



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Finance Committee

Brent Hibbert, Chair
Tyson Cox, Vice Chair
Cindy Ecklund, Member

Tuesday, October 10, 2023

3:15 PM

Betty J. Glick Assembly Chambers
Meeting ID: 884 7373 9641 Passcode: 671108
[https://us06web.zoom.us/j/88473739641?](https://us06web.zoom.us/j/88473739641?pwd=dW1sY2RYV0F4dURjV25yVW9WUGw3QT09)
[pwd=dW1sY2RYV0F4dURjV25yVW9WUGw3QT09](https://us06web.zoom.us/j/88473739641?pwd=dW1sY2RYV0F4dURjV25yVW9WUGw3QT09)

Meeting ID: 884 7373 9641 Passcode: 671108

ITEMS NOT APPEARING ON THE REGULAR MEETING AGENDA

1. [KPB-5554](#) Strategic Review of the Land Trust Investment Fund for the period ending August 31, 2023, Blake Phillips, CFA, Alaska Permanent Capital (30 minutes)

PUBLIC HEARINGS ON ORDINANCES

1. [2023-19-17](#) An Ordinance Accepting and Appropriating an Additional \$5,525.20 from the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management for Statewide Exercise Planning (Mayor)

Attachments: [Ordinance 2023-19-17](#)
[Memo](#)
[Award Amendment](#)

2. [2023-19-18](#) An Ordinance Appropriating \$25,000 from the Western Emergency Service Area Operating Fund to Complete Installation of Mobile Radios, Station Consolettes and Repeater (Mayor) (Hearing on 10/10/23)

Attachments: [Ordinance 2023-19-18](#)
[Memo](#)

3. [2023-19-19](#) An Ordinance Appropriating Funds to the Legal Department for Litigation Fees and Costs Related to an Oil and Gas Property Tax Appeal (Mayor)

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

4. [2023-19-20](#) An Ordinance Appropriating \$250,273 from the Roads Service Area Fund Balance to Replenish Road Maintenance Funding for the Remainder of the Fiscal Year (Mayor)

Attachments: [Ordinance 2023-19-20](#)
[Memo](#)

5. [2023-22](#) An Ordinance Authorizing the Assessor to Accept One Late-Filed Community Purpose Exemption Application for 2023 and Providing an Exception to KPB 5.12.040(B) (Mayor)

Attachments: [Ordinance 2023-22](#)
[Memo](#)
[Late File Waiver](#)

NEW BUSINESS

1. Resolutions

- *a. [2023-062](#) A Resolution Designating the Investment and Allocation Plan for the Borough's Land Trust Investment Fund and Establishing Appropriate Benchmarks to Measure Performance as of November 1, 2023 and for Calendar Year 2024 (Mayor)

Attachments: [Resolution 2023-062](#)
[Memo](#)

- *b. [2023-063](#) A Resolution Approving an Increase to the Limitation on the Total Cumulative Annual Cost of Real Property Leases in Which CPGH, Inc. is the Sole Lessee and Authorizing an Amendment to the Operating Agreement (Mayor)

Attachments: [Resolution 2023-063](#)
[Memo](#)
[Second Amendment to Operating Agreement](#)
[Central Peninsula General Hospital R2023-33](#)
[Reference Copy R2022-043](#)

2. Ordinances for Introduction

- *a. [2023-19-21](#) An Ordinance Accepting and Appropriating Pass-Through Grant Funds from the State of Alaska Office of Emergency Medical Services in the Amount of \$250,000 through the Healthy and Equitable Communities Program Grant for the Nikiski Fire Mobile Integrated Healthcare Program (Mayor) (Hearing on 10/24/23)

Attachments: [Ordinance 2023-19-21](#)
[Memo](#)

- *b. [2023-19-22](#) An Ordinance Appropriating Supplemental Funding of \$50,000 to Complete the Uninterrupted Power Supply Replacement Project Located in the Emergency Response Center (Mayor) (Hearing on 10/24/23)

Attachments: [Ordinance 2023-19-22](#)
[Memo](#)
[Reference Copy O2022-19-21](#)

- *c. [2023-24](#) An Ordinance Approving the Capital Lease Purchase of the Stryker Mako SmartRobotics System for South Peninsula Hospital (Mayor) (Hearing on 10/24/23)

Attachments: [Ordinance 2023-24](#)
[Memo](#)
[South Peninsula Hospital Resolution 2023-24](#)
[South Peninsula Hospital Memo](#)
[South Kenai Peninsula Hospital Service Area Resolution 2023-12](#)

3. Other

- *a. [KPB-5555](#) Authorizing the Issuance of a Letter of Non-Objection to the Alcoholic Beverage Control Board Regarding the Restaurant Designation Permit as Requested by The Angry Salmon, LLC dba The Angry Salmon, License No. 1309

Attachments: [Memo to Assembly](#)
[Restaurant Designation Permit Application](#)

Introduced by:	Mayor
Date:	09/19/23
Hearing:	10/10/23
Action:	
Vote:	

**KENAI PENINSULA BOROUGH
ORDINANCE 2023-19-17**

**AN ORDINANCE ACCEPTING AND APPROPRIATING AN ADDITIONAL \$5,525.20
FROM THE STATE OF ALASKA DEPARTMENT OF MILITARY AND VETERANS
AFFAIRS, DIVISION OF HOMELAND SECURITY AND EMERGENCY
MANAGEMENT FOR STATEWIDE EXERCISE PLANNING**

WHEREAS, the State of Alaska Department of Military and Veterans Affairs, Division of Homeland Security & Emergency Management (the “DHS&EM”) provides funds to enhance the capability of local governments to prevent, deter, respond to and recover from all-hazard incidents and to enhance regional preparedness efforts; and

WHEREAS, the DHS&EM State Homeland Security Program is a federal grant pass through program with the Federal Emergency Management Agency which provides funding for planning, equipment, training and exercises; and

WHEREAS, DHS&EM approved the Kenai Peninsula Borough’s (“Borough”) request for additional funding to participate in the planning meetings for the 2024 Alaska Statewide Exercise through an amendment increase of \$5,525.20 under the 2020 State Homeland Security Grant Program award; and

WHEREAS, it is in the best interest of the Borough to accept the grant funds;

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

SECTION 1. That the Mayor is authorized to accept \$5,525.20 from the DHS&EM and to execute a grant agreement and any other document deemed necessary to accept and to expend the grant funds and to fulfill the intents and purposes of this ordinance.

SECTION 2. That grant funds in the amount of \$5,525.20 are appropriated to account 271.94910.21HSP.49999 to provide for exercise planning related grant expenditures.

SECTION 3: That the appropriations made in this ordinance are project length in nature and as such do not lapse at the end of any particular fiscal year.

SECTION 4. This ordinance shall be effective retroactively to September 7, 2023.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY
OF * 2023.**

Brent Johnson, Assembly President

ATTEST:

Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

Kenai Peninsula Borough

Office of Emergency Management

MEMORANDUM

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

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

FROM: Brenda Ahlberg, Emergency Manager *BA*

DATE: September 7, 2023

SUBJECT: Ordinance 2023-19- *17*, Accepting and Appropriating an Additional \$5,525.20 from the State of Alaska Department of Military and Veteran Affairs, Division of Homeland Security and Emergency Management for Statewide Exercise Planning (Mayor)

The Alaska Division of Homeland Security and Emergency Management ("DHS&EM") approved an amendment increase to the 2020 State Homeland Security Program award in the amount of \$5,525.20. The amendment increase will supplement emergency management staff's travel costs to participate in planning meetings scheduled in Valdez and Cordova. The intent of these planning meetings is to finalize objectives for the statewide, full-scale exercises scheduled among participating boroughs in April of 2024.

Brenda Ahlberg, Emergency Manager, is the project manager; the grant performance period ends March 2024.

Your consideration is appreciated.

FINANCE DEPARTMENT
FUNDS/ACCOUNT VERIFIED

Acct. No. 271-94910-21HSP-49999

Amount \$ 5,525.20

By: *BA* Date: 9/7/2023

Attachment: 20SHSP-GY20.A07 Amendment Increase Letter.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Military and
Veterans Affairs**

Division of Homeland Security and
Emergency Management

P.O. Box 5750
JBER, AK 99505-0800
Main: 907.428.7000
Fax: 907.428.7009
ready.alaska.gov

September 5, 2023

The Honorable Peter A. Micciche, Mayor
Kenai Peninsula Borough
144 N Binkley St
Soldotna, AK 99669

RE: 2020 State Homeland Security Program, EMW-2020-SS-00012-S01
State Program No.: 20SHSP-GY20
Amendment 7, Effective May 31, 2023

Mayor Micciche:

Enclosed is the Award Amendment for the Kenai Peninsula Borough's 2020 State Homeland Security Program. This amendment extends the performance period to March 31, 2024. This amendment also obligates \$5,525.20 to the Exercise category for a total award amount of \$458,062.58. All previous Grant Terms and Conditions, Grant Requirements, and Assurances and Agreements still apply.

A pre-signed Obligating Award Document (OAD) is attached. Please print the document, sign the OAD, and send a scanned copy to mva.grants@alaska.gov within 30 days of subrecipient receipt. Keep the hard copy for your records.

If you have any questions, please contact the Division Project Manager for this grant, Tiffany Peltier at (907) 428-7026 or by email at tiffany.peltier@alaska.gov.


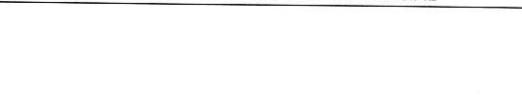
Sincerely,

A handwritten signature in blue ink, appearing to read "William A. Dennis".

