as they can do so. Leave comment periods open b4 and after meetings.

🗨️ 😊 ...

**Rasor, Jessica**

---

**Subject:** FW: <EXTERNAL-SENDER>Ord 2024-36 Public comment opportunities

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**From:** mary griswold <[mgrt@xyz.net](mailto:mgrt@xyz.net)>

**Sent:** Monday, December 23, 2024 9:34 AM

**To:** Turner, Michele <[MicheleTurner@kpb.us](mailto:MicheleTurner@kpb.us)>

**Subject:** <EXTERNAL-SENDER>Ord 2024-36 Public comment opportunities

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**CAUTION:** This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

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(Please include in the January 7 assembly packet)  
Please amend or defeat Ord 2024-36 re public comment opportunities.

The current agenda format has "Public Comments on Items Not Appearing on the Agenda" between "Presentations with Prior Notice" and the "Mayor's Report."

My amendment would remove this public comment opportunity instead of the opportunity toward the end of the meeting as proposed in Ord 2024-36.

The "Public Comments and Public Presentations" opportunity toward the end of the meeting would be amended to "Public Comments" to remove the confusing Public Presentations. This public comment opportunity would allow an unlimited number of people to speak for up to 3 minutes, on any subject on or off the agenda, just as we are currently allowed to do.

Ordinance 2024-36 removes this important public comment opportunity, especially for people to speak on actions the assembly took during the meeting. Also Ord 2024-36 limits the number of speakers by imposing a 30-minute aggregate during the only public comment opportunity (because the second opportunity would be removed.)

The public comment opportunity toward the end of the meeting is vital to public participation in our government. This is the best time for citizens to speak because we have a captive audience of assembly members, the mayor, clerk, legal, some staff members, people in the chambers and listeners on the radio and Zoom. This is better than individual contacts via e-mail or in grocery stores. Many important matters come up during this comment period and when all in attendance hear about them something good can often be accomplished.

Please note that I do not object to the current agenda format, but do think having all general public comments toward the end of the meeting would streamline the meeting and provide a better flow to the agenda. I definitely want to preserve the existing public comment opportunity toward the end of the meeting.

Thank you for your consideration.  
Mary Griswold  
Homer

Introduced by: Mayor  
Date: 01/07/25  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
RESOLUTION 2025-001**

**A RESOLUTION ACCEPTING \$215,725.70 FROM ALASKA DEPARTMENT OF FISH  
AND GAME SALMON DISASTER RELIEF FUNDS FOR GENERAL GOVERNMENT  
OPERATIONS**

**WHEREAS,** the Alaska Department of Fish and Game allocated \$1,027,000 to communities as part of the 2018 and 2020 Copper River and Prince William Sound (PWS) salmon fishery disasters; and

**WHEREAS,** the Kenai Peninsula Borough (KPB) is eligible to receive a one-time payment of \$22,711.50 as part of the 2018 and 2020 Copper River and Prince William Sound salmon disaster relief; and

**WHEREAS,** the Alaska Department of Fish and Game allocated \$281,000 to communities as part of the 2018 East Side Gillnet and 2020 Upper Cook Inlet (UCI) salmon fishery disasters; and

**WHEREAS,** the KPB is eligible to receive a one-time payment of \$193,014.20 as part of the 2018 East Side Set Gillnet and 2020 Upper Cook Inlet salmon disaster relief; and

**WHEREAS,** the KPB relies on raw fish taxes to support general government operations; and

**WHEREAS,** a plan was authored by the Alaska Department of Fish and Game to provide relief to communities that have been negatively impacted by the fishery disasters;

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

**SECTION 1.** The Mayor is authorized to execute any documents deemed necessary and to accept disaster funds in the amount of \$215,725.70 from Alaska Department of Fish and Game salmon disaster relief funds.

**SECTION 2.** Expenditures of these funds will be associated with general government expenses that otherwise would have been covered by raw fish taxes.

**SECTION 3.** That this resolution becomes effective immediately upon its adoption.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7<sup>TH</sup>  
DAY OF JANUARY, 2025.**

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Peter Ribbens, Assembly President

ATTEST:

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Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

# Kenai Peninsula Borough Grants Administration

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## MEMORANDUM

**TO:** Peter Ribbens, Assembly President  
Members, KPB Assembly

**THRU:** Peter A. Micciche, Mayor *PM*  
Brandi Harbaugh, Finance Director *EH*

**FROM:** Elizabeth Hardie, Grants Administrator & Community Liaison *EH*

**DATE:** December 19, 2024

**RE:** Resolution 2025- 001, Accepting \$215,725.70 from Alaska Department of Fish and Game Salmon Disaster Relief Funds for General Government Operations (Mayor)

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The Kenai Peninsula Borough (KPB) is eligible to accept one-time funding in the amount of \$215,725.70 for salmon disaster relief from the Alaska Department of Fish and Game (ADF&G). The KPB is eligible for \$22,711.50 as part of the 2018 and 2020 Copper River and Prince William Sound salmon disasters, and \$193,014.20 as part of the 2018 East Side Set Gillnet and 2020 Upper Cook Inlet salmon disasters.

The ADF&G salmon disaster funds are intended to provide relief to communities who depend on raw fish taxes for general government operations. There are no reporting requirements for these funds.

Your consideration is appreciated.

FINANCE DEPARTMENT FUNDS/ACCOUNT VERIFIED	
Acct. No. <u>100.25FSH.34156</u>	
Amount : <u>\$215,725.70</u>	
By: <u><i>EH</i></u>	Date: <u>12/18/2024</u>

Introduced by: Mayor  
Date: 01/07/25  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
RESOLUTION 2025-002**

**A RESOLUTION ADOPTING AN ALTERNATE ALLOCATION METHOD FOR THE  
FY25 SHARED FISHERIES BUSINESS TAX PROGRAM AND CERTIFYING THAT  
THIS ALLOCATION METHOD FAIRLY REPRESENTS THE DISTRIBUTION OF  
SIGNIFICANT EFFECTS OF FISHERIES BUSINESS ACTIVITY IN THE COOK  
INLET FISHERIES MANAGEMENT AREA**

**WHEREAS,** AS 29.60.450 requires that for a municipality to participate in the FY25 Shared Fisheries Business Tax Program, the municipality must demonstrate to the Department of Commerce, Community, and Economic Development that the municipality suffered significant effects during calendar year 2023 from fisheries business activities; and

**WHEREAS,** 3 AAC 134.060 provides for the allocation of available program funding to eligible municipalities located within fisheries management areas (“FMA”) specified by the Department of Commerce, Community, and Economic Development; and

**WHEREAS,** 3 AAC 134.070 provides for the use, at the discretion of the Department of Commerce, Community, and Economic Development, of alternative allocation methods which may be used within fisheries management areas if all eligible municipalities within the area agree to use the method and the method incorporates some measure of the relative significant effect of fisheries business activity on the respective municipalities in the area; and

**WHEREAS,** the Kenai Peninsula Borough Assembly proposes to use an alternative allocation method for allocation of the FY25 funding available within the FMA14: Cook Inlet fisheries management area in agreement with all other municipalities in this area participating in the FY25 Shared Fisheries Business Tax Program;

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

**SECTION 1.** That the assembly certifies that the Kenai Peninsula Borough did suffer significant effects during calendar year 2023 from fisheries business activities that occurred within the Cook Inlet fisheries management area and wishes to apply for funding under the FY25 Shared Fisheries Business Tax Program.

**SECTION 2.** All eligible communities in the Cook Inlet fisheries management area will receive fifty percent (50%) divided equally, and fifty percent (50%) divided on a per capita basis.

**SECTION 3.** That this resolution is effective immediately.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF JANUARY 2025.**

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Peter Ribbens, Assembly President

ATTEST:

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Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:



# Kenai Peninsula Borough

## Finance Department

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### MEMORANDUM

**TO:** Peter Ribbens, Assembly President  
Members, KPB Assembly

**THRU:** Peter A. Micciche, Mayor *PM*

**FROM:** Brandi Harbaugh, Finance Director *BH*

**DATE:** December 19, 2024

**SUBJECT:** Resolution 2025-002 \_\_, Adopting an Alternate Allocation Method for the FY25 Shared Fisheries Business Tax Program and Certifying that this Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in the Cook Inlet Fisheries Management Area (Mayor)

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In order for the Kenai Peninsula Borough to participate in the FY25 Shared Fisheries Business Tax Program, the Borough Assembly must submit a resolution indicating the adoption of an alternative method for allocation of the FY25 available funding. If the municipalities within each fisheries management area choose not to select the alternative method, it would then become necessary to gather and submit data on actual cost impacts of commercial fishing within each designated area. Given the relatively small amount of funds available, this approach would not be cost effective. A resolution adopting the alternative method is submitted for your approval.

The Kenai Peninsula Borough is located in the Cook Inlet Fisheries Management Area. The municipalities located in this area include Anchorage, Homer, Kenai, Kenai Peninsula Borough, Kachemak, Seldovia, Seward, and Soldotna. The FY25 program total allocation to be received by the Borough is expected to be about \$970.45.

Your consideration is appreciated.

Introduced by: Mayor  
Date: 01/07/25  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
RESOLUTION 2025-004**

**A RESOLUTION AUTHORIZING A STANDARDIZATION POLICY FOR THE USE  
OF ANALYTIX AN-450FG ANTI-SCALENT AND ANALYTIX 4930D DEFOAMER**

**WHEREAS,** the Kenai Peninsula Borough (“KPB”) Solid Waste Department utilizes a defoaming agent and anti-scaling agent in the leachate evaporation process at Central Peninsula Landfill; and

**WHEREAS,** Analytix Technologies supplies both Analytix AN-450FG anti-scalent and Analytix 4930D defoamer, the products recommended by the manufacturer of the leachate evaporator that is used at the landfill; and

**WHEREAS,** Solid Waste budgets \$46,000 annually for the purchase of the Analytix products and is requesting to standardize on these products; and

**WHEREAS,** KPB 5.28.280 allows for an assembly approved standardization policy in order to maintain compatibility with existing KPB requirements; and

**WHEREAS,** it is in the best interests of KPB to standardize the use of Analytix AN-450FG anti-scalent and Analytix 4930D defoamer in the leachate evaporation process at the Central Peninsula Landfill when it is determined by the Administration that other options are not practical or consistent with previously established practices;

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

**SECTION 1.** That the Assembly authorizes and approves the policy of standardizing the purchase of Analytix AN-450FG anti-scalent and Analytix 4930D defoamer, and the Mayor is authorized to approve all transactions for the purchases.

**SECTION 2.** That this standardization policy will expire on July 1, 2030.

**SECTION 3.** That this resolution is effective immediately.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY JANUARY, 2025.**

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Peter Ribbens, Assembly President

ATTEST:

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Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

# Kenai Peninsula Borough

## Purchasing and Contracting Department

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### MEMORANDUM

**TO:** Peter Ribbens, Assembly President  
Members, KPB Assembly

**THRU:** Peter A. Micciche, Mayor *PAM*

**FROM:** John Hedges, Purchasing and Contracting Director *JH*

**DATE:** December 19, 2024

**RE:** Resolution 2025-004, Authorizing a Standardization Policy for the Use of Analytix AN-450FG Anti-Scalent and Analytix 4930D Defoamer (Mayor)

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KPB Code allows for direct procurement pursuant to standardization policy approved by the Assembly.

The Solid Waste Department utilizes a defoaming agent and anti-scaling agent in the leachate evaporation process at Central Peninsula Landfill. Analytix Technologies supplies both Analytix AN-450FG anti-scalent and Analytix 4930D defoamer, the products recommended by the manufacturer of the leachate evaporator, that is used at the landfill. Substituted products have been tried and did not perform adequately nor did it offer a substantial cost savings.

Solid Waste is also limited on their ability to change products based on how much of the leachate in holding has been treated with one product or the other due to issues caused by mixing the different types of chemicals.

Solid waste budgets \$46,000 annually for the purchase of the Analytix products and is requesting to standardize on these products.

This Resolution will approve a standardization policy for the purchase of Analytix AN-450FG anti-scalent and Analytix 4930D defoamer. Unless extended by the Assembly, the policy will expire on July 1, 2030.

Your consideration is appreciated.

Introduced by: Ribbens, Cooper  
Date: 01/07/25  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
RESOLUTION 2025-003**

**A RESOLUTION ACCEPTING THE RESIGNATION OF ASSEMBLY MEMBER BILL ELAM AND DECLARING A VACANCY ON THE ASSEMBLY**

**WHEREAS,** Bill Elam was initially elected to serve as an assembly member for Assembly District 5 – Sterling/Funny River, on October 6, 2020; and

**WHEREAS,** after serving his first term in office, Mr. Elam was re-elected to serve a second term as the assembly member for Assembly District 5 – Sterling/Funny River, on October 3, 2023; and

**WHEREAS,** on November 8, 2024, Mr. Elam was elected to serve in the Alaska State House of Representatives representing House District 8; and

**WHEREAS,** the State of Alaska certified the election results on November 30, 2024; and

**WHEREAS,** Assemblyman Bill Elam has submitted his resignation from the Kenai Peninsula Borough Assembly effective January 7, 2025 at 11:59 p.m., thus creating a vacancy for Assembly District 5; and

**WHEREAS,** if the resignation is accepted and a vacancy is declared as set out herein, the Assembly’s meeting on January 7, 2025 will be Mr. Elam’s last meeting as a member of this Assembly; and

**WHEREAS,** the Borough Clerk’s Office will advertise the notice of vacancy and provide time for interested members of the public to apply and file a declaration of candidacy, with the intent being that the Assembly will appoint a new representative for Assembly District 5 in a manner that ensures a smooth transition of representation for Assembly District 5 and in compliance with State Statutes;

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

**SECTION 1.** That the Assembly extends congratulations and best wishes to State Representative-elect Bill Elam in his new endeavor representing House District 8 and in service to all of Alaska.

**SECTION 2.** That the resignation of Bill Elam is hereby accepted, effective at 11:59 p.m. January 7, 2025.

**SECTION 3.** That pursuant to KPB 22.30.060(C), all applicants for appointment must file with the Borough Clerk a declaration of candidacy. The filing period will open at 8:00 a.m. on January 8, 2025 and end at 4:30 p.m. on January 31, 2025. Applicants must be a registered voter and resident within Assembly District 5.

**SECTION 4.** That the Borough Clerk is directed to advertise the vacancy created in Assembly District 5, including announcements on the Borough's website and its official social media sites, and forward copies of all declarations of candidacy received to the Assembly President and members of the Assembly for consideration and appointment at the February 4, 2025, Assembly meeting.

**SECTION 5.** That this resolution is effective immediately.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF JANUARY, 2025.**

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Peter Ribbens, Assembly President

ATTEST:

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Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

# Kenai Peninsula Borough Assembly

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## MEMORANDUM

**TO:** Members, KPB Assembly

**FROM:** Peter Ribbens, Assembly President *PR*  
Kelly Cooper, Assembly Vice President *KC*

**DATE:** December 19, 2024

**SUBJECT:** Resolution 2025-003, Accepting the Resignation of Assembly Member Bill Elam and Declaring a Vacancy on the Assembly (Ribbens, Cooper)

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On November 30, 2024, the State of Alaska certified the results of the 2024 general election, held on November 5, 2024, certifying Bill Elam as the winner of the election for House District 8. Due to Assemblyman Bill Elam being elected to serve in the Alaska State House, Mr. Elam has submitted his resignation from the Kenai Peninsula Borough Assembly.

Bill Elam was initially elected to serve as an assembly member from Assembly District 5, Sterling/Funny River, in 2020 and, was re-elected in 2023 to serve a second term on the Assembly.

Mr. Elam's resignation is effective January 7, 2025 at 11:59 p.m. The Assembly's January 7, 2025 meeting will be Mr. Elam's last meeting on the Assembly.

Beginning January 8, 2025, the Borough Clerk will advertise the notice of vacancy, including online or social media announcements, and provide for a deadline of January 31, 2025 at 4:30 p.m. for interested members of the public to file a declaration of candidacy. The January 31st deadline will allow the Clerk to confirm eligibility and schedule interview time with the Assembly to occur as a committee of the whole meeting on February 4, 2025. The Assembly appointment decision will be made by a public vote during the regular meeting on February 4, 2025.

The appointee will serve as the representative for Assembly District 5 until the Borough's October 2025 regular election.

We want to congratulate Mr. Elam on his successful campaign and extend our best wishes to him as he continues his work representing residents of the Northern Kenai Peninsula, in service to all of Alaska, as Representative-elect for House District 8.

Your consideration is appreciated.

Bill Elam  
47320 Jefferson Ave.  
Soldotna, AK 99669  
(907) 690-4339

December 20<sup>th</sup>, 2024

Kenai Peninsula Borough Assembly  
144 N. Binkley  
Soldotna, AK 99669

KPB Assembly Members and Mayor,

It has been a privilege and an honor to serve the people of the Kenai Peninsula Borough. I would like to express my sincere gratitude to our extraordinary Borough staff, to our Mayor, and to my fellow Assembly Members. Thank you for all you do and I am proud of the work that we have accomplished.

As of the certification of the Alaska General Election on November 30<sup>th</sup> I have been elected to serve in the Alaska State House of Representatives – District 8. As this new page of my public service unfolds I must tender my resignation. Please accept my resignation effective January 7<sup>th</sup>, 2025 at 11:59 p.m. for Assembly District 5 Sterling/Funny River.

It was through the trust of our community and my service here on the Assembly that I was inspired to run for the Alaska State Legislature. I look forward to continuing to serve our community in this new role, and I am encouraged to see what opportunities the future holds for us and for our State.

Sincerely,  
State Representative-Elect  
Bill Elam



Introduced by: Mayor  
Date: 01/07/25  
Hearing: 01/21/25  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2024-19-23**

**AN ORDINANCE APPROPRIATING FUNDS FOR THE REDOUBT ELEMENTARY  
AND SKYVIEW MIDDLE SCHOOL PORTION OF RFP25-008 DESIGN SERVICES**

**WHEREAS,** Resolution 2024-053, authorized the award of RFP25-008 for Soldotna Elementary & Soldotna Prep consolidation design services, to MCG Explore Design, for the development of an educational specification; and

**WHEREAS,** this effort will look into alternative options related to the Soldotna Elementary and the Soldotna Preparatory projects that were part of the 2022 School Bond package; and

**WHEREAS,** a portion of this RFP involves the evaluation and programming of school facilities, specifically Redoubt Elementary School and Skyview Middle School, that were not part of the original scope identified in the 2023 Bond package; and

**WHEREAS,** MCG Explore Design provided a \$81,706.00 cost for this portion of their proposed services; and

**WHEREAS,** it is in the best interest of the Borough to appropriate funds for this portion of the contract in order to ensure that a variety of available options are explored, developed and considered, as necessary, to make the most prudent decisions for moving forward;

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

**SECTION 1.** That \$81,706 is appropriated from General Fund fund balance to be transferred to Account No. 400.71180.25DSG.49999 for the Redoubt Elementary and Skyview Middle School portion of the RFP25-008 contract with MCG Explore Design and associated costs.

**SECTION 6.** That this ordinance shall be effective immediately.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \*DAY  
OF \*, 2025.**

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Peter Ribbens, Assembly President

ATTEST:

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Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

# Kenai Peninsula Borough Purchasing and Contracting

## MEMORANDUM

**TO:** Peter Ribbens, Assembly President  
Members, KPB Assembly

**THRU:** Peter A. Micciche, Mayor *PM*  
Brandi Harbaugh, Finance Director *BT*

**FROM:** John Hedges, Purchasing and Contracting Director *JH*

**DATE:** December 19, 2024

**RE:** Ordinance 2024-19-23, Appropriating Funds for the Redoubt Elementary and Skyview Middle School Portion of RFP25-008 Design Services (Mayor)

Resolution 2024-053, authorized the award of RFP25-008 for Soldotna Elementary and Soldotna Preparatory consolidation design services, to MCG Explore Design, for the development of an educational specification. This effort will look into alternative options related to the Soldotna Elementary and the Soldotna Preparatory projects that were part of the 2023 School Bond package. Due to several factors, the cost of these projects are significantly over budget and unable to proceed as originally scoped.

A portion of this RFP involves the evaluation and programming of school facilities, specifically Redoubt Elementary School and Skyview Middle School, that were not part of the original scope identified in the 2022 Bond package. MCG Explore Design provided a \$81,706 cost for this portion of their proposed services.

Due to the lack of inclusion of these areas of focus in the bond language, bond funds cannot be used to pay for these services. In order to ensure a comprehensive analysis of available options, the evaluation of Redoubt and Skyview school facilities is critical due to their direct relationship with the Soldotna elementary program and the other programs that were part of the original scope.

It is in the best interest of the KPB and KPBSD to appropriate funds for this portion of the contract in order to ensure that a variety of available options are explored, developed and considered, as necessary, to make the most prudent decisions for moving forward. This ordinance appropriates \$81,706 from the General Fund to allow for the award of these services.

Your consideration is appreciated.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>100-27900</u>
Amount :	<u>\$81,706.00</u>
By: <i>CH</i>	Date: <u>12/18/2024</u>

Introduced by: Mayor  
Date: 12/03/24  
Action: Adopted  
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH  
RESOLUTION 2024-053**

**A RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR RFP25-008  
SOLDOTNA ELEMENTARY & SOLDOTNA PREP CONSOLIDATION DESIGN  
SERVICES**

**WHEREAS**, the Kenai Peninsula Borough (KPB) Assembly may authorize award of architectural and engineering services for School Construction upon recommendation of the Kenai Peninsula Borough School District Board of Education (Board of Education); and

**WHEREAS**, on September 23, 2024, the KPB's Purchasing and Contracting Department formally solicited proposals for RFP25-008 Soldotna Elementary & Soldotna Prep Consolidation Design Services; and

**WHEREAS**, the project scope will develop and complete an Education Specification for the intent of renovating existing facilities to house Soldotna Elementary, Redoubt Elementary, Montessori Charter School, River City Academy, and the Connections Home School program; and

**WHEREAS**, on October 23, 2024, two (2) qualified and responsive proposals were received and evaluated by an evaluation committee of qualified Borough and School District stakeholders; and

**WHEREAS**, the highest ranking proposal was submitted by MCG Explore Design, with a cost proposal of \$383,436.00; and

**WHEREAS**, the Purchasing and Contracting Department recommends award of a contract to MCG Explore Design of Anchorage, Alaska, and respectfully requests approval for this contract award; and

**WHEREAS**, at its meeting on December 2, 2024, the Board of Education recommended approval by unanimous consent of this resolution;

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

**SECTION 1.** That the Assembly, upon recommendation from the Board of Education, hereby awards the RFP25-008 Soldotna Elementary & Soldotna Prep Consolidation Design Services to MCG Explore Design the highest ranking proposer.

**SECTION 2.** The Mayor is authorized to execute all documents and make all agreements deemed necessary to complete this project in accordance with this resolution and the contract documents.

**SECTION 3.** That all expenditures for this project will be charged to account 401.78050.23S01. 49311 Soldotna Elementary Design Services.

