



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Assembly

*Brent Johnson, President*

*Tyson Cox, Vice President*

*Kelly Cooper*

*Cindy Ecklund*

*Bill Elam*

*Brent Hibbert*

*Peter Ribbens*

*Ryan Tunseth*

*Mike Tupper*

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Tuesday, October 8, 2024

6:00 PM

Betty J. Glick Assembly Chambers

Meeting ID: 895 1103 3332 Passcode: 193069

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

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

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### INVOCATION

*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-6349: September 17, 2024 Regular Assembly Meeting Minutes*

*KPB-6352: A Resolution Commending Matt Brown, Founder of Operation Children First for His Exceptional Commitment and Dedication to Supporting Underprivileged Children on the Kenai Peninsula*

*Resolution 2024-040: Approving the 2025 Asset Allocation for the Land Trust Investment Fund*

*Resolution 2024-041: Authorizing the Mayor to Execute a Computer Aided Dispatch Agreement with the City of Seward*

*Resolution 2024-042: Certifying the Results of the October 1, 2024 Regular Election.....LAYDOWN*

*Resolution 2024-043: Urging the State of Alaska to Maintain Funding for the Public Libraries Assistance Grants and the Statewide Library Electronic Doorway at FY 2024 Levels*

*Ordinance 2024-19-13: Appropriating \$256,275 from the Land Trust Fund to be Transferred to the Land Trust Investment Fund Representing the Physical Year 2024 Transfer of Land Sales Revenue to the Land Trust Investment Fund Per KPB 5.20.80(B)*

*Ordinance 2024-19-14: Accepting and Appropriating Grant Funds and Capital Project Funds Balance for the Purchase of One Slip-On Tanker Unit*

*Ordinance 2024-19-15: Appropriating Funds from the South Peninsula Hospital Plant Replacement and Expansion Fund for the Women's Health Center Project at South Peninsula Hospital*

*Ordinance 2024-28: Adopting the Updated 2024 Kenai Peninsula Borough Hazard Mitigation Plan, a Multi-Jurisdictional Plan Including the Cities of Seldovia and Seward*

*KPB-6351: Confirming Appointments to the Advisory Planning Commissions*

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

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

*Ordinance 2024-19-11: Deobligating Some of All In-Kind Services by the Cities of Kenai, Soldotna, and Homer and Appropriating Their Cash Contributions as Required Match Funds for the Safe Streets and Roads for All Grant Project*

*Ordinance 2024-19-12: Appropriating up to \$53,221.25 to the Disaster Response Fund for Expenditures Responding to the Recent Flooding in the Seward Bear Creek Flood Service Area*

*Ordinance 2024-27: Authorizing the Assessor to Accept One Late-Filed Religious Exemption Application for 2024 and Providing an Exception to KPB 5.12.040(B)*

## VACANCY, DESIGNATION OR SEATING MEMBERS

### 1. Swear-In Newly Elected Assembly Members

## APPROVAL OF MINUTES

**\*1.** [KPB-6349](#) September 17, 2024 Regular Assembly Meeting Minutes

Attachments: [091724 DRAFT Minutes](#)

## COMMENDING RESOLUTIONS AND PROCLAMATIONS

**1.** [KPB-6347](#) Mayor's Proclamation Declaring October as "Domestic Violence Awareness Month"

Attachments: [Proclamation of October as Domestic Violence Awareness Month 09.25.24](#)

**\*2.** [KPB-6352](#) A Resolution Commending Matt Brown, Founder of Operation Children First for His Exceptional Commitment and Dedication to Supporting Underprivileged Children on the Kenai Peninsula (Elam)

Attachments: [Brown Commending 100824](#)

## PRESENTATIONS WITH PRIOR NOTICE

NONE

**MAYOR'S REPORT**

## Mayor's Report Cover Memo

[KPB-6339](#) Mayor's Cover Memo

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

## 1. Assembly Requests/Responses

## 2. Agreements and Contracts

- a. [KPB-6340](#) Authorization to Award Contract ITB24-006 – Snow Removal and Sanding of Various Borough Schools and Facilities

*Attachments:* [Authorization to Award Contract ITB24-006 Snow Removal and Sanding of Vari](#)