William A. Dennis
Administrative Operations Manager

Enclosure(s): Obligating Award Document
Project Budget Details Report

cc: Brenda Ahlberg, Jurisdiction Project Manager
Brandi Harbaugh, Jurisdiction Chief Financial Officer

State of Alaska Division of Homeland Security and Emergency Management Under US Department of Homeland Security Federal Emergency Management Agency Grant Programs Directorate						Page 1 of 1	
						FEDERAL AWARD DATE	
						August 19, 2020	
						FEDERAL GRANT PROGRAM	
						2020 State Homeland Security Program	
OBLIGATING AWARD DOCUMENT						FEDERAL GRANT NUMBER	
						EMW-2020-SS-00012-S01	
RECIPIENT NAME AND ADDRESS		PERFORMANCE PERIOD		AMENDMENT		CFDA: 97.067	
Kenai Peninsula Borough 144 N. Binkley St. Soldotna, AK 99669		FROM:	October 01, 2020	AMENDMENT #:	7	AWARD AMOUNT	
		TO:	March 31, 2024	EFFECTIVE DATE:	May 31, 2023	\$458,062.58	
		STATE PROGRAM NUMBER				20SHSP-GY20	
SAMs UE ID	LFJ1BSEYK6H3			FUNDING ALLOCATION			
EIN	92-0030894			PLANNING	\$5,525.20	EXERCISE	\$18,800.00
METHOD OF PAYMENT	Electronic			TRAINING		EQUIPMENT	\$433,737.38
PURPOSE OF AWARD							
This amendment extends the performance period to March 31, 2024. This amendment also obligates \$5,525.20 to the Exercise category for a new total award of \$458,062.58.							
Final Report Due: May 15, 2024							
GRANT REQUIREMENTS AND PROGRAM TERMS AND CONDITIONS							
The acceptance of a grant from the United States government creates a legal duty on the part of the grantee to use the funds or property made available in accordance with the conditions of the grant. [GAO Accounting Principles and Standards for Federal Agencies, Chapter 2, Section 16.8(c)]							
All previous Grant Requirements and Program Terms and Conditions still apply							
SPECIAL CONDITIONS (Grant funds cannot be expended until these conditions have been met. See Obligating Award for details)							
None							
AGENCY INFORMATION							
ADDRESS	Division of Homeland Security and Emergency Management PO Box 5750 JBER, AK 99505-5750				WEBSITE	http://ready.alaska.gov	
					EMAIL	mva.grants@alaska.gov	
					PHONE	907-428-7000	
					FAX	907-428-7009	
STATE PROJECT MANAGER		PHONE	FAX	EMAIL			
Tiffany Peltier		(907) 428-7026	(907) 428-7009	tiffany.peltier@alaska.gov			
AGENCY APPROVAL				RECIPIENT ACCEPTANCE			
NAME AND TITLE OF APPROVING AGENCY OFFICIAL				NAME AND TITLE OF AUTHORIZED RECIPIENT OFFICIAL			
William A. Dennis, Administrative Operations Mgr.				The Honorable Peter A. Micciche, Mayor			
SIGNATURE OF APPROVING AGENCY OFFICIAL				SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL			
			DATE			DATE	
			9-6-2023				
FOR STATE USE ONLY							
GAE:	210002423	Division File Number:		Date Returned			



Project Budget Details **2020 State Homeland Security Program** **Kenai Peninsula Borough** **Reported Revision 4**

PBD #	Expense Category	Solution Area	Discipline		Budgeted Cost	PBD Amount Spent	PBD Balance
1	Equipment	Intervention	Public Safety Communications	State:	\$0.00	\$0.00	\$0.00
<input checked="" type="checkbox"/> EHP	3/12/2021	<input type="checkbox"/> Canceled		Federal:	\$381,737.38	\$381,737.38	\$0.00
Item: Areawide Warning Siren Upgrades							
Description: Design, engineer, purchase and installation of upgrades to the Kenai Peninsula Borough siren broadcast system. This project includes new siren controllers, voice audio storage, as well as communications for activation and maintenance to a satellite/VHF radio based combination for increased resiliency.							
Investment: 05. Strengthen Whole Community Preparedness							
2	Exercise	Prog: Des,Dev,Cond,Eval	Emergency Management	State:	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> EHP		<input type="checkbox"/> Canceled		Federal:	\$18,800.00	\$18,800.00	\$0.00
Item: Incident Management Team Table Top Exercise							
Description: Hiring of an independent contractor to design, facilitate, and evaluate a table top exercise for KPB's incident management team to simulate large scale, moderate impact incident that requires significant coordination and response.							
Investment: 05. Strengthen Whole Community Preparedness							
3	Equipment	Inspect.Screen	Fire Service	State:	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> EHP		<input type="checkbox"/> Canceled		Federal:	\$52,000.00	\$52,000.00	\$0.00
Item: Ninilchik Fire EMS Breathing Air Compressor							
Description: Purchase and installation of a breathing air compressor for the Ninilchik Fire/ Emergency Services to refill SCBA breathing air bottles.							
Investment: 05. Strengthen Whole Community Preparedness							
4	Exercise	Prog: Des,Dev,Cond,Eval	Emergency Management	State:	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> EHP		<input type="checkbox"/> Canceled		Federal:	\$5,525.20	\$0.00	\$5,525.20
Item: AlaskaEX Planning meetings							
Description: Travel, Lodging, and Per Diem costs to attend the Alaska EX24 for 2 people to attend the course in Valdez and 2 to attend in Cordova							
Investment: 05. Strengthen Whole Community Preparedness							
				Adjusted Grant Total	Total PBD Allocations	Total Expenses	Summary Balance
State:				\$0.00	\$0.00	\$0.00	\$0.00
Federal:				\$458,062.58	\$458,062.58	\$452,537.38	\$5,525.20
Grand Total:				\$458,062.58	\$458,062.58	\$452,537.38	\$5,525.20

Introduced by:	Mayor
Date:	09/19/23
Hearing:	10/10/23
Action:	
Vote:	

**KENAI PENINSULA BOROUGH
ORDINANCE 2023-19-18**

**AN ORDINANCE APPROPRIATING \$25,000 FROM THE WESTERN EMERGENCY
SERVICE AREA OPERATING FUND TO COMPLETE INSTALLATION OF MOBILE
RADIOS, STATION CONSOLETES AND REPEATER**

WHEREAS, Western Emergency Service Area (“WES”) began work on a capital project in FY2023 to replace all mobile radios, station consolettes, and repeater; all of the necessary equipment has been purchased and received but still needs to be installed.; and

WHEREAS, the Kenai Peninsula Borough (“Borough”) fire service areas and Office of Emergency Management entered into a contract with Articom last year using a combination of grant funding and service area funding originally anticipated to cover the installation of the radios, however the contract expired at the end of FY23 and the radio installations were not completed; and

WHEREAS, WES has received a quote for \$37,000 to complete the remaining requires installations; and

WHEREAS, WES has available funding of \$15,059 and is requesting an additional appropriation of \$25,000 from the WES Operating Fund to support the remaining required installations;

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

SECTION 1. That \$25,000 is appropriated from the Western Emergency Service Area Operating Fund fund balance account 209.00000.00000.27910 to be transferred to account 444.51410.23441.49999, to provide for the remaining required installation of communication equipment.

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

SECTION 3. That this ordinance shall take effect immediately

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY
OF * 2023.**

Brent Johnson, Assembly President

ATTEST:

Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

Kenai Peninsula Borough

Western Emergency Services

MEMORANDUM

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

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

FROM: Jon Marsh, WES Fire Chief *JM*

DATE: August 31, 2023

RE: Ordinance 2023-19- 18, Appropriating \$25,000 from the Western Emergency Service Area Operating Fund to Complete Installation of Mobile Radios, Station Consolettes and Repeater (Mayor)

Western Emergency Service Area ("WES") began work on a capital project in FY2023 to replace all mobile radios, station consolettes, and repeater. All of the necessary equipment has been purchased and received but still needs to be installed. The Borough fire service areas and Office of Emergency Management entered into a contract with Articom last year using a combination of grant funding and service area funding that we had originally thought would cover the installation of the radios. The contract expired at the end of FY23 and the radio installations were not completed.

WES' funding of \$10,363 that was appropriated for the contract in FY2023 was never spent and lapsed into fund balance at June 30, 2023. There is \$7,429 in remaining grants funds that can be used towards installation. There is also \$7,630 remaining in our capital project fund that is available for installation. The total cost of the installation based on the lowest quotes received is approximately \$37,000. In order to complete installation for all of the communication equipment an additional \$25,000 is being requested.

This ordinance appropriates \$25,000 from the Western Emergency Service Area Operating Fund fund balance to provide for communication equipment installation. Your consideration is appreciated.

FINANCE DEPARTMENT
FUNDS/ACCOUNT VERIFIED

Acct. No. 209.27910

Amount \$25,000

By: *CJ* Date: 9/7/2023

Introduced by:	Mayor
Date:	09/19/23
Hearing:	10/10/23
Action:	
Vote:	

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

**APPROPRIATING FUNDS TO THE LEGAL DEPARTMENT FOR LITIGATION FEES
AND COSTS RELATED TO AN OIL AND GAS PROPERTY TAX APPEAL**

WHEREAS, on June 23, 2021, Furie Operating Alaska, LLC (“Furie”) filed an appeal in the Anchorage Superior Court of the State Assessment Review Board’s Certificate of Determination dated May 24, 2021, regarding Furie’s appeal of the assessed tax value of oil and gas production property within the borough for the 2021 assessment year (“Furie Appeal”);

WHEREAS, the assessment of oil and gas production property is a State of Alaska function under the State’s Department of Revenue;

WHEREAS, the Kenai Peninsula Borough (“Borough”) is a party to the appeal because the property is within the Borough’s boundaries; and

WHEREAS, the Borough retained the law firm of Dillon & Findley, PC to represent it in the Furie Appeal; and

WHEREAS, subsequently Furie appealed the 2022 assessed tax value of its oil and gas production property; and

WHEREAS, the Superior Court consolidated the 2021 and 2022 appeals into a single case; and

WHEREAS, this case involves complex legal and property valuations issues with numerous out-of-state experts; and

WHEREAS, an eight day trial was held in Anchorage commencing on July 24, 2023 requiring the continued services and expertise of Dillon & Findley to adequately represent the Borough’s interest in this matter; and

WHEREAS, funds in the amount of \$56,419.01 are needed to pay for the legal services and costs through conclusion of this matter incurred by outside counsel on behalf of the Borough;

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

SECTION 1. The sum of \$56,419.01 is hereby appropriated from the General Fund's fund balance to account number 100.11310.22FUR.49999 for fees and expenses associated with hiring outside counsel and necessary experts for the Furie Appeal.

