



# 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, February 27, 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 voluntary offering of a private person, to and for the benefit of the assembly. 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-5790: February 6, 2024 Regular Assembly Meeting Minutes

KPB-5791: Commending Seward High School Boys' Wrestling Team Alaska State Champs

KPB-5792: Commending Soldotna High School Girls' Wrestling Team Alaska State Champs

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

Ordinance 2023-19-37: \$42,562 to the Special Assessment Fund for the Jubilee Street USAD

Ordinance 2023-19-38: \$1,365,000 for the Deep Creek Fish Passage Project

Ordinance 2024-04: Authorizing a Negotiated Lease with Davis Block and Concrete Company

Ordinance 2024-05: Amending Various Sections of Code to Provide for Alternative Methods of Public Notice

KPB-5801: Authorizing Letter of Non-Objection for The Tufted Puffin, License No. 34856

KPB-5803: Confirming the Appointments to Kachemak Emergency and Western Emergency Service Area Boards

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

Ordinance 2023-19-35: \$88,200 for Surveying Resources

Ordinance 2024-03: Sale of Borough Owned Land for Outcry Auction

**APPROVAL OF MINUTES**

[KPB-5790](#) February 6, 2024 Regular Assembly Meeting Minutes

Attachments: [February 6, 2024 Regular Assembly Meeting Minutes](#)

**COMMENDING RESOLUTIONS AND PROCLAMATIONS**

[KPB-5791](#) A Resolution Commending the Seward High School Boys' Wrestling Team - Division II Alaska State Champions for the Year 2023 (Mayor, Ecklund)

Attachments: [2023 State Champions - Seward Boys' Wrestling Team](#)

[KPB-5792](#) A Resolution Commending the Soldotna High School Girls' Wrestling Team – ASAA Girls' State Wrestling Champions for the Year 2023 (Mayor, Cox)

Attachments: [2023 State Champions - Soldotna Girls Wrestling Team](#)

**PRESENTATIONS WITH PRIOR NOTICE**

*(20 minutes total)*

1. [KPB-5793](#) Central Peninsula General Hospital Quarterly Report, Shaun Keef, CEO (10 minutes)

Attachments: [LAYDOWN CPH Quarterly Report](#)

2. [KPB-5795](#) AK Carbon Legislation and Energy, Todd Lindley, AK Carbon Legislation and Energy, Todd Lindley, VP, Alaska Gold Communications (10 minutes)

Attachments: [LAYDOWN AK Carbon Legislation and Energy Presentation](#)

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

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

## **MAYOR'S REPORT**

### Mayor's Report Cover Memo

[KPB-5826](#) Mayor's Report Cover Memo

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

1. Assembly Requests/Responses - None.

2. Agreements and Contracts

- a. [KPB-5827](#) Authorization to Award a Contract for ITB24-032 Leachate Hauling Term Contract

Attachments: [Auth to Award Leachate Hauling](#)

- b. [KPB-5828](#) Authorization to Award a Contract for RFP24-010 Kenai Peninsula Borough Website Overhaul & Redesign

Attachments: [Auth to Award KPB Website](#)

- c. [KPB-5829](#) Authorization to Award a Contract for RFP24-012 Nikiski North Star & Mountain View Elementary Roof Replacements

Attachments: [Auth to Award School Roof Replacements](#)

- d. [KPB-5830](#) Authorization to Award a Contract for RFP24-014 Municipal Government Services & Tourism / Economic Development PR Campaign

Attachments: [Auth to Award Gov Services & Tourism Campaign](#)

3. Other

- a. [KPB-5831](#) Budget Revisions – January 2024

Attachments: [Budget Revisions Jan 2024](#)

- b. [KPB-5832](#) Capital Project Reports – December 31, 2023

Attachments: [Capital Project Reports - December 31, 2023](#)

- c. [KPB-5833](#) Investment Report Quarter Ended 12/31/23

Attachments: [Investment Report Quarter Ended 123123](#)

- d. [KPB-5834](#) Revenue-Expenditure Report – January 2024

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

- e. [KPB-5835](#) Tax Adjustment Request Approval

Attachments: [Tax Adjustment Request](#)

## ITEMS NOT COMPLETED FROM PRIOR AGENDA

### PUBLIC HEARINGS ON ORDINANCES

*(Testimony limited to 3 minutes per speaker)*

Ordinances referred to Finance Committee

[2023-19-35](#) An Ordinance Appropriating Supplemental Funds from the Land Trust Fund Fund Balance to Land Management Operations for Surveying Resources (Mayor)

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

Ordinances referred to Lands Committee

[2024-03](#) An Ordinance Authorizing the Sale of Certain Parcels of Kenai Peninsula Borough-Owned Land by Outcry Auction Followed by a Secondary Online Auction (Mayor)

Attachments: [Ordinance 2024-03](#)  
[Memo](#)  
[Spring Land Sale Vicinity Map](#)  
[Parcel Maps](#)  
[WES Meeting Minutes 101222](#)  
[Advisory Board Recommendations](#)  
[Public Comment 022724](#)

### UNFINISHED BUSINESS

1. Notice to Consider

[KPB-5789](#) Requesting Formal Assembly Protest to the Transfer of Controlling

Interest Application filed by Harbor Gateway Inc. dba Gateway Liquor & Food Mart, License No. 2683, Seward [Tabled on 02/06/24]

[Clerk's Note: Assembly Member Ecklund gave notice to remove KPB-5789 from the table on 02/15/24, per KPB 22.40.070.]

Attachments:

[Protest Request](#)

[Finance Recommendations](#)

[Application for Transfer](#)

[Ecklund Memo to Assembly 021524](#)

## NEW BUSINESS

### 1. Resolutions

[2024-008](#)

A Resolution Requesting the State Legislature Transfer a Grant Awarded to the Kenai Peninsula Borough For Construction of a School Facility in Kachemak-Selo from the Department of Education and Early Development to the Department of Commerce, Community & Economic Development (Mayor, Assembly)

Attachments:

[Resolution 2024-008](#)

[Memo](#)

[Supporting Documents](#)

### 2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

[2023-19-36](#)

An Ordinance Appropriating \$289,178.64 to the Rollins Way Road Improvement Assessment District (Mayor)

Attachments:

[Ordinance 2023-19-36](#)

[Memo](#)

[Public Comment 022724](#)

[Public Comment 031924](#)

[Memo Request to Table](#)

[2023-19-37](#)

An Ordinance Appropriating \$42,562 to the Special Assessment Fund for the Jubilee Street Utility Special Assessment District (Mayor)

Attachments:

[Ordinance 2023-19-37](#)

[Memo](#)

[2023-19-38](#)

An Ordinance Accepting and Appropriating \$1,365,000 for the Deep Creek Fish Passage Project, a Partnership between the Kenai Peninsula

## Borough and the U.S. Fish &amp; Wildlife Service (Mayor)

Attachments:[Ordinance 2023-19-38](#)[Memo](#)[Reference Ordinance 2023-19-31](#)[RSA Minutes](#)[Award Notification](#)

## Ordinances for Introduction and referred to the Lands Committee

[2024-04](#)

An Ordinance Authorizing a Negotiated Lease with Davis Block and Concrete Company for Concrete Batch Plant Operations in Support of the Sterling Highway MP 45-60 Construction Project Near Cooper Landing (Mayor)

Attachments:[Ordinance 2024-04](#)[Memo](#)[Lease Development Agreement](#)[Lease Application](#)[Map](#)[CLAPC Agenda and Unapproved Minutes](#)[Letter from Davis Block to CLAPC](#)[Public Comment to Assembly 022724](#)[CLAPC Public Comments](#)[Public Comment to Assembly 031924](#)[eComment 022724](#)[Advisory Board Recommendation](#)[Memo to Assembly](#)

## Ordinances for Introduction and referred to the Policies and Procedures Committee

[2024-05](#)

An Ordinance Amending Borough Code to Add a New Section of Code Relating to Public Notice Requirements and Amending Various Sections of Code to Provide for Alternative Methods of Public Notice (Mayor) (Hearing on 04/02/24)

Attachments:[Ordinance 2024-05](#)[Memo](#)[Publication Comparison Table](#)

## 3. Other

## Other Items referred to Finance Committee

[KPB-5801](#) Authorizing the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Retail Store Application for The Tufted Puffin, License No. 34856 (Mayor)

Attachments: [Complete Application](#)  
[Maps](#)  
[Memo from Planning](#)  
[REVISED Memo to Assembly](#)

Other Items referred to Policies and Procedures Committee

[KPB-5803](#) Confirming the Appointments to Service Area Boards (Mayor)

Kachemak Emergency Service Area  
Mark Kirko, Seat C, Term Expires October 2024

Western Emergency Service Area  
Mark Ball, Seat C, Terms Expires October 2026

Attachments: [Appointments to Service Area Boards](#)

## **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) [Tabled on 10/24/23]

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

## **INFORMATIONAL MATERIALS AND REPORTS**

### **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. March 19, 2024 6:00 PM  
Regular Assembly Meeting  
Betty J. Glick Assembly Chambers  
Remote participation available through Zoom  
Meeting ID: 895 1103 3332 Passcode: 193069

## ADJOURNMENT

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

*The meeting will be held through Zoom, the Meeting ID: 895 1103 3332 Passcode: 193069 and in-person from the Betty J. Glick Assembly Chambers, George A. Navarre Borough Administration Building, Soldotna, Alaska. To attend the Zoom meeting by telephone call toll free 1-888-788-0099 or 1-877-853-5247 and enter the Meeting ID: 895 1103 3332 Passcode: 193069. Detailed instructions will be posted on at the Kenai Peninsula Borough's main page at [www.kpb.us](http://www.kpb.us): "Borough Assembly Meeting Agendas" "Assembly Meeting Calendar".*

*For further information, please call the Clerk's Office at 714-2160 or toll free within the Borough at 1-800-478-4441, Ext. 2160. Visit our website at <https://kpb.legistar.com/Calendar.aspx> for copies of the agenda, meeting minutes, ordinances and resolutions.*