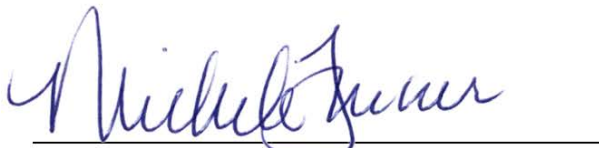
**SECTION 4.** This resolution is effective immediately.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 3RD DAY OF DECEMBER, 2024.**

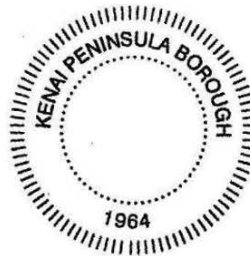


Peter Ribbens, Assembly President

ATTEST:



Michele Turner, CMC, Borough Clerk



Yes: Baisden, Cooper, Dunne, Ecklund, Elam, Johnson, Tunseth, Ribbens

No: None

Absent: Cox

Introduced by: Mayor  
Date: 01/07/25  
Hearing: 02/04/25  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2025-01**

**AN ORDINANCE AMENDING KPB CHAPTER 5.19, UNIFORM REMOTE SELLER SALES TAX CODE, IN ACCORDANCE WITH UPDATES AND CHANGES ADOPTED BY THE ALASKA REMOTE SELLER SALES TAX COMMISSION**

**WHEREAS**, in 2024, the Alaska Remote Sellers Sales Tax Commission (“Commission”) unanimously approved updates to the code aimed to reduce duplicate language, remove the number of transactions to reduce the burden on small sellers, and clean-up general grammatical or other housekeeping items; and

**WHEREAS**, per the governing intergovernmental agreement, to retain full membership status the KPB must adopt the amendments approved by the Commission; and

**WHEREAS**, all the incorporated cities within the KPB are also members of the Commission and signatories to the Agreement; and

**WHEREAS**, the incorporated cities have opted to adopt KPB Chapter 5.19 by reference;

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

**SECTION 1.** That KPB Chapter 5.19, Uniform Remote Seller Sales Tax Code, is amended as follows:

**CHAPTER 5.19. - UNIFORM REMOTE SELLER SALES TAX CODE**

**5.19.010. – Interpretation.**

A. In order to prevent evasion of the sales taxes and to aid in its administration, it is presumed that all sales and services by a person or entity engaging in business are subject to the sales tax.

...

**5.19.020. – Title to collected sales tax.**

Upon collection by the remote seller or marketplace facilitator, title to collected sales tax vests in the Commission for remittance to the member jurisdiction. The remote seller or marketplace facilitator remits collected sales tax to the Commission on

behalf of the member jurisdiction, from whom that power is delegated, in trust for the member jurisdiction and is accountable to the Commission and member jurisdiction.

#### **5.19.030. Collection—Rate.**

A. To the fullest extent permitted by law, the sales tax levied and assessed by the member jurisdiction shall be collected on all remote sales where delivery is made within member jurisdiction, within the state of Alaska.

B. The applicable tax shall be added to the sales price as provided in the member jurisdiction's sales tax code, based on Point of Delivery and based on the date the property or product was sold or the date the service rendered was received.

[C. THE TAX RATE ADDED TO THE SALE PRICE SHALL BE THE TAX RATE FOR THE MEMBER JURISDICTION(S) WHERE THE PROPERTY OR PRODUCT IS SOLD, OR SERVICE THAT WAS RENDERED IS RECEIVED, AND BASED ON THE DATE THE PROPERTY OR PRODUCT WAS SOLD OR THE DATE THE SERVICE RENDERED WAS RECEIVED.]

[D]C. An Address and Tax Rate Database will be made available to remote sellers and marketplace facilitators, indicating the appropriate tax rate to be applied.

[E]D. The tax assessed shall be consistent with relevant jurisdictional tax caps, single unit sales, and exemptions.

[F]E. When a sale is made on an installment basis, the applicable sales tax shall be collected at each payment, calculated at the sales tax rate in effect, and with the cap applied, at the time of the original sale or the date the service is rendered, based on the member jurisdictions' Code(s).

[G]F. When a sales transaction involves placement of a single order with multiple deliveries made at different points in time that are separately invoiced, the applicable sales tax shall be collected on each separately invoiced delivery, calculated at the sales tax rate in effect, and with the cap applied, at the time of the original sale or the date the service is rendered.

G. The sales tax levied and assessed by the member jurisdiction may be included in the sales price on taxable sales where buyer and seller convenience would be substantially enhanced, provided the seller clearly communicates to the buyer that sales tax is being imposed.

#### **5.19.040. Obligation to collect tax—Threshold criteria.**

A. Any remote seller or marketplace facilitator must collect and remit sales tax in compliance with all applicable procedures and requirements of law, provided the remote seller or marketplace facilitator has met one of the following Threshold Criteria ("Threshold Criteria") in the current or previous calendar year:

1. The remote seller's statewide gross sales, including the seller's marketplace facilitator's statewide gross sales, from the sale(s) of property, products or services delivered in the state meets or exceeds one hundred thousand dollars (\$100,000); OR

2. THE REMOTE SELLER, INCLUDING THE SELLER'S MARKETPLACE FACILITATOR, SOLD PROPERTY, PRODUCTS, OR SERVICES DELIVERED IN THE STATE IN TWO HUNDRED (200) OR MORE SEPARATE TRANSACTIONS.]

B. For purposes of determining whether the Threshold Criteria are met, remote sellers or marketplace facilitators shall include all gross sales, from all sales of goods, property, products, or services rendered within the state of Alaska.

C. The following marketplace facilitators are excluded from the obligation to collect tax outlined in this section:

1. Delivery network companies that deliver tangible personal property on behalf of a marketplace seller that is engaged in business in a member jurisdiction,

2. Marketplaces facilitating the rental of transient lodging accommodations in hotels, commercial transient lodging facility, homes, apartments, cabins or other residential dwelling units, and

3. Marketplaces that facilitate or perform travel agency services.

**5.19.050. Reporting and remittance requirements for local and remote sales.**

A. Sellers with a physical presence in a member jurisdiction conducting only local sales shall report and remit to, and comply with standards of, including audit authority, the member jurisdiction.

B. Sellers with a physical presence in a member jurisdiction that also have remote or internet-based sales where the Point of Delivery is in a different Member Jurisdiction shall (i) report and remit the remote or internet sales to the Commission; and ii) report and remit the local sales to the Member Jurisdiction.

C. Sellers with a physical presence in a Member Jurisdiction that also have remote or internet-based sales where the Point of Delivery is in the same Member Jurisdiction shall report and remit those remote sales to the Member Jurisdiction.

D. Sellers and marketplace facilitators that do not have a physical presence in a Member Jurisdiction must report and remit to the Commission all remote sales where the Point of Delivery is in a Member Jurisdiction.

E. A marketplace facilitator is considered the remote seller for each sale facilitated through its marketplace and shall collect, report, and remit sales tax to the Commission. [A MARKETPLACE FACILITATOR IS NOT CONSIDERED TO BE THE REMOTE SELLER FOR EACH SALE OR RENTAL OF LODGING FACILITATED THROUGH ITS MARKETPLACE, WHEREIN THE SELLER IS CONSIDERED TO HAVE A PHYSICAL PRESENCE IN THE MEMBER JURISDICTION.]

F. The following marketplace facilitators shall report and remit to, and comply with standards of, including audit authority, the member jurisdiction:

1. Delivery network companies that deliver tangible personal property on behalf of a marketplace seller that is engaged in business in a member jurisdiction,

2. Marketplaces facilitating the rental of transient lodging accommodations in hotels, commercial transient lodging facility, homes, apartments, cabins or other residential dwelling units, and

3. Marketplaces that facilitate or perform travel agency services.

**5.19.060. Bundled Transactions.**

A. If the sales price of a bundled transaction is attributable to products or services that are taxable and products or services that are nontaxable, the portion of



the sales price attributable to the nontaxable products may be subject to tax unless the seller can identify the nontaxable portion by reasonable and verifiable standards using its books or records that are kept in the regular course of business for other purposes, including, but not limited to, non-tax purposes.

B. A bundled transaction as defined in Section 270 does not qualify for exemption under a member jurisdiction's single item cap or single service cap exemption.

1. A seller may separate the respective portions of a bundle for purposes of applying a member jurisdiction's single item or single service tax cap to each respective portion.

2. The seller should identify the sales price attributed to each portion by reasonable and verifiable standards using its books or records that are kept in the regular course of business for other purposes, including, but not limited to, non-tax purposes.

#### **5.19.0[6]70. No retroactive application.**

The obligations to collect and remit sales tax required by this chapter are applicable at the effective date of the member jurisdiction's ordinance adopting the Alaska Remote Seller Sales Tax Code.

#### **5.19.0[7]80. Payment and collection.**

Pursuant to this Code, taxes imposed shall be due and paid by the buyer to the remote seller or marketplace facilitator at the time of the sale of property or product or date service is rendered, or with respect to credit transactions, at the time of collection. It shall be the duty of each remote seller or marketplace facilitator to collect the taxes from the buyer and to hold those taxes in trust for the taxing authority of the member jurisdiction. Failure by the remote seller or marketplace facilitator to collect the tax shall not affect the remote seller's, or marketplace facilitator's, responsibility for payment to the Commission.

#### **5.19.0[8]90. Remote seller and marketplace facilitator registration requirement.**

A. If a remote seller's gross statewide sales meet or exceed the Threshold Criteria under KPB 5.19.040, the remote seller shall register with the Commission. If the remote seller is a marketplace seller and only makes sales in Alaska through a marketplace, the marketplace seller is not required to register with the Commission. The marketplace seller must submit an affidavit attesting to these facts on a form provided by the Commission.

B. If a marketplace facilitator's gross statewide sales meet or exceed the Threshold Criteria under KPB 5.19.040, the marketplace facilitator shall register with the Commission. This requirement does not apply to the following marketplace facilitators:

1. Delivery network companies that deliver tangible personal property on behalf of a marketplace seller that is engaged in business in a member jurisdiction.

2. Marketplaces facilitating the rental of transient lodging accommodations in hotels, commercial transient lodging facility, homes, apartments, cabins or other residential dwelling units, and

3. Marketplaces that facilitate or perform travel agency services.

C. A remote seller or marketplace facilitator meeting the Threshold Criteria shall apply for a certificate of sales tax registration within thirty (30) calendar days of the effective date of this Code or within thirty (30) calendar days of meeting the Threshold Criteria whichever occurs second. Registration shall be to the Commission on forms prescribed by the Commission.

D. An extension may be applied for and granted based on criteria established by the Commission, based on evidence produced to describe time necessary to update software or other technical needs, not to exceed ninety (90) days.

E. Upon receipt of a properly executed application, the Commission shall confirm registration, stating the legal name of the remote seller or marketplace facilitator, the primary address, and the primary sales tax contact name and corresponding title. The failure of the Commission to confirm registration does not relieve the remote seller or marketplace facilitator of its duty to collect and remit sales tax.

F. Each business entity shall have a sales tax registration under the advertised name.

G. The sales tax certificate is non-assignable and non-transferable.

H. The sales tax certificate satisfies a member jurisdiction's requirement to obtain a municipal business license, provided the remote seller does not have a physical presence in that member jurisdiction.

#### **5.19.[09]100. Tax filing schedule.**

A. All remote sellers or marketplace facilitators subject to this Code shall file a return on a form or in a format prescribed by the Commission and shall pay the tax due.

B. Filing of sales tax returns are due monthly; quarterly or less frequent filing is optional upon application and approval by the Commission, consistent with the code of the member jurisdiction.

C. A remote seller or marketplace facilitator who has filed a sales tax return will be presumed to be making sales in successive periods unless the remote seller or marketplace facilitator files a return showing a termination or sale of the business in accordance with this Code.

D. The completed and executed return, together with the remittance in full for the tax due, shall be transmitted to and must be received by the Commission on or before midnight Alaska Standard Time on the due date. Monthly returns are due the last day of the immediate subsequent month. Quarterly returns are due as follows:

Quarter 1 (January—March): April 30

Quarter 2 (April—June): July 31

Quarter 3 (July—September): October 31

Quarter 4 (October—December): January 31

[E. IF THE LAST DAY OF THE MONTH FOLLOWING THE END OF THE FILING PERIOD FALLS ON A SATURDAY, SUNDAY, FEDERAL HOLIDAY OR ALASKA STATE HOLIDAY, THE DUE DATE WILL BE EXTENDED UNTIL THE NEXT BUSINESS DAY IMMEDIATELY FOLLOWING.]

[F]E. Any remote seller or marketplace facilitator holding a remote seller registration shall file a sales tax return even though no tax may be due. This return shall show why no tax is due. If the remote seller or marketplace facilitator intends to continue doing business a return shall be filed reflecting no sales and a confirmation of the intent to continue doing business and shall continue to do so each filing period until the entity ceases doing business or sells the business. If the remote seller or marketplace facilitator intends to cease doing business, a final return shall be filed along with a statement of business closure.

[G]F. The remote seller or marketplace facilitator shall prepare the return and remit sales tax to the Commission on the same basis, cash or accrual, which the remote seller or marketplace facilitator uses in preparing its federal income tax return. The remote seller or marketplace facilitator shall sign the return, and transmit the return, with the amount of sales tax and any applicable penalty, interest or fees that it shows to be due, to the Commission.

[H]G. Remote sellers and marketplace facilitators failing to comply with the provisions of this Code shall, if required by the Commission and if quarterly filing has been chosen, file and transmit collected sales taxes more frequently until such time as they have demonstrated to the Commission that they are or will be able to comply with the provisions of this Code. Six (6) consecutive on-time sales tax filings, with full remittance of the sales taxes collected, shall establish the presumption of compliance and return to quarterly filing.

[I]H. The preparer of the sales tax return shall keep and maintain all documentation supporting any and all claims of exempted sales and purchases. Documentation for exempted sales should include the number of the exemption authorization card presented by the buyer at the time of the purchase; the date of the purchase; the name of the person making the purchase; the organization making the purchase; the total amount of the purchase; and the amount of sales tax exempted. This documentation shall be made available to the Commission upon request. Failure to provide such documentation may invalidate that portion of the claim of exemption for which no documentation is provided.

#### **5.19.1[0]10. Estimated tax.**

A. In the event the Commission is unable to ascertain the tax due from a remote seller or marketplace facilitator by reason of the failure of the remote seller or marketplace facilitator to keep accurate books, allow inspection, or file a return, or by reason of the remote seller or marketplace facilitator filing a false or inaccurate return, the Commission may make an estimate of the tax due based on any evidence in their possession.

...

**5.19.1[1]20. Returns—Filing contents.**

- A. Every remote seller or marketplace facilitator required by this chapter to collect sales tax shall file with the Commission upon forms furnished by the Commission a return setting forth the following information:
1. Gross sales [ROUNDED TO THE NEAREST DOLLAR];
  2. The nontaxable portions separately stating the amount of sales revenue attributable to each class of exemption[, ROUNDED TO THE NEAREST DOLLAR];
  3. Computation of taxes to be remitted;
  4. Calculated discount (if applicable) based on member jurisdiction's code; and
  5. Such other information as may be required by the Commission.

...

**5.19.1[2]30. Refunds.**

- A. Upon request from a buyer or remote seller or marketplace facilitator the Commission shall provide a determination of correct tax rate and amount applicable to the transaction. In the case of an overpayment of taxes, the remote seller or marketplace facilitator shall process the refund and amend any returns accordingly.
- B. A claim for refund of sales taxes collected in error shall be denied unless:
1. The claimant files a claim for refund with the Commission within one year of the date of sale, on the form prescribed by the Commission; and
  2. If the claimant is a remote seller or marketplace facilitator, and the tax refund is owed to any buyer, the remote seller or marketplace facilitator submits, and the Commission approves, a refund plan to all affected buyers.
- C. Interest will not be paid on tax refund requests filed with the Commission.
- [D. THE MEMBER JURISDICTIONS MAY ALLOW A BUYER TO REQUEST A REFUND DIRECTLY FROM THE MEMBER JURISDICTION.]

**5.19.1[3]40. Amended returns.**

- A. A remote seller or marketplace facilitator may file an amended sales tax return, with supporting documentation, and the Commission may accept the amended return, but only in the following circumstances:
1. The amended return is filed within one (1) year of the original due date for the return for amended returns reducing the originally reported tax due; and
  2. The remote seller or marketplace facilitator provides a written justification for requesting approval of the amended return; and
  3. The remote seller or marketplace facilitator agrees to submit to an audit upon request of the Commission.
  4. An amended return that increases the tax due from the amount originally reported can be submitted by a remote seller or marketplace facilitator at any time.

B. The Commission shall notify the remote seller or marketplace facilitator in writing (by email or otherwise) whether the Commission accepts or rejects an amended return, including the reasons for any rejection.

C. The Commission may adjust a return for a remote seller or marketplace facilitator if, after investigation, the Commission determines the figure included in the original returns are incorrect; and the Commission adjusts the return within three (3) years of the original due date for the return.

D. A remote seller or marketplace facilitator may file a supplemental sales tax return, with supporting documentation, and the Commission may accept the supplemental return, but only in the following circumstances:

1. The remote seller or marketplace facilitator provides a written justification for requesting approval of the supplemental return; and
2. The remote seller or marketplace facilitator agrees to submit to an audit upon request of the Commission.

#### **5.19.1[4]50. Extension of time to file tax return.**

Upon written application of a remote seller or marketplace facilitator, stating the reasons therefor, the Commission may extend the time to file a sales tax return but only if the Commission finds each of the following:

...

#### **5.19.1[5]60. Audits.**

A. Any remote seller or marketplace facilitator who has registered with the Commission, who is required to collect and remit sales tax, or who is required to submit a sales tax return is subject to a discretionary sales tax audit at any time. The purpose of such an audit is to examine the business records of the remote seller or marketplace facilitator in order to determine whether appropriate amounts of sales tax revenue have been collected by the remote seller or marketplace facilitator and remitted to the Commission.

B. The Commission is not bound to accept a sales tax return as correct. The Commission may make an independent investigation of all retail sales or transactions conducted within the State or member jurisdiction.

C. The records that a remote seller or marketplace facilitator is required to maintain under this chapter shall be subject to inspection and copying by authorized employees or agents of the Commission for the purpose of auditing any return filed under this chapter, or to determine the remote seller's or marketplace facilitator's liability for sales tax where no return has been filed.

D. In addition to the information required on returns, the Commission may request, and the remote seller or marketplace facilitator must furnish, any reasonable information deemed necessary for a correct computation of the tax.

E. The Commission may adjust a return for a remote seller or marketplace facilitator if, after investigation or audit, the Commission determines that the figures included in the original return are incorrect, and that additional sales taxes are due; and the Commission adjusts the return within three (3) years of the original due date for the return.

F. If after investigation or audit, the Commission determines that the remote seller or marketplace facilitator over-collected sales taxes, the remote seller or marketplace facilitator may request a refund with the submission of a detailed refund plan outlining the process by which the impacted customers will be refunded; the refund plan must be approved by the Commission before the refund will be issued to the remote seller or marketplace facilitator.

[F]G. For the purpose of ascertaining the correctness of a return or the amount of taxes owed when a return has not been filed, the Commission may conduct investigations, hearings and audits and may examine any relevant books, papers, statements, memoranda, records, accounts or other writings of any remote seller or marketplace facilitator at any reasonable hour on the premises of the remote seller or marketplace facilitator and may require the attendance of any officer or employee of the remote seller or marketplace facilitator. Upon written demand by the Commission, the remote seller or marketplace facilitator shall present for examination, in the office of the Commission, such books, papers, statements, memoranda, records, accounts and other written material as may be set out in the demand unless the Commission and the person upon whom the demand is made agree to presentation of such materials at a different place.

[G]H. The Commission may issue subpoenas to compel attendance or to require production of relevant books, papers, records or memoranda. If any remote seller or marketplace facilitator refuses to obey any such subpoena, the Commissioner may refer the matter to the Commission's attorney for an application to the superior court for an order requiring the remote seller or marketplace facilitator to comply therewith.

[H]I. Any remote seller, marketplace facilitator, or person engaged in business who is unable or unwilling to submit their records to the Commission shall be required to pay the Commission for all necessary expenses incurred for the examination and inspection of their records maintained outside the Commission.

[I]J. After the completion of a sales tax audit, the results of the audit will be sent to the business owner's address of record.

[J]K. In the event the Commission, upon completion of an audit, discovers more than five hundred dollars (\$500) in additional sales tax due from a remote seller or marketplace facilitator resulting from a remote seller's or marketplace facilitator's failure to accurately report sales and taxes due thereupon, the remote seller or marketplace facilitator shall bear responsibility for the full cost of the audit. The audit fee assessment will be in addition to interest and penalties applicable to amounts deemed to be delinquent by the Commission at the time of the conclusion of the audit.

#### **5.19.1[6]70. [AUDIT OR ESTIMATED TAX PROTEST] Protests.**

A. If the remote seller or marketplace facilitator wishes to dispute [the amount]a finding of the [ESTIMATE, OR THE RESULTS OF AN EXAMINATION OR AUDIT]Commission involving taxable sales, sales taxes, or penalties and interest, the remote seller or marketplace facilitator must file a written protest with the Commission]Protest Review Committee, within thirty (30) calendar days of the

date of the written notice of [ESTIMATED TAX OR RESULTS OF AN AUDIT OR EXAMINATION]the Commission's findings. The protest must set forth:

1. The remote seller's or marketplace facilitator's justification for reducing or increasing the [estimated tax amount, including any missing sales tax returns for the periods estimated]taxes, penalties or interest due from the Commission's findings; or
  2. The remote seller's or marketplace facilitator's reasons for challenging the [EXAMINATION OR AUDIT RESULTS]Commission's findings.
- B. In processing the protest, the [COMMISSION]Protest Review Committee may hold an informal meeting or hearing with the remote seller or marketplace facilitator, either on its own or upon request of the remote seller or marketplace facilitator, and may also require that the remote seller or marketplace facilitator submit to an audit, if one was not previously conducted or a more formal audit, if an estimation audit was previously performed.
- C. The [Commission]Protest Review Committee shall make a final written determination on the remote seller's or marketplace facilitator's protest and mail a copy of the determination to the remote seller or marketplace facilitator.
- D. If a written protest is not filed within thirty (30) days of the date of the written notice of [ESTIMATED TAX] or [THE RESULT OF A REVIEW, AUDIT OR EXAMINATION]Commission's findings, then the [ESTIMATED TAX, REVIEW, AUDIT OR EXAMINATION RESULT]findings shall be final, due and payable to the Commission.

**5.19.1[7]80. Penalties and interest for late filing.**

- A. A late filing fee of twenty-five dollars (\$25) per month, or fraction thereof, shall be added to all late-filed sales tax reports, until a total of one hundred dollars (\$100) has been reached. An incomplete return shall be treated as the filing of no return.
- ...

**5.19.1[8]90. Remote reseller certificate of exemption.**

- A. A remote seller with no physical presence in a member jurisdiction purchasing goods or services for the express purpose of resale to buyer(s) located in that member jurisdiction shall apply for a resale certificate through the Commission.
- ...

**5.19.[19]200. Repayment plans.**

- A. The Commission may agree to enter into a repayment plan with a delinquent remote seller or marketplace facilitator. No repayment plan shall be valid unless agreed to by both parties in writing.
- ...