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. This ordinance shall be effective retroactively to July 1, 2023.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY OF * 2023.

Brent Johnson, Assembly President

ATTEST:

Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

Kenai Peninsula Borough Legal Department

MEMORANDUM

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

THRU: Peter A Micciche, Mayor *PM*
Brandi Harbaugh, Finance Director *BH*
Adeena Wilcox, Borough Assessor *AW*

FROM: Sean Kelley, Borough Attorney *SK*

DATE: September 7, 2023

RE: Ordinance 2023-19-19, Appropriating Funds to the Legal Department for Litigation Fees and Costs Related to an Oil and Gas Property Tax Appeal (Mayor)

On June 23, 2021, Furie Operating Alaska, LLC (Furie), the owner of oil and gas production property, filed an appeal of the State Assessment Review Board's (SARB) Certificate of Determination dated May 24, 2021, in the Anchorage Superior Court. The SARB decision upheld the State of Alaska's assessment of the oil and gas production property under appeal.

The assessment of oil and gas production property is a State of Alaska function under the State's Department of Revenue. The Kenai Peninsula Borough (Borough) is a party to the appeal because the property is within the Borough's boundaries. The Borough retained the law firm of Dillon & Findley, PC to represent it in the Furie Appeal. Subsequently, Furie appealed the 2022 assessed tax value of its oil and gas production property. A second SARB decision upheld the 2022 assessment. The Superior Court consolidated the 2021 and 2022 appeals into a single case and set a non-jury trial for July 24, 2023.

The trial concluded after eight days and the matter has been taken under advisement. Invoices for costs and fees, including expert fees, through the conclusion of trial have been received and an additional appropriation of \$56,419.01 is being sought to cover the final invoices.

Your consideration is appreciated.

FINANCE DEPARTMENT ACCOUNT / FUNDS VERIFIED	
Acct. No.	<u>100.27910</u>
Amount:	<u>\$56,419.01</u>
By: <i>CK</i>	Date: <u>9/7/2023</u>

Introduced by:	Mayor
Date:	09/19/23
Hearing:	10/10/23
Action:	
Vote:	

**KENAI PENINSULA BOROUGH
ORDINANCE 2023-19-20**

**AN ORDINANCE APPROPRIATING \$250,273 FROM THE ROAD SERVICE AREA
FUND BALANCE TO REPLENISH ROAD MAINTENANCE FUNDING FOR THE
REMAINDER OF THE FISCAL YEAR**

WHEREAS, due to a high-water table condition in the Kalifornsky Beach and Ridgeway areas the Borough Road Service Area (“RSA”) has expended a higher than projected amount of road maintenance and minor capital improvement funds to date and therefore the RSA is seeking supplemental funding to replenish the road maintenance funding needed for the remainder of the fiscal year; and

WHEREAS, the RSA and project focus has been as follows: Impacted areas were identified through multiple department and agency involvement; surveyors were enlisted to provide elevation benchmark data; RSA staff utilized benchmark data to shoot area grades and produce station details to assist with contracted excavation; and, excavation contractors were hired to produce detailed ditch grading work and install additional culverts at defined locations; and

WHEREAS, in addition, unauthorized water diversion actions performed by a third party caused unpredictable water flow on and into Borough rights-of-way, and is a contributing factor in the higher than projected amount of RSA maintenance and minor capital improvement funds expended to-date; and

WHEREAS, at its meeting on _____, 2023, the Road Service Area Board recommended _____;

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

SECTION 1. That the sum of \$250,273 is appropriated from the Road Service Area Fund fund balance to account 236.33950.00000.43952 for the purpose of supporting road maintenance for the remainder of the fiscal year 2024.

SECTION 2. That this ordinance shall be effective immediately.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY
OF * 2023.**

Brent Johnson, Assembly President

ATTEST:

Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

Kenai Peninsula Borough

Road Service Area

MEMORANDUM

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

THRU: Peter Micciche, Borough Mayor *PM*

FROM: Scott Griebel, Roads Director *SG*
Brandi Harbaugh, Finance Director *BH*

DATE: September 7, 2023

RE: Ordinance 2023-19-20, Appropriating \$250,273 from the Roads Service Area Fund Balance to Replenish Road Maintenance Funding for the Remainder of the Fiscal Year (Mayor)

Due to a high-water table condition in the Kalifornsky Beach Road/Ridgeway areas the Road Service Area (RSA) has expended a higher than projected amount of road maintenance and minor capital improvement funds to date and therefore the RSA is seeking supplemental funding to replenish the road maintenance funding needed for the remainder of the fiscal year.

The RSA and project focus has been as follows: Impacted areas were identified through multiple department and agency involvement; surveyors were enlisted to provide elevation benchmark data; RSA staff utilized benchmark data to shoot area grades and produce station details to assist with contracted excavation; and, excavation contractors were hired to produce detailed ditch grading work and install additional culverts at defined locations. At present, the vicinity needs that can be currently addressed are identified, and project solutions are planned. The majority of the project work has been completed and any remaining work is expected to be completed by the October/November 2023 freeze.

The planned and accomplished work to protect public right-of-way infrastructure has been funded from the base annual operational budget of the RSA. Therefore, it is being requested that the amount of \$250,273 is appropriated from the Road Service Area operating fund to replenish road maintenance funding to provide for maintenance costs for the remainder of the fiscal year.

Your consideration is appreciated.

FINANCE DEPARTMENT ACCOUNT / FUNDS VERIFIED	
Acct. No.:	<u>236-27910 (FB)</u>
Amount:	<u>\$ 250,273</u>
By: <i>CG</i>	Date: <u>9/8/2023</u>

Introduced by:	Mayor
Date:	09/19/23
Hearing:	10/10/23
Action:	
Vote:	

**KENAI PENINSULA BOROUGH
ORDINANCE 2023-22**

**AN ORDINANCE AUTHORIZING THE ASSESSOR TO ACCEPT ONE LATE-FILED
COMMUNITY PURPOSE EXEMPTION APPLICATION FOR 2023 AND PROVIDING
AN EXCEPTION TO KPB 5.12.040(B)**

WHEREAS, KPB 5.12.100(A) provides that a property of an organization not organized for business or profit-making purposes and used exclusively for community purposes is exempt from taxation; and

WHEREAS, in accordance with KPB 5.12.119(A), the Mayor has the authority to grant extensions of time to file for property tax exemptions; and

WHEREAS, title to the property in question transferred on January 6, 2022, resulting in the removal of the previous community purpose exemption; and

WHEREAS, the new owner is actively involved with the previous entity that had the exemption in place; and

WHEREAS, the Assembly finds there was a good cause basis that resulted in the failure to apply timely for the community purpose exemption; and

WHEREAS, this ordinance authorizes an exception to KPB 5.12.040(B) to allow the Assessor to make a change to the assessment roll after June 1 due to a tax exemption status change should the Assessor otherwise find that the application meets the exemption requirements;

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

SECTION 1. Upon reviewing the non-profit exemption application, the Assembly hereby waives the March 31 deadline for filing an application for the 2023 community purpose exemption based upon a finding that the applicant, Funny River Community Association, was unable to comply with that deadline due to a serious condition or extraordinary event beyond their control.

SECTION 2. That the Assessor will process the application in accordance with standard assessing department procedures for processing such applications.

SECTION 3. Notwithstanding KPB 5.12.040(B), in the event the Assessor finds that the late-filed community purpose exemption application should be otherwise approved, the Assessor is hereby authorized to make a change to the assessment roll after June 1, 2023 to reflect the approved exemption.

SECTION 4. The Assessor is authorized to waive any late fees for the late-filed community purpose exemption and no interest may be added to any tax refund due to the after processing this late-filed community purpose exemption.

SECTION 5. That this ordinance shall be effective immediately.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY OF * 2023.

Brent Johnson, Assembly President

ATTEST:

Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

Kenai Peninsula Borough

Assessing Department

MEMORANDUM

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

THRU: Peter A. Micciche, Mayor *PM*

FROM: Adeena Wilcox, Borough Assessor *aw*

DATE: September 7, 2023

RE: Ordinance 2023-22, Authorizing the Assessor to Accept One Late-Filed Community Purpose Exemption Application for 2023 and Providing an Exception to KPB 5.12.040(B) (Mayor)

One Community Purpose exemption applicant, Funny River Community Association, has requested the assembly allow the assessor to accept a late-filed Community Purpose Exemption Application received after March 31, 2023. KPB 5.12.100(A) provides that a property of an organization not organized for business or profit-making purposes and used exclusively for community purposes is exempt from taxation.

Funny River Community Association took ownership from Funny River Chamber of Commerce on January 6, 2022. The community purpose exemption was properly ended during the title transfer. The Funny River Community Association, being housed in the same location which previously had been approved for a community purpose exemption, did not apply for an additional exemption for the newly transferred ownership until August 28, 2023.

The failure to apply for a community purpose exemption was a result of several unforeseen circumstances. All staff are volunteers, the community was involved in the Funny River Community Association Festival, many staff are seniors who are retired, and they held elections and seated new board members. These events resulted in the failure to notice that no exemption was in place for the Funny River Community Association.

This ordinance seeks assembly approval to allow the mayor to grant an extension of time and accept the late-filed community purpose exemption application of Funny River Community Association pursuant to KPB 5.12.119(A).

This ordinance also seeks approval for the assessor to adjust the assessment roll to make changes in the taxable status of the property on the roll after June 1, 2023 pursuant to KPB 5.12.040(B). Any late fees will be waived and if there is a tax refund it will include zero percent interest.

Your consideration is appreciated.

