



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

Tuesday, March 19, 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-5843: February 27, 2024 Regular Assembly Meeting Minutes

Resolution 2024-005: Form the Jubilee Street USAD

Resolution 2024-010: Authorizing a Memorandum of Agreement with Chugach Electric Association for Danger Tree Removal

Ordinance 2023-19-39: Deobligating Bond Proceeds in the Central Kenai Peninsula Hospital Service Area Capital Project Fund

Ordinance 2023-19-40: Deobligating and Appropriating to the Central Peninsula Landfill Baler Building Boiler Replacement

Ordinance 2024-06: Amending KPB Chapter 2.54

KPB-5851: Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding The Green Anchor, License No. 35466

KPB-5852: Appointment to the Bear Creek Fire Service Area Board

ACTION ITEMS ELIGIBLE TO BE ADDED TO THE CONSENT AGENDA:

Ordinance 2023-19-36: \$289,178.64 to the Rollins Way Road Improvement Assessment District

Ordinance 2023-19-37: \$42,562 to the Jubilee Utility Special Assessment District

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

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

APPROVAL OF MINUTES

[KPB-5843](#) February 27, 2024 Regular Assembly Meeting Minutes

Attachments: [February 27, 2024 Regular Assembly Meeting Minutes](#)

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

(20 minutes total)

1. [KPB-5844](#) South Peninsula Hospital Quarterly Report, Ryan Smith, CEO (10 Minutes)

Attachments: [SPH Quarterly Report](#)

2. [KPB-5845](#) Central Area Rural Transit System (CARTS) Update, Jodi Stuart, President (10 Minutes)

Attachments: [CARTS 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-5846](#) 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-5847](#) Authorization to Award a Contract ITB24-025 Seward Bear Creek Flood Service Area Construction Surveys

Attachments: [Auth to Award Contract ITB24-025](#)

3. Other

a. [KPB-5848](#) Budget Revisions – February 2024

Attachments: [Budget Revisions - February 2024](#)

b. [KPB-5849](#) Certification of the 2023 Real Property Supplementary Assessment Roll

Attachments: [Cert of the 2023 Real Property Supplemental Assessments](#)

c. [KPB-5850](#) Revenue-Expenditure Report – February 2024

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

ITEMS NOT COMPLETED FROM PRIOR AGENDA**PUBLIC HEARINGS ON ORDINANCES**

(Testimony limited to 3 minutes per speaker)

Ordinances 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 Request to Table](#)
[Memo](#)
[Public Comment 022724](#)
[Public Comment 031924](#)

[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 & Wildlife Service (Mayor)

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

Ordinances referred to 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](#)
[Advisory Board Recommendations](#)
[Lease Development Agreement](#)
[Lease Application](#)
[Map](#)
[CLAPC Agenda and Unapproved Minutes](#)
[Letter from Davis Block to CLAPC](#)
[Public Comment to Assembly 022724](#)
[Public Comment to Assembly 031924](#)
[CLAPC Public Comments](#)
[eComment 022724](#)
[eComment 031924](#)

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolutions

Resolutions referred to Lands Committee

[2024-005](#) A Resolution Form the Jubilee Street Utility Special Assessment District and Proceed with the Improvement of a Natural Gas Main Line Extension (Mayor)

Attachments: [Resolution 2024-005](#)
[Memo](#)
[Jubilee Supporting Documents](#)

[2024-010](#) A Resolution Authorizing the Mayor to Enter into a Memorandum of Agreement with Chugach Electric Association to Provide for Efficient Danger Tree Removal Adjacent to Above-Ground Utility Infrastructure within KPB Lands and KPB Rights-of-Way (Mayor)

Attachments: [Resolution 2024-010](#)
[Memo](#)
[Advisory Board Recommendation](#)
[Draft MOA](#)

2. Ordinances for Introduction

Ordinances for Introduction and referred to Finance Committee

[2023-19-39](#) An Ordinance Deobligating Bond Proceeds in the Central Kenai Peninsula Hospital Service Area Capital Project Fund and Transferring the Remaining Bond Proceeds to Fund the Annual Debt Service for Central Kenai Peninsula Hospital Service Area Revenue Bonds (Mayor)

Attachments: [Ordinance 2023-19-39](#)
[Amendment Memo](#)
[Memo](#)
[Reference Resolution 2013-072](#)
[Reference Resolution 2014-008](#)

[2023-19-40](#) An Ordinance Deobligating and Appropriating Solid Waste Capital Project Funds Previously Appropriated for Purchase of a Toolcat at Central Peninsula Landfill to the Central Peninsula Landfill Baler Building Boiler Replacement (Mayor)

Attachments: [Ordinance 2023-19-40](#)
[Memo](#)

Ordinances for Introduction and referred to the Policies and Procedures Committee

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

(Hearing on 04/16/24)

Attachments:

[Ordinance 2024-06](#)

[Memo](#)

[2024-07](#)

An Ordinance Amending KPB Code Relating to Civil Trespass and Issuing a Trespass Order (Mayor, Johnson) (Hearing on 04/16/24)

Attachments:

[Ordinance 2024-07](#)

[Memo](#)

[Memo with Mayor's Signature](#)

3. Other

Other Items referred to Finance Committee

[KPB-5851](#)

Authorizing the Issuance of a Letter of Non-Objection to the Marijuana Control Board Regarding the New Retail Store Application for The Green Anchor, License No. 35466, Anchor Point (Mayor)

Attachments:

[The Green Anchor Complete Application](#)

[Memo to Assembly](#)

[Memo from Planning](#)

[Maps](#)

Other items referred to Policies and Procedures Committee

[KPB-5852](#)

Confirming the Appointment to Service Area Board (Mayor)

Bear Creek Fire Service Area

Adam Sayler, Seat E, Term Expires October 2026

Attachments:

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

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](#)

2. [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](#)

INFORMATIONAL MATERIALS AND REPORTS

1. [KPB-5853](#) Voter Turnout Working Group Final Report

Attachments: [Voter Turnout Report](#)

ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS

1. April 2, 2024 6:00 PM
Regular Assembly Meeting
Betty J. Glick Assembly Chambers
Remote participation available through Zoom
Meeting ID: 895 1103 3332 Passcode: 193069

2. April 16, 2024 6:00 PM
Regular Assembly Meeting
Seward Community Library and Museum
239 6th Avenue, Seward, AK 99664
Remote participation available through Zoom
Meeting ID: 895 1103 3332 Passcode: 193069

ADJOURNMENT

The next meeting of the Kenai Peninsula Borough Assembly will be held on April 2, 2024, at 6:00 P.M. in the Betty J. Glick Assembly Chambers, Soldotna, Alaska.

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: "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.