**5.19.[20]210. Remote seller or marketplace facilitator record retention.**

Remote sellers or marketplace facilitators shall keep and preserve suitable records of all sales made and such other books or accounts as may be necessary to determine the amount of tax which the remote seller or marketplace facilitator is obliged to collect. Remote sellers or marketplace facilitators shall preserve suitable records of sales for a period of three (3) years from the date of the return reporting such sales, and shall preserve for a period of three (3) years all documentation supporting exempted sales of goods or services, and all such other books, invoices and records as may be necessary to accurately determine the amount of taxes which the remote seller or marketplace facilitator was obliged to collect under this chapter.

**5.19.2[1]20. Cessation or transfer of business.**

A. A remote seller or marketplace facilitator who sells, leases, conveys, forfeits, assigns, gifts or otherwise, transfers (collectively, a "transfer") the majority of their business interest, including to a creditor or secured party, shall make a final sales tax return within thirty (30) days after the date of such conveyance.

...

**5.19.2[2]30. Use of information on tax returns.**

A. Except as otherwise provided in this chapter, all returns, reports and information required to be filed with the Commission under this Code, and all information contained therein, shall be kept confidential and shall be subject to inspection only by:

...

**5.19.2[3]40. Violations.**

A. A remote seller or marketplace facilitator that fails to file a sales tax return or remit sales tax when due, in addition to any other liability imposed by this Code, shall pay to the Commission all costs incurred by the Commission to determine the amount of the remote seller's or marketplace facilitator's liability or to collect the sales tax, including, without limitation, reviewing and auditing the remote seller's or marketplace facilitator's business records, collection agency fees, and actual reasonable attorney's fees.

...

**5.19.2[4]50. Penalties for violations.**

A. In the event that a penalty provided below is different from the same penalty in a member jurisdiction's sales tax code, the penalty prescribed in the member jurisdiction's sales tax code will apply.

...



**5.19.2[5]60. Remittance of tax; remote seller held harmless.**

A. Any remote seller or marketplace facilitator that collects and remits sales tax to the Commission as provided by law may use an electronic database of state addresses that is certified by the Commission pursuant to subsection (C) of this section to determine the member jurisdictions to which tax is owed.

...

**5.19.2[6]70. Savings clause.**

If any provision of [CHAPTER 5.19, ]the Uniform Remote Seller Sales Tax Code[, AND CHAPTER 5.18, SALES TAX CODE,]and the member jurisdiction's sales tax code is determined by the Commission or an adjudicatory body of competent jurisdiction to discriminate against a remote seller in favor of a local seller with a physical presence in the [TAXING]member jurisdiction, the discriminatory provision shall continue in effect only to the extent such provision does not discriminate against a remote seller[, AND THE COMPARABLE CODE PROVISION APPLICABLE TO A LOCAL SELLER WILL APPLY TO A REMOTE SELLER,] and the remainder of [Chapter 5.19 and Chapter 5.18] the Remote Seller Sales Tax Code and the member jurisdiction's sales tax code shall continue in full force and effect.

**5.19.2[7]80. Definitions.**

For purposes of this chapter, the following definitions shall apply:

“Bundled transaction” means the retail sale of two or more products, except real property and services to real property, where (1) the products are otherwise distinct and identifiable, and (2) the products are sold for one non-itemized price. A “bundled transaction” does not include the sale of any products in which the “sales price” varies, or is negotiable, based on the selection by the purchaser of the products included in the transaction.

A. “Distinct and identifiable products” does not include:

1. Packaging – such as containers, boxes, sacks, bags, and bottles – or other materials – such as wrapping, labels, tags, and instruction guides – that accompany the “retail sale” of the products and are incidental or immaterial to the “retail sale” thereof.

2. A product provided free of charge with the required purchase of another product. A product is “provided free of charge” if the “sales price” of the product purchased does not vary depending on the inclusion of the product “provided free of charge.”

B. The term “one non-itemized price” does not include a price that is separately identified by product on binding sales or other supporting sales-related documentation made available to the customer in paper or electronic form including, but not limited to an invoice, bill of sale, receipt, contract, service agreement, lease agreement, periodic notice of rates and services, rate card, or price list.

C. A transaction that otherwise meets the definition of a “bundled transaction” as defined above, is not a “bundled transaction” if it is:

1. The “retail sale” of tangible personal property and a service where the tangible personal property is essential to the use of the service, and is provided exclusively in connection with the service, and the true object of the transaction is the service; or

2. The “retail sale” of services where one service is provided that is essential to the use or receipt of a second service and the first service is provided exclusively in connection with the second service and the true object of the transaction is the second service; or

3. A transaction that includes taxable products and nontaxable products and the “purchase price” or “sales price” of the taxable products is de minimis.

"Buyer" or "purchaser" means a person to whom a sale of property or product is made or to whom a service is furnished.

"Commission" means the Alaska Remote Seller Sales Tax Commission established by Agreement between local government taxing jurisdictions within Alaska, and delegated tax collection authority.

"Delivered electronically" means delivered to the purchaser by means other than tangible storage media.

"Delivery Charges" means charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services including, but not limited to, transportation, shipping, postage, handling, crating and packing.

“Delivery network company” means a business that facilitates, through the use of an Internet website or mobile application, the delivery of products or services.

“Digital good” means any product delivered electronically (whether downloaded, streamed or subscribed to). A digital good generally takes the form of a license to use or store in a digital or electronic format. Digital goods are generally intangible property for purposes of this chapter.

“Digital service” means any service delivered electronically that uses one or more software applications. Digital service includes any service that primarily involves the application of human effort by the seller, and the human effort originated after the customer requested the service, provided the service is delivered electronically.

"Entity-based exemption" means an exemption based on who purchases the product or who sells the product. An exemption that is available to all individuals shall not be considered an entity-based exemption.

"Goods for resale" means:

A. The sale of goods by a manufacturer, wholesaler or distributor to a retail vendor; sales to a wholesale or retail dealer who deals in the property sold, for the purpose of resale by the dealer.

B. Sales of personal property as raw material to a person engaged in manufacturing components for sale, where the property sold is consumed in the manufacturing process of, or becomes an ingredient or component part of, a product manufactured for sale by the manufacturer.

C. Sale of personal property as construction material to a licensed building contractor where the property sold becomes part of the permanent structure.

"Lease" or "rental" means any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A lease or rental may include future options to purchase or extend.

"Local Sale" means a sale by a seller with a physical presence in a taxing jurisdiction, where the point of delivery is a location within the same taxing jurisdiction.

"Marketplace" means a physical or electronic place, platform or forum, including a store, booth, internet website, catalog or dedicated sales software application, where products or services are offered for sale.

"Marketplace facilitator" means a person that contracts with [REMOTE]marketplace sellers to facilitate for consideration, regardless of whether deducted as fees from the transaction, the sale of the [REMOTE]marketplace seller's property, product, or services through a physical or electronic marketplace operated by the person, and engages:

(a) Directly or indirectly, through one or more affiliated persons in any of the following:

(i) Transmitting or otherwise communicating the offer or acceptance between the buyer and [REMOTE]marketplace seller;

(ii) Owning or operating the infrastructure, electronic or physical, or technology that brings buyers and [REMOTE]marketplace sellers together;

(iii) Providing a virtual currency that buyers are allowed or required to use to purchase products from the [REMOTE]marketplace seller; or

(iv) Software development or research and development activities related to any of the activities described in (b) of this subsection, if such activities are directly related to a physical or electronic marketplace operated by the person or an affiliated person; and

(b) In any of the following activities with respect to the seller's products:

(i) Payment processing services;

(ii) Fulfillment or storage services;

(iii) Listing products for sale;

(iv) Setting prices;

(v) Branding sales as those of the marketplace facilitator;

(vi) Order taking;

(vii) Advertising or promotion; or

(viii) Providing customer service or accepting or assisting with returns or exchanges.

"Marketplace seller" means a person that makes retail sales through any physical or electronic marketplace that is operated by a marketplace facilitator.

"Member Jurisdiction" means a taxing jurisdiction that is a signatory of the Alaska Remote Seller Sales Tax Agreement, thereby members of the Commission, and who have adopted the Alaska Uniform Remote Seller Sales Tax Code.

"Monthly" means occurring once per calendar month.

"Nonprofit organization" means a business that has been granted tax-exempt status by the Internal Revenue Service.

"Person" means an individual, trust, estate, fiduciary, partnership, limited liability company, limited liability partnership, corporation, or any other legal entity.

"Physical presence" for the purposes of KPB 5.19.050 means a seller who establishes any one or more of the following within a member jurisdiction:

1. Has any office, distribution or sales house, warehouse, storefront, or any other place of business within the boundaries of the member jurisdiction;
2. Solicits business or receiving orders through any employee, agent, salesman, or other representative within the boundaries of the member jurisdiction or engages in activities in this state that are significantly associated with the seller's ability to establish or maintain a market for its products in this state;
3. Provides services through any employee, agent, salesman, or other representative or holds inventory within the boundaries of the member jurisdiction;
4. Rents or Leases property located within the boundaries of the member jurisdiction.

A seller that establishes a physical presence within the local taxing jurisdiction in any calendar year will be deemed to have a physical presence within the member jurisdiction for the following calendar year.

"Point of delivery" means the location at which property or a product is delivered or service is rendered.

- A. When the product is not received or paid for by the purchaser at a business location of a remote seller in a Member Jurisdiction, the sale is considered delivered to the location where receipt by the purchaser (or the purchaser's recipient, designated as such by the purchaser) occurs, including the location indicated by instructions for delivery as supplied by the purchaser (or recipient) and as known to the seller.
- B. When the product is received or paid for by a purchaser who is physically present at a business location of a Remote Seller in a Member Jurisdiction the sale is considered to have been made in the Member Jurisdiction where the purchaser is present even if delivery of the product takes place in another Member Jurisdiction. Such sales are reported and tax remitted directly to the Member Jurisdiction not to the Commission.
- C. When the service is not received by the purchaser at a business location of a remote seller, the service is considered delivered to the location where the purchaser receives the service.

D. For products or services transferred electronically, or other sales where the remote seller or marketplace facilitator lacks a delivery address for the purchaser, the remote seller or marketplace facilitator shall consider the point of delivery of the sale to be the billing address of the buyer.

"Product-based exemptions" means an exemption based on the description of the product and not based on who purchases the product or how the purchaser intends to use the product.

"Professional services" means services performed by architects, attorneys-at-law, certified public accountants, dentists, engineers, land surveyors, surgeons, veterinarians, and practitioners of the healing arts (the arts and sciences dealing with the prevention, diagnosis, treatment and cure or alleviation of human physical or mental ailments, conditions, diseases, pain or infirmities) and such occupations that require a professional license under Alaska Statute.

"Property" and "product" and "good" means both tangible property, an item that can be seen, weighed, measured, felt, or touched, or that is in any other manner perceptible to the senses; and intangible property, anything that is not physical in nature (i.e.; intellectual property, brand recognition, goodwill, trade, copyright and patents).

"Quarter" means trimonthly periods of a calendar year; January-March, April-June, July-September, and October-December.

"Receive" or "receipt" for purposes of section .030 and the definition of "Point of Delivery" means

- A. Taking possession of property or product;
- B. Making first use of services; or
- C. Taking possession or making first use of digital goods, whichever comes first.

The terms "receive" and "receipt" do not include temporary possession by a shipping company on behalf of the purchaser.

"Remote sales" means sales of goods, [OR]services or bundled transactions by a remote seller or marketplace facilitator.

"Remote seller" means a seller or marketplace facilitator making sales of goods, [OR]services or bundled transactions for delivery within the State of Alaska, without having a physical presence in the member jurisdiction in which deliver is made.

"Resale of services" means sales of intermediate services to a business where the charge for which will be passed directly by that business to a specific buyer.

"Sale" or "retail sale" means any transfer of property or product or any provision of service(s) for consideration for any purpose other than for resale.

"Sales price or purchase price" means the total amount of consideration, including cash, credit, property, products, and services, for which property, products, [OR]services or bundled transactions are sold, leased, or rented, valued in money, whether received in money or otherwise, without any deduction for the following:

- A. The seller's cost of the property or product sold;
- B. The cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, and any other expense of the seller;

- C. Charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;
- D. Delivery charges;
- E. Installation charges; and
- F. Credit for any trade-in, as determined by state law.

"Seller" means a person making sales of property, products, or services, or a marketplace facilitator facilitating sales on behalf of a seller.

"Services" means all services of every manner and description, which are performed or furnished for compensation, and delivered electronically or otherwise into a member jurisdiction including but not limited to:

- A. Professional services;
- B. Services in which a sale of property or product may be involved, including property or products made to order;
- C. Utilities and utility services not constituting a sale of property or products, including but not limited to sewer, water, solid waste collection or disposal, electrical, telephone services and repair, natural gas, cable or satellite television, and Internet services;
- D. The sale of transportation services;
- E. Services rendered for compensation by any person who furnishes any such services in the course of his trade, business, or occupation, including all services rendered for commission;
- F. Advertising, maintenance, recreation, amusement, and craftsman services.
- G. Digital services.

"Tax cap" means a maximum taxable transaction.

"Taxing jurisdiction" means a local government in Alaska that has a sales tax.

"Transferred electronically" means obtained by the purchaser by means other than tangible storage media.

"Travel Agency Services" means arranging or booking for a commission, fee or other consideration, vacation or travel packages, rental car, tours or other travel reservations or accommodations, tickets for domestic or foreign travel by air, ship, rail, bus or other medium of transportation, or hotel or other lodging accommodations.

**5.19.2[8]90. Supplemental definitions.**

For purposes of this Chapter, the Commission may promulgate Supplemental Definitions that are incorporated into this Remote Seller Sales Tax Code, provided they are not in conflict with or contrary to definitions set forth in the general sales tax ordinance of the member jurisdiction. Supplemental Definitions are available at [www.arsstc.org](http://www.arsstc.org). Provisions of the Supplemental Definitions that are amended, deleted, or added prior to or after the effective date of the latest amendment to this chapter shall be applicable for purposes of this chapter on the effective date provided for such amendments, deletions, or additions, including retroactive provisions.

**SECTION 2.** This ordinance shall be effective immediately.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \* DAY  
OF \* 2025.**

---

Peter Ribbens, Assembly President

ATTEST:

---

Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

# Kenai Peninsula Borough

## Finance Department

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### MEMORANDUM

**TO:** Peter Ribbens, Assembly President  
Members, KPB Assembly

**THRU:** Peter A. Micciche, Mayor *pm*

**FROM:** Brandi Harbaugh, Finance Director *BH*

**DATE:** December 19, 2024

**SUBJECT:** Ordinance 2025-01, Amending KPB Chapter 5.19, Uniform Remote Seller Sales Tax Code, in Accordance with Updates and Changes Adopted by the Alaska Remote Seller Sales Tax Commission (Mayor)

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KPB and other municipalities across the state, including all the cities within the KPB that levy a sales tax, banded together to provide for single-level statewide remote sales tax administration by establishing an intergovernmental entity known as the Alaska Remote Seller Sales Tax Commission (the “Commission”). There are currently 50 municipalities in Alaska that are members of the Commission. The function and powers of the Commission are set forth in the Alaska Intergovernmental Remote Seller Sales Tax Agreement (the “Agreement”), a cooperative agreement between Commission members. The KPB and the City of Kenai currently comprise 2 of the 7 Board of Director seats on the Commission.

Under the terms of the Agreement, in order to maintain membership in the Commission, local governments must enact the uniform Remote Seller Sales Tax Code (“uniform code”) as adopted by the Commission. The Commission adopted the Remote Seller Sales Tax Code Amendments being considered at its Board of Directors meeting on July 17, 2024. The uniform code governs the collection and remittance of municipal sales tax applicable to remote or internet-based sales. The uniform code provides for streamlined remote sales tax collection and remittance process which is necessary to avoid claims that local municipal tax unduly burdens interstate sellers.

On February 25, 2020, the KPB enacted the uniform code. This ordinance will adopt amendments to the uniform code providing reductions of duplicate language, general grammatical housekeeping and the removal of the 200 transaction threshold. This will reduce burdensome reporting on smaller businesses that do not have a physical presence in the KPB. The revenue impact is projected to be *de minimis* and this code provision would more closely coincide with current KPB 5.18.200 Sales Tax code casual and isolated sales threshold.

Your consideration is appreciated.




Kenai Peninsula Borough  
Office of the Borough Mayor

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**MEMORANDUM**

**TO:** Peter Ribbens, Assembly President  
Members of the Borough Assembly

**FROM:** Peter A. Micciche, Borough Mayor 

**DATE:** December 17, 2024

**RE:** Appointment to the Bear Creek Fire Service Area Board

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In accordance with KPB 16.28.070, appointments to the Bear Creek Fire Service Area Board are recommended by the Borough Mayor and confirmed by the Borough Assembly. The applicant listed below is a registered voter and resides within the area to be represented. The following appointment is forwarded to the Assembly for consideration and confirmation:

**Appointment**  
Jason Bickling

**Board Seat**  
E

**Term Expires**  
October 2027

**MEMORANDUM**

**TO:** Peter A. Micciche, Borough Mayor  
**FROM:** Michele Turner, Borough Clerk (M.T.)  
**DATE:** December 17, 2024  
**RE:** Verification of Service Area Board Applicant

---

The notice of vacancy for the Bear Creek Fire Service Area board seat was advertised on November 24, 2024. The application period closed on December 16, 2024.

Pursuant to KPB Title 16, the applicants below have been verified as registered voters of the Borough and have been residents of the service areas listed for a minimum of one year immediately preceding appointment.

Below is the only application received and is submitted herewith for your consideration.

**BEAR CREEK FIRE SERVICE AREA BOARD**

Seat E

Jason Bickling

Thank you.

# Kenai Peninsula Borough

## Office of the Borough Clerk

Service Area Board Application Submitted 2024-11-22 08:45:32

Service Area: Bear Creek Fire, Seat D (Term Expires 10/2027)

<b>Applicant Name</b> Jason Bickling	<b>Daytime Phone</b> 9077691387
<b>Email</b> jason.bickling@gmail.com	<b>Date of Birth</b> [REDACTED]
<b>Physical Residence Address</b> 10950 Johnson Ave Seward, AK 99664	<b>Mailing Address</b> PO Box 1787 Seward, AK 99664
<b>SS #</b>	<b>Voter #</b>
<b>I have been a Resident of the Kenai Peninsula Borough for:</b> 14 years, 3 months	<b>I have been a Resident of the selected Service Area for:</b> 13 years, 4 months
<b>What knowledge, experience, or expertise will you bring to this board?</b>	
<p>I've lived in the service area for a significant amount of time and would like to be involved to help support our local services.</p> <p>I'm currently the Deputy City Manager for the City of Seward. I have an understanding of the way Fire Departments work (with both staff and volunteers) as well as the challenges they are facing.</p> <p>I'm also currently on the Kenai Peninsula Economic Development District (KPEDD) Board.</p> <p>When I was a School Principal here in Seward, I was on the Kenai Peninsula School Activities Association (KPSAA) Board.</p>	

**MEMORANDUM**

**TO:** Peter Ribbens, Assembly President  
Members of the Borough Assembly

**FROM:** Peter A. Micciche, Borough Mayor *PAM*

**DATE:** December 18, 2024

**RE:** Appointment to Resilience and Security Advisory Commission

---

Pursuant to Ordinance 2020-25, commissioners shall be appointed by the Mayor and confirmed by the Assembly.

I hereby submit my recommendations for confirmation.

**RESILIENCE AND SECURITY ADVISORY COMMISSION**

**EAST PENINSULA**

(Areas of Seward, Moose Pass, and Cooper Landing)

Philip Kaluza

Term Expires 09/30/2027

Thank you for your consideration.

Kenai Peninsula Borough  
Office of the Borough Clerk

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**MEMORANDUM**

**TO:** Peter A. Micciche, Borough Mayor

**THRU:** Robert Ruffner, Planning Director *RR*

**FROM:** Michele Turner, Borough Clerk *(MT)* *OK-AMM*

**DATE:** December 16, 2024

**RE:** Verification of Resilience and Security Advisory Commission Applicant

---

A notice of vacancy for a East Peninsula Seat on the Resilience and Security Advisory Commission was posted in the Borough Administration Building, KPB's Facebook page and KPB's website. The filing period closed on December 9, 2024.

Per Ordinance 2020-25, appointed members shall have experience in at least one of the ten areas defining the scope of the commission. Sustainability commissioners shall submit a resume with their application to be appointed by the mayor and approved by the assembly.

The attached application is submitted herewith for your consideration.

**EAST PENINSULA** (areas of Seward, Moose Pass, Cooper Landing)

- Philip Kaluza

cc: Land Management

# Kenai Peninsula Borough Planning Department

Resilience & Security Advisory Commission Application Submitted 2024-11-14 11:28:26

Seat: East Peninsula - Term Expires 09/30/2027

<b>Name:</b>
Philip Kaluza
<b>Mailing Address:</b>
PO Box 3234 Seward, AK 99664
<b>Residential Address (if different from mailing address):</b>
207 Bear Dr Seward, AK 99664
<b>Email:</b>
pkaluza@gmail.com
<b>Mobile:</b>
9073606337
<b>Home Phone:</b>
9073606337
<b>How long have you lived in the area served by this Resilience &amp; Security Advisory Commission?</b>
12
<b>In which of the 10 areas defining the scope of the commission do you have experience?</b>
Energy Efficiency
<b>Comments (areas of interest, additional experience or qualifications, etc.):</b>
Researching Heat Pump Technology

## Turner, Michele

---

**From:** Phil Kaluza <pkaluza@gmail.com>  
**Sent:** Thursday, November 14, 2024 11:36 AM  
**To:** G\_Notify\_AssemblyClerk  
**Subject:** <EXTERNAL-SENDER>RSAC renewal

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**CAUTION:** This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

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Here is a resume for the file.

**Philip R. Kaluza**  
**PO Box 3234**  
**Seward, AK 99664**  
**Phone: (907) 360-6337**

### EXPERIENCE:

#### Overview:

Worked for the past 40 years both in the private sector and public on energy efficiency programs in Alaska. Over 20 years of Weatherization and cold climate homebuilding training experience throughout all of Alaska. Researcher in numerous projects ranging from indoor air quality and energy use monitoring in both rural and urban homes and multifamily structures. 17 years living in rural Alaska, providing training and technical assistance to AHFC, Housing Authorities, and individuals across the state. Projects include super-insulating an existing home, energy use monitoring and commissioning of public housing properties.

2.

3.

4. State Energy Program Manager

5.

#### Alaska Housing Finance Corporation

1994 –2000 State Energy Program Manager: Responsibilities include prepare and manage state and federal grants and budgets, quarterly reports, develop and manage training and research contracts. Other Program Manager duties include: supervise the AHFC Home Energy Rating Program, provide technical assistance to the Low-Income Weatherization Providers and AHFC Public Housing Division, builder and consumer energy education training, and review of the Alaska Building Energy Efficiency Standards. Special projects include the development of AkWarm rating software, and indoor air quality monitoring.