EXEMPTION LATE FILE WAIVERParcel # 066-460-02☐ \$50K Resident/Homeowner☐ Disabled Resident☐ \$10K Volunteer EMS/Firefighter☒ Non ProfitI WILLIAM POON request an extension for filing the attached application for exemption.**5.12.119. Real property tax--Exemptions--Borough mayor--Authority to grant extensions of time--Approve TAR.**

- A. *Mayor authority to grant extension of time.* To the extent allowed by law, the borough mayor is delegated the authority to grant extensions of time for filing any of the various exemptions permitted by statute or ordinance in accordance with this section.
- B. *Exemption for current year--Exception.* This authority to grant extensions cannot be exercised so as to allow acceptance of an exemption application for years prior to the current year. An exemption may not be granted beyond one year from the current tax year. However, the application, whether timely filed or filed after a grant of extension of time to file, may be held open for consideration through the following year in the event eligibility for the exemption is contingent upon a determination by another entity. If the extension is granted, notwithstanding the foregoing, the application must be filed with the assessor and this filing must occur within the year for which the exemption is sought.
- C. *Inability to comply.* The request for a finding of inability to comply must be based upon a serious condition or event beyond the taxpayers control that resulted in the inability to timely file the application. For purposes of this subsection, a serious condition or event may include a serious medical condition or other similar serious condition or event that prevented the applicant from timely filing the application. Absent extraordinary circumstances, a failure to pick up or read mail or to make arrangements for an appropriate and responsible person to pick up or read mail or a failure to timely provide a current address to the Department of Assessing will not be deemed to result in an inability to comply.

Failure to meet the deadline is based on the following reason(s):

*see attached*Requested by: William PoonFLCA Treasurer

Applicant's Signature

Date 08/27/2023Reviewed by: Adey D. W.

Borough Assessor

A. WILCOX

AUG 29 2023

Date

Comments: _____

Assessor's Recommendation:

☐ Approved☐ Denied

Borough Mayor

Date

☐ Approved☐ Denied

**FUNNY RIVER COMMUNITY ASSOCIATION
35850 PIONEER ACCESS ROAD
SOLDOTNA, AK 99669
(907) 262-0879 or 748-5620**

RECEIVED

AUG 28 2023

T.ECKERT

August 27, 2023,

Kenai Peninsula Borough
144 N. Binkley Street
Soldotna, AK 99669
Cc: Taylor Eckert

RE: REQUEST FOR 2023 TAX ABATEMENT ON OUR CURRENT TAX BILL \$3,949.78: PIN 06646002

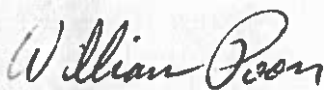
Both Funny River Community Association (FRCA) and Funny River Chamber of Commerce and Community Association (FRCCCA) are both located in the same building and are both Non Profits. Most of our funding now comes from the Kenai Borough under the Community Assistance Program (CAP). Additional monies paid out would create a hardship to the community if we had to pay property taxes back to the Kenai Borough. All people involved in the community center are all volunteers and sometime it takes longer to get things done as most are retired seniors and or still working. In July I stopped by the borough tax office to discuss the abatement of the property taxes and was told to write a letter and was given the application for the 2024 tax exemption. I am just now getting this letter to you as we were involved with the Funny River Community Association Festival until August 18 & 19th. We have a limited number volunteer people that get the work done for the center so it has taken time to respond to things that happen. The center did not know we had to refile for tax exemption once the assets were transferred over to FRCA. We are now requesting a 2023 Community Purpose Exemption if it is not too late. Attached also is FRCA 2024 Community Purpose Exemption that would be the same for the 2023 year.

FRCCCA EIN: 92-0121326: ORGANIZED IN 1987, OPERATES AS A NON-PROFIT UNDER 501©6 CHARTER. THIS IS FOR GAMING ONLY (BINGO, RAFFLES & SPLITT THE POT). All building assets and equipment were transferred to FRCA at the end of 2021 tax year. Prior to the transfer of all assets FRCCCA was exempt from paying property taxes.

FRCA EIN: 82-4366071: ORGANIZED ON FEBRUARY 16, 2018 & OPERATES AS A NON-PROFIT UNDER 501©3 CHARTER. THIS WAS SETUP FOR THE COMMUNITY'S NON-GAMING ACTIVITIES AND OPERATIONS OF THE CENTER. ALL THE FIXED ASSETS UNDER FRCCCA WERE TRANSFERRED TO FRCA AT END OF 2021 TAX YEAR.

Thank-You for your consideration and I hope we do not have to pay the additional monies to the borough.

Sincerely



William Poon
FRCA & FRCCCA Treasurer



Assessing Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2230 • (907) 714-2393

RECEIVED

2024 COMMUNITY PURPOSE EXEMPTION

DUE ON OR BEFORE MARCH 31ST OF THE EXEMPTION YEAR

AUG 28 2023

T.ECKERT

Parcel ID (PIN): 06646002

Legal Description: T5N R9W SEC 27 Seward Meridian KN 0820019 Whitcomb SUB ADDN NO3 TRACT A 35850 Pioneer Access Rd

Owner of Record as of January 1, 2024: Funny River Community Association

Organization Name: Funny River Community Association

Name of Officer or Official Representative: William Poow: Treasurer

Email: frca.35850@gmail.com

Mailing Address: 35850 Pioneer Access Rd

Physical Address: 35850 Pioneer Access Rd

City: Soldotna State: AK Zip: 99669

City: Soldotna State: AK Zip: 99669

Primary Phone: [REDACTED]

Secondary Phone: [REDACTED]

QUALIFYING INFORMATION

Non-profit/non-business: ☒ YES ☐ NO

Does non-profit/non-business generate income in excess of actual cost: ☐ YES ☒ NO

Property ownership as of January 1, 2024 in applicant's name: ☒ YES ☐ NO

Actively being used exclusively for community purpose*: ☒ YES ☐ NO

Membership use or participation must be open to, and not limited or restricted to, anyone within the scope of the community

REQUIRED DOCUMENTATION

- ☒ Current copy of Articles of Incorporation.
- ☒ Latest copy of the Constitution and By-laws.
- ☒ Copy of your federal tax exempt status (current 501(c)(3)).
- ☒ Kenai Peninsula Borough sales tax license or exemption determination.
- ☒ A detailed statement regarding the nature of the organization and current use of the property.
- ☒ An explanation of any grants or reimbursements from any government agency.
- ☒ Current schedule of fees.
- ☒ An operating statement showing income and operating expenses.

CERTIFICATION

I HEREBY APPLY FOR EXEMPTION ON THE ABOVE DESCRIBED PROPERTY AS PROVIDED IN AS.45.030 (b)(1)(A) AND KPB.12.100
CERTIFICATION: I HEREBY CERTIFY THAT THE ANSWERS GIVEN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I
UNDERSTAND THAT WILLFUL MISSTATEMENT IS PUNISHABLE BY A FINE OR IMPRISONMENT UNDER AS11.56.210.

Signature of Officer or Official Rep. William Poow

Date 8/27/2023

**** ASSESSOR'S USE ONLY ****

APPROVED

DENIED

VERIFIED BY:

ENTERED BY:

Comments:

AUG 29 2023

Please return completed form and requested information to:

**Kenai Peninsula Borough Assessor
144 North Binkley Street
Soldotna, AK 99669**

(907) 714-2230 or 1-800-478-4441 Fax (907) 714-2393

KPB 5.12.100. Community Purpose Exemptions

- A. Property of an organization not organized for business or profit-making purposes and used exclusively for community purposes is exempt from taxation under this chapter. Property or a part of the property from which rentals or income are derived is not exempt from taxation unless the income derived from the rentals does not exceed the actual cost to the owner of the use by the renter.
- B. No exemption under this section may be granted except upon written application on a form prescribed by the assessor. The applicant/owner must file the application no later than March 31 of the tax year for which the exemption is sought.
- C. The assessor may from time to time require such information as is reasonably necessary to determine the character of the organization and the nature of uses made. The exemption provided in this section is not applicable unless the required information is provided to the assessor.
- D. Definitions.
 - 1. For purposes of this section "community purpose" means the exclusive use of property within the borough based upon the culture and demographics of a particular area and which benefits the general public in a manner that enhances the quality of life through programs, public facilities, or services.
 - 2. For purposes of this section "used exclusively for a community purpose" means the property benefits the borough community and does not confer more than a de minimus private benefit to the non-profit organization that owns it or to the individuals who control that organization. "Exclusive use" includes a requirement for spatial apportionment if the property is used for both exempt and nonexempt purposes.

RECEIVED
FEB 21 2010



Assessing Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2230 • (907) 714-2393 Fax

2023 ^{PW} ^{WP} ~~2024~~

COMMUNITY PURPOSE EXEMPTION

DUE ON OR BEFORE MARCH 31ST OF THE EXEMPTION YEAR

Parcel ID (PIN): 066-460-02

Legal Description: T 5N R 9W SEC 27 Seward Meridian KN 0820019 WHITCOMB SUB ADDN NO 3 TRACT A

Owner of Record as of January 1, 2024: FUNNY RIVER COMMUNITY ASSOCIATION

Organization Name: FUNNY RIVER COMMUNITY ASSOCIATION

Name of Officer or Official Representative: WILLIAM POON - TREASURER

Email: FRCA35850@GMAIL.COM

Mailing Address: 35850 PIONEER ACCESS RD

Physical Address: 35850 PIONEER ACCESS RD

City: SOLDOTNA State: AK Zip: 99669

City: SOLDOTNA State: AK Zip: 99669

Primary Phone: [REDACTED]

Secondary Phone: [REDACTED]

QUALIFYING INFORMATION

Non-profit/non-business: ☒ YES ☐ NO

Does non-profit/non-business generate income in excess of actual cost: ☐ YES ☒ NO

Property ownership as of January 1, 2024 in applicant's name: ☒ YES ☐ NO

Actively being used exclusively for community purpose*: ☒ YES ☐ NO

Membership use or participation must be open to, and not limited or restricted to, anyone within the scope of the community

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- ☒ A detailed statement regarding the nature of the organization and current use of the property.
- ☒ An explanation of any grants or reimbursements from any government agency.
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 UNDERSTAND THAT WILLFUL MISSTATEMENT IS PUNISHABLE BY A FINE OR IMPRISONMENT UNDER AS11.56.210.

