



# 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, April 16, 2024

6:00 PM

Seward Community Library and Museum

239 6th Avenue, Seward

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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Meeting ID: 895 1103 3332 Passcode: 193069

### 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-5909: April 2, 2024 Regular Assembly Meeting Minutes

Resolution 2024-017: Cooperative Fire Protection Agreement between DNR and KPB Emergency Service Areas

Ordinance 2023-19-45: \$627,435.60 to the Princess Lake Estates Utility Special Assessment District

Ordinance 2023-19-46: \$5,000 from South Kenai Peninsula Hospital Service Area Fund Balance to Provide for Bond Counsel Expenditures on Preliminary Bond Related Services

KPB-5927: Moose Pass Advisory Planning Commission Appointment

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

Ordinance 2023-19-41: Commercial Passenger Vessel Tax Proceeds \$456,337.50 to the City of Seward

Ordinance 2023-19-42: \$32,410.82 Grant Funds for the 2024 Volunteer Fire Capacity Program

Ordinance 2023-19-43: \$89,000 for Woody Fuel Disposal Cooper Landing and Hope and Approving Entering an MOA

Ordinance 2023-19-44: Purchase of Snow Machines and a Snowbulance to the Ambulance Project

**APPROVAL OF MINUTES**

\*1. [KPB-5909](#) April 2, 2024 Regular Assembly Meeting Minutes

Attachments: [April 2, 2024 Regular Assembly Meeting Minutes](#)

**COMMENDING RESOLUTIONS AND PROCLAMATIONS**

1. [KPB-5917](#) Mayor's Proclamation Declaring April 2024 as "Sexual Assault Awareness Month" (Mayor)

Attachments: [April 2024 Proclamation](#)

**PRESENTATIONS WITH PRIOR NOTICE**

*(20 minutes total)*

1. [KPB-5910](#) Kenai Public Health, Julie Bunch (10 minutes)

Attachments: [Public Health Presentation](#)

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

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

**MAYOR'S REPORT**

[KPB-5923](#) Mayor's Report Cover Memo

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

1. Assembly Requests/Responses - None.

2. Agreements and Contracts

- a. [KPB-5918](#) Authorization to Award a Contract for ITB24-033 Seward Bear Creek Flood Service Area Upper Salmon Creek Revetment

Attachments: [Auth to Award Contract ITB24-033](#)

- b. [KPB-5919](#) Authorization to Award a Contract for ITB24-034 Seward High School Track

Attachments: [Auth to Award Contract ITB24-034](#)

- c. [KPB-5920](#) Authorization to Award a Contract for ITB24-038 Gym & Pool Locker Replacement

Attachments: [Auth to Award Contract ITB24-038](#)

- d. [KPB-5921](#) Authorization to Award a Contract for RFP24-016 Spring Land Sale Marketing and Auction Services 2024

Attachments: [Auth to Award RFP24-016](#)

3. Other

- a. [KPB-5922](#) Presentation of Athletes' Certificates: Commending Resolution for Seward Boys' Wrestling Team State Championship (Adopted by the Assembly on 02/27/24)

## ITEMS NOT COMPLETED FROM PRIOR AGENDA

## PUBLIC HEARINGS ON ORDINANCES

*(Testimony limited to 3 minutes per speaker)*

Ordinances referred to Finance Committee

1. [2023-19-41](#) An Ordinance Appropriating and Allocating Commercial Passenger Vessel Tax Proceeds Received from the State of Alaska in the Amount of \$456,337.50 to the City of Seward (Mayor)

Attachments: [Ordinance 2023-19-41](#)  
[Memo](#)  
[City of Seward Letter](#)  
[DOR Email](#)

2. [2023-19-42](#) An Ordinance Accepting and Appropriating \$32,410.82 in Grant Funds from the Alaska Department of Natural Resources for the 2024 Volunteer Fire Capacity Program on Behalf of Bear Creek Fire Service Area, Central Emergency Service Area, Kachemak Emergency Service Area, Nikiski Fire Service Area, and Western Emergency Service Area (Mayor)

Attachments: [Ordinances 2023-19-42](#)  
[Memo](#)  
[Advisory Board Recommendations](#)

3. [2023-19-43](#) An Ordinance Accepting and Appropriating \$89,000 in Federal Pass Through Grant Funds from the State of Alaska for Woody Fuel Disposal in the Communities of Cooper Landing and Hope and Approving Entering into a Memorandum of Agreement for the Administration of Funds and Operations (Mayor)

Attachments: [Ordinance 2023-19-43](#)  
[Memo](#)  
[MOA](#)

4. [2023-19-44](#) An Ordinance Deobligating and Appropriating Kachemak Emergency Service Area Capital Project Funds Previously Appropriated for the Purchase of Snow Machines and a Snowbulance to the Ambulance Project (Mayor)

Attachments: [Ordinance 2023-19-44](#)  
[Memo](#)

Ordinances referred to Policies and Procedures Committee

5. [2024-06](#) An Ordinance Amending KPB Chapter 2.54 Relating to Access to Public Records and Response to Record Requests (Mayor, Johnson)

Attachments: [Ordinance 2024-06](#)  
[Memo](#)  
[Public Comment 041624](#)

6. [2024-07](#) An Ordinance Amending KPB Code Relating to Civil Trespass and Issuing a Trespass Order (Mayor, Johnson, Ribbens)

Attachments: [Ordinance 2024-07](#)  
[Memo](#)  
[Public Comment 041624](#)

## UNFINISHED BUSINESS

**NEW BUSINESS**

## 1. Resolutions

Resolutions referred to Policies and Procedures Committee

- \*a. [2024-017](#) Approving an Intergovernmental Cooperative Agreement between the State of Alaska, Department of Natural Resources, Division of Forestry & Fire Protection, and the Kenai Peninsula Borough on behalf of Central Emergency Service Area, Nikiski Fire Service Area, Bear Creek Fire Service Area, Western Emergency Service Area, and Kachemak Emergency Service Area (Mayor)

Attachments: [Resolution 2024-017](#)  
[Memo](#)  
[Advisory Board Recommendations](#)

## 2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

- \*a. [2023-19-45](#) An Ordinance Appropriating \$627,435.60 to the Special Assessment Fund for the Princess Lake Estates Utility Special Assessment District (Mayor) (Hearing on 05/07/24)

Attachments: [Ordinance 2023-19-45](#)  
[Memo](#)

- \*b. [2023-19-46](#) An Ordinance Appropriating \$5,000 from South Kenai Peninsula Hospital Service Area Fund Balance to Provide for Bond Counsel Expenditures on Preliminary Bond Related Services (Mayor) (Hearing on 05/07/24)

Attachments: [Ordinance 2023-19-46](#)  
[Memo](#)

## 3. Other

- \*a. [KPB-5927](#) Confirming an Appointment to the Moose Pass Advisory Planning Commission (Mayor)

David E. Shafer, Seat C, Term Expires 09/30/2026

Attachments: [APC Appointment](#)

**PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

**ASSEMBLY COMMENTS****PENDING LEGISLATION**

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

1. [2023-19-36](#) An Ordinance Appropriating \$289,178.64 to the Rollins Way Road Improvement Assessment District (Mayor) (Hearing on 05/07/24) (Referred to Finance Committee)

**Attachments:**

[Ordinance 2023-19-36](#)

[Request to Remove from Table](#)

[Memo Request to Table](#)

[Memo](#)

[Public Comment 022724](#)

[Public Comment 031924](#)

2. [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](#)

**INFORMATIONAL MATERIALS AND REPORTS****ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. May 7, 2024 10:00 AM  
Budget Work Session #2  
Betty J. Glick Assembly Chambers  
Borough Administration Building  
Remote participation available through Zoom  
Meeting ID: 895 1103 3332 Passcode: 193069

2. May 7, 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 Seward Community Library and Museum, 239 6th Avenue, Seward, 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.*