- b. [KPB-6341](#) Authorization to Award Contract ITB25-011 – Steambed Maintenance Salmon Creek at Nautical Ave

*Attachments:* [Authorization to Award Contract ITB25-011 - Steambed Maintenance Salmon C](#)

- c. [KPB-6342](#) Authorization to Award Contract RFP25-002 – Inspection & Engineering of KPB Roads Service Area Bridges

*Attachments:* [Authorization to Award Contract - RFP25-002 Inspection & Engineering of KPB](#)

- d. [KPB-6343](#) Solid Waste Sole Source Waiver – Yard Tractor

*Attachments:* [Sole Source Waiver - Solid Waste Yard Tractor 09.19.24](#)

## 3. Other

- a. [KPB-6344](#) Budget Revisions - August 2024

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

- b. [KPB-6345](#) Revenue-Expenditure Report – August 2024

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

- c. [KPB-6346](#) Tax Adjustment Request Approval

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

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

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

**ITEMS NOT COMPLETED FROM PRIOR AGENDA**

**PUBLIC HEARINGS ON ORDINANCES**

*(Testimony limited to 3 minutes per speaker)*

## Ordinances referred to Finance Committee

1. [2024-19-09](#) An Ordinance Appropriating Funds for the Repair and Replacement of the Water Service Line at North Peninsula Recreational Service Area's Pool Facility (Mayor)  
  
*Attachments:* [Ordinance 2024-19-09](#)  
[Memo](#)  
[Statement of Probable Cost](#)  
[Reference Copy R2013-022](#)
  
2. [2024-19-11](#) An Ordinance Deobligating Some or All In-Kind Services by the Cities of Kenai, Soldotna, and Homer and Appropriating their Cash Contributions as Required Match Funds for the Safe Streets and Roads for All Grant Project (Mayor)  
  
*Attachments:* [Ordinance 2024-19-11](#)  
[Memo](#)  
[Reference Copy O22-19-50](#)
  
3. [2024-19-12](#) An Ordinance Appropriating Up To \$53,221.25 to the Disaster Response Fund for Expenditures Responding to the Recent Flooding in the Seward Bear Creek Flood Service Area (Mayor)  
  
*Attachments:* [Ordinance 2024-19-12](#)  
[Memo](#)
  
4. [2024-27](#) An Ordinance Authorizing the Assessor to Accept One Late-Filed Non-Profit Exemption Application and Providing an Exception to KPB 5.12.040(B) (Mayor, Tunseth)  
  
*Attachments:* [Ordinance 2024-27](#)  
[Memo](#)

**UNFINISHED BUSINESS****NEW BUSINESS**

## 1. Resolutions

## Resolutions referred to Finance Committee

- \*a [2024-040](#) A Resolution Approving the 2025 Asset Allocation for the Land Trust

## Investment Fund (Mayor)

[Clerk's Note: A 20 minute presentation will take place during the Finance Committee meeting.]

Attachments: [Resolution 2024-040](#)  
[Memo](#)  
[LTIF Presentation](#)

- \*b. [2024-041](#) A Resolution Authorizing the Mayor to Execute a Computer Aided Dispatch Services Agreement with the City of Seward (Mayor)

Attachments: [Resolution 2024-041](#)  
[Memo](#)  
[CAD Seward Agreement DRAFT](#)

## Resolutions referred to Policies and Procedures Committee

- \*c. [2024-042](#) LAYDOWN Certifying the Results of the October 1, 2024 Regular Election (Johnson at the request of the Borough Clerk)

## Resolutions referred to Legislative Committee

- \*d. [2024-043](#) A Resolution Urging the State of Alaska to Maintain Funding for the Public Libraries Assistance Grants and the Statewide Library Electronic Doorway at FY 2024 Levels (Johnson)

Attachments: [Resolution 2024-043](#)  
[Memo](#)

## 2. Ordinances for Introduction

## Ordinances for Introduction and referred to Finance Committee

- \*a. [2024-19-13](#) An Ordinance Appropriating \$256,275 from the Land Trust Fund to be Transferred to the Land Trust Investment Fund Representing the Fiscal Year 2024 Transfer of Land Sales Revenue to the Land Trust Investment Fund per KPB 5.20.080(B) (Mayor) (Hearing on 10/22/24)

Attachments: [Ordinance 2024-19-13](#)  
[Memo](#)

- \*b. [2024-19-14](#) An Ordinance Accepting and Appropriating Grant Funds and Capital Project Fund Balance for the Purchase of one Slip-On Tanker Unit (Mayor) (Hearing on 10/22/24)

Attachments: [Ordinance 2024-19-14](#)  
[Memo](#)

- \*c. [2024-19-15](#) An Ordinance Appropriating Funds from the South Peninsula Hospital Plant Replacement and Expansion Fund for the Women's Health Center Project at South Peninsula Hospital (Mayor) (Hearing on 10/22/24)

Attachments: [Ordinance 2024-19-15](#)  
[Memo](#)  
[Reference Copy 2024-08](#)  
[Reference Copy 2024-18](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

- \*d. [2024-28](#) An Ordinance Adopting the Updated 2024 Kenai Peninsula Borough Hazard Mitigation Plan, a Multi-Jurisdictional Plan Including the Cities of Seldovia and Seward (Mayor) (Hearing on 11/12/24)

Attachments: [Ordinance 2024-28](#)  
[Memo](#)  
[Reference Copy O2004-33](#)

### 3. Other

Other items referred to Policies and Procedures Committee

- \*a. [KPB-6351](#) Confirming Appointments to the Advisory Planning Commissions (Mayor)

Hope/Sunrise  
Flip Foldager, Seat A, Term Expires 09/30/2027  
Richard L. Hogan, Seat B, Term Expires 09/30/2027

Moose Pass  
Bruce Jaffa, Seat D, Term Expires 09/30/2027  
David Pearson, Seat E, Term Expires 09/30/2027

Nikiski  
Lenora Niesen, Seat D, Term Expires 09/30/2027

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

## PUBLIC COMMENTS AND PUBLIC PRESENTATIONS

## ASSEMBLY COMMENTS

## PENDING LEGISLATION

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

1. [2023-005](#) A Resolution of Intent by the Kenai Peninsula Borough Assembly Establishing that Financing of Energy and Resilience Improvement Projects through Assessments Serves a Valid Public Purpose and Related Matters (Ecklund) (Referred to Lands Committee) [Tabled on 10/24/23]

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

2. [2024-029](#) (Cox, Hibbert) Substitute: A Resolution Placing an Areawide Question on the October 2024 Ballot Asking whether the Borough Should Levy Up to a 12 Percent Lodging Tax on Short-Term Rental Accommodations and Overnight Camping Facilities, Exempt these Rentals from the General Sales Tax, and Provide that up to One Half of the Tax may be Exempted Inside Cities with an Adopted Lodging Tax (Cox, Hibbert) (Referred to Finance Committee) [Tabled on 06/18/24]

**Attachments:** [Resolution 2024-029 Substitute](#)  
[Memo Substitute](#)  
[SOA Bed Tax Comparison](#)  
[Cox Lodging Tax Benefits Summary](#)  
[Public Comment 070924](#)  
[Resolution 2024-029 \(amended by Sub 06/18/24\)](#)  
[Public Comment 061824](#)  
[Fiscal Note](#)  
[CPL Master Plan 2023 Data](#)  
[Memo](#)  
[eComment 061824](#)

## INFORMATIONAL MATERIALS AND REPORTS

1. [KPB-6354](#) Update Regarding Ordinance 2024-16 Approving the Use of Funds for Promotion of KPB Proposition No. 1

**Attachments:** [Memo Legal Update O2024-16](#)

**ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. October 22, 2024 6:00 PM  
Regular Assembly Meeting  
Betty J. Glick Assembly Chambers  
Borough Administration Building  
Remote participation available through Zoom  
Meeting ID: 895 1103 3332 Passcode: 193069

**ADJOURNMENT**

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

*The meeting will be held in the Betty J. Glick Assembly Chambers, Borough Administration Building, Soldotna, Alaska. The meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible. To attend the Zoom meeting by telephone call toll free 1-888-788-0099 or 1-877-853-5247 and enter the Meeting ID: 895 1103 3332 Passcode: 193069. Detailed instructions will be posted on at the Kenai Peninsula Borough's main page at [www.kpb.us](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.*