



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Finance Committee

Peter Ribbens, Chair
Ryan Tunseth, Vice Chair
Brent Hibbert

Tuesday, February 6, 2024

3:30 PM

Betty J. Glick Assembly Chambers
Meeting ID: 895 1103 3332 Passcode: 193069
[https://us06web.zoom.us/j/8951103332?](https://us06web.zoom.us/j/89511033332?pwd=GThg6CA4QuaaPihm3rpMKljbZoy5ZG.1)
[pwd=GThg6CA4QuaaPihm3rpMKljbZoy5ZG.1](https://us06web.zoom.us/j/8951103332?pwd=GThg6CA4QuaaPihm3rpMKljbZoy5ZG.1)

Meeting ID: 895 1103 3332 Passcode: 193069

PUBLIC HEARINGS ON ORDINANCES

1. [2023-19-33](#) An Ordinance Appropriating \$350,000 from the School Maintenance Fund for Snow Removal and Sanding (Mayor)

Attachments: [Ordinance 2023-19-33](#)
[Memo](#)

2. [2023-19-34](#) An Ordinance Accepting and Appropriating Opioid Settlement Funds for the Opioid Settlement Fund Program (Mayor)

Attachments: [Ordinance 2023-19-34](#)
[Memo](#)
[Allocation Schedule](#)

NEW BUSINESS

1. Resolutions

- *a. [2024-004](#) A Resolution Designating the Newspaper and Authorizing Award of a Contract for the Publication of the 2024 Foreclosure List, and the Delinquent Leasehold, Mobile Homes, Personal and Other Tax Lists for the Tax Year 2023 and Prior (Mayor)

Attachments: [Resolution 2024-004](#)
[Memo](#)
[Peninsula Clarion Quote](#)

- b. [2024-007](#) LAYDOWN A Resolution Authorizing a Sole Source Contract for the Tyonek Landfill Operation and Maintenance with Tyonek Contractors, LLC

Attachments: [LAYDOWN Resolution 2024-007](#)
 [LAYDOWN Memo](#)

2. Ordinances for Introduction

- *a. [2023-19-35](#) An Ordinance Appropriating Supplemental Funds from the Land Trust Fund Fund Balance to Land Management Operations for Surveying Resources (Mayor) (Hearing on 02/27/24)

Attachments: [Ordinance 2023-19-35](#)
 [Memo](#)

Introduced by: Mayor
Date: 01/16/24
Hearing: 02/06/24
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2023-19-33**

**AN ORDINANCE APPROPRIATING \$350,000 FROM THE SCHOOL MAINTENANCE
FUND FOR SNOW REMOVAL AND SANDING**

WHEREAS, due to higher than projected costs associated with snow plowing at school facilities’ parking lots and walkways, the maintenance department is seeking supplemental funding to ensure there are sufficient funds on hand through the end of the fiscal year for snow removal and sanding; and

WHEREAS, the School Fund has fund balance available to support the appropriation; and

WHEREAS, the appropriation of fund balance within the School Fund does not impact the current year funding for the school district;

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

SECTION 1. That \$350,000 is appropriated from the School Fund, fund balance to account 241.41010.00000.43764, snow removal and sanding.

SECTION 2. That this ordinance shall be effective immediately.

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

Brent Johnson, Assembly President

ATTEST:

Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

Kenai Peninsula Borough

Maintenance Department

MEMORANDUM

TO: Brent Johnson, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Peter A. Micciche, Mayor *PAM*
Brandi Harbaugh, Finance Director *BH*

FROM: Tom Nelson, Maintenance Director *TN*

DATE: January 4, 2024

RE: Ordinance 2023-19-33, Appropriating \$350,000 from the School Maintenance Fund for Snow Removal and Sanding (Mayor)

This Ordinance appropriates \$350,000 from the School Fund fund balance for snow removal and sanding of school facilities. The snow precipitation across the Peninsula has been above average this winter and invoices received two months into the snow season total 54% of the snow removal budget. The Maintenance Department is seeking supplemental funding in order to ensure that sufficient funds are available for snow removal and sanding obligations through the end of the fiscal year.

Your consideration is appreciated.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No. <u>241-27910</u>	
Amount <u>\$350,000</u>	
By: <u><i>CJ</i></u>	Date: <u>1/3/2024</u>

Introduced by: Mayor
Date: 01/16/24
Hearing: 02/06/24
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2023-19-34**

AN ORDINANCE ACCEPTING AND APPROPRIATING OPIOID SETTLEMENT FUNDS FOR THE OPIOID SETTLEMENT FUND PROGRAM

WHEREAS, in 2021, the State of Alaska and nine political subdivisions within the State, including the Kenai Peninsula Borough (“Borough”), agreed to and entered into two nationwide settlement agreements related to the opioid endemic, referred to as the “Janssen Settlement” and the “Distributor Settlement”; and

WHEREAS, Ordinance 2021-19-50 established an Opioid Settlement Fund Grant Program to administer and distribute funds received through the opioid settlements and in accordance with the requirements of the settlement agreements; and

WHEREAS, the Borough has received \$210,905.53 to date for distribution of the Janssen Settlement and Distributor Settlements of which \$95,955.37 has been previously appropriated; and

WHEREAS, the Assembly finds that it is in the best interest of the Kenai Peninsula Borough to accept and appropriate, on a project basis, the opioid settlement funds for the Opioid Settlement Fund Grant program;

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

SECTION 1. The settlement funds of \$115,250.16 representing funding for years three, four and five of the Opioid Settlement Grant Program is appropriated to these accounts as follows:

\$51,626.94 to account 271.94910.OPD24.49999;
\$30,176.16 to account 271.94910.OPD25.49999;
\$33,447.06 to account 271.94910.OPD26.49999.

SECTION 2. That the appropriations made in this ordinance are of a project length nature and as such do not lapse at the end of any particular fiscal year.

SECTION 3. That this ordinance shall be effective immediately.

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

Brent Johnson, Assembly President

ATTEST:

Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

Kenai Peninsula Borough

Grants Administration

MEMORANDUM

TO: Brent Johnson, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Peter A. Micciche, Mayor *PM*
Brandi Harbaugh, Finance Director *BH*

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

DATE: January 4, 2024

RE: Ordinance 2023-19- 34 , Accepting and Appropriating Opioid Settlement Funds for the Opioid Settlement Fund Grant Program (Mayor)

In 2021, the State of Alaska and nine political subdivisions within the State, including the Kenai Peninsula Borough (“Borough”), agreed to and entered into two nationwide settlement agreements related to the opioid endemic, referred to as the “Janssen/J&J Settlement” and the “Distributor Settlement”. Ordinance 2021-19-50 established an Opioid Settlement Fund Grant Program to administer and distribute funds received through the opioid settlements and in accordance with the requirements of the settlement agreements.

It is being requested that three Janssen Settlement distributions (project codes OPD24, OPD25, and OPD26) and one Distributor Settlement (OPD24) are being appropriated. The distributions are in the amount of \$51,626.94 (\$19,652.82 Janssen/J&J and \$31,974.12 Distributor), \$30,176.16, and \$33,447.06. These distributions, including the amount available in OPD23 may fund future grant agreements. It is anticipated that the next grant application period will be open in February 2024.

	Janssen Settlement	Distributor Settlement	Total
FY2024 (OPD24)	\$ 19,652.82	\$ 31,974.12	\$ 51,626.94
FY2025 (OPD25)	\$ 30,176.16	-	\$ 30,176.16
FY2026 (OPD26)	\$ 33,447.06	-	\$ 33,447.06
	\$ 83,276.04	\$ 31,974.12	\$115,250.16

For the detail of allocations, please see the attached schedule.

Your consideration is appreciated.

FINANCE DEPARTMENT FUNDS/ACCOUNT VERIFIED	
Acct. No. 271-00000-OPD24/25/26-37340	
Amount: \$ 115,250.16	
By: <i>CEJ</i>	Date: 1/3/2024

OPIOID SETTLEMENT FUNDS

Legislative Activity

	Janssen/J&J	Distributor	Total Distribution LTD	KPB Grants LTD	Appropriation Requested	Ordinance
OPD22	11,279.11	29,167.84	40,446.95	40,446.95	0	O21-19-50; O22-19-72
OPD23	24,554.44	30,653.98	55,208.42		0	O22-19-26; O22-19-72
OPD24	19,652.82	31,974.12	51,626.94		51,626.94	
OPD25	30,176.16		30,176.16		30,176.16	
OPD26	33,447.06		33,447.06		33,447.06	
Total	119,109.59	91,795.94	210,905.53	40,446.95	115,250.16	

OPD23-26 totaling \$170,458.58 (less public notification costs) will be available for the next grant application period anticipated Feb 2024

Introduced by: Mayor
Date: 02/06/24
Action:
Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2024-004**

**A RESOLUTION DESIGNATING THE NEWSPAPER AND AUTHORIZING AWARD
OF A CONTRACT FOR THE PUBLICATION OF THE 2024 FORECLOSURE LIST,
AND THE DELINQUENT LEASEHOLD, MOBILE HOMES, PERSONAL AND OTHER
TAX LISTS FOR THE TAX YEAR 2023 AND PRIOR**

WHEREAS, per AS 29.45.330, the Kenai Peninsula Borough (“KPB”) must publish an annual foreclosure list in a newspaper of general circulation setting forth the owner names, property description and amounts of all delinquent real property taxes and special assessments, and other requirements under the law; and

WHEREAS, the KPB requested quotes from a newspaper of general circulation for the performance of all work required to print, publish, and distribute the 2024 property tax and special assessments foreclosure list, the delinquent leasehold, mobile homes, personal and other tax lists for the tax year 2023 and prior; and

WHEREAS, the Finance Department estimates the contractor will be required to publish approximately 24 tabloid pages for the 2024 foreclosure list at a cost of \$7,673.00, approximately 12 tabloid pages for the delinquent tax lists at a cost of \$1,284.00, for a total cost of \$8,957.00; and

WHEREAS, the Finance Department requested a quote from all area newspapers of general circulation; and

WHEREAS, the Assembly is required by KPB 5.12.260 to designate the newspaper that will publish the foreclosure list and delinquency lists together with the days of publication;

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

SECTION 1. That the *Peninsula Clarion* is designated as the newspaper of general circulation to perform all work necessary to print, publish, and distribute the 2024 foreclosure list for a price of \$7,673.00. The delinquent tax lists will be published for a price of \$1,284.00, and the Mayor is authorized to enter a contract for this work to the designated newspaper. The total contract price shall be \$8,957.00. All expenditures for this contract shall be charged to account 100.11440.00000.43310.

SECTION 2. That beginning on February 28, 2024, the foreclosure list will be published one (1) time per week for four (4) consecutive weeks. The delinquent tax lists will be published one (1) time.

SECTION 3. That if payment for delinquent leasehold, mobile homes, personal and other tax is not received by March 15, 2024, the KPB will institute further proceedings to collect the delinquent taxes.

SECTION 4. That this resolution takes effect immediately upon adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 6TH DAY OF FEBRUARY, 2024.

Brent Johnson, Assembly President

ATTEST:

Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

Kenai Peninsula Borough

Finance Department

MEMORANDUM

TO: Brent Johnson, Assembly President
Members, KPB Assembly

THRU: Peter A. Micciche, Mayor *PM*
Brandi Harbaugh, Finance Director *BH*

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

DATE: January 25, 2024

RE: Resolution 2024-004 , Designating the Newspaper and Authorizing Award of a Contract for the Publication of the 2024 Foreclosure List, and the Delinquent Leasehold, Mobile Homes, Personal and Other Tax Lists for the Tax Year 2023 and Prior (Mayor)

Attached is a resolution for consideration designating the *Peninsula Clarion (Clarion)* as the newspaper for the publication of the 2024 foreclosure list and delinquent leasehold, mobile homes, personal and other tax lists for the tax year 2023 and prior per AS 29.45.330 and authorizing the award of a contract to the *Clarion*.

Your consideration is appreciated.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.:	<u>100.11440.00000.43310</u>
Amo	<u> \$0.00</u>
By: <i>CSJ</i>	Date: <u>1/24/2024</u>

REQUEST FOR QUOTE

The Kenai Peninsula Borough invites quotes for the printing, publication, and distribution of the 2024 Real Property Tax Foreclosure List, Delinquent Special Assessment List, and Delinquent Leasehold/Mobile Homes/Personal and Other List by a newspaper of general circulation within the Borough, with a U.S. Postal Service second-class mailing permit, that publishes on a regular and at least weekly basis. Newspapers of general circulation (i.e., those possessing a second-class mailing permit and meeting other requirements of general circulation according to KPBP Code of Ordinances, Chapter 5.08.060 D. and the lists must be published and distributed with the normally published newspaper and its subscribers.

The Borough Foreclosure List shall be published one time each week for **four** consecutive weeks. The Delinquent Leasehold/Mobile Homes/Personal and Other List shall be published one time during the first week of the publication of the Foreclosure List. We expect the data to be sent via e-mail in form of a PDF or .txt file on or about the 16th of February with publication to begin on February 28th, 2024. However, the borough reserves the right to adjust this date as necessary.

All quotes must be submitted on the attached quote form to the Finance Department, Kenai Peninsula Borough, 144 N. Binkley Street, Soldotna, Alaska 99669, by no later than close of business day on January 5th, 2024. The quote form may be faxed to 907-714-2376 or emailed to nscarlett@kpb.us.

A sample of the 2023 Foreclosure List, Delinquent Personal Leasehold/Mobile Homes/Personal and Other List and extra inserts are available upon request.

The contractor shall not be paid until all four (4) consecutive publications have been successfully completed and proof of publication affidavit has been submitted to the Borough. If the contractor fails to adhere to the publication schedule, the contract will have been breached and no payment will be made; and the contractor shall have no further recourse against the Borough.



KENAI PENINSULA BOROUGH
 PRINTING, PUBLICATION, AND DISTRIBUTION OF
 2024 FORECLOSURE LIST AND DELINQUENT
 LEASEHOLD/MOBILE HOMES/PERSONAL AND OTHER LIST

QUOTE FORM

The Kenai Peninsula Clarion quotes to perform all work required to print, publish, and distribute the Kenai Peninsula Borough Foreclosure List for tax year 2023 and the Delinquent Leasehold/Mobile Homes/Personal and Other List for **tabloid** pages as follows:

* <u>36 pg. maximum</u> at this price DM	Foreclosure List (4 weeks)	K.P.C.	\$ <u>6,139.00</u>	Includes digital publication on Clarion website as this is a legal ad. 
	Leasehold/Mobile Homes/Personal and Other List (1 week)	Homer News (1x)	1,534.00	
			- 1,284.00	
	Total for Both		<u>\$ 8,957.00</u>	

Wednesday insertion dates 2/28, 3/6, 3/13, 3/20

It is the intent of the Borough to award one contract for both publications.

The Foreclosure List will be published once each week for four (4) consecutive weeks in the Peninsula Clarion and Homer News which is a newspaper of general circulation within the Kenai Peninsula Borough, during the four weeks requested by the Borough; and the Delinquent Leasehold/Mobile Homes/Personal and Other List will be published on the same day as the Foreclosure List for the first week only. Both lists must be published and distributed with the normally published newspaper and its subscribers.

<u>Douglas Munn</u> Name of Representative	<u>Circulation Manager</u> Title
<u>150 Trading Bay Rd Kenai AK 99611</u> Address	<u>907-615-3188</u> Phone # <u> </u> Fax #
<u>dunn@soundpublishing.com</u> E-Mail	
<u></u> Signature	<u>1/4/24</u> Date

LAYDOWN

Introduced by:

Mayor

Date:

02/06/24

Action:

Vote:

KENAI PENINSULA BOROUGH RESOLUTION 2024-007

A RESOLUTION AUTHORIZING A SOLE SOURCE CONTRACT FOR THE TYONEK LANDFILL OPERATION AND MAINTENANCE WITH TYONEK CONTRACTORS, LLC

WHEREAS, the Kenai Peninsula Borough (“KPB”) Solid Waste Department has contracted for the operation and maintenance of the Tyonek Landfill with Tyonek Contractors, LLC for over 20 years; and

WHEREAS, the landfill is located in a remote location and there are limited resources for other local contractors interested and capable of providing the operations and maintenance of the facility; and

WHEREAS, the Solid Waste Department is requesting that a sole source contract be awarded to Tyonek Contractors, LLC for the operation and maintenance of the Tyonek Landfill; and

WHEREAS, the contract will be awarded under the current terms on an annual basis using the KPB’s standard Consumer Price Index for Urban Alaska adjustments; and

WHEREAS, language will be incorporated into the contract stating that, in the future should another entity indicate interest in bidding on the operation and maintenance of the Tyonek Landfill, the Purchasing and Contracting Department will renew the public bid process to allow for a formal public bid to go forward; and

WHEREAS, funding is existing and proposed in the FY24 and FY25 Solid Waste Department budgets in account 290.32570.00000.43011 for this service;

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

SECTION 1. That the Mayor is authorized to award a sole source contract to Tyonek Contractors, LLC to provide operation and maintenance of the Tyonek Landfill located in Tyonek, Alaska.

SECTION 2. That this resolution is effective immediately.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS
FEBRUARY 6TH, 2024.**

Brent Johnson, Assembly President

ATTEST:

Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

Kenai Peninsula Borough

Solid Waste Department

MEMORANDUM

TO: Brent Johnson, Assembly President
Members, KPB Assembly

THRU: Peter A. Micciche, Mayor *PM*
John Hedges, Purchasing and Contracting Director *JH*

FROM: Lee Frey, Solid Waste Director *LF*

DATE: February 2, 2024

RE: LAYDOWN Resolution 2024-007, Authorizing a Sole Source Contract for the Tyonek Landfill Operation and Maintenance with Tyonek Contractors, LLC (Mayor)

The Solid Waste Department has been contracting with Tyonek Contractors, LLC for over 20 years for the operation and maintenance of the Tyonek Landfill. Due to the remote location of the Village of Tyonek, we have not seen any competitive interest in bidding this contract.

Due to the lack of competition and to save staff time in bidding a contract, the Solid Waste Department recommends entering into a sole source contract with Tyonek Contractors, LLC for the operation and maintenance of the Tyonek Landfill.

Language will be added to the contract for the contract to be rebid in the event the Purchasing and Contracting Department determines there is competition available. The contract will continue to be adjusted annually by the Consumer Price Index.

Your consideration is appreciated.

FINANCE DEPARTMENT FUNDS/ACCOUNT VERIFIED	
Acct. No.: <u>290.32570.00000.43011</u>	
Amount: <u>\$ 57,050.00</u>	
By: <i>CJ</i>	Date: <u>2/5/2024</u>
<i>BH</i>	_____

Introduced by:	Mayor
Date:	02/06/24
Hearing:	02/27/24
Action:	
Vote:	

**KENAI PENINSULA BOROUGH
ORDINANCE 2023-19-35**

AN ORDINANCE APPROPRIATING SUPPLEMENTAL FUNDS FROM THE LAND TRUST FUND FUND BALANCE TO LAND MANAGEMENT OPERATIONS FOR SURVEYING RESOURCES

WHEREAS, the Kenai Peninsula Borough ("KPB") Land Management Division is responsible for the management of KPB lands and natural resources; and

WHEREAS, the KPB Land Management Division operates under the special revenue Land Trust Fund account 250, which accounts for and is supported by, land management operating revenues; and

WHEREAS, a surveyor position and equipment were planned in FY23 and will be implemented in FY24; and

WHEREAS, due to the fact that FY23 appropriations lapsed to the Land Trust Fund, \$88,200 is needed in FY24 for procurement of equipment, supplies and software licensing for surveying capabilities;

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

SECTION 1. That the amount of \$88,200 is appropriated from the Land Trust Fund fund balance to the following accounts for the following items: GNSS System, a Total Station System, subscriptions to Trimble Business Center, Pix4D Mapper, Autodesk Civil3D, and land surveying field tools and supplies:

Supplies		
250.21210.42410	Small Tools/ Minor Equipment	\$9,400
Services		
250.21210.43026	Software Licensing	\$4,300
Capital Outlay		
250.21210.48311	Major Equipment	\$74,500

SECTION 2. That this ordinance shall become effective immediately upon enactment.

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

Brent Johnson, Assembly President

ATTEST:

Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

Kenai Peninsula Borough

Planning Department – Land Management Division

MEMORANDUM

TO: Brent Johnson, Assembly President
Members, KPB Assembly

THRU: Peter A. Micciche, Mayor *PM*
Brandi Harbaugh, Finance Director *BH*
Robert Ruffner, Planning Director *SR*

FROM: Marcus A. Mueller, Land Management Officer *mam*

DATE: January 25, 2024

RE: Ordinance 2023-19-35, Appropriating Supplemental Funds from the Land Trust Fund Fund Balance to Land Management Operations for Surveying Resources (Mayor)

KPB’s Land Management Division is responsible for the management of KPB lands and natural resources. A surveyor position, which was originally budgeted for in FY23, is now being established in FY24. The surveying position requires equipment, supplies and software to achieve production capabilities. Funds appropriated for these purposes in FY23 have lapsed to the Land Trust Fund.

The attached Ordinance appropriates \$88,200 from the Land Trust Fund fund balance to the FY24 Land Management operating budget for small tools and software licensing related to surveying and major equipment to include a GNSS System, a Total Station System, subscriptions to Trimble Business Center, Pix4D Mapper, Autodesk Civil3d, and land surveying field tools and supplies.

Your consideration of the Ordinance is appreciated.

FINANCE DEPARTMENT FUNDS/ACCOUNT VERIFIED	
Account:	<u>250.00000.00000.27910</u>
Amc	<u>\$88,200</u>
By: <i>CM</i>	Date: <u>1/24/2024</u>