#### Self Employed

##### Arctic Energy Systems

1980 – Present Owner/operator of Arctic Energy Systems, providing consulting, training, technical assistance, research, sales & service to a wide range of clients throughout Alaska. Summary of activities:

#### Consulting & Research Projects:

- 
-

- Monitor Heating – Sales and Service 1982 – 1992
- 
- 
- 
- Certified Home Energy Rater and certification trainer 1990 - 2011
- 
- 
- 
- Weatherization Instructor for AVTEC winters of 2011 & 2012
- 
- 
- 
- Energy Use monitoring and commissioning of Glacier View Public Housing facility 2011-2012
- 
- 
- 
- Trainer for Alaska Building Science Network: 2000 – 2009: Weatherization, Heating System Design, Ventilation, Blower Door & Pressure Diagnostics, Cold Climate Construction, Indoor Air Quality & Rural Electrical Savings.
- 
- 
- 
- City of Noorvik Energy Use monitoring: Design and install monitoring equipment for the Noorvik Community building to evaluate retrofit savings. Report on file at AHFC Research and Information Library
- 
- 
- 
- AVCP Housing Authority Ventilation Monitoring Project: Indoor air quality monitoring for four rural houses in the village of Quinhagak. Monitoring included pre and post results of installing several different ventilation systems. CO2 tracer gas tests, blower door tests, data logging of outdoor air temperature and wind speed, indoor air temperature, relative humidity, and CO2 levels. Report on file at AHFC Research and Information Library
- 
-



- 
- Building Inspections for Bering Straits Regional Housing Authority and Alaska Legal Services.
- Included energy efficiency improvements, ventilation issues, along with various design and construction deficiency complaints.
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- 
- 
- Alaska Craftsman Home Program Trainer 1987-1994. Provided one and two day training statewide on Building Science, Air Tightness & Blower Door certification, Ventilation, and HOT200 computer analysis.
- 
- 
- 
- Presenter at the national Affordable Comfort Conference 1998,2002,2003,2005,2006 Energy Northwest 2000, 2004 Alaska State Homebuilders Association Annual Meeting 1999,2003,2004,2005,2006
- 
- 
- 
- Researcher on furnace sizing study to determine industry practices in sizing heating systems. Actual runtime of heating systems and outdoor temperatures are used to predict actual design heat loads. 2002 Study available at
- [www.cchrc.org](http://www.cchrc.org)
- 

**Design and Construction Experience:**

- 
- 
- CIAP Coordinator/Project Specialist
- 

Bering Straits Regional Housing Authority  
 5/91 – 7/92 Coordinate Comprehensive Improvement Assessment Program. Handle assessments, grant applications, material bidding and procurement. Conduct energy saving economic analysis. Coordinate force account work crews and inspection. Annual budget \$1,000,000. As project specialist, assist executive director in design and submittal review, change orders, site inspections for new housing projects in eight villages.

- 
- 
- Designed and built several super-insulated homes, currently retrofitting to super-insulation level my personal home in Seward AK.
-

**Post Retirement Experience 2012 - 2017:**

Guest instructor for the AVTEC Construction and the Plumbing & Heating courses.

Personally designed, installed, and currently monitoring several heat pumps in Seward. EPA certified and current dealer for residential heat pumps. Strong advocate for heat pump technology in Seward Alaska including: organized a community workshop along with AVTEC and the Chamber of Commerce on heat pumps. Advocated heat pump potential to the Seward City Council and staff.

**BOARDS AND COMMITTEES:**

- KPB Resilience and Security Advisory Commission 2023-2024
- Alaska Building Science Network.- President 2003 –2005
- Rural Energy Enterprises – Board of Directors 2001 - 2024
- Alaska Public Interest Research Group – Board of Directors 2000 -2008
- Alaska Thermal Standards Advisory Committee 1991-1992
- Alaska Weatherization Policy Advisory Board 1990-1995, 2005 - Present
- Governor’s Energy Policy Task Force 1986-1987

1.

**2.**

**3. EDUCATION ,CERTIFICATION & TRAINING**

4.

- Bemidji State University, B.S. Environmental Studies 1977
- Alaska Craftsman Home Program – Certified Trainer 1987
- Energy Rated Homes certified rater 1989
- HRAI Residential Ventilation Trainer 1998
- American Lung Assoc – Healthy Homes Trainer- 2001
- Building Performance Institute certified 2010-2012

Introduced by: Mayor  
Date: 12/03/24  
Hearing: 01/21/25  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2024-35**

**AN ORDINANCE AMENDING KPB 21.06.030, GENERAL PROVISIONS, TO ADOPT  
THE MOST RECENT FEMA FLOOD INSURANCE STUDY AND ASSOCIATED  
FLOOD INSURANCE RATE MAPS FOR THE KENAI PENINSULA BOROUGH**

- WHEREAS,** the Kenai Peninsula Borough (KPB) has had an accredited floodplain management program under the Federal Emergency Management Agency’s (FEMA) National Flood Insurance Program (NFIP) since 1986, which makes federal disaster insurance, federal hazard mitigation grants, federally-subsidized mortgages, and affordable individual homeowner flood insurance available within the KPB; and
- WHEREAS,** KPB’s continued participation in the NFIP is predicated upon continued good standing in that program; and
- WHEREAS,** KPB staff from the Donald E. Gilman River Center administers the Floodplain Management Program, which includes adopting Flood Insurance Rate Maps (FIRMs) and Flood Insurance Studies (FIS) when they become available; and
- WHEREAS,** the effective FIRMs for the Kenai River are 43 years old; and
- WHEREAS,** in May of 2020 FEMA began the process of remapping 47 miles of the Kenai River from Skilak Lake to Cook Inlet; and
- WHEREAS,** on June 22, 2023, KPB and FEMA representatives attended an open house at the Donald E. Gilman River Center to allow the public the opportunity to speak with floodplain specialists regarding the FIRMs; and
- WHEREAS,** on September 25, 2023, FEMA notified KPB that the public could appeal preliminary FIRMs between October 11, 2023, and January 9, 2024; and
- WHEREAS,** on October 2, 2023, KPB shared the appeal process on the Floodplain Management Program webpage and mailed this information to property owners affected by the revisions; and
- WHEREAS,** on August 28, 2024, FEMA finalized its determinations and informed KPB that KPB must adopt the new regulatory products by February 28, 2025, in order to remain in good standing in the NFIP; and

**WHEREAS,** direct mail notice of this ordinance as required by KPB 21.04.020 was sent to impacted property owners; and

**WHEREAS,** the Funny River Advisory Planning Commission, at its regularly scheduled meeting of December 11, 2024, recommended \_\_\_\_\_;

**WHEREAS,** the Planning Commission at its regularly scheduled meeting of December 16, 2024, recommended \_\_\_\_\_;

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

**SECTION 1.** That KPB 21.06.030(B)(1) is hereby amended to read as follows:

**21.06.030. General Provisions.**

B. *Basis for Establishing Flood Hazard Areas.* Flood hazard areas are identified as follows:

1. By the areas of special flood hazard identified by the Federal Insurance Administration in the scientific and engineering report entitled "Flood Insurance Study" (FIS) for the Kenai Peninsula Borough, Alaska dated May 19, 1981, revised on July 5, 1983, December 6, 1999, September 27, 2013, [AND ]October 20, 2016[.], and February 28, 2025. These areas are depicted on the effective Flood Insurance Rate Map (FIRM) and Digital Flood Insurance Rate Map (DFIRM) Panels. The map panels numbered 020012-1350 and 1700 have been deleted and the areas depicted by these panels are not subject to the terms of this chapter. Excluding these panels, the FIRMs are adopted by reference and declared to be a part of this chapter. The FIRMs are on file at the planning department. The best available information for flood hazard as outlined in KPB 21.06.040(C)(3) shall be the basis for regulation until a new FIRM or DFIRM is issued which incorporates the base flood plain data obtained pursuant to that section.

...

**SECTION 2.** That this ordinance shall be effective immediately.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS \* DAY  
OF \* 2025.**

---

Peter Ribbens, Assembly President

ATTEST:

---

Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

# Kenai Peninsula Borough

## Planning Department

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### MEMORANDUM

**TO:** Peter Ribbens, Assembly President  
Members, KPB Assembly

**THRU:** Peter A. Micciche, Mayor PM  
Robert Ruffner, Planning Director RR  
Samantha Lopez, River Center Manager SL

**FROM:** Julie Hindman, Floodplain Administrator JH

**DATE:** November 21, 2024

**SUBJECT:** Ordinance 2024- 35 , Amending KPB 21.06 .030, General Provisions, to Adopt the Most Recent FEMA Flood Insurance Study and Associated Flood Insurance Rate Maps for the Kenai Peninsula Borough (Mayor)

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The Kenai Peninsula Borough (KPB) has been a participating community in the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP) since 1986. The NFIP makes federal disaster insurance, federal hazard mitigation grants, federally-subsidized mortgages, and affordable flood insurance available within participating communities. A requirement of participating in the NFIP is that communities must adopt and regulate a Floodplain Management Program. KPB staff from the Donald E. Gilman River Center administers the KPB Floodplain Management Program. Participation within the NFIP requires adopting new Flood Insurance Rate Maps (FIRMs) when they become available, along with the supporting Flood Insurance Study (FIS). The Ordinance will adopt new FIRMs for 47 miles of the Kenai River, from the outlet of Skilak Lake to the Cook Inlet, effective February 28, 2025.

The majority of the current FIRMs for the Kenai River were created forty-three years ago, in 1981. Rivers are dynamic and can change the floodplain in that amount of time, so in 2020 KPB began working with FEMA to update the FIRMs for the Kenai River. For nearly five years, River Center staff has worked closely with FEMA through several technical reviews and, in conjunction with FEMA, held several public outreach events in an effort to accurately update the Kenai River FIRMs.

On August 28, 2024, FEMA issued its *Letter of Final Determination*, giving KPB six months to accept and adopt the new FIRMs or be suspended from the NFIP. If suspended, KPB and landowners in the floodplain would lose access to flood insurance, federally-subsidized mortgages, certain grant funds, and the ability to receive disaster relief funds. Losing access to these resources would have a profoundly negative impact on the residents of the KPB; therefore, River Center staff requests your support of the Ordinance.

Your consideration is appreciated.



**NOTICE OF PUBLIC HEARINGS**

Owner  
Attention  
Mailing Address  
Mailing City, State Zip Code

November 15, 2024

Parcel ID(s): Parcel Number

Public notice is hereby given that the Kenai Peninsula Borough (KPB) will be conducting public hearings on an Ordinance to amend KPB 21.06. The Ordinance will adopt the Flood Insurance Study (FIS) report and Flood Insurance Rate Maps (FIRM), with the effective date of February 28, 2025. As an owner of property within the study boundaries, you are receiving this notice. Changes to the regulatory floodplain may mean that that updates to the regulations that apply to developments on your property may apply.

The new FIS and maps can be found on the online FEMA Flood Map Services Center at <https://msc.fema.gov/portal/home>. Additional information may be found at <https://www.kpb.us/river-center/agencies/kenai-river-flood-map-update>.

The Ordinance will be heard at several KPB public meetings. The schedule is as follows:

**KPB Assembly Introduction, Tuesday, December 3, 2024, 6:00 p.m.**, or as soon thereafter as business permits, in the KPB Assembly Chambers, 144 N. Binkley Steet, Soldotna, Alaska. Written comments for this meeting must be received by 6:00 p.m. Tuesday, December 3, 2024 and may be mailed to Kenai Peninsula Borough Clerk, 144 N. Binkley St., Soldotna, Alaska 99669 or emailed to [assemblyclerk@kpb.us](mailto:assemblyclerk@kpb.us).

**KPB Planning Commission, Monday, December 16, 2024, 7:30 p.m.**, or as soon thereafter as business permits, in the KPB Assembly Chambers, 144 N. Binkley Street, Soldotna, Alaska. Written comments for this meeting must be received by 1:00 p.m. Friday, December 13, 2024 and may be mailed to Donald E. Gilman River Center, 514 Funny River Rd., Soldotna, Alaska 99669 or emailed to [KenaiRivCenter@kpb.us](mailto:KenaiRivCenter@kpb.us).

**KPB Assembly Public Hearing, Tuesday, January 21, 2025, 6:00 p.m.**, or as soon thereafter as business permits, in the KPB Assembly Chambers, 144 N. Binkley Steet, Soldotna, Alaska. Written comments for this meeting must be received by 6:00 p.m. Tuesday, January 21, 2025 and may be mailed to Kenai Peninsula Borough Clerk, 144 N. Binkley St., Soldotna, Alaska 99669 or emailed to [assemblyclerk@kpb.us](mailto:assemblyclerk@kpb.us).

If you have any questions, please contact the River Center at (907) 714-2460 or [KenaiRivCenter@kpb.us](mailto:KenaiRivCenter@kpb.us).



# National Flood Insurance Program

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## What is the National Flood Insurance Program (NFIP)?

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The NFIP is a federal program created by Congress to mitigate future flood losses. The program enacts and enforces floodplain management regulations and provides property owners and renters access to government-backed flood insurance policies.

Floodplain management regulations help keep residents safer, minimize property damage, and help build resilient communities. By employing wise floodplain management strategies, communities can protect against much of the devastating financial losses from flood disasters.

## Why do communities participate in the NFIP?

---

Communities may choose to participate in the NFIP for various reasons, including:

- To make the community more resilient in the event of flooding;
- To protect residents against the risk of financial uncertainty that flooding can bring if flood insurance is not available;
- To allow residents to purchase flood insurance, thereby transferring the financial risk of flooding in exchange for an annual premium; and/or
- To receive flood disaster assistance in the community with Special Flood Hazard Areas (SFHAs), as federal agencies may not provide assistance unless the community participates in the program.
- To qualify for federal grant funding opportunities from U.S. Army Corps of Engineers (USACE) projects, HUD for Community Development Block Grants (CDBG), and from FEMA for Hazard Mitigation Grant Program (HMGP) funding, Public Assistance (PA) grant and Pre-Disaster Mitigation (PDM) Program.



### Benefits of the NFIP within the Kenai Peninsula Borough

---

The Kenai Peninsula Borough's participation with the NFIP has resulted in various forms of assistance to land owners and the borough for flood damages but also the ability to receive specific grant funds.

- Grants have been available to land owners in the past for repairs to septic systems and wells due to flood damages.
- Within the Kenai Peninsula Borough, there have been cities that have joined to help receive federal funds for specific projects. As an example, the City of Kenai was able to receive U.S. Army Corps of Engineers funds for their bluff stabilization project because they joined the NFIP.
- Funds can be secured to buyout properties that have reoccurring flood issues so that the properties can be used as discharge areas to protect other properties. Funds of this nature had previously been used in Seward for similar needs.
- Due to the Kenai Peninsula Borough and the Cities of Seward and Homer's participation in the NFIP, assistance was available to update the tsunami sirens in those towns.
- Currently, there are 160 NFIP policies with \$46,649,000 insurance listed for the Kenai Peninsula Borough. Over the years there has been 79 paid losses of \$604,846.72

### Is community participation mandatory?

---

Community participation is typically voluntary unless the State requires participation as part of the state level floodplain management program. A community's participation can significantly affect current and *future* property owners in SFHAs.

Participation with the program requires the community adopt and enforce the federal regulatory requirements set forth by Federal Emergency Management Agency (FEMA), as the minimum regulations. The state or local government may adopt stricter requirements to further protect residents and their property.

### What does suspension or probation from the NFIP mean?

---

**Probation.** A FEMA-imposed change in a community's status resulting from violations and deficiencies in the administration and enforcement of NFIP local floodplain management regulations.

Probation will generally occur if attempts have been made by FEMA to work with a community to resolve enforcement problems. If attempts fail, FEMA may place the community on probation. There is a set time provided to allow the program deficiencies to be corrected, and violations to be remedied. Flood insurance is still available to property owners during probation, but there will be a surcharge added to each policy premium for at least one year.

**Suspension.** FEMA's removal of an NFIP participating community from the program because the community has not enacted and/or enforced the proper floodplain management regulations required for participation.

If a community fails to take measures during the probation period, the result may be suspension from the NFIP. If a community works to become compliant, FEMA may reinstate the community back into a probationary period. During a suspension, new flood insurance coverage cannot be purchased and policies cannot be renewed. Three-year policies become void at the end of the current policy year, with a pro-rata refund for the remaining policy term.

### New or revised Flood Insurance Rate Maps (FIRMs)

---

Part of remaining in compliance with the NFIP is that the community must adopt new or revised FIRMs as they are made available from FEMA. Waterbodies are dynamic and constantly moving, and man-made developments may further impact how floodwaters move. Local communities work with FEMA to identify areas that need to be re-studied by utilizing new technology to create new FIRMs that better represent the actual flood risk. Communities work with FEMA, local stakeholders, and the public to ensure that new FIRMs are capturing those risks.

Once preliminary maps are completed, FEMA will provide public notices and opens an appeal period. After that process is complete, FEMA will notify the community, and provide a deadline that the new maps must adopted by.

### Effects of suspension or withdrawal from the NFIP

---

A community may also desire to withdrawal from the NFIP as they no longer wish to enforce the federal minimum requirements for floodplain management. Non-participation may exclude property owners and the local community from receiving certain benefits, including:

- Federal grants, loans, disaster assistance, and federal mortgage insurance may not be available to property owners or the local community.
- No resident will be able to purchase a NFIP flood insurance policy.
- Existing flood insurance policies will not be renewed.
- No federal grants or loans for development may be made in identified flood hazard areas under programs administered by federal agencies such as HUD, EPA, and SBA.
- No federal disaster assistance may be provided to repair insurable buildings located in identified flood hazard areas for damage caused by a flood.
- No federal mortgage insurance or loan guarantees may be provided in identified flood hazard areas. This includes policies written by FHA, VA, and others.
- Federally insured or regulated lending institutions, such as banks and credit unions, must notify applicants seeking loans for insurable buildings in flood hazard areas that there is a flood hazard and that the ability to receive federal disaster relief will be impacted.
- Communities that do not participate in the NFIP may face significant impacts on funding eligibility for disaster assistance programs, including the unavailability of grants, limited federal aid for home repairs in flood-prone areas, and restrictions on loans for repairs related to flooding or located in SFHAs.

### Summary

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The decision to participate within the NFIP should be made with full awareness of the ramifications of either choice and should not be taken lightly. Once within the NFIP, being aware of the impact, not only on individuals but local government and organizations, that will limit the availability of federal grants and funding needs to be considered.

It should be noted that communities, especially large communities, that fail to remain in good standing with the NFIP program, do not only impact certain portions of the community. Failure to adopt new maps for one specific area will result in impacts for all areas within the community.

## National Flood Insurance Program

Not upholding floodplain management requirements for a development can result in a probation or suspension for the entire community not just that specific portion.

What if a community or property owner does not agree that their property is within the SFHA or that maps are incorrect for their property? FEMA does allow the public to submit map revisions and amendments. However, the party petitioning for the change must submit scientific data to support the claim for FEMA to review. This method allows for areas to be re-mapped without risk of NFIP suspension or probation.



This document was compiled by the Kenai Peninsula Borough River Center based on information provided by the following:

- *National Flood Insurance Program: Answers to Questions about the NFIP*, FEMA, May 2023, F-084
- Code of Federal Regulations
- [fema.gov](https://www.fema.gov)
- [floodsmart.gov](https://www.floodsmart.gov)



# Federal Emergency Management Agency

Washington, D.C. 20472

August 28, 2024

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:  
19P

The Honorable Peter A. Micciche  
Mayor, Kenai Peninsula Borough  
144 North Binkley Street  
Soldotna, Alaska 99669

Community Name: Kenai Peninsula  
Borough,  
Alaska  
Community No.: 020012  
Map Panels Affected: See FIRM Index

Dear Mayor Micciche:

This is to notify you of the final flood hazard determination for Kenai Peninsula Borough, Alaska and Incorporated Areas, in compliance with Title 44, Chapter I, Part 67, Section 67.11, Code of Federal Regulations (CFR). This section requires that notice of final flood hazards shall be sent to the Chief Executive Officer of the community, all individual appellants, and the State Coordinating Agency, and shall be published in the *Federal Register*.

The statutory 90-day appeal period that was initiated for your community when the Department of Homeland Security's Federal Emergency Management Agency (FEMA) published a notice of proposed flood hazard determinations for your community in the local newspaper has elapsed. FEMA did not receive any appeals of the proposed flood hazard determinations or submittals regarding the {Revised} Preliminary Flood Insurance Study (FIS) report and Flood Insurance Rate Map (FIRM) during that time.

Accordingly, the flood hazard determinations for your community are considered final. The final notice for flood hazard determinations will be published in the *Federal Register* as soon as possible. The FIS report and FIRM for your community will become effective on February 28, 2025. Before the effective date, we will send your community final printed copies of the FIS report and FIRM. For insurance purposes, the community number and new suffix code for the panels being revised are indicated on the FIRM and must be used for all new policies and renewals.

Because the FIS report for your community has been completed, certain additional requirements must be met under Section 1361 of the National Flood Insurance Act of 1968, as amended, within 6 months from the date of this letter.

It must be emphasized that all the standards specified in 44 CFR Part 60.3 (d) and (e) of the National Flood Insurance Program (NFIP) regulations must be enacted in a legally enforceable document. This includes adoption of the current effective FIS report and FIRM to which the

regulations apply and other modifications made by this map revision. Some of the standards should already have been enacted by your community in order to establish initial eligibility in the NFIP. Your community can meet any additional requirements by taking one of the following actions in this Paragraph of the NFIP regulations:

1. Amending existing regulations to incorporate any additional requirements of 44 CFR Part 60.3(d) and (e);
2. Adopting all the standards of 44 CFR Part 60.3(d) and (e) into one new, comprehensive set of regulations; or
3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of 44 CFR Part 60.3(d) and (e).

Also, prior to the effective date, your community is required, as a condition of continued eligibility in the NFIP, to adopt or show evidence of adoption of the floodplain management regulations that meet the standards of 44 CFR Part 60.3(d) and (e) of the NFIP regulations by the effective date of the FIRM. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

Many states and communities have adopted building codes based on the International Codes (I-Codes); the model I-Codes (2009 and more recent editions) contain flood provisions that either meet or exceed the minimum requirements of the NFIP for buildings and structures. The model codes also contain provisions, currently found in an appendix to the International Building Code, that apply to other types of development and NFIP requirements. In these cases, communities should request review by the NFIP State Coordinator to ensure that local floodplain management regulations are coordinated (not duplicative or inconsistent) with the State or Local building code. FEMA's resource, *Reducing Flood Losses through the International Code: Coordinating Building Codes and Floodplain Management Regulations, 5th Edition (2019)*, provides some guidance on this subject and is available at <https://www.fema.gov/emergency-managers/risk-management/building-science/building-codes/flood>.

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the Flood Disaster Protection Act of 1973 (Public Law 93-234) as amended, and 44 CFR Part 59.24.

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions (SOMA) to document previous Letters of Map Change (LOMC) actions (i.e., Letters of Map Amendment, Letters of Map Revision) that will be affected when the revised FIRM panels referenced above become effective. If no LOMCs were issued previously for your community, you are receiving a SOMA for informational purposes only.

Once the FIS report and FIRM are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided for use in a computer mapping system. These

files can be used in conjunction with other thematic data for floodplain management purposes, insurance requirements, and many other planning applications. Copies of the digital files of the FIRM panels may be obtained by calling our FEMA Mapping and Insurance eXchange (FMIX), toll free, at (877) 336-2627 (877-FEMA MAP) or by visiting the Map Service Center at <https://www.msc.fema.gov>. In addition, your community may be eligible for additional credits under our Community Rating System if you implement your activities using digital mapping files.

For assistance with your floodplain management ordinance or enacting the floodplain management regulations, please contact Harmony Curtis, NFIP State Coordinator for Alaska by telephone at (907) 269-7085. If you should require any additional information, we suggest that you contact the Director, Mitigation Division of FEMA, Region 10 at (425) 487-4600 for assistance. If you have any questions concerning mapping issues in general or the enclosed SOMA, please call our FMIX at the telephone number shown above. Additional information and resources you may find helpful regarding the NFIP and floodplain management can be found on our website at <https://www.fema.gov/flood-maps>. Copies of these documents may also be obtained by calling our FMIX.

Sincerely,



Luis V. Rodriguez, P.E.  
Director, Engineering and Modeling Division  
Risk Management Directorate | Resilience

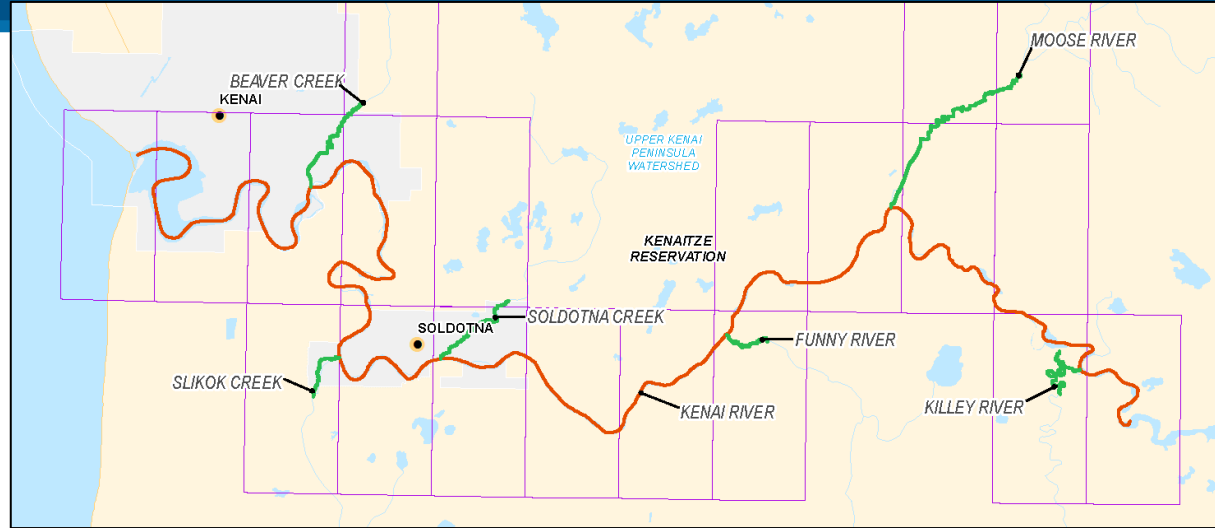
Enclosure:  
Final SOMA

cc: Community Map Repository  
Julie Hindman, Floodplain Management Planner, Kenai Peninsula Borough

# SCOPE OF WORK

## This study covered:

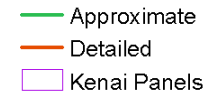
- Detailed streams.
  - Kenai River (47.3 mi.)
- Approximate streams.
  - Beaver Creek (3.3 mi.)
  - Funny River (1.7 mi.)
  - Killey River (2.7 mi.)
  - Moose River (6.0 mi.)
  - Slikok Creek (1.8 mi.)
  - Soldotna Creek (3.1 mi.)



### BASEMAP LAYERS



### SCOPE OF WORK



### REFERENCE

1 inch = 3.8 miles 1:237,969





Greetings,

11/20/2024

We received your notice of Public Hearings on an Ordinance to amend KPB 21.06 scheduled for Tuesday, December 3, 2024 at 6:00 PM.

Comments: - Have you read the book, "King of Fish – the Thousand-Year Run of Salmon"? In it, they illustrate the imperative importance of erosion on the growth of Salmon production to the extent that some communities have even purchased the residences of private properties located in Flood Planes so as to let those flood planes return to their contribution to erosion for the benefit of Salmon production.

In stark contrast, I've not seen anything our David Gilman River Center has demonstrated or done except to minimize or prevent erosion!

I highly recommend the dissolution of the David Gilman River Center.

Sincerely,

Stan Welles

RECEIVED  
NOV 25 2024

OFFICE OF THE BOROUGH CLERK  
KENAI PENINSULA BOROUGH

**Rasor, Jessica**

---

**Subject:** FW: <EXTERNAL-SENDER>Ordinance KPB 21.06  
**Attachments:** KPB Assembly comments 2024-12-02.pdf

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**From:** [aksctsmn@mtaonline.net](mailto:aksctsmn@mtaonline.net) <[aksctsmn@mtaonline.net](mailto:aksctsmn@mtaonline.net)>  
**Sent:** Monday, December 2, 2024 6:37 PM  
**To:** G\_Notify\_AssemblyClerk <[G\\_Notify\\_AssemblyClerk@kpb.us](mailto:G_Notify_AssemblyClerk@kpb.us)>  
**Subject:** <EXTERNAL-SENDER>Ordinance KPB 21.06

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**CAUTION:** This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

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Attached are our comments in opposition to the assembly amending Ordinance KPB 21.06

Thanks  
Michael & Kathy Miller

December 2, 2024

Kenai Peninsula Borough Clerk  
144 N. Binkley St.  
Soldotna AK 99669

RE: Amending Ordinance KPB 21.06  
Parcel ID 06529005

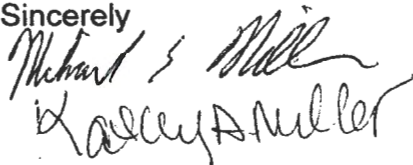
We are writing to vehemently oppose adopting the Flood Insurance Report and Flood Insurance Rate Maps at the December 3, 2024 Assembly Meeting.

We have had several conversations with the River Center concerning a permit to develop our lot. Under current regulations we are required to get a study meeting FEMA requirements completed by an engineering firm stating that **anything** we do on our lot will not alter the flood elevation should the river flood. We were finally able to locate one engineering firm willing to undertake the study at a cost of \$40,000.00 to \$50,000.00. Even after completing the study, we are not guaranteed a permit as the study can be rejected by FEMA. We have been told that the new regulations will make it more restrictive to develop our property.

A piece of Kenai riverfront property that has been in our family since the 1970's has been relegated to becoming an RV parking lot. We would like to point out that anything that we would have built on the property would have been built above the current flood datum and we would have provided certification to the River Center stating we were above the current flood datum. We had already had a local survey firm establish the flood datum on our property before we discovered how restrictive the regulations are.

In closing we would like to reiterate our opposition to the Assembly adopting any more regulations making it even more restrictive to develop our property.

Sincerely

Handwritten signature of Michael & Kathy Miller in black ink.

Michael & Kathy Miller  
907-862-0921

**Rasor, Jessica**

---

**Subject:** FW: <EXTERNAL-SENDER>Comments pertaining to ordinance to amend KPB 21.06

---

**From:** Khai Harbut <[khai.harbut@gmail.com](mailto:khai.harbut@gmail.com)>

**Sent:** Friday, December 6, 2024 12:24 PM

**To:** Kenai River Center <[kenairivcenter@kpb.us](mailto:kenairivcenter@kpb.us)>; G\_Notify\_AssemblyClerk <[G\\_Notify\\_AssemblyClerk@kpb.us](mailto:G_Notify_AssemblyClerk@kpb.us)>

**Subject:** <EXTERNAL-SENDER>Comments pertaining to ordinance to amend KPB 21.06

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**CAUTION:** This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

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Honorable KPB assembly members,

My name is Khai Harbut. Thank you for the opportunity to submit my comments pertaining to the ordinance to amend KPB 21.06. I own two parcels under KPB jurisdiction. One property is parcel ID 06533014, and its flood hazard status is left unchanged by the proposed amendment. I believe this is fair therefore I have no issue with the proposed changes WRT that property. However, I own another property parcel ID 06619002 that is directly impacted by the proposed amendment. Currently my property parcel ID 06619002 is affected to a small extent (see exhibit A) by the current effective flood hazard zoning that was established in 1981. The proposed changes place that entire property under zone A1 (see exhibit B) and unfairly imposes restrictions regarding potential future uses of this property. I am not well versed in how the study was performed and how the changes being proposed were determined. I believe the decision to include more of my property parcel ID 06619002 to be rather arbitrary. I respectfully request that you leave the flood hazard zoning unchanged with respect to my property parcel ID 06619002.

Sincerely,

Khai Harbut

Exhibit A:



Exhibit B:



December 11, 2024

Kenai Peninsula Borough  
Donald E. River Center  
514 Funny River Road  
Soldotna, AK 99669

By Email to KenaiRivCenter@KPB.us

Re: Written Comments for Planning Commission Meeting, December 16, 2024  
Ordinance 2024-35 to Amend KPB 21.06, Floodplain Management.

These comments respond to the Notice of Public Hearing dated November 15, 2024 regarding adoption of changes to the regulatory floodplain of the Kenai River near the Kenai Keys Subdivision and Stephenkie Subdivision No. 2. Although I serve as Vice President of the Kenai River Keys Property Owners Association, these comments are offered in my personal capacity. Please note that Frank Turpin's comments represent the position of the Kenai River Keys Property Owners Association.

As more fully explained below, I seriously doubt the long-term accuracy of the new FEMA floodplain elevations and I fully endorse the proposal for revised language attached to Mr. Turpin's comments.

My wife Cynthia Wellman and I have been the owners of Lot 9C of Stephenkie Subdivision No. 2 since 1983 with first a cabin on the property in 1985 and then a permanent residence since 2013. The residence is our retirement home with a current tax evaluation of \$519,400 and we are year-round residents. Most of my time during the summer is spent on the river and I am aware of the annual shifts in sandbars and river channels.

When we built our cabin and home on the property, we did so in compliance with the FEMA floodplain elevations then in effect. Our neighbors likewise built homes to that approved elevation. Since 1985 the Kenai River has flooded several times, including the 1995 flood generally regarded as a 100-year flood. Significantly, none of the homes in Stephenkie Subdivision No. 2 suffered any meaningful flood damage in the 1995 flood or any other subsequent floods. In our case, the gravel pad on which our house is built is a foot above the 100-year flood and has not been underwater in any flood. In addition, the area now proposed by FEMA to be within the floodway, was covered by large white spruce which seems inconsistent with designation as a "floodway". In other words, we have forty plus years of anecdotal data suggesting the current flood plain elevation is correct and the proposal overstates the flood potential.

It is not reasonable or practical for the public to perform alternative studies to disprove the new FEMA study and dispute the conclusions of FEMA regarding land use in the Kenai Keys and Stephenkie No. 2.

I request the Borough delay implementation of the proposed FEMA plan until the temporary sediment migration from the Killey River ends and the area can be reevaluated. By classifying all property as a "floodway" by raising the FEMA elevations by two feet, you have effectively eliminated future building or development on very valuable property. Moreover, it is unreasonable to require a detailed engineering study at \$40,000 to build a shed or add to an existing structure. By adopting language to keep the old elevations until the sediment migration is over preserves the beneficial use of the affected properties

Thanks for your consideration.

***Ted Wellman***  
***34593 Cranberry Circle***  
***Sterling AK 99672***

[tedwellman1@outlook.com](mailto:tedwellman1@outlook.com)

(907) 444-3785

December 10, 2024

Kenai Peninsula Borough  
Donald E. Gilman River Center  
514 Funny River Road  
Soldotna, Alaska 99669

By Email to [KenaiRivCenter@KPB.us](mailto:KenaiRivCenter@KPB.us)

Subject: Written Comments for Planning Commission Meeting December 16, 2024  
Ordinance 2024-35 to Amend KPB 21.06, Floodplain Management

These comments are in response to the Notice of Public Hearings dated November 15, 2024, regarding adoption of changes to the regulatory floodplain of the Kenai River, and specifically a segment of river downstream from the newly-formed mouth of the Killey River (now known as the Middle Killey). My comments are submitted both as a property owner in Kenai Keys at 34505 Chinook Run Drive and as President of Kenai River Keys Property Owners Association, representing 130 lot owners in Kenai River Keys and Stephenie No. 2 subdivisions.

My residence is directly across from where the Killey River now flows into the Kenai River. It's where muddy water begins and Wally's Hole once was.

I am asking for revision to proposed Ordinance 2024-35, which the Assembly is scheduled to adopt in January. The ordinance incorporates a new FEMA-prepared Flood Insurance Study and Rate Maps as the basis for the Borough's Floodplain Management. Unfortunately, the proposed ordinance does not recognize recent and ongoing changes occurring in the Kenai River.

The new FEMA study and maps unreasonably impact lot owners in our subdivisions and will restrict future improvements and property maintenance. Base flood elevations are to be raised more than 2-feet and the floodway designation expanded to include nearly all of both subdivisions. This considerably increases the cost of preparing permit applications, with no assurance that an application can be approved. By limiting development, rebuilding and maintenance, our property values will erode and drive us to become an RV park.

The Property Owners Association represents 130 lot owners. We have a mix of year-round and seasonal residents, and all of us are very conscious of periodic flooding.

Over the 52 years since our subdivision was approved by the Borough, the record flood event occurred in 1995 and flooded some homes and garages. This record event became our hundred-year flood and has not been exceeded since. Houses in the subdivision have been raised or rebuilt above this base flood elevation. Our most recent flood event occurred in September 2022, and flood water did not reach the floor level of any house in our subdivisions.



The new FEMA Flood Study and Revised insurance Maps did not recognize the changing nature of the Kenai River. It's a snapshot in time, taken while the Killey River was carving out a new course. This deposited an enormous amount of sand, gravel and debris into the Kenai River, shrinking the volume of the floodplain. But we now observe this sediment migrating downstream – with effects extending nearly to Bing's Landing. The new FEMA Flood Study is not representative of the river's recovery.

We submitted comments to FEMA but were dismissed because we had no technical data. All we had were photographs and history, but FEMA wanted data which they could insert into their hydrologic model. That is beyond our capability.

As you consider Ordinance 2024-35, we ask you to defer adoption of the new FEMA Flood Study and Rate Maps for a segment of the Kenai River downstream from the Middle Killey. We propose revised wording in the attached, which still leaves us subject to regulation by KPB 21.06.

We are also concerned that the Borough's Notice of Public Hearings is misleading. It states that the new Flood Insurance Study and maps can be found at a specified FEMA website: <https://msc.fema.gov/portal/home>. For our residence addresses, the only flood map shown is the current FEMA map 0200122090A, effective 5-19-81. The flood map to become effective with Ordinance 2024-35 is not shown. Ironically, the website does include relatively current aerial photography showing sediment-laden water entering the Kenai River from the Middle Killey, and then mixing into the Kenai River adjacent to Kenai Keys Subdivision. This photography shows that sediment-laden water from the Middle Killey is being conveyed downriver, which is precisely the reason our attached amendment should be adopted.

The Notice of Public Hearing provides a second website for additional information, at: <https://www.kpb.us/river-center/agencies/kenai-river-flood-map-update>). This website contains a before and after comparison of "Effective (1981)" and "Preliminary (2023.02.01)", but without identification of base flood elevations. Clicking on PRELIMINARY FIRM AND FIS REPORT brings up a FEMA webpage, but the search feature for Alaska is limited to Ketchikan Gateway Borough. That webpage says to contact the FEMA Map Information Exchange (FMIX) if not seeing a community's preliminary data. Following such contact, an "FMIX Specialist" provided a website for 250 pending documents for the Kenai Peninsula Borough, including 24 FIRM maps to be effective 2/28/25. The new maps for Kenai River could then be opened, and these contained contours for base flood elevations. But the contours are in a NAVD 88 vertical datum, which is different from the NGVD 29 datum that the Borough previously required. No conversion formula or factor was provided, leaving property owners without means to review proposed BFE changes on their properties. Separately, the Flood Insurance Study was composed of approximately 120 separate files, requiring specialized apps to open, and rendering it not possible for property owners to review.

We assume the difficulty in reviewing the proposed flood study and maps was intended. Given the lack of diligence to provide lot owners an opportunity to review these documents, the hearing dates contained in the Notice of Public Hearings, should be extended until such time as the FEMA documents can be reviewed.

FEMA's recent snapshot of flood risk unduly harms our lot owners. The Borough's adoption of these flood maps – without compensation to affected property owners – unreasonably diminishes use and enjoyment of these properties. Over the years we have worked with the Borough cooperatively to apply reasonable regulation of habitat and floodplain. Adoption of FEMA mandates does not serve our best interest and over the long run will undermine our property values.

Please adopt the revised Ordinance 2024-35 as attached.

Very truly yours,

Frank Turpin  
34505 Chinook Run Drive, Sterling AK 99672, and  
President, Kenai River Keys Property Owners Association  
Email: [fgturpin@gmail.com](mailto:fgturpin@gmail.com) cell 703-579-7593

Attachment: PROPOSED AMENDMENT TO ORDINANCE 2024-35 AMENDING KPB 21.06

cc: Samantha Lopez, by email: [slopez@kpb.us](mailto:slopez@kpb.us)  
Peter Micciche, by email: [pmicciche@kpb.us](mailto:pmicciche@kpb.us)

PROPOSED AMENDMENT TO ORDINANCE 2024-35 AMENDING KPB 21.06

By the areas of special flood hazard identified by the Federal Insurance Administration in the scientific and engineering report entitled "Flood Insurance Study" (FIS) for the Kenai Peninsula Borough, Alaska dated May 19, 1981, revised on July 5, 1983, December 6, 1999, September 27, 2013, [AND ]October 20, 2016[.], and February 28, 2025, excepting that portion of the February 28, 2025 revisions for the Kenai River downstream of its confluence with the Killey River as shown on FIRM Maps 02122C1060F and 02122C1080F. This segment of the Kenai River at the present time is undergoing change due to rapid sediment transport from the Killey River, and until such time as sediments migrate downstream and this change stabilizes, flood elevations for this portion of the Kenai River will remain as those identified on FIRM Maps dated May 19, 1981. These areas are depicted on the effective Flood Insurance Rate Map (FIRM) and Digital Flood Insurance Rate Map (DFIRM) Panels. The map panels numbered 020012- 1350 and 1700 have been deleted and the areas depicted by these panels are not subject to the terms of this chapter. Excluding these panels, the FIRMs are adopted by reference and declared to be a part of this chapter. The FIRMs are on file at the planning department. The best available information for flood hazard as outlined in KPB 21.06.040(C)(3) shall be the basis for regulation until a new FIRM or DFIRM is issued which incorporates the base flood plain data obtained pursuant to that section.

**Rasor, Jessica**

---

**Subject:** FW: New Public Comment to Assembly Members

**From:** Kenai Peninsula Borough <[webmaster@kpb.us](mailto:webmaster@kpb.us)>

**Sent:** Saturday, December 14, 2024 11:15 PM

**To:** Borough Assembly <[Borough-Assembly@kpb.us](mailto:Borough-Assembly@kpb.us)>; Mayor's Department <[MayorDepartmental@kpb.us](mailto:MayorDepartmental@kpb.us)>

**Cc:** G\_Notify\_AssemblyClerk <[G\\_Notify\\_AssemblyClerk@kpb.us](mailto:G_Notify_AssemblyClerk@kpb.us)>

**Subject:** New Public Comment to Assembly Members

**Your Name:** George Buck

**Your Email:** [thebucksfive@yahoo.com](mailto:thebucksfive@yahoo.com)

**Subject:** Kenai Keys Area Base Flood Elevation - Ordinance 2024-35

**Message:**

Subject: Comments to Borough Assembly – Proposed Amendment of KPB 21.06 (Ordinance 2024-35, to adopt FEMA-prepared FIS and FIRM effective 2-28-25) December 3, 2024, Rev 12-4-24

Hi, my name is George Buck. I own a house in Kenai Keys Subdivision at 34685 Chum Way. I hope that you will consider my comments as you address the proposed amendment to the KPB 21.06 Floodplain Management, which was introduced as Ordinance 2024-35.

The amendment incorporates a new FEMA-prepared Flood Insurance Study and Rate Map as the basis for the Borough's Floodplain Management. This new study unnecessarily impacts Kenai Keys residents and will restrict future improvements in our subdivision. Base flood elevations are to be raised more than 2-feet and the floodway designation expanded to include nearly all of the subdivision which currently has approximately 130 lot owners.

The new floodplain proposal appears to be an overreaction to recent sedimentation in the Kenai River. In my humble opinion this is a natural event that will remedy itself in a few years. That natural remedy appears to be already taking place. As you know, the 2014 Funny River fire destroyed a lot of vegetation which destabilized the soil in the Kiley River drainage. As a result, the Kiley River released significant sediment into the Kenai River, in fact so much sediment that part of the Kiley River changed course. Over the past two years that sediment in the Kenai River appears to have started to wash downstream.

The proposed FEMA Flood Study does not appear to have taken this into account. I ask that the changes to the base flood elevation be deferred by 5 years allowing time for the Kenai River to stabilize. At which time FEMA could reconsider their study.

This seems a reasonable course of action considering the financial impact this proposed change will have on our friends and neighbors.

George

Questions regarding KPB 21.06 Amendment to adopt the FEMA Flood Insurance Study (FIS)

We request the KPB ask FEMA for a 180 day delay. This will allow for KPB and us to gather additional information needed to make a wise decision for the people and businesses living and working in KPB. The questions were from a collaboration of over 200 property owners who are concerned about property values along the river and the financial impact on the local economy and KPB tax base

1	Legal	<p>Question: What visibility does KPB and State of Alaska have on numerous ongoing Class Action Lawsuits?</p> <p>Rationale: Wouldn't it be prudent for Alaska and the KPB to request FEMA delay further action until these other cases are settled?</p>
2	Legal	<p>Question: How does the Supreme Court ruling on June 28, 2024, striking down the Chevron Doctrine change impact the process and expansion of the proposed rule changes?</p> <p>Rationale: The Supreme Court cut back sharply on the power of federal agencies to interpret the laws they administer. The Supreme Court struck down the Chevron deference ruling of 40 years ago. This rulemaking process started before the June 2024 ruling. Since the federal government is now more limited on their actions the local and state governments should be similarly limited.</p>
3	Notice 1	<p>Question: Why wasn't the information error checked in the Borough's Notice of Public Hearings verified before sending?</p> <p>Rationale 1: The Borough's Notice of Public Hearings is not accurate. It states that the new Flood Insurance Study and maps can be found at a specified FEMA website: <a href="https://msc.fema.gov/portal/home">https://msc.fema.gov/portal/home</a> For residences addresses on the upper river above Bing's Landing, the only flood map shown is the current FEMA map 0200122090A, effective 5-19-81. The flood map to become effective with Ordinance 2024-35 is not shown.</p> <p>Ironically, the website does include relatively current aerial photography showing sediment-laden water entering the Kenai River from the Middle Killey and then mixing into the Kenai River adjacent to Kenai Keys Subdivision. This photography shows that sediment-laden water from the Middle Killey is being conveyed downriver, which is precisely another reason our KRK HOA amendment should be adopted</p>

Questions regarding KPB 21.06 Amendment to adopt the FEMA Flood Insurance Study (FIS)

		<p>Rationale 2: The Notice of Public Hearing provides a second website for additional information, at: (<a href="https://www.kpb.us/river-center/agencies/kenai-river-flood-map-update">https://www.kpb.us/river-center/agencies/kenai-river-flood-map-update</a>). This website contains a before and after comparison of “Effective (1981)” and “Preliminary (2023.02.01)”, but without identification of base flood elevations. Clicking on PRELIMINARY FIRM AND FIS REPORT brings up a FEMA webpage, but the search feature for Alaska is limited to Ketchikan Gateway Borough. That webpage says to contact the FEMA Map Information Exchange (FMIX) if not seeing a community’s preliminary data. Following such contact, an “FMIX Specialist” provided a website for 250 pending documents for the Kenai Peninsula Borough, including 24 FIRM maps to be effective 2/28/25. The new maps for the Kenai River could then be opened, and these contained contours for base flood elevations. But the contours are in a NAVD 88 vertical datum, which is different from the NGVD 29 datum that the Borough previously required. No conversion formula or factor was provided, leaving property owners without means to review proposed BFE changes on their properties.</p> <p>Rationale 3: Separately, the Flood Insurance Study was composed of approximately 120 separate files, requiring specialized apps to open, and rendering it not possible for property owners to review.</p>
4	Notice 2	<p>Question: Why did FEMA and KPB decide they did not have to follow the procedures published in the Federal Register</p> <p>Rationale 1: The report mentions several meetings were conducted. Why was it that the public was not invited to these meetings in Kenai?</p> <p>Rationale 2: FEMA did not use its own past or new public notice procedures.</p>
5	Notice 3	<p>Question: Why did FEMA not update its study design and analysis based on newly published 44 CFR Part 9?</p> <p>Rationale: Rationale: On October 2, 2023, the Federal Emergency Management Agency (FEMA) published a notice of proposed rulemaking (NPRM) and supplementary policy that proposed to implement the Federal Flood Risk Management Standard (FFRMS) and update the agency’s 8-step decision-making process for floodplain reviews by changing how FEMA defines a floodplain with respect to certain actions and how FEMA uses natural systems, ecosystem processes, and nature-based approaches when developing alternatives to locating a proposed action in the floodplain. After a careful review of the public comments</p>

Questions regarding KPB 21.06 Amendment to adopt the FEMA Flood Insurance Study (FIS)

		received, FEMA is now issuing a final rule that implements the proposed rule, with some minor amendments. This rule is effective September 9, 2024.
6	Notice 4	<p>Question: Why didn't FEMA and KPB use KB alerts and their Facebook site to facilitate open communication with the public?</p> <p>Rationale: All we got was a confusing post card in the mail. Confusing in that when people looked on online there were scant details on the process and what would be the impact to property owners.</p> <p>The only post card KPB sent invited residents to a winter meeting to roll out the FEMA's final decision without any public comments in the prior build-up to the process. It was a take-it-and-leave approach with FEMA's decisions already made.</p>
7	Problem Statement	<p>Question: Why did the FIS problem statement only include one flood scenario and not include a listing of top 10 historical flood crests with a description of root cause of each flood?</p> <p>Rationale 1: The problem described glacier dam break in middle of winter has only happen once in 30 years whereas the river experiences high water events every 2.5 years for other root causes. We believe the problem stated statement as written doesn't cover all the sources of flood water, does not address the problems that are experienced on the river. As residence near the river, we are aware of the impacts of high water, events and frequencies.</p> <p>Rationale 2: The problem statement also misses property owner's biggest concern - the state and federal government's, inability or unwillingness to close the river to boat traffic during high water events.</p> <p>Rationale 3: On the upper river, we have different flood conditions, and we are not aware in recorded history that there has been any flood damage in the winter due to a glacier dam break. We are not saying the event has not happened in the late fall. However, what we are saying is because the river level was low the impact of that event was minimal</p>
8	Method	<p>Question: What independent and dependent variables were used in the FIS analysis? How far back did you model the historical data for rainfall, snow previous winter, spring and summer temperatures, timing and size of glacier dam breaks on elevated river levels and</p>

Questions regarding KPB 21.06 Amendment to adopt the FEMA Flood Insurance Study (FIS)

		<p>economic impact? What were the flood insurance claims that corresponded with these high-water events?</p> <p>Rationale: Knowing this information would provide confidence in model results</p>
9	Method	<p>Question: What real-world scenarios were used to validate the model?</p> <p>Rationale: Knowing this information would provide confidence in model results</p>
10	Method	<p>Question: How many model runs were accomplished to arrive at the new Base Flood Elevation?</p> <p>Rationale: Unless there are statistically significant model runs it is impossible to have confidence in the result</p>
11	Method	<p>Question: What sensitivity analysis was accomplished and what did analysts learn about original assumption that improved the quality or confidence in FIS findings?</p> <p>Rationale: Without sensitivity analysis it is again impossible to have confidence in the results. We have consulted with the USACOE on proper use of the model</p>
12	Method	<p>Question: What business case analysis was accomplished to compare / contrast the impacts of these changes on insurance claims, property values, tax base, etc.</p> <p>Rationale: As you may be aware, the federal government has wrecked the crab fishery, King salmon fishery, halibut fishery, and all the habitat that goes along with it. Now they want to come in and wreck our rivers for what reason? Does FEMA feel like it has a mandate to arbitrarily come in and raise the base flood elevation based on a poorly conducted study that contains no clear problem statement doesn't have measures of merit, doesn't list independent variables, or describe key features of its study design. The academic rigor of the study is frankly laughable at best.</p>
13	Method	<p>Question: Please provide accuracy/precision metrics for data sources in Table 22. Also please explain how FEMA is confident the result is actual river rise or error/noise in the data. Our experience is this is normally accomplished as part of sensitivity analysis and model validation.</p>



		<p>Rationale: Realistically all geospatial data has some form of error associated with the data collection, and the use of multiple sources compounds and sums together into a single Root Mean Squared Error (RMSE) value. Additionally, looking at the projected water surface elevation rise for an annual 1% chance flood in table 23, a lot of the values are within the error of those elevation datasets (table 22). This means that it's hard to truly say if that's rise in water surface elevation, or just error of the data. Plus, realistically the compound RMSE would be larger, making those results even less significant. So clarity needs to be provided in terms of why they are so confident in their results, based on what is in the report.</p>
14	Method	<p>Question: What criterion or rationale was used to establish the new BFE? Was the BFE field verified within neighborhoods? Was it a scale that reflects the changing river dynamics?</p> <p>Rationale: Based on our calculations the error in the FEMA analysis exceeds the average BFE increase. It would be wise to have FEMA prove their academic rigor</p>
15	Method	<p>Question: What datum conversion error checking did KPB or FEMA accomplish when NGVD 29 to NAVD 88 vertical datums?</p> <p>Rationale: In Geographic Information Service application, conversion from one datum to another it is a well-known but complex problem. Using two different unconverted datums on a map results in erroneous locations.</p> <p>If KPB and FEMA understand this problem, it would know it is more pronounced at northern latitudes. They would have validated elevations and Lat Long coordinates using industry's advanced conversion tools. Showing us how conversion was accomplished and field verification of the resulting model would provide confidence in the data.</p>

**Rasor, Jessica**

---

**Subject:** FW: <EXTERNAL-SENDER>Questions/Concerns to KPB Assembly and River Center KPB 21.06 Ammendment  
**Attachments:** KPB 21.06 Planning Commission Questions v1(MSA)20241213.pdf

---

**From:** Michael Agin <festus12358@gmail.com>  
**Sent:** Friday, December 13, 2024 5:32 AM  
**To:** G\_Notify\_AssemblyClerk <G\_Notify\_AssemblyClerk@kpb.us>; Kenai River Center <kenairivcenter@kpb.us>  
**Subject:** <EXTERNAL-SENDER>Questions/Concerns to KPB Assembly and River Center KPB 21.06 Ammendment

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---

I respectfully submit the attached questions about KPB 21.06 Amendment to adopt the FEMA Flood Insurance Study (FIS). We request the KPB ask FEMA for a 180 day delay. This will allow for KPB and us to gather additional information needed to make a wise decision for the people and businesses living and working in KPB. The questions were from a collaboration of over 200 property owners who are concerned about property values along the river and the financial impact on the local economy and KPB tax base.

We realize that some of these questions should have been asked last year, but the record clearly shows most of the property owners only received a single post card with minimal details and inaccurate links to KPB and FEMA websites. We have also documented that FEMA did not follow their required process published in public law. Additionally, our attempts to gather additional information were thwarted with confusion. Not to mention it has taken hundreds of manhours over past month to get smart on the FEMA process and HECRAS modeling tool used during the process. Attached are our question with rationale why we need additional information to determine this is a logical course of action and best for our community

Michael "Festus" Agin  
34860 Chinook Run Drive  
702-806-3152  
Festus12358@gmail.com

**Rasor, Jessica**

---

**Subject:** FW: <EXTERNAL-SENDER>Questions/Concerns to KPB Assembly and River Center KPB 21.06 Ammendment  
**Attachments:** KPB 21.06 Planning Commission Questions v1(MSA)20241213.pdf

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**From:** Khai Harbut <[khai.harbut@gmail.com](mailto:khai.harbut@gmail.com)>  
**Sent:** Friday, December 13, 2024 7:30 AM  
**To:** G\_Notify\_AssemblyClerk <[G\\_Notify\\_AssemblyClerk@kpb.us](mailto:G_Notify_AssemblyClerk@kpb.us)>  
**Subject:** <EXTERNAL-SENDER>Questions/Concerns to KPB Assembly and River Center KPB 21.06 Ammendment

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Honorable Assembly members,

I respectfully submit the attached questions about KPB 21.06 Amendment to adopt the FEMA Flood Insurance Study (FIS). We request the KPB ask FEMA for a 180 day delay. This will allow for KPB and us to gather additional information needed to make a wise decision for the people and businesses living and working in KPB. The questions were from a collaboration of over 200 property owners who are concerned about property values along the river and the financial impact on the local economy and KPB tax base.

We realize that some of these questions should have been asked last year, but the record clearly shows most of the property owners only received a single post card with minimal details and inaccurate links to KPB and FEMA websites. We have also documented that FEMA did not follow their required process published in public law. Additionally, our attempts to gather additional information were thwarted with confusion. Not to mention it has taken hundreds of manhours over past month to get smart on the FEMA process and HECRAS modeling tool used during the process.

Attached are our question with rationale why we need additional information to determine this is a logical course of action and best for our community

Sincerely,

Khai Harbut

214-385-7047

35664 Snag Circle, Sterling AK, 99672

35446 Slack Water Dr. Soldotna AK, 99669

Rasor, Jessica

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**Subject:** FW: <EXTERNAL-SENDER>Re: Questions/Concerns to KPB Assembly and River Center  
KPB 21.06 Ammendment  
**Attachments:** KPB 21.06 Planning Commission Questions v1(MSA)20241213.pdf

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**From:** Janet Bounds <[janet.bounds@gmail.com](mailto:janet.bounds@gmail.com)>  
**Sent:** Friday, December 13, 2024 9:15 AM  
**To:** Kenai River Center <[kenairivcenter@kpb.us](mailto:kenairivcenter@kpb.us)>; G\_Notify\_AssemblyClerk <[G\\_Notify\\_AssemblyClerk@kpb.us](mailto:G_Notify_AssemblyClerk@kpb.us)>  
**Cc:** Michael Agin <[festus12358@gmail.com](mailto:festus12358@gmail.com)>  
**Subject:** <EXTERNAL-SENDER>Re: Questions/Concerns to KPB Assembly and River Center KPB 21.06 Ammendment

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Questions and concerns on the proposed amendment to the KPB 21.06 and Flood Insurance Study.

I respectfully submit the attached questions about KPB 21.06 Amendment to adopt the FEMA Flood Insurance Study (FIS). We request the KPB ask FEMA for a 180 day delay. This will allow for KPB and us to gather additional information needed to make a wise decision for the people and businesses living and working in KPB. The questions were from a collaboration of over 200 property owners who are concerned about property values along the river and the financial impact on the local economy and KPB tax base.

Additional time is needed for the affected public as well as the regulators. Expecting the public to evaluate modeling is not reasonable. The public does not have access to the software nor the knowledge. The modeling needs to be re-evaluated. Data problems, datum irregularities, process inconsistencies compound to result in erroneous outputs. Garbage in is garbage out.

Please see the attached questions and concerns from neighbors.

Janet Bounds  
13028 Chinook Run Drive  
Sterling, Alaska 99672

907-223-3173

**Rasor, Jessica**

---

**Subject:** FW: <EXTERNAL-SENDER>Questions/Concerns to KPB Assembly and River Center KPB 21.06 Ammendment  
**Attachments:** KPB 21.06 Planning Commission Questions v1(MSA)20241213.pdf

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**From:** [ecampbellak@gmail.com](mailto:ecampbellak@gmail.com) <[ecampbellak@gmail.com](mailto:ecampbellak@gmail.com)>  
**Sent:** Friday, December 13, 2024 11:25 AM  
**To:** Kenai River Center <[kenairivcenter@kpb.us](mailto:kenairivcenter@kpb.us)>; G\_Notify\_AssemblyClerk <[G\\_Notify\\_AssemblyClerk@kpb.us](mailto:G_Notify_AssemblyClerk@kpb.us)>  
**Cc:** [festus12358@gmail.com](mailto:festus12358@gmail.com)  
**Subject:** <EXTERNAL-SENDER>Questions/Concerns to KPB Assembly and River Center KPB 21.06 Ammendment

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I respectfully submit the attached questions about KPB 21.06 Amendment to adopt the FEMA Flood Insurance Study (FIS). We request the KPB ask FEMA for a 180 day delay. This will allow for KPB and us to gather additional information needed to make a wise decision for the people and businesses living and working in KPB. The questions were from a collaboration of over 200 property owners who are concerned about property values along the river and the financial impact on the local economy and KPB tax base.

We realize that some of these questions should have been asked last year, but the record clearly shows most of the property owners only received a single post card with minimal details and inaccurate links to KPB and FEMA websites. We have also documented that FEMA did not follow their required process published in public law. Additionally, our attempts to gather additional information were thwarted with confusion. Not to mention it has taken hundreds of manhours over past month to get smart on the FEMA process and HECRAS modeling tool used during the process. In general, I believe it is a bad idea to enact any regulations that inhibit the right of a property owner to utilize their property how they see fit.

Attached are our question with rationale why we need additional information to determine this is a logical course of action and best for our community

Eric Campbell  
34789 Chinook Run Dr.  
907-529-5492

**Rasor, Jessica**

---

**Subject:** FW: <EXTERNAL-SENDER>Fwd: Questions/Concerns to KPB Assembly and River Center KPB 21.06 Amendment  
**Attachments:** KPB 21.06 Planning Commission Questions v1(MSA)20241213.pdf

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**From:** Matthew Fagnani <[mattfagnani@gmail.com](mailto:mattfagnani@gmail.com)>  
**Sent:** Friday, December 13, 2024 11:03 AM  
**To:** Kenai River Center <[kenairivcenter@kpb.us](mailto:kenairivcenter@kpb.us)>  
**Subject:** <EXTERNAL-SENDER>Fwd: Questions/Concerns to KPB Assembly and River Center KPB 21.06 Amendment

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Kenai Borough Planning Commission Members:

I respectfully submit the attached questions regarding KPB 21.06 Amendment, which aims to adopt the FEMA Flood Insurance Study (FIS). We request that the KPB ask FEMA for a 180-day delay or more. This additional time will allow KPB and us to gather the necessary information to make an informed decision that benefits the people and businesses living and working in KPB.

The questions included in the attachment reflect the concerns of over 200 property owners regarding property values along the river and the potential financial impact on the local economy and the KPB tax base.

We understand that some of these questions should have been raised last year. However, the record indicates that most property owners received only a single postcard containing minimal details and inaccurate links to the KPB and FEMA websites. Furthermore, we have documented instances where FEMA needed to adhere to the required process outlined in public law. Our efforts to obtain additional information have also been improved by clarity. It has taken hundreds of man-hours over the past month to familiarize ourselves with the FEMA process and the HECRAS modeling tool used during this assessment.

I've attached our questions and the reason for our request for additional information, as we believe it is essential to ensure a logical and beneficial course of action for our community.

The attachment contains enough concerns and challenges that the KPB planning commission would want answers to before adopting the recommended FEMA change.

Please consider the delay.

v/r

Matthew Fagnani

Kenai Property  
29087 Coho Ct.  
and  
29089 Coho Ct  
Sterling, AK 99672

--

Matthew T. Fagnani  
2559 Loussac Dr.  
Anchorage, Alaska 99517

907-250-2313  
USAF Veteran

[matt.fagnani@gmail.com](mailto:matt.fagnani@gmail.com)



**Rasor, Jessica**

---

**Subject:** FW: <EXTERNAL-SENDER>KPB 21.06 Amendment  
**Attachments:** KPB 21.06 Planning Commission Questions v1(MSA)20241213.pdf

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**From:** [aksctsmn@mtaonline.net](mailto:aksctsmn@mtaonline.net) <[aksctsmn@mtaonline.net](mailto:aksctsmn@mtaonline.net)>  
**Sent:** Friday, December 13, 2024 12:23 PM  
**To:** Kenai River Center <[kenairivcenter@kpb.us](mailto:kenairivcenter@kpb.us)>; G\_Notify\_AssemblyClerk <[G\\_Notify\\_AssemblyClerk@kpb.us](mailto:G_Notify_AssemblyClerk@kpb.us)>  
**Cc:** 'Michael Agin' <[festus12358@gmail.com](mailto:festus12358@gmail.com)>  
**Subject:** <EXTERNAL-SENDER>KPB 21.06 Amendment

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---

I respectfully submit the attached questions about KPB 21.06 Amendment to adopt the FEMA Flood Insurance Study (FIS). We request the KPB ask FEMA for a 180 day delay. This will allow for KPB and us to gather additional information needed to make a wise decision for the people and businesses living and working in KPB. The questions were from a collaboration of over 200 property owners who are concerned about property values along the river and the financial impact on the local economy and KPB tax base.

We realize that some of these questions should have been asked last year, but the record clearly shows most of the property owners only received a single post card with minimal details and inaccurate links to KPB and FEMA websites. We have also documented that FEMA did not follow their required process published in public law. Additionally, our attempts to gather additional information were thwarted with confusion. Not to mention it has taken hundreds of manhours over past month to get smart on the FEMA process and HECRAS modeling tool used during the process. Attached are our question with rationale why we need additional information to determine this is a logical course of action and best for our community

Michael & Kathy Miller  
PO Box 671453  
Chugiak AK 99567

907-862-0921

**Rasor, Jessica**

---

**Subject:** FW: <EXTERNAL-SENDER>Questions/Concerns to KPB Assembly and River Center KPB 21.06 Amendment  
**Attachments:** KPB 21.06 Planning Commission Questions v1(MSA)20241213.pdf

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**From:** Matt Tisher <[mtisher@ahtna.net](mailto:mtisher@ahtna.net)>  
**Sent:** Friday, December 13, 2024 12:26 PM  
**To:** Kenai River Center <[kenairivcenter@kpb.us](mailto:kenairivcenter@kpb.us)>; G\_Notify\_AssemblyClerk <[G\\_Notify\\_AssemblyClerk@kpb.us](mailto:G_Notify_AssemblyClerk@kpb.us)>  
**Cc:** Mike Agin Agin <[festus12358@gmail.com](mailto:festus12358@gmail.com)>  
**Subject:** <EXTERNAL-SENDER>Questions/Concerns to KPB Assembly and River Center KPB 21.06 Amendment

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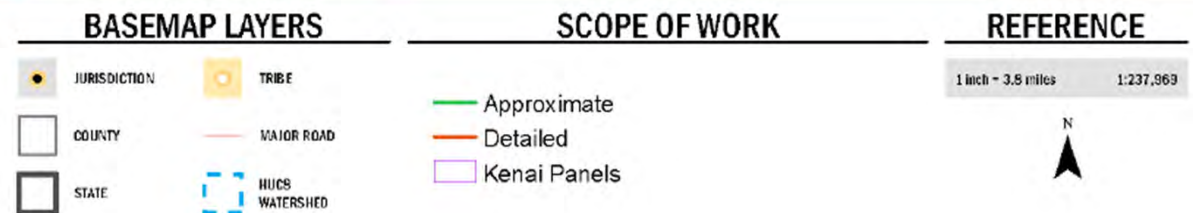
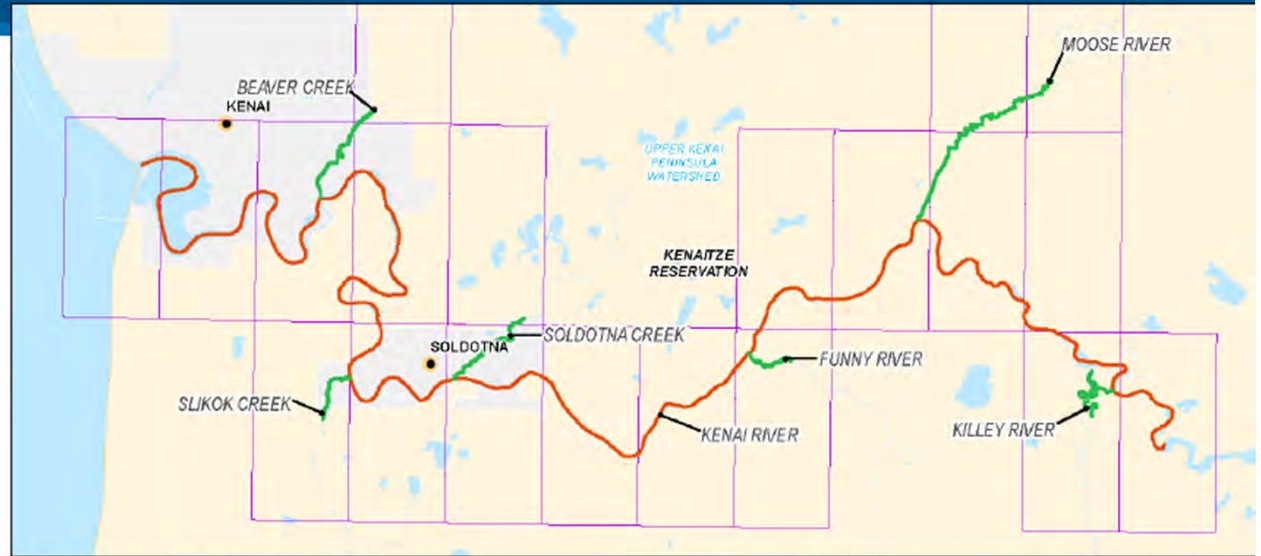
Thank you,

**William Matthew Tisher**  
**907-350-2776**  
**34595 Chinook Run Drive**

# SCOPE OF WORK

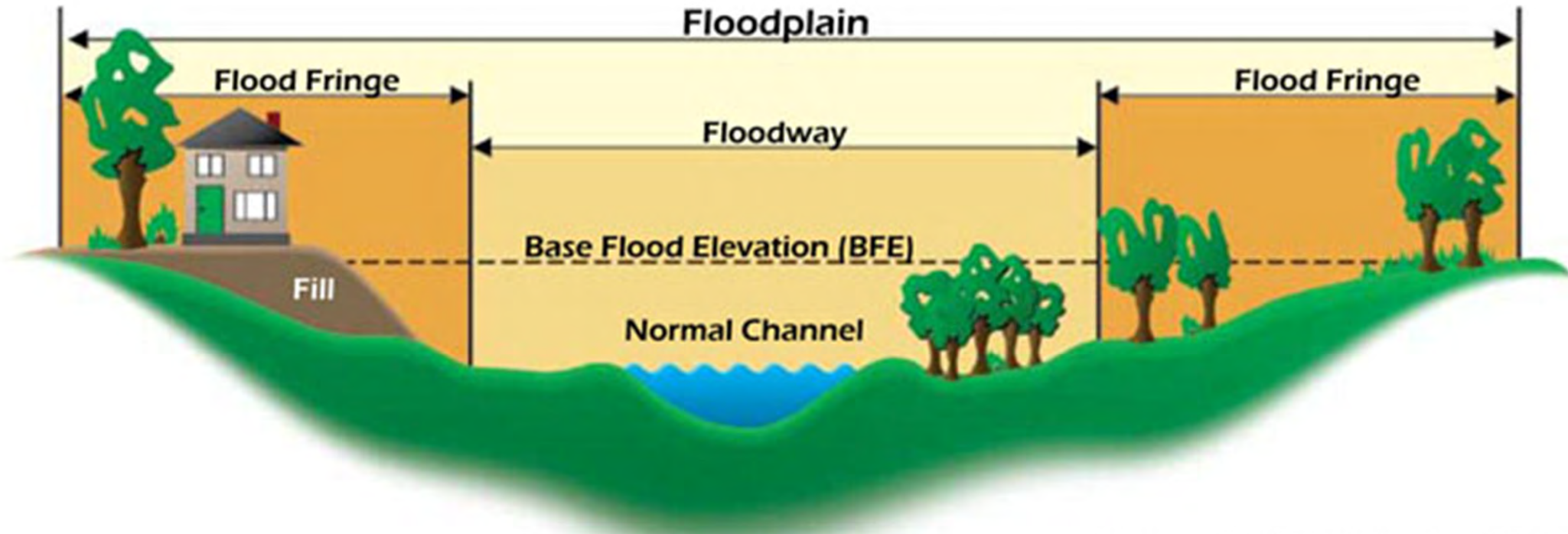
## This study covered:

- Detailed streams.
  - Kenai River (47.3 mi.)
- Approximate streams.
  - Beaver Creek (3.3 mi.)
  - Funny River (1.7 mi.)
  - Killey River (2.7 mi.)
  - Moose River (6.0 mi.)
  - Slikok Creek (1.8 mi.)
  - Soldotna Creek (3.1 mi.)

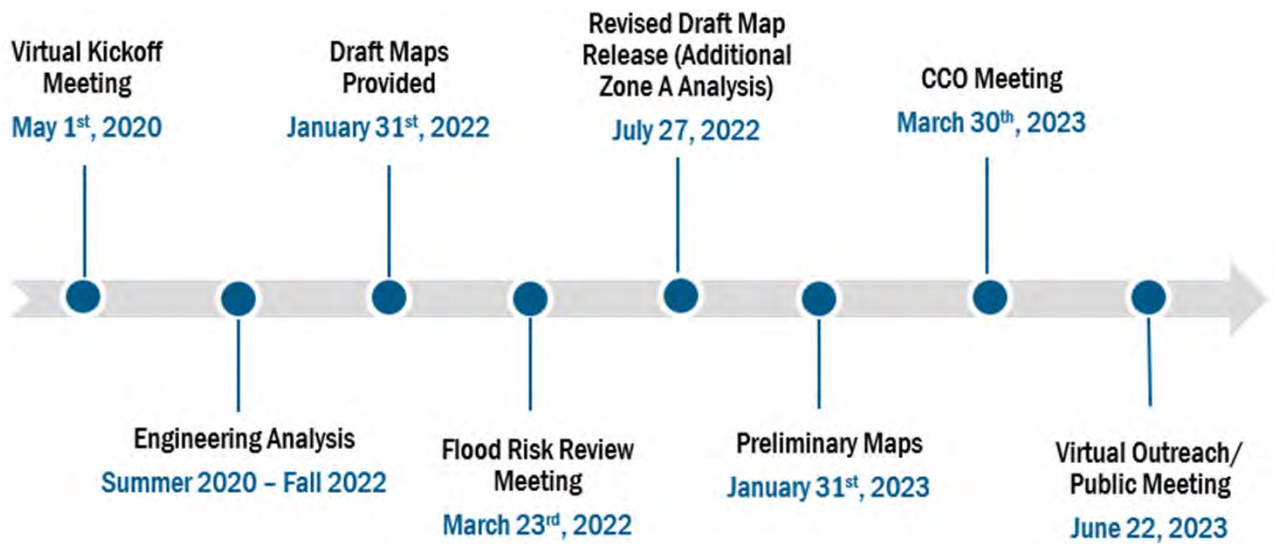


Map showing the extent of the study completed in Kenai Peninsula Borough.

## Characteristics of a Floodplain

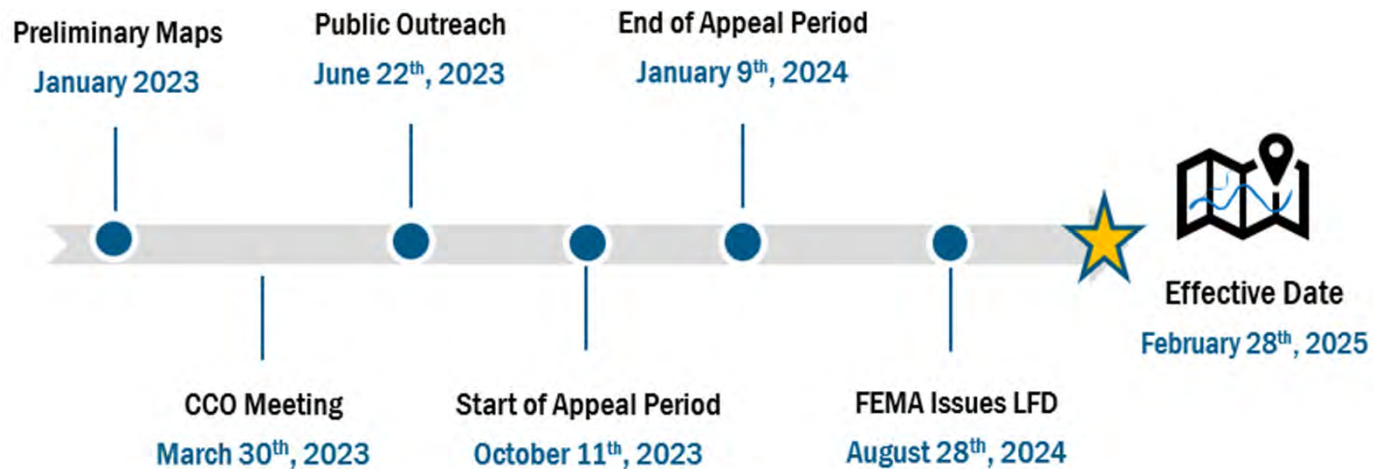


Source: NFIP Guidebook, FEMA



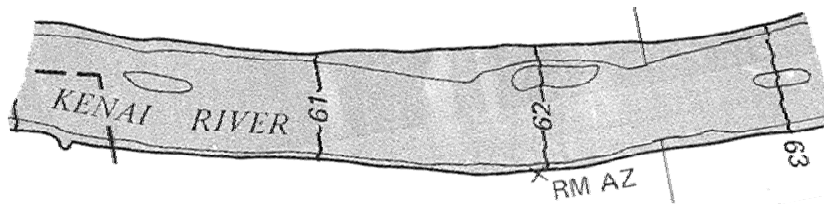
**“Letter of Final Determination” (LFD)**

- Sent to communities and publishes the BFEs in the Federal Register
- Communities have 6 months to adopt the study before the data becomes “effective”
- **Failure to adopt results in suspension from the NFIP**



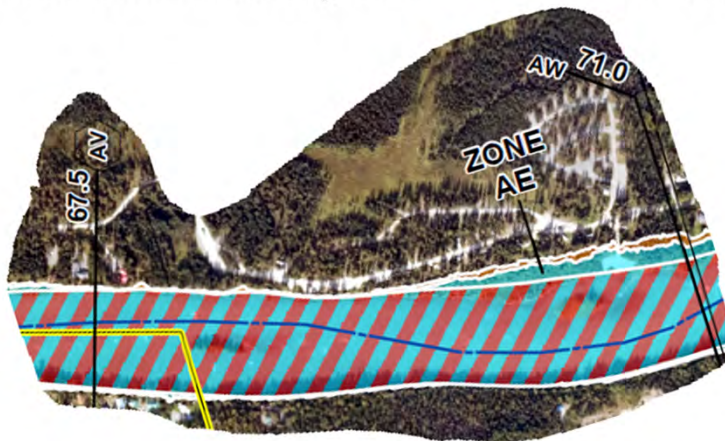
## DIGITAL FLOOD INSURANCE RATE MAPS – ELEVATION DATUMS

- Effective maps relative to National Geodetic Vertical Datum – NGVD 29
  - Based on a mean sea level from 21 tidal stations in the US & 5 stations in Canada



\*\*Reference to the National Geodetic Vertical Datum of 1929

- Preliminary maps relative to North American Vertical Datum – NAVD 88
  - Based on the density of the water head of varying values of sea heights



Western Hemisphere; Vertical Datum: NAVD 88

Big Eddy  
Kenai River Flood  
September 12, 2023



Castaway Cove Island  
Kenai River Flood  
September 13, 2023





Big Eddy  
Kenai River Flood  
September 13, 2023



Kenai Keys  
Kenai River Flood  
September 13, 2023



Dow Island  
Kenai River Flood  
September 13, 2023



Kenai Keys  
Kenai River Flood  
September 13, 2023



Kenai Keys  
Kenai River Flood  
September 13, 2023

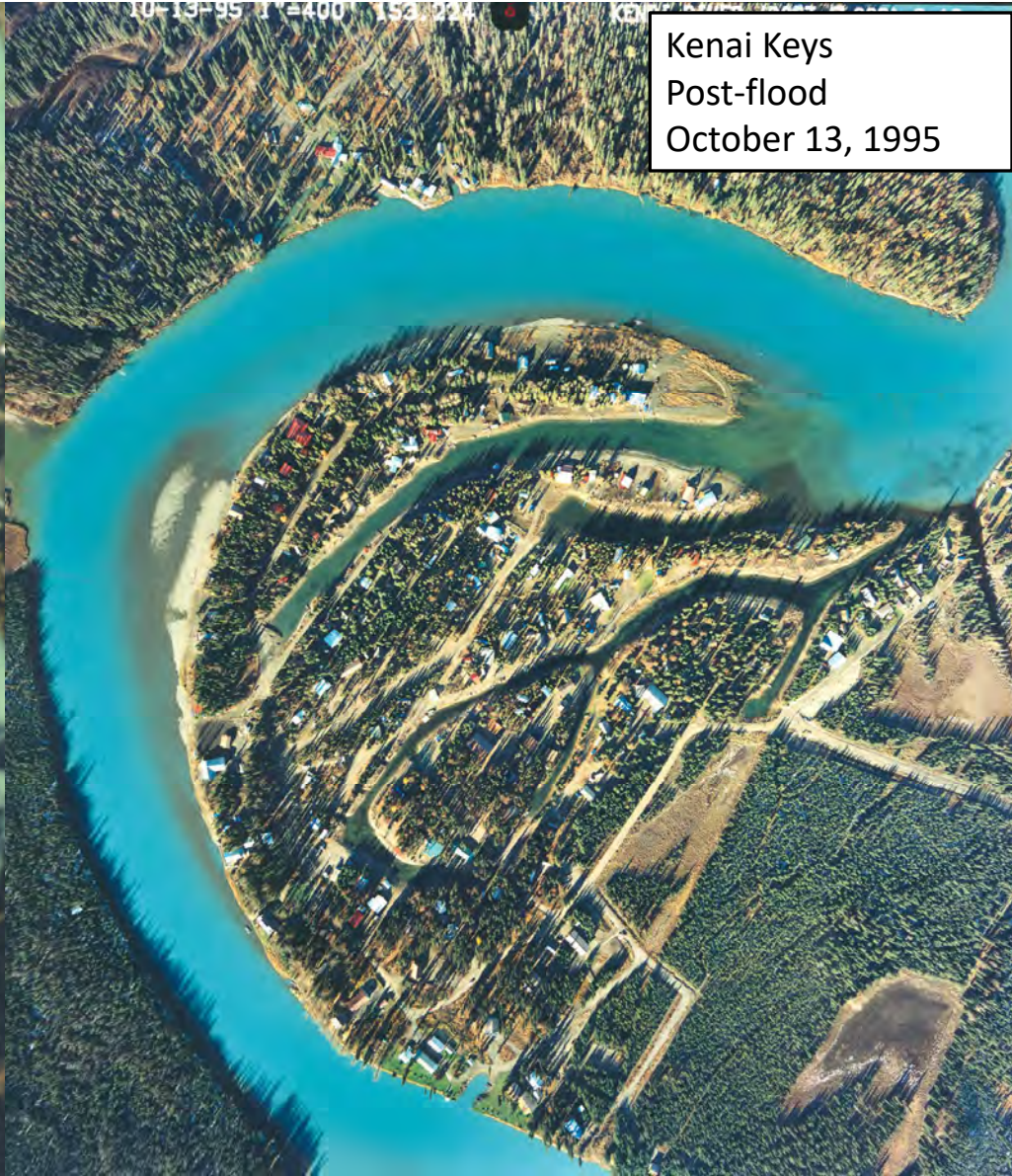


Big Eddy Area  
Kenai River Flood  
September 26, 1995





Kenai Keys  
Kenai River Flood  
September 26, 1995



Kenai Keys  
Post-flood  
October 13, 1995

## Update from the Board of Directors

### Cook Inlet Regional Citizens Advisory Council



Grace Merkes, representing the  
Kenai Peninsula Borough

The Cook Inlet Regional Citizens Advisory Council held its regular meeting December 5th and 6th in Anchorage.

During the first day of meetings, the Council approved the special election of Brent Johnson. Mr. Johnson will represent the Commercial Fishing group on the Board. He brings more than 50 years of knowledge and experience in the local fishing community and has served on the Kenai Peninsula Borough Assembly since 2014 and currently serves as Assembly President. We are excited to welcome him to the Council.

On Friday, the Council received updates from several of its Ex-Officio members, including the US Coast Guard. Captain Christopher Culpepper, Commanding Officer Sector Western Alaska and US Arctic, explained some changes coming to USCG stations in Homer and Seward. Current-generation Cutters stationed there will be decommissioned and replaced with newer, 154-foot vessels along with larger crews. Those staffing changes are expected to happen early next year.

Givey Kochanowski, Alaska Regional Director for the Bureau of Ocean Energy Management (BOEM) spoke to the Council about the Bureau's environment program, intended to provide decision makers with the appropriate science to ensure offshore energy production happens safely and responsibly. He noted new studies and pilot projects within the National Energy Laboratory focused on renewable sources, such as wind, tidal, and wave, all of which have potential in Cook Inlet. Those programs focus on integrating marine and social sciences, biology, and traditional knowledge.

Cook Inlet Spill Prevention and Response, Inc. (CISPRI) General Manager Todd Paxton gave an update on his organization's plans for potentially replacing one of its primary response vessels, the Perseverance. That 207-foot ship, built in 1976, could be replaced by a new or repurposed vessel. CISPRI has also recently updated its registration as a primary contractor to provide Oil Spill Response Organization (OSRO) services beyond Cook Inlet.

The Council also heard reports from the National Oceanic and Atmospheric Administration (NOAA). Alaska Sea Ice Coordinator Michael Lawson gave an overview of the Cook Inlet Ice Camera Network, and how it's deployed in forecasting models and its importance in observation and data-gathering. CIRCAC staff developed the idea for and established the network nearly 20 years ago. One of the many planning and response improvements adopted after the grounding of the Seabulk Pride in 2006 was to provide real-time views of ice conditions. The network now includes nine cameras positioned at strategic points from the mouth of the Kenai River to the Don Young Port of Alaska. NOAA's Alaska Regional Preparedness Coordinator and Scientific Support Coordinator for the Alaska Regional Response Team, Liza Sanden made the Council aware of new virtual training opportunities for Shoreline Cleanup and Assessment Techniques (SCAT) coming up in the Spring.

Steve Ribuffo, Port Director for the Don Young Port of Alaska in Anchorage updated the Council on the facility's Petroleum and Cement Terminal construction. Completed in 2022, that terminal represents part of a long term modernization plan that is being completed in phases. In 2025, work will continue on Phase II – North Extension Stabilization, which will expand the port's capacity in the future. Other work will include demolition and replacement of cargo terminals and a second North Extension Stabilization project.

The Council also heard an operations update from Captain Jeff Brue, Global Marine Operations Manager for Marathon Petroleum.

The Council will hold its Annual Meeting on April 4th in Kenai.



Kenai Peninsula Borough  
Legal Department

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**LITIGATION STATUS REPORT**

**TO:** Peter Ribbens, KPB Assembly President  
Members, KPB Assembly  
Zen Kelly, KPBSD Board of Education President  
Members, KPBSD Board of Education

**THRU:** Peter A. Micciche, Mayor *PM*  
Clayton Holland, KPBSD Superintendent *CH*

**FROM:** Sean Kelley, Borough Attorney *SK*

**DATE:** December 19, 2024

**RE:** Litigation Status Report – Quarter Ending 12/31/24

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This report includes brief descriptions of pending non-routine court cases, as well as administrative appeals and code compliance enforcement actions set for hearing before the administrative hearing officer, which name the KPB and/or School District as parties.

- A. Administrative Appeals. The following is a summary of open or recently resolved administrative appeals from Planning Commission decisions:
1. Case No. 2020-01 PCA, Beachcomber. Neighboring property owners appealed a Planning Commission's decision approving a modification of a conditional use material site permit. The KPB filed a notice of non-participation in the matter and is not a party to the appeal. This case is currently stayed.
- B. Alaska District Court Cases
1. Conner v. KPB and Kenai River Center, Case No. 3KN-24-00920CI. Plaintiff, Nicholas Conner, filed a complaint in district court seeking equitable relief and \$50,000 for "emotional distress, inconvenience, and harm resulting from" allegations that making the Kenai River Center a by-appointment-only facility and having restrooms that are not open to general public use violates state law. After filing the case, Plaintiff requested that the court change venue to Anchorage, alleging that he cannot get a fair trial on the Kenai Peninsula due to an incident at the courthouse involving judicial services, social media, and other platforms where Plaintiff believes his case is being discussed. KPB filed a motion to dismiss the claim due to lack of subject matter jurisdiction and failure to state a claim upon which relief can be granted. KPB also opposed the request to change venue. The respective motions are pending before the court. No other dates have been set in this matter.

Page -2-

Quarter ending 12/31/24

Re: Litigation Status Report

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- C. Alaska Superior Court cases. This list does not include the real property tax foreclosures and numerous standard tax collection cases pursued by the KPB:
1. *Furie Operating Alaska, LLC. v. State of Alaska, Department of Revenue, and State Assessment Review Board, Case No. 3AN-21-06462CI.* The owner of oil and gas production property appealed the State Assessment Review Board's decision upholding the tax assessment of the property performed by the State of Alaska, Department of Revenue pursuant to AS 43.56. A non-jury trial was held the week of July 24, 2023. The court issued its decision on May 16, 2024, denying Furie's appeal and upholding the State of Alaska, Department of Revenue's tax assessment. Currently pending before the Superior Court are motions for prevailing party attorney fees and costs filed on behalf of KPB and the State. Furie has appealed the case to the Supreme Court. The KPB filed a notice of non-participation in the Supreme Court case.
  2. *Jennifer Harvey-Kindred, et al. v. Kenai Peninsula Borough, Kenai Peninsula Borough School District, 3AN-23-08723CI.* This matter involves a lawsuit against KPB and KPBSD alleging that Plaintiffs' various medical ailments were caused by alleged exposure to toxic mold in KPBSD schools from 2004-2020. Discovery is ongoing. Trial is currently scheduled for the week of December 1, 2025, before Anchorage Superior Court Judge Crosby.
  3. *David and Mary Jeanne Yragui, v. Kenai Peninsula Borough, 3KN-24-00123CI.* The Yraguis filed suit for damages to property and for defamation related to their unpermitted activities within KPB rights-of-way. Subsequently, Plaintiff Mary Jeanne Yragui was dismissed from the case. Trial is scheduled for the week of November 3, 2025. Discovery is ongoing. Plaintiff filed for declaratory judgment. The KPB opposed and filed a cross motion for summary judgment. Plaintiff has not timely responded to KPB's motion for summary judgment. The respective motions are pending before the Court.
  4. *David Yragui v. Kenai Peninsula Borough, Case No. 3KN-24-00788CI.* Plaintiff David Yragui filed a quiet title action requesting that the court to find that Eastway Road public right-of-way, a thirty-three-foot strip of land abutting KPB property in the Yragui Tract Subdivision near Kalifonsky Beach Road, is Mr. Yragui's property in fee simple. KPB has filed its *Answer* and a counterclaim seeking declaratory judgment that the Eastway Road right-of-way is a public right-of-way dedicated to public use. KPB has also filed a third-party complaint for the same relief against the other holders of interests in the land adjacent to the Eastway Road public right-of-way—Mary Jeanne Yragui, Hay Ground, LLC, the David N. Yragui Qualified Personal Residence Trust, and the Mary Jeanne Yragui Qualified Personal Residence Trust. KPB filed a motion for judgment on the pleadings on its counterclaim and a separate motion for judgment on the pleadings on its third-party complaint asserting that the public right-of-way at issue was dedicated in 2010 when the plat was approved and recorded.
  5. *Jonathan Teates v. Kenai Peninsula Borough* (Case No. 3KN-14-00749CI), Consolidated w/, *Jonathan Teates v. Central Peninsula Hospital, Inc.* (Case No. 3KN-24-650CI). Consolidated Case Nos. 3KN-24-00749. This consolidated case relates to a slip-and-fall injury lawsuit against KPB and CPGH, Inc. Per the operating agreement with CPGH, Inc.,

Page -3-

Quarter ending 12/31/24

Re: Litigation Status Report

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CPGH will defend and indemnify KPB against the claims alleged in this action. Trial week is scheduled for the week of June 22, 2026. Discovery is ongoing.

6. *Furie Operating Alaska, LLC. v. State of Alaska, Department of Revenue, and State Assessment Review Board*, Case No. 3AN-24-066722CI. The owner of oil and gas production property appealed the State Assessment Review Board's decision upholding the tax assessment of the property performed by the State of Alaska, Department of Revenue pursuant to AS 43.56. KPB has filed a notice of non-participation in this appeal.
7. *2FishAlaska v. Kenai Peninsula Borough*, 3KN-24-00905CI. This owner of real property appealed the denial of charitable purpose exemption application. The agency record has been transmitted to the Court and the KPB awaits further direction from the Court.
8. *Kenai Peninsula Borough School District v. Fischer*, Case No. S-18687 (Trial Court Case No. 3KN-19-00185CI). This appeal to the Alaska Supreme Court arises from a subrogation case filed against a School District employee to recover substantial health care costs paid by the health care plan. The Supreme Court upheld summary judgment in favor of the School District on breach of contract grounds but determined a genuine dispute of material fact remained regarding damages and remanded this case to the Superior Court on the limited issue of determining if some of the costs included in the damage determination were not subject to subrogation. There are respective motions pending before the Superior Court on remand. Trial is scheduled for the week of April 7, 2025.
9. *Haybeck v. KPBSD; Peninsula Art Guild*, Case No. 3KN-14-00951CI. This case relates to an alleged slip-and-fall injury at Kenai Central High School during the annual Winter Arts & Crafts fair hosted by the Peninsula Art Guild. This is an insurance defense claim and KPBSD is represented by the Farley & Graves law firm. No dates have been set.

D. Alaska Supreme Court cases.

1. *Beachcomber v. Kenai Peninsula Borough Planning Commission*, Case Nos. S-19091 & S-19092 (Consolidated) (Trial Court Case Nos. 3KN-20-00034CI & 3KN-23-00004CI). This is an appeal of the April 4, 2024, decision issued by Superior Court Judge Joanis affirming OAH's decision in Case No. 2022-04 PCA, *Bilben, et al. v. KPB PC, Beachcomber LLC, et al*, which upheld the KPB Planning Commission's denial of Beachcomber, LLC's CLUP and dismissing Beachcomber's appeal. Judge Joanis's April 4, 2024, decision also constituted a final decision in case 3KN-20-00034CI that was before Judge Gist. The Supreme Court issued an order on July 8, 2024, consolidating Beachcomber's appeals for the purposes of briefing, consideration and decision. Due to claims of constitutional defects in the process, KPB is participating on appeal and timely filed its brief in this matter. Beachcomber's reply brief is due on December 26, 2024.

# Kenai Peninsula Borough Solid Waste Department

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## MEMORANDUM


**TO:** Peter A. Micciche, Borough Mayor  
**THRU:** John Hedges, Purchasing & Contracting Director *JH*  
**FROM:** Tim Crumrine, Acting Solid Waste Director *TC*  
**DATE:** December 5, 2024  
**RE:** Sole Source Waiver – AnalyTix Technologies, LLC

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The Kenai Peninsula Borough Solid Waste Department would like to obtain a sole source to purchase antifoam and descalent chemicals from AnalyTix Technologies, LLC. We request this sole source based on chemical compatibility with our existing leachate and our chemical delivery system. We cannot mix nor switch chemicals during the leachate evaporation process without significantly impacting the evaporator system performance.

The purchase is time sensitive because this piece of equipment is vital for everyday landfill functions and our supply of product is low.

We request approval for this purchase. Funding for this project is in account number 290.32122.00000.42210 in the amount of \$28,000.00.

  
\_\_\_\_\_  
Peter A. Micciche, Borough Mayor

12/5/2024  
\_\_\_\_\_  
Date

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.:	<u>290.32122.00000.42210</u>
Amount:	<u>\$28,000.00</u>
By: <i>CSJ BH</i>	Date: <u>12/5/2024</u>

NOTES: NA

# Kenai Peninsula Borough Purchasing & Contracting

## MEMORANDUM

**TO:** Peter A. Micciche, Borough Mayor

**THRU:** John Hedges, Purchasing & Contracting Director *JH*

**FROM:** Tim Crumrine, Acting Solid Waste Director *TC*

**DATE:** December 2, 2024

**RE:** Authorization to Award a Contract for RFP25-010 CPL Compact Wheel Loader Purchase

On October 24, 2024, the Kenai Peninsula Borough Purchasing & Contracting Department formally solicited proposals for RFP25-009 CPL Compact Wheel Loader Purchase. The request for proposals was advertised on Bid Express on October 24, 2024.

The project consists of purchasing a compact wheel loader for use at the Central Peninsula Landfill.

On the due date of November 7, 2024, three (3) proposals were received and reviewed by a review committee as follows:

<u>FIRMS</u>	<u>LOCATION</u>	<u>TOTAL SCORE</u>
N C Machinery Co	Anchorage, Alaska	295
SMS Equipment	Anchorage, Alaska	216
Airport Equipment Rentals, Inc.	Soldotna, Alaska	174

The highest-ranking proposal, which includes a cost factor, was submitted by N C Machinery Co., with a lump sum cost proposal including a three-year maintenance agreement of \$262,731.19. The proposal review committee recommends award of a contract to N C Machinery Co., Anchorage, Alaska. Your approval for this award is hereby requested.

Funding of this contract will be charged to account number 705-94910-25E09-48311 and 705-94910-25E08-48311.



Peter A. Micciche, Borough Mayor

12/6/2024

Date

NOTES

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. <u>705-94910-25E09-48311</u>	-\$240,000.00
25E09	
Acct. No. <u>705-94910-<del>25E08</del>-48311</u>	-\$22,731.19
By: <u><i>CF</i> <i>BH</i></u>	Date: <u>12/3/2024</u>

# Kenai Peninsula Borough Purchasing & Contracting

## MEMORANDUM

**TO:** Peter A. Micciche, Borough Mayor

**THRU:** John Hedges, Purchasing & Contracting Director *JH*

**FROM:** Tim Crumrine, Acting Solid Waste Director *TC*

**DATE:** December 2, 2024

**RE:** Authorization to Award a Contract for RFP25-009 SW Wheel Loader Purchase

On October 24, 2024, the Kenai Peninsula Borough Purchasing & Contracting Department formally solicited proposals for RFP25-009 SW Wheel Loader Purchase. The request for proposals was advertised on Bid Express on October 24, 2024.

The project consists of purchasing a wheel loader for use at the Central Peninsula Landfill.

On the due date of November 7, 2024, four (4) proposals were received and reviewed by a review committee as follows:

<u>FIRMS</u>	<u>LOCATION</u>	<u>TOTAL SCORE</u>
N C Machinery Co	Anchorage, Alaska	298
Craig Taylor Equipment	Soldotna, Alaska	259
SMS Equipment	Anchorage, Alaska	189
Airport Equipment Rentals, Inc.	Soldotna, Alaska	175

The highest-ranking proposal, which includes a cost factor, was submitted by N C Machinery Co., with a lump sum cost proposal including a three-year maintenance agreement of \$671,254.03. The proposal review committee recommends award of a contract to N C Machinery Co., Anchorage, Alaska. Your approval for this award is hereby requested.

Funding of this contract will be charged to account number 705-94910-25E08-48311.



Peter A. Micciche, Borough Mayor

12/6/2024

Date

NOTES: NA

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. <u>705-94910-25E08-48311</u>	
Amount <u>\$671,254.03</u>	
By: <u><i>CSJ BH</i></u>	Date: <u>12/3/2024</u>

# Kenai Peninsula Borough Purchasing & Contracting

## MEMORANDUM

**TO:** Peter A. Micciche, Borough Mayor

**THRU:** John D. Hedges, Purchasing & Contracting Director *JH*

**THRU:** Brandi Harbaugh, Finance Director *BH*

**FROM:** Brenda Ahlberg, Emergency Manager *BA*

**DATE:** December 11, 2024

**RE:** Authorization to Award a Maintenance and Service Contract for RFP23-001 Mass Notification System

On August 2, 2022, the Kenai Peninsula Borough Purchasing & Contracting Department formally solicited proposals for RFP23-001 Mass Notification System. The request for proposals was advertised in the Peninsula Clarion and the Anchorage Daily News on August 2, 2022 and in the Homer News on August, 4, 2022.

As part of the Tsunami warning siren system replacement project the proposers were asked to include a cost for the annual maintenance fee and service requirements. This portion of the scope of services would start at the end of the one-year warranty period and continue for the useful life of the system.

On the due date of August 23, 2022, six (6) proposals were received and reviewed by a review committee. The Maintenance proposals were reviewed as part of the practical evaluation.

The highest-ranking proposal was submitted by HQE Systems, Inc. with an annual, reoccurring cost of \$51,926.38 for 10 years. A 10% discount was also negotiated and included in the price, provided that a 10-year agreement is accepted. This agreement would be contingent upon appropriation of funds on an annual basis. The proposal review committee recommends award of a contract to HQE Systems, Inc. of Temecula, California. Your approval for this award is hereby requested.

Funding of this contract will be charged to account number 100-11250-00000-43019.



Peter A. Micciche, Borough Mayor

12/17/2024

Date

NOTES: FY26 through FY35  
Contingent upon Assembly  
appropriation.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>100-11250-00000-43019 - \$51,926.38 - FY25</u>
Amount.	<u>100-11250-00000-43019 \$51,926.38 - FY26 through FY35</u>
By: <i>CJ</i>	Date: <u>12/17/2024</u>

# BUMPER-TO-BUMPER NO HASSLE MAINTENANCE SERVICE PLAN

## Kenai Peninsula Borough

### SiRcom Mass Notification Systems Service Plan



Date Submitted : 02 JUNE, 2023



This proposal contains trade secrets and confidential business or financial information exempt from disclosure under the Freedom of Information Act. This proposal includes data that shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed—in whole or in part—for any purpose other than to evaluate this proposal. If, however, a contract is awarded to this offeror as a result of—or in connection with—the submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting contract. This restriction does not limit the Government’s right to use the information contained in this data if it is obtained from another source without restriction. The data subject to this restriction is contained in this proposal and all attachments. **All product names, logos, and brands are the property of their respective owners.** All company, product, and service names used in this proposal are for identification purposes only. Use of these names, logos, and brands does not imply endorsement.





# 1. Cover Letter

To the Kenai Peninsula Borough’s Procurement Board,

HQE Systems, Inc. is a Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) Certified, Minority-Owned, Service-Disabled Veteran-Owned Small Business (SDVOSB) with its global headquarters in Temecula, CA. HQE Systems is pleased to submit the Bumper-2-Bumper No Hassle Full Service Maintenance Plan to the Kenai Peninsula Borough for consideration. Since 2014, HQE Systems has been designing, engineering, installing, and maintaining Giant Voice System (Central Control Units, Speaker Arrays, Control Cabinets, Radios, Solar Chargers, and Subcomponents) solutions for a host of clients worldwide.

It is with great pleasure that we present you with the following response to provide the Kenai Peninsula Borough with the Bumper-2-Bumper No Hassle Full Service Maintenance Plan, to include:

- ❖ A support plan to be executed by a dedicated team of factory-certified engineers and technicians
- ❖ A fixed service plan that includes factory standard annual preventive maintenance
- ❖ A fixed service plan cost for all labor, equipment, and materials utilized in the service year
- ❖ Responsive repairs and corrective maintenance service to include remote and on-site support
- ❖ Upgrade to the latest version of the SiRcom SMART Alert Software (SiSA)
- ❖ Full turn-key solution

The Bumper-2-Bumper No Hassle Full Service Maintenance Plan being offered from HQE complies with all FARS, maintenance & operational scope, requirements, and instructions outlined in the previous.

If you have any questions or concerns, please contact our dedicated team for this project:

<b>Technical Issue POC:</b>	Mr. David Ditto BD@HQESystems.com	BD Director / <b>Giant Voice Expert</b> (800) 967-3036 Ext 1109
<b>Customer Support POC:</b>	Ms. Desiree Carr Contracts@HQESystems.com	Administrative & Contracts Support (800) 967-3036 Ext 1106

**Company Name:** HQE Systems, Inc.  
**Address:** 27419 Via Industria, Temecula, CA 92590  
**Phone/Fax:** 1 (800) 967-3036 / 1 (760) 645-7183  
**Classification:** Service-Disabled Veteran-Owned Small Business (SDVOSB)

<b>DUNS/UEI Number:</b>	079240822/YGCSL35ZWAD7	<b>CA SB/DVBE:</b>	2001433/ACTIVE
<b>CAGE Code:</b>	72W82	<b>SAM/WAWF:</b>	CERTIFIED/ACTIVE
<b>Federal EIN:</b>	46-4509670	<b>SDVOSB:</b>	CERTIFIED/ACTIVE
<b>VA VetsFirst:</b>	CERTIFIED/ACTIVE	<b>CONTRACTOR LIC:</b>	1087628/ACTIVE



## 2. Company Information

### 2.1 Why Our Customers Choose Us

HQE Systems, Inc. (HQE) is a FEMA Certified, Minority Owned-Service Disabled Veteran Owned Small Business (SDVOB) with its global headquarters in Temecula, California. HQE was founded by service-disabled veterans who wanted to continue to serve our communities after honorably serving in the military. For a short period, the founders of HQE worked as Subject Matter Expert (SME) Engineers and managers for our nation's most prominent Fortune 50 technology companies. With the work ethics sharpened in the military and the technical and project management knowledge gained from working for Fortune 50 companies, the founders of HQE decided to open its door officially in 2014. Since then, HQE has become an internationally recognized full-service technology company servicing significant clients worldwide.



The value of HQE goes beyond just our technically exceptional offer and price. Since 2014, we have continued solving problems for our clients through innovative software development and systems integration. Any company can offer a piece of equipment and install it. That's the easy part. But very few are capable of integrating legacy technologies with modern systems. Ultimately, our new customers always become our longtime customers due to our ability to solve problems others won't touch. We solve problems! But more importantly, we will **ALWAYS GO THE EXTRA MILE TO SERVE YOU AND YOUR TEAM!**

### 2.2 What We Offer

SURVEILLANCE CAMERAS	ACCESS CONTROLS	INTRUSION DETECTION	OUTDOOR GIANT VOICE	INDOOR PAGING	ELECTRONIC MASS ALERTS	SOFTWARE DEVELOPMENT	SYSTEMS INTEGRATIONS



### 3. Technical Capabilities & Proposed Modern Solution

#### 3.1 HQE’s Full Mass Notification Systems Capabilities

HQE provides complete turn-key solutions and services for all MNS capabilities. Our MNS engineering and technical teams have the experience and know-how to support projects of any size and scope successfully. HQE can provide solutions for systems design, planning, installation, upgrades, and sustainment services. We can provide the full spectrum of solutions as a turnkey service because all core capabilities are in-house. HQE can provide complete solutions for the capabilities listed below:



- ❖ **Design & Upgrade Consultation:** Full design services for new and existing systems.
- ❖ **Mass Notification C2 Software:** On-Premise or Cloud-Based C2 Software
- ❖ **Electronic Mass Notification System (EMNS):** Software mass notification solution
  - Emails Alerts                      Phone Calls                      SMS Text Alerts
  - Desktop Alerts                      Social Media Alerts                      Push Notifications
- ❖ **Indoor Notification:** Unified indoor alerting capabilities
  - Fire Alarm Integration      Cable TV Alerts                      Visual/Audio Beacons
  - Marquee Sign Alerts              VoIP Integration                      Paging Systems
  - Panic Buttons                      Workplace Violence                      Active Shooter Locator
- ❖ **Giant Voice Sirens:** All-weather intelligible audio outdoor warning system
- ❖ **Maintenance Services:** On Call & Scheduled PM & CM Services.

HQE is a subject matter expert in compliance requirements for the offered systems.






\* Note: HQE provides a solution and not a compliance service.



### 3.2 HQE’s Full In-House Giant Voice Maintenance Capabilities

High Quality OEM Standard Giant Voice No Hassle Full Maintenance Service

Factory Level Inspections	Preventive Maintenance (PM) Corrective Maintenance (CM)	Detailed & Timely Reporting
		

HQE’s in-house highly experienced giant voice maintenance teams are agile and highly efficient at ensuring the highest systems readiness for our client’s outdoor warning sirens. HQE’s Subject Matter Expert (SME) Maintenance Technicians are currently performing short and long-term maintenance support contracts worldwide. Working in every environment (humid, dry, extreme heat/cold, dusty/sandy, tropical jungles, unstable local power, tornado/hurricane susceptible areas) on all known significant brands. With real-world hands-on maintenance experience, HQE is capable of providing the following maintenance solutions:

Electrical Inspections	Mechanical Inspections	Driver Inspections	Driver Repairs	Verify Op Controls
Verify Proper Voltage	Check Charger(s)	Battery Inspections	Verify Wiring/Fuses	Verify Antennas
Verify Conduit Seals	Verify AC/Solar Power	Verify AC Connectors	Verify Battery Heaters	Verify Intrusion Switch
Inspect Sirens	Grease & Lube Service	Inspect All Surfaces	Software Updates	Software Patches
Clean Connectors	Clean All Surfaces	Rust Removal	Rust Prevention	Paint Surfaces
Verify All Radios	Verify Cellular/IP/WiFi	Inspect Amplifiers	Minor Clean	Major Clean

All services will be performed to factory standards. HQE’s engineers and technical staff are certified by SiRcom as Subject Matter Experts. This ensures that HQE’s customers receive the highest quality work and service from the dedicated maintenance service team.



### 3.3 Advantages of The Bumper-2-Bumper No Hassle Service Plan

HQE provides a Bumper-To-Bumper service plan developed to provide our customers with a true solution that alleviates all of the headaches associated with installing a new early warning system while gaining all of the benefits of working with an honest and trustworthy service provider.

The advantages of the Bumper-To-Bumper program are:

- Alleviates the old “sell the systems for a low cost” and “overcharge the customers with repair parts and upgrades.” HQE is offering a fixed firm price for a full-service agreement. No matter the requirements, everything will be fixed, serviced, and upgraded under the annual fixed firm price.
- Alleviates administrative requirements for our customers to continue to submit for micro-budgets throughout the year if the early warning system requires minor or major repairs. Under the annual fixed firm price, any materials, equipment, and software issues will be fixed at no cost to the customer.
- Alleviates any upgrade charges associated with new features rollout. SiRcom is continuously upgrading and improving the SiRcom SMART Alert Software (SiSA). While under the Bumper-To-Bumper service agreement, all the upgraded features will be automatically provided to the customer at no additional cost. New features approved for the rollout are tested and accredited before being released. This ensures that our customers benefit from HQE and SiRcom’s 3rd Party accreditation and testing requirements set by the Federal Government.
- Alleviates our customers from attempting to perform preventive or corrective maintenance on equipment that is not standard for general maintenance technicians. This ensures that the burden for our customer maintenance departments is minimized as HQE’s staff will perform all preventive maintenance throughout the service year.
- Alleviates any long delays in repair parts availability that plagues the rest of the industry. HQE has two central warehouses that stock up to 10+% of repair parts for all of our clients. This means that HQE can source its internal inventory anytime to mitigate any repair issues found during a preventive maintenance visit or inspection.
- Alleviates our customers from having to replace or perform major mid-life upgrades at year ten. With HQE’s Bumper-To-Bumper service plan, at the end of the 10th year, our customers would practically have a 99.99% new system with all of the OEM standard maintenance and servicing performed on the system. This ensures that our customers can be confident that the company that installed the system, maintains the system, and is ready to support any other requirements in the future.
- Significant monetary discounts are provided to the customers for long-term sustainment plans. This ensures that the customer receives the best service from a certified company that knows the system's ins and outs. This ensures that the giant voice system has detailed continuity to alleviate any gaps in service, which can ultimately lead to a degraded system.



## The Bumper-To-Bumper Service Tasks

- Preventative Maintenance
  - Annually Inspected and Serviced (Quarterly inspections can be offered depending on the environment and conditions found during the initial inspection and servicing).
- Corrective Maintenance
  - Remote Support (24/7/365)
  - On-Site Support (Within 72 hours of completed remote support)
- Software Upgrades
  - Integrate all new features of the SiRcom SMART Alert Software (SiSA)
  - Minor changes to SiSA to improve customer experience
- Software Patches
  - Provide all security and operating systems patches and servicing to ensure proper functionality of the software and the hardware
- Systems Integration
  - Provide systems integrations of new systems procured or deployed by the customers that require interfacing with the early warning system if capable

## The Bumper-To-Bumper Service Plan Cost For Kenai Peninsula Borough

#	Bumper-To-Bumper Service Plan (Years)	Fixed Firm Cost (Yearly Rate)	Discount Rate	Annual Discount Amount	Total Saved During Service Plan Period	Final Fixed Firm Cost (Discounted Yearly Rate)
1	1	\$57,695.97	0%	\$0.00	\$0.00	\$57,695.97
2	3	\$57,695.97	2%	\$1,153.92	\$3,461.76	\$56,542.05
3	5	\$57,695.97	4%	\$2,307.84	\$11,539.19	\$55,388.14
4	7	\$57,695.97	7%	\$4,038.72	\$28,271.03	\$53,657.26
5	10	\$57,695.97	10%	\$5,769.60	\$57,695.97	\$51,926.38

### Considerations For Pricing:

- The above pricing does not include barge transportation of a lift across the bay. Instead, Preventive Maintenance for this area will be conducted using ground-level test equipment. Any repairs that require a lift will incur additional cost for the barge transportation of the lift to the sites across the bay.



## End of Proposal

*"It is our goal at HQE to continue to serve our veterans through our 'Hire Veterans Policy HQE-2015-2025'. We appreciate all of our current and past customers who have helped us meet our goals of hiring veterans throughout the years. Your support in HQE is directly impacting the support of our amazing veterans. Thank you for your consideration and support of Minority Business Enterprise (MBE), Disadvantaged Business Enterprise (DBE), and Service Disabled Veteran Owned Small Business (SDVOSB)!."*

***Thank You from the team of HQE Systems Inc.***

*Qais Alkurdi*

CEO, Disabled Veteran / Retired



# Kenai Peninsula Borough Purchasing & Contracting

## MEMORANDUM

**TO:** Peter A. Micciche, Borough Mayor

**THRU:** John Hedges, Purchasing & Contracting Director *JH*

**FROM:** Nolan Scarlett, Property Tax & Collections Manager *NS*

**DATE:** December 9, 2024

**RE:** Authorization to Award a Contract for ITB25-022 Limited Liability Reports

The Purchasing and Contracting Office formally solicited and received bids for the ITB25-022 Limited Liability Reports. Bid packets were released on November 20, 2024 and the Invitation to Bid was advertised on Bid Express on November 20, 2024.

The project consists of providing title reports for the years 2025 through 2027 for foreclosed upon real property in the Kenai, Seward, Homer/Seldovia, and Anchorage/Iliamna recording districts.

On the due date of December 5, 2024, one (1) bid was received and reviewed to ensure that all the specifications and delivery schedules were met. The low bid of \$63,440.00 was submitted by Stewart Title of the Kenai Peninsula, Soldotna, Alaska.

Your approval for this bid award is hereby requested. Funding for this project is in account number 100-11440-00000-43932.



Peter A. Micciche, Borough Mayor

12/10/2024

Date

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. _____	100-11440-00000-43932
Amount _____	\$63,440.00
By: <i>CF BH</i>	Date: 12/9/2024
NOTES: FY26 & FY27 CONTINGENT UPON ASSEMBLY APPROPRIATION.	

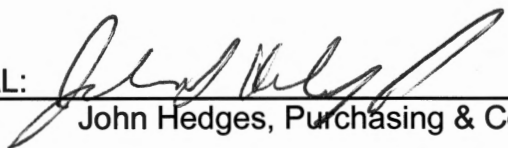


**KENAI PENINSULA BOROUGH  
PURCHASING & CONTRACTING**

**BID TAB FOR: ITB25-022 LIMITED LIABILITY REPORTS**

CONTRACTOR	LOCATION	BASE BID
Stewart Title of the Kenai Peninsula	Kenai, Alaska	\$63,440.00

DUE DATE: December 5, 2024

KPB OFFICIAL:   
John Hedges, Purchasing & Contracting Director