FRCA Treasurer
 Signature of Officer or Official Rep: *William Poon*

Date: 08/27/2023

**** ASSESSOR'S USE ONLY ****

APPROVED <i>William Poon</i> Comments: <i>PA WILCOX</i>	DENIED	VERIFIED BY:	ENTERED BY:
AUG 29 2023			

See reverse side for additional information

Please return completed form and requested information to:

Kenai Peninsula Borough Assessor
144 North Binkley Street
Soldotna, AK 99669

(907) 714-2230 or 1-800-478-4441 Fax (907) 714-2393

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- B. No exemption under this section may be granted except upon written application on a form prescribed by the assessor. The applicant/owner must file the application no later than March 31 of the tax year for which the exemption is sought.
- C. The assessor may from time to time require such information as is reasonably necessary to determine the character of the organization and the nature of uses made. The exemption provided in this section is not applicable unless the required information is provided to the assessor.
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 - 2. For purposes of this section "used exclusively for a community purpose" means the property benefits the borough community and does not confer more than a de minimus private benefit to the non-profit organization that owns it or to the individuals who control that organization. "Exclusive use" includes a requirement for spatial apportionment if the property is used for both exempt and nonexempt purposes.

Introduced by:
Date:
Action:
Vote:

Mayor
10/10/23

**KENAI PENINSULA BOROUGH
RESOLUTION 2023-062**

**A RESOLUTION DESIGNATING THE INVESTMENT AND ALLOCATION PLAN FOR
THE BOROUGH'S LAND TRUST INVESTMENT FUND AND ESTABLISHING
APPROPRIATE BENCHMARKS TO MEASURE PERFORMANCE AS OF NOVEMBER
1, 2023 AND FOR CALENDAR YEAR 2024**

WHEREAS, pursuant to KPB 5.10.200(A)(2) the Assembly must annually approve an Asset Allocation Plan for investment of the Borough's Land Trust Investment Fund (LTIF); and

WHEREAS, KPB 5.10.200(B) permits investment of the LTIF in various asset classes and the Assembly believes that establishing asset allocation criteria for these various asset classes is in the best interest of the Kenai Peninsula Borough; and

WHEREAS, the approved Asset Allocation Plan will provide benchmarks to measure investment performance from November 1, 2023 to December 31, 2024;

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

SECTION 1. That the Assembly adopts the Asset Allocation Plan as of November 1, 2023 and for calendar year 2024 as follows:

The Asset Allocation Plan and Target Weightings with range restrictions are:

Asset Class	Strategic Weight	Range
Risk Control	27.00%	
US Fixed Income	18.00%	8 - 28%
TIPS	2.00%	0 - 10%
International Bonds	5.00%	0 - 10%
Cash	2.00%	0 - 10%
Risk Assets	52.00%	
High Yield	5.00%	0 - 10%
US Large Cap	22.00%	12 - 32%
US Mid Cap	10.00%	5 - 15%

US Small Cap	5.00%	0 - 10%
International Equity	6.00%	0 - 12%
Emerging Markets	4.00%	0 - 8%
Alternatives	21.00%	
Real Estate	3.00%	0 - 6%
Infrastructure	5.00%	0 - 10%
Commodities	3.00%	0 - 6%
Alternative Beta	10.00%	0 - 15%

SECTION 2. Established benchmarks for evaluating the performance of the investment manager are as follows:

Performance measurement of the Large-Cap Domestic Equity allocation will be measured against the Target weighting, using the Standard & Poor's 500 Index or substantially similar index for the benchmark.

Performance measurement of the Mid-Cap Equity allocation will be measured against the Target weighting, using the Standard & Poor's 400 Mid-Cap Index or substantially similar index as the benchmark.

Performance measurement of the Small-Cap Equity allocation will be measured against the Target weighting, using the Standard & Poor's 600 Small-Cap Index or substantially similar index as the benchmark.

Performance measurement of the International Equity allocation will be measured against the Target weighting, using the Morgan Stanley Capital International Europe, Australasia and Far East (MSCI EAFE) Index or substantially similar index for the benchmark.

Performance measurement of the International Emerging Markets allocation will be measured against the Target weighting, using the Morgan Stanley Capital International Emerging Markets Index or substantially similar index as the benchmark.

Performance measurement of the Real-Estate Equities allocation will be measured against the target weighting, using the Standard & Poor's US REIT Index or substantially similar index as the benchmark.

Performance measurement of the Infrastructure Equities allocation will be measured against the target weighting, using the STOXX Global Broad Infrastructure Index or substantially similar index as the benchmark.

Performance measurement of the Commodities allocation will be measured against the target weighting, using the Bloomberg Commodities Index or substantially similar index as the benchmark.

Performance measurement of the Alternative Beta allocation will be measured against the target weighting, using the Wilshire Liquid Alternative Index or substantially similar index as the benchmark.

Performance measurement of the U.S. Fixed Income allocation will be measured against the target weighting, using the Bloomberg Barclays U.S. Aggregate Index or substantially similar index as the benchmark.

Performance measurement of the U.S. 1-5 Year Government/Credit allocation will be measured against the target weighting, using the Bloomberg Barclays 1-5 Year Government Credit Index or substantially similar index as the benchmark.

Performance measurement of the U.S. High Yield Credit allocation will be measured against the target weighting, using the Bloomberg Barclays U.S. High Yield Very Liquid Index or substantially similar index as the benchmark.

Performance measurement of the U.S. TIPS allocation will be measured against the target weighting, using the Bloomberg Barclays 0-5 Year TIPS Index or substantially similar index as the benchmark.

Performance measurement of the International Fixed Income allocation will be measured against the target weighting, using the Bloomberg Barclays Global Aggregate ex-USD Float Adjusted RIC Capped Index or substantially similar index as the benchmark.

Performance measurement of the Cash allocation will be measured against the target weighting, using the Citigroup 3-Month Treasury Bill Index or substantially similar index as the benchmark.

SECTION 3. That this resolution takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 10TH DAY OF OCTOBER, 2023.

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, Kenai Peninsula Borough Assembly

THRU: Peter A. Micciche, Mayor *PM*

FROM: Brandi Harbaugh, Finance Director *BH*

DATE: September 28, 2023

RE: Resolution 2023-*062*, Designating the Investment and Allocation Plan for the Borough's Land Trust Investment Fund and Establishing Appropriate Benchmarks to Measure Performance as of November 1, 2023 and for Calendar Year 2024 (Mayor)

Pursuant to KPB 5.10.200(A)(2) the financial asset investments of the Land Trust Investment Fund (LTIF) are approved annually by resolution. The asset allocation plan must specify categories of investments for the fund with percentage targets that allow for reasonable fluctuations above and below the target performance. Alaska Permanent Capital Management (APCM), the Borough's Land Trust Fund Investment Manager, is not recommending changes to the current asset allocation for calendar year 2024. The current allocation is as follows:

Asset Class	Strategic Weight	Range
Risk Control	27.00%	
US Fixed Income	18.00%	8 - 28%
TIPS	2.00%	0 - 10%
International Bonds	5.00%	0 - 10%
Cash	2.00%	0 - 10%
Risk Assets	52.00%	
High Yield	5.00%	0 - 10%
US Large Cap	22.00%	12 - 32%
US Mid Cap	10.00%	5 - 15%
US Small Cap	5.00%	0 - 10%
International Equity	6.00%	0 - 12%
Emerging Markets	4.00%	0 - 8%
Alternatives	21.00%	

Page -2-

September 28, 2023

Re: Resolution 2023-062

Real Estate	3.00%	0 - 6%
Infrastructure	5.00%	0 - 10%
Commodities	3.00%	0 - 6%
Alternative Beta	10.00%	0 - 15%

The portfolio is projected to return 7.1% annualized for the next ten years, a larger than normal increase from 2022 capital market expectations. Principally driven by an increase in fixed-income return projections due to the Federal Reserve's monetary policy changes since the start of 2022.

The risk of the portfolio is measured in standard deviation from the expected rate of return. One standard deviation is equal to approximately 68% of all possible outcomes and two standard deviations is equal to approximately 95% of all possible outcomes. In any given one-year period, the strategic asset allocation adopted is expected to return between negative -2.8% and 18.1%, with an average one-year return of 7.6%. 95% (two standard deviations) of the time, the portfolio is expected to return between -11.5% and 29.6% in any given one-year period.

APCM notes that the strategic asset allocation adopted by the Assembly is a more conservative allocation compared to most perpetual time-horizon, permanent fund-type investments while maintaining strong exposure to growth. Given the allowable appropriations levels of the Borough's Land Trust Investment Fund, APCM further notes that remaining as conservative as possible while still exposed to growth sufficient to meet a 3.75% to 4.25% annual sustainable spending rate is the most prudent path forward for the Borough.

Your consideration is appreciated.

Introduced by:

Mayor

Date:

10/10/23

Action:

Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2023-063**

**A RESOLUTION APPROVING AN INCREASE TO THE LIMITATION
ON THE TOTAL CUMULATIVE ANNUAL COST OF REAL PROPERTY LEASES
IN WHICH CPGH, INC. IS THE SOLE LESSEE AND AUTHORIZING AN
AMENDMENT TO THE OPERATING AGREEMENT**

WHEREAS, the Kenai Peninsula Borough (“Borough”) has entered into an Operating Agreement with Central Peninsula General Hospital, Inc. (“CPGH, Inc.”) for operation of Central Peninsula Hospital (“CPH”) and other medical facilities, and to provide other healthcare programs and services, on a nonprofit basis in order to ensure the continued availability to the service area residents; and

WHEREAS, under the Operating Agreement, Section 14, Paragraph(b), the total cumulative annual cost of such leases shall not exceed \$650,000 without prior approval of by the Borough Assembly by resolution of any increases above that limitation; and

WHEREAS, at present CPH is seeking to lease space for the new Central Peninsula Mental Health Clinic, which when combined with CPGH Inc’s current leases of \$646,572, would exceed the annual lease limit of \$650,000; and

WHEREAS, CPH will continue to have space needs as it expands the Physician Clinic service lines over the next several years; and

WHEREAS, the CPGH, Inc. board, at its August 31, 2023, meeting, approved the recommendation of CPGH, Inc. administration and requested that the Borough Assembly, in the best interest of the Borough’s Service Area and the residents that CPGH, Inc. serves, approve by resolution an increase of the total cumulative annual cost for real property leases in which CPGH, Inc. is the sole lessee under the Operating Agreement, Paragraph (b); and

WHEREAS, CPGH, Inc. administration and Borough administration discussed the requested increase based on current needs and future CPH plans or expansion agreements and agreed that an increase to a total of \$850,000 for the cumulative annual cost limitation of real property leases in which CPGH, Inc. is the sole lessee is in the best interest of the service area at this time;

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

SECTION 1. That the Assembly finds that it is the best interest of the Borough's Service Area and the residents that CPGH, Inc. serves to approve an increase in the total cumulative annual cost of real property leases in which CPGH, Inc. is the sole lessee under the Operating Agreement, Paragraph 14(b).

SECTION 2. That the Assembly approves an increase of the total cumulative annual cost to the revised limitation of \$850,000 for real property leases in which CPGH, Inc. is the sole lessee under the Operating Agreement, Paragraph 14(b).

SECTION 3. That the Mayor, or his designee, is authorized to execute a second amendment to the Operating Agreement with CPGH, Inc substantially in the form of the Second Amendment to the Operating Agreement attached hereto and incorporated herein by reference.

SECTION 4. That this resolution shall be effective immediately upon adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 10TH DAY OF OCTOBER, 2023.

Brent Johnson, Assembly President

ATTEST:

Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

Kenai Peninsula Borough

Office of the Borough Mayor

MEMORANDUM

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

FROM: Peter A. Micciche, Mayor *PM*

DATE: September 28, 2023

RE: Resolution 2023-*063*, Approving an Increase to the Limitation on the Total Cumulative Annual Cost of Real Property Leases in Which CPGH, Inc. is the Sole Lessee and Authorizing an Amendment to the Operating Agreement (Mayor)

The Kenai Peninsula Borough ("Borough") has entered into an Operating Agreement with Central Peninsula General Hospital, Inc. ("CPGH, Inc.") for operation of Central Peninsula Hospital and other medical facilities, and to provide other healthcare programs and services, on a nonprofit basis in order to ensure the continued availability to the service area residents.

Resolution 2022-043, approved an increase of the total cumulative annual cost of leases in which CPGH, Inc. is the lessee, to the revised not to exceed amount of \$650,000. CPGH, Inc. is seeking to lease additional Physician Clinic space to meet the growing demands of the community. With CPGH, Inc.'s current leases, the FY24 annual total lease spend to date is \$646,572.

Additionally, CPGH, Inc. is considering properties in Soldotna and Kenai to lease in its continued expansion of the Physician Clinic service lines over the next several years. CPGH, Inc. anticipates continued space needs until Master Planning is complete and construction begins on additional medical office space.

In anticipation of additional future increases, this resolution would increase the Operating Agreement's limit on cumulative annual cost of leases where CPGH, Inc. is the lessee from \$650,000 to \$850,000 and authorize a second amendment to the Operating Agreement to reflect the increase.

Your consideration is appreciated.

**SECOND AMENDMENT TO THE OPERATING AGREEMENT FOR CENTRAL
PENINSULA HOSPITAL, HERITAGE PLACE, KENAI HEALTH CENTER, AND OTHER
HEALTH FACILITIES**

This amendment to the Operating Agreement ("Operating Agreement") is by and between Central Peninsula General Hospital, Inc., an Alaska nonprofit corporation, of 250 Hospital Place, Soldotna, Alaska 99669, (referred to as "CPGH, Inc." or "Operator") and the Kenai Peninsula Borough (hereinafter referred to as "KPB", "Borough" or "Owner"), an Alaska municipal corporation of 144 N. Binkley, Soldotna, Alaska 99669, collectively referred to as the Parties.

WHEREAS, effective January 1, 2018, the Parties entered into an Operating Agreement for CPGH, Inc. to operate and manage Central Peninsula Hospital, Heritage Place, Kenai Health Center and Other Health Facilities; and

WHEREAS, at present Central Peninsula Hospital is seeking to lease space for the new Central Peninsula Mental Health Clinic, which when combined with CPGH Inc's current leases of \$646,572, would exceed the annual lease limit of \$650,000; and

WHEREAS, Central Peninsula Hospital will continue to have space needs as it expands the Physician Clinic service lines over the next several years; and

WHEREAS, at its regular meeting on October 10, 2023, the Borough Assembly [adopted] Resolution 2023-___ approving the requested cumulative lease total increase to \$850,000 and authorized this amendment to Paragraph 14(b) of the operating Agreement to account for the approved increase;

NOW THEREFORE, in consideration of the mutual covenants contained herein the parties agree as follows:

1. That Paragraph 14.b. of the Operating Agreement is hereby amended to read as follows:

b. Leases in which CPGH, Inc. is the Lessee. Leases in the name of CPGH, Inc., in which CPGH, Inc. is the Lessee and no obligation whatsoever is imposed upon the

Borough, either express or implied, are not subject to the requirements in subparagraph 14.a. of this agreement. Under no circumstances shall such leases obligate the Borough in any way whatsoever without advance Borough Assembly approval. All such leases shall contain a clause stating: "In the event that the Operating Agreement between CPGH, Inc. and the Kenai Peninsula Borough is terminated and not renewed or extended, and the Kenai Peninsula Borough either assumes operation of the Medical Facilities or contracts with another entity to continue such operation, the continuation of this lease with the Borough or a subsequent operator is subject to Borough Assembly approval and the availability and appropriation of funds." In any event, written approval by the Borough contract Administrator is required for all such leases costing \$100,000 or more annually. Total cumulative annual costs of such leases shall not exceed \$850,000. This total annual cost ceiling for leases does not include leases entered into by CPGH, Inc. for the purposes of providing contract labor housing. Increases to the cumulative annual limitation must be approved by the Borough Assembly by resolution.

2. All remaining terms and conditions of the Operating Agreement shall remain in full force and effect.

KENAI PENINSULA BOROUGH

CENTRAL PENINSULA GENERAL
HOSPITAL, INC.

Peter A. Micciche
Borough Mayor

Shaun Keef
Chief Executive Officer

ATTEST:

ATTEST:

Michele Turner, CMC
Borough Clerk

Carrie Couey
Board Secretary/Treasurer

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Sean Kelley
Borough Attorney

RESOLUTION 2023-33

**A RESOLUTION RECOMMENDING THE BOROUGH ASSEMBLY’S APPROVAL OF
AN INCREASE TO THE LIMITATION ON THE TOTAL CUMULATIVE ANNUAL COST
OF REAL PROPERTY LEASES IN WHICH CPGH, INC. IS THE SOLE LESSEE**

1. **WHEREAS,** The Kenai Peninsula Borough has entered into an Operating Agreement with Central Peninsula General Hospital Inc. (“CPGH, Inc”) for the management and operation of Central Peninsula Hospital and other Medical Facilities, and to provide other healthcare programs and services, on a nonprofit basis to ensure continued availability to the Service Area residents; and,
2. **WHEREAS,** Under the Operating Agreement, Section 14, Paragraph (b), the total cumulative annual cost of such real property leases shall not exceed \$650,000 without prior approval by the Borough Assembly by resolution of any increases above that limitation; and,
3. **WHEREAS,** Central Peninsula Hospital is seeking to lease space for the new Central Peninsula Mental Health clinic, which is anticipated to cost \$155,000 per year, which when combined with our current leases of \$646,572 would bring us over our annual lease limit of \$650,000; and,
4. **WHEREAS,** Central Peninsula Hospital will continue to have space needs as we expand our Physician Clinic service lines over the next several years. CPGH, Inc. Administration has recommended an increase of \$550,000 to the limitation on the total cumulative annual cost of real property leases in which CPGH, Inc. is the sole lessee, to the revised limitation of \$1,200,000 under the Operating Agreement, Section 14, Paragraph (b). The CPGH, Inc. Administration and Board of Directors believe this is in the best interest of the Borough’s Service Area and the residents that CPGH, Inc. serves;

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF DIRECTORS OF CENTRAL PENINSULA GENERAL HOSPITAL, INC., A NOT-FOR-PROFIT ALASKA CORPORATION, THAT:

SECTION 1. The CPGH, Inc. Board of Directors approves the recommendation of CPGH, Inc. Administration, and determines that an increase of \$550,000 to the limitation on the total cumulative annual cost of real property leases in which CPGH, Inc. is the sole lessee, to the revised limitation of \$1,200,000 under the Operating Agreement, Section 14, Paragraph (b), and is in the best interest of the Borough’s Service Area and the residents that CPGH, Inc. serves.

SECTION 2. The CPGH, Inc. Board of Directors requests that the Borough Assembly, in the best interest of the Borough’s Service Area and the residents that CPGH, Inc. serves, approve by resolution an increase of the total cumulative annual cost of real property leases in which CPGH, Inc. is the sole lessee, to a revised limitation of \$1,200,000 under the Operating Agreement, Section 14, Paragraph (b).

SECTION 3. This resolution takes effect immediately upon its adoption.

I certify that the above resolution was approved by vote of the Board of Directors of Central Peninsula General Hospital, Inc. at the 8/31/23 Board meeting.

Dated: 8/31/23

Carrie Couey, Secretary/Treasurer
CPGH, Inc. Board of Directors

Introduced by:	Mayor
Date:	07/05/22
Action:	Adopted
Vote:	8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2022-043**

**A RESOLUTION APPROVING AN INCREASE TO THE LIMITATION
ON THE TOTAL CUMULATIVE ANNUAL COST OF REAL PROPERTY LEASES
IN WHICH CPGH, INC. IS THE SOLE LESSEE**

- WHEREAS,** the Kenai Peninsula Borough (Borough) has entered into an Operating Agreement with Central Peninsula General Hospital, Inc. (CPGH, Inc.) for operation of Central Peninsula Hospital (CPH) and other medical facilities, and to provide other healthcare programs and services, on a nonprofit basis in order to ensure the continued availability to the service area residents; and
- WHEREAS,** CPGH, Inc. has been presented the opportunity to purchase the assets of the Surgery Center of Kenai on behalf of the Borough, which transaction will provide a Medical Facility with two additional outpatient operating rooms for CPGH, Inc. to manage and operate for the Borough under the Operating Agreement, in order to ensure continued and expanded availability of Surgical Services to the Service Area residents on a nonprofit basis; and
- WHEREAS,** the Surgery Center's Medical Facility is under a lease with Schilling Rentals, LLC, as Lessor, at the address of 100 Trading Bay Drive, Suite 9, Kenai, AK 99611; and, subject to the Borough Assembly's appropriation of funds, the lease of the Medical Facility will be assigned to CPGH, Inc. as the sole Lessee, and the Borough will be under no obligation whatsoever regarding this lease; and
- WHEREAS,** under the Operating Agreement, Section 14, Paragraph (b), the total cumulative annual cost of such leases shall not exceed \$400,000 without prior approval of the Borough Assembly by resolution of any increases above that limitation; and
- WHEREAS,** at present, CPGH, Inc. is the sole lessee under seven (7) current real property leases; and
- WHEREAS,** the annual cost of the lease of this Medical Facility, along with increased costs of other current leases, would bring the cumulative annual total to \$609,609 in Fiscal Year 2023, therefore Borough Assembly approval by resolution of the increase in the total cumulative annual cost of such real property leases is required under the Operating Agreement Section 14, Paragraph (b); and

WHEREAS, CPGH, Inc. Administration has recommended that an increase of \$250,000 to the limitation on the total cumulative annual cost of real property leases in which CPGH, Inc. is the sole lessee, to the revised limitation of \$650,000 under the Operating Agreement, Section 14, Paragraph (b), is in the best interest of the Borough's Service Area and the residents that CPGH, Inc. serves; and

WHEREAS, the CPGH Inc. board, at its June 30, 2022 meeting, approved the recommendation of CPGH, Inc. Administration; and requested that the Borough Assembly, in the best interest of the Borough's Service Area and the residents that CPGH, Inc. serves, approve by resolution an increase of the total cumulative annual cost to the revised limitation of \$650,000 for real property leases in which CPGH, Inc. is the sole lessee under the Operating Agreement, Section 14, Paragraph (b).

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


SECTION 1. That the assembly finds that it is the best interest of the Borough's Service Area and the residents that CPGH, Inc. serves to approve an increase in the total cumulative annual cost of real property leases in which CPGH, Inc. is the sole lessee under the Operating Agreement, Section 14, Paragraph (b).

SECTION 2. That the assembly approves an increase of the total cumulative annual cost to the revised limitation of \$650,000 for real property leases in which CPGH, Inc. is the sole lessee under the Operating Agreement, Section 14, Paragraph (b).

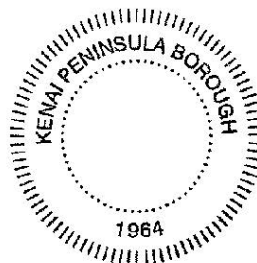
SECTION 3. That this resolution shall be effective immediately upon adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH DAY OF JULY 2022.

ATTEST:


John Blankenship, MMC, Borough Clerk


Brent Johnson, Assembly President



Yes: Bjorkman, Chesley, Cox, Ecklund, Elam, Hibbert, Tupper, Johnson
No: None
Absent: Derkevorkian

Introduced by:	Mayor
Date:	10/10/23
Hearing:	10/24/23
Action:	
Vote:	

**KENAI PENINSULA BOROUGH
ORDINANCE 2023-19-21**

**AN ORDINANCE ACCEPTING AND APPROPRIATING PASS-THROUGH GRANT
FUNDS FROM THE STATE OF ALASKA OFFICE OF EMERGENCY MEDICAL
SERVICES IN THE AMOUNT OF \$250,000 THROUGH THE HEALTHY AND
EQUITABLE COMMUNITIES PROGRAM GRANT FOR THE NIKISKI FIRE
MOBILE INTEGRATED HEALTHCARE PROGRAM**

WHEREAS, the State of Alaska Office of Emergency Medical Services (“SOEMS”) received funds from the “Healthy and Equitable Communities Program,” a federal pass-through program under the Centers for Disease Control and Prevention; and

WHEREAS, SOEMS is supporting Mobile Integrated Health Services across the state; and

WHEREAS, the Nikiski Fire Service Area meets the qualifications to be a pass-through recipient of the funds in the amount of \$250,000 by providing this service to the citizens within the Nikiski Fire Service Area; and

WHEREAS, at its meeting held on October 11, 2023, the Nikiski Fire Service Area Board recommended _____; and

WHEREAS, it is in the best interests of the Borough to accept the grant and assist in ongoing Mobile Integrated Healthcare efforts that build Healthy and Equitable Communities;

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

SECTION 1. The Mayor is authorized to accept the Healthy and Equitable Communities Program award in the amount of \$250,000 from the State of Alaska for the Healthy and Equitable Communities program on behalf of the Nikiski Fire Service Area.

SECTION 2. That \$250,000 in grant funds will be appropriated to account 206.51110.24MIH.49999 for the Nikiski Fire Department Mobile Integrated Health Program.

SECTION 3. That 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 4. That the Mayor is authorized to execute any documents, including document amendments, deemed necessary to accept and expend the funds and to fulfill the intents and purposes of this ordinance.

SECTION 5. That this ordinance shall be effective immediately upon enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY
*, 2023.**

Brent Johnson, Assembly President

ATTEST:

Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

Kenai Peninsula Borough

Nikiski Fire Service Area

MEMORANDUM

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

THRU: Peter A. Micciche, Mayor *PM*
Brandi Harbaugh, Finance Director *Bit*
Brenda Ahlberg, Emergency Manager *GA*

FROM: Trent Burnett, NFSA Fire Chief *TB*
Harrison Deveer, Senior Captain, EMS *HD*

DATE: September 28, 2023

RE: Ordinance 2023-19-21, Accepting and Appropriating Pass-Through Grant Funds from the State of Alaska Office of Emergency Medical Services in the Amount of \$250,000 through the Healthy and Equitable Communities Program Grant for the Nikiski Fire Mobile Integrated Healthcare Program (Mayor)

The State of Alaska Office of Emergency Medical Services (SOEMS) received funding through the Healthy and Equitable Communities Program Grant, a federal pass-through grant administered by the Alaska Department of Health, to "pilot" rural Mobile Integrated Healthcare (MIH) Programs. The SOEMS has expanded the rural MIH program to include the Nikiski Fire Department. The Nikiski Fire Department MIH program will be awarded **\$250,000** for the grant period ending May 31, 2024.

Your consideration is appreciated

FINANCE DEPARTMENT FUNDS/ACCOUNT VERIFIED	
Account:	<u>206.51110.24MIH.49999</u>
Amount:	<u>\$250,000</u>
By:	<u><i>CJ</i></u>
Date:	<u>9/27/2023</u>

Introduced by:	Mayor
Date:	10/10/23
Hearing:	10/24/23
Action:	
Vote:	

**KENAI PENINSULA BOROUGH
ORDINANCE 2023-19-22**

**AN ORDINANCE APPROPRIATING SUPPLEMENTAL FUNDING OF \$50,000 TO
COMPLETE THE UNINTERRUPTED POWER SUPPLY REPLACEMENT PROJECT
LOCATED IN THE EMERGENCY RESPONSE CENTER**

WHEREAS, the 2023 fiscal year budget includes an appropriation in the amount of \$115,404 to replace the uninterrupted power supply (“UPS”) located at the Kenai Peninsula Borough (“Borough”) Emergency Response Center; and

WHEREAS, Ordinance 2022-19-21 approved a supplemental appropriation in the amount of \$34,596, totaling \$150,000 for the estimated project completion; and

WHEREAS, the total costs of the project exceed the estimate by \$50,000 due to prolonged challenges to install the UPS; and

WHEREAS, it is in the best interest of the Borough to replace the failing uninterrupted power supply unit to maintain a power source in the event of a commercial power outage for vital communications equipment that supports emergency management and E911 functions;

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

SECTION 1. That \$25,000 is appropriated from the Borough General Government Capital Project Fund, fund balance to account 407-11250-23471-49999 to meet the UPS Power Supply Project total costs.

SECTION 2. That \$25,000 is appropriated from the Borough 911 Communications Capital Project Fund, fund balance to account 455.11255.23431.49999, to meet the UPS Power Supply Project total costs.

SECTION 3. This ordinance shall be effective immediately.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY
OF * 2023.**

Brent Johnson, Assembly President

ATTEST:

Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

Kenai Peninsula Borough

Office of Emergency Management

MEMORANDUM

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

THRU: Peter A. Micciche, Mayor *PM*
Brandi Harbaugh, Finance Director *BH*
Tammy Goggia, 911 Emergency Communications Coordinator *TG*
Ben Hanson, IT Director *BH*
John Hedges, Purchasing & Capital Projects Director *JH*

FROM: Brenda Ahlberg, Emergency Manager *BA*

DATE: September 28, 2023

RE: Ordinance 2023-19-22, Appropriating Supplemental Funding of \$50,000 to Complete the Uninterrupted Power Supply Replacement Project Located in the Emergency Response Center (Mayor)

The Borough's approved FY2023 budget appropriated \$115,404 to replace an Uninterrupted Power Supply ("UPS") located at the Emergency Response Center. Additionally, Ordinance 2022-19-21 increased the budget in the amount of \$34,596 to meet estimated cost increases, totaling \$150,000.

Currently, the UPS unit is purchased and staged. Next, the Borough will contract with an electrician certified to install the Eaton UPS unit. Project delays have increased installation costs and costs associated with the need to keep the UPS lithium batteries maintained resulting in a cumulative cost increase of \$50,000. This UPS unit is vital to maintain the communications equipment that supports emergency management and E911 functions in the event of a commercial power outage.

Your consideration is appreciated.

FINANCE DEPARTMENT FUNDS/ACCOUNT VERIFIED

Accounts: 407.00000.00000.27910 Amt: \$25,000

Accounts: 455.00000.00000.27910 Amt: \$25,000

By: *BA* Date: 9/27/2023

Introduced by:	Mayor
Date:	10/11/22
Hearing:	10/25/22
Action:	Enacted
Vote:	9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2022-19-21**

**AN ORDINANCE APPROPRIATING SUPPLEMENTAL FUNDING TO COMPLETE
THE UNINTERRUPTED POWER SUPPLY REPLACEMENT PROJECT LOCATED IN
THE EMERGENCY RESPONSE CENTER**

WHEREAS, the 2023 fiscal year budget includes an appropriation in the amount of \$115,404 to replace the uninterrupted power supply located at the Kenai Peninsula Borough (“Borough”) Emergency Response Center; and

WHEREAS, the total costs of the project exceed the estimate by \$34,596; and

WHEREAS, it is in the best interest of the Borough to replace the failing uninterrupted power supply unit to maintain a power source in the event of a commercial power outage for vital communications equipment that supports emergency management functions;

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

SECTION 1. That \$17,298 is appropriated from the General Government Capital Project Fund fund balance to account 407.11250.23471.49999 to provide additional funds for the uninterrupted power supply project.

SECTION 2. That \$17,298 is appropriated from the 911 Communications Capital Project Fund fund balance to account 455.11255.23431.49999 to provide additional funds for the uninterrupted power supply project.


SECTION 3. 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.

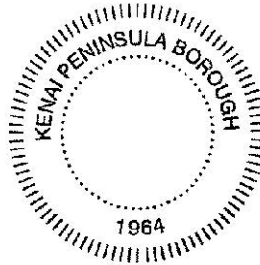
SECTION 4. This ordinance shall be effective immediately upon enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 25TH DAY OF OCTOBER, 2022.


Brent Johnson, Assembly President

ATTEST:


John Blankenship, MMC, Borough Clerk



Yes: Bjorkman, Chesley, Cox, Derkevorkian, Ecklund, Elam, Hibbert, Tupper, Johnson
No: None
Absent: None

Introduced by:	Mayor
Date:	10/10/23
Hearing:	10/24/23
Action:	
Vote:	

**KENAI PENINSULA BOROUGH
ORDINANCE 2023-24**

**AN ORDINANCE APPROVING THE CAPITAL LEASE PURCHASE OF THE
STRYKER MAKO SMARTROBOTICS SYSTEM FOR SOUTH PENINSULA
HOSPITAL**

WHEREAS, the Kenai Peninsula Borough (“Borough”) and South Peninsula Hospital, Inc. (“SPH, Inc.”) have entered into a Sublease and Operating Agreement for the operation of South Peninsula Hospital and other Medical Facilities, and to provide other healthcare programs and services, on a nonprofit basis to ensure continued availability to the service area residents; and

WHEREAS, Paragraph 12(b) of the operating agreement provides that major movable equipment including associated capital improvement costing in excess of \$500,000 must be approved by ordinance; and

WHEREAS, SPH, Inc. has performed approximately 48 percent of the total knee replacements (total joint arthroplasty) for residents of the Southern Kenai Peninsula over the past five years; and

WHEREAS, SPH, Inc. reports that a growing number of its surgical patients are leaving the service area to have their total joint arthroplasty procedure performed with a robotic system due to improved outcome and patient satisfaction; and

WHEREAS, the South Peninsula Hospital has been offered an option to enter into a seven- year embedded Capital Lease for a Stryker Mako SmartRobotics System (“Robotics System”) through an implant purchase commitment with Stryker and at the end of the lease commitment period title to the Robotics System will transfer to SPH, Inc., for the sole benefit of the South Kenai Peninsula Hospital Service Area, for \$1.00; and

WHEREAS, the discounted cost of the Robotics System is \$675,000 and the lending rate in the Stryker capital purchase license agreement is approximately prime plus two percent based on the Bloomberg Secured Overnight Funding Rate (“SOFR”) (swap rate); and

WHEREAS, current SOFR rates show a total of \$918,000 will ultimately be paid for the machine through the purchase of implants over the life of the 7-year master agreement; and

WHEREAS, funds will be provided from the SPH, Inc. operating cash to fund the repayment of this lease purchase; and

WHEREAS, during its regular meeting of August 23, 2023, the SPH, Inc. board of directors recommended approval of this expenditure; and

WHEREAS, at its meeting on September 14, 2023, the South Kenai Peninsula Hospital Service Area Board recommended approval by a unanimous vote;

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

SECTION 1. That the assembly approves the seven-year capital lease purchase of the Robotics System for the South Peninsula Hospital, for a cost of \$675,000 plus interest, with the funds for payment to be made from the South Peninsula Hospital operating cash.

SECTION 2. That the Mayor is authorized to execute any documents deemed necessary to fulfill the intents and purposes of this ordinance and that any lease purchase agreements or other documents must provide that South Peninsula Hospital, Inc. is leasing or purchasing the Robotics System, on behalf of the South Kenai Peninsula Hospital Service Area.

SECTION 3. That this ordinance shall be effective upon enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY OF * 2023.

Brent Johnson, Assembly President

ATTEST:

Michele Turner, CMC, Borough Clerk

Yes:

No:

Absent:

Kenai Peninsula Borough

Purchasing and Contracting Department

MEMORANDUM

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

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

FROM: John Hedges, Purchasing and Contracting Director *JH*

DATE: September 28, 2023

RE: Ordinance 2023-*24*, Approving the Capital Lease Purchase of the Stryker Mako SmartRobotics System for South Peninsula Hospital (Mayor)

The Kenai Peninsula Borough, for the benefit of the South Kenai Peninsula Hospital Service Area, and South Peninsula Hospital, Inc. ("SPH, Inc.") have entered into a Sublease and Operating Agreement for the operation of South Peninsula Hospital and other medical facilities, and to provide other healthcare programs and services, on a nonprofit basis, to ensure continued availability to the service area residents.

SPH, Inc. has reported that a growing number of its total surgical knee replacement patients are leaving the service area to have their surgeries performed with a robotic system for improved outcome and satisfaction. SPH, Inc. reports over the past five years it has performed 48% of the total knee replacement surgeries for the residents of the service area.

SPH, Inc. has been offered an option to enter into a 7-year capital lease for the Stryker Mako SmartRobotics System ("Robotics System") through an implant purchase commitment with Stryker. At the end of the capital lease commitment period, the title to the Robotics System will transfer to South Peninsula Hospital Inc., on behalf of and for the sole benefit of the South Kenai Peninsula Hospital Service Area for \$1. The use of the Robotics System would eliminate the need for the navigation system, resulting in cost savings for the South Peninsula Hospital.

SPH, Inc. is requesting assembly approval to enter into a 7-year embedded capital lease for the Robotics System in anticipation of retaining its patient base for total knee replacement surgeries.

Paragraph 12(b) of the operating agreement provides that major movable equipment including associated capital improvement costing more than \$500,000 must be approved by ordinance.

Your consideration is appreciated.

Introduced by:	Administration
Date:	8/23/2023
Action:	Approved
Vote:	Yes -7; No-0; Exc- 4

**SOUTH PENINSULA HOSPITAL
BOARD RESOLUTION
2023-24**

**A RESOLUTION OF THE SOUTH PENINSULA HOSPITAL BOARD OF DIRECTORS
APPROVING THE USE OF OPERATING CASH TO FUND THE CAPITAL LEASE OF
THE STRYKER MAKO SMARTROBOTICS SYSTEM**

WHEREAS, South Peninsula Hospital's Orthopedic Department is an important component of our mission to provide high quality, locally coordinated care; and

WHEREAS, South Peninsula Hospital has demonstrated that it can safely and effectively provide the highest quality healthcare through the use of advanced technology such as advanced imaging and wishes to improve orthopedic throughput, quality, and patient experience with the use of the Stryker Mako SmartRobotics Total Joint Arthroplasty System; and

WHEREAS, South Peninsula Hospital has performed approximately 48% of Total Knee Replacements (Total Joint Arthroplasty) for residents of the Southern Kenai Peninsula over the past five years; and

WHEREAS, a growing number of surgical patients are leaving the service area to have their Total Joint Arthroplasty performed with a robotic system due to improved outcome and patient satisfaction; and

WHEREAS, the 2023 Community Health Needs Assessment highlights a need for broader healthcare services to support our aging demographic and a projected increase in Total Joint Arthroplasty procedures; and

WHEREAS, South Peninsula Hospital has been offered an option to enter into a 7-year Capital Lease of the Stryker Mako SmartRobotics System through an implant purchase commitment with Stryker. At the end of that Capital Lease commitment period, the title to the Mako SmartRobotics System shall transfer to South Peninsula Hospital for \$1; and

WHEREAS, the cost of the Stryker Mako SmartRobotics System with discounts is \$675,000 and the implicit lending rate in the capital purchase commitment master agreement is based on the Bloomberg SOFR Swap rate (approximately prime plus 2%); and

WHEREAS, the projected increase in market share for Total Joint Arthroplasty Surgeries and the associated net income from these procedures shall pay for the Stryker Mako SmartRobotics System from Operating Cash; and

WHEREAS, the South Peninsula Hospital Board Finance Committee reviewed and approved this resolution at their meeting on August 17, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF SOUTH PENINSULA HOSPITAL:

1. That the South Peninsula Hospital Board of Directors approves the use of Operating Cash to fund the 7-year embedded Capital lease for a Stryker Mako SmartRobotics System through an Implant Purchase Commitment Master Agreement with Stryker.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF SOUTH PENINSULA AT ITS MEETING HELD ON THIS 23rd DAY OF AUGUST, 2023.

ATTEST:

DocuSigned by:

Julie Woodworth

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Julie Woodworth, Board Secretary

DocuSigned by:

Kelly Cooper

552FEAD010F54B4...

Kelly Cooper, Board President

To: SPH Board of Directors
From: Angela Hinnegan, COO
Date: August 16, 2023
Re: Stryker Mako SmartRobotics System

SUMMARY

South Peninsula Hospital's Orthopedic Department is an important component of our mission to provide high quality, locally coordinated care. In today's highly competitive and technology rich healthcare environment the use of advanced technology to perform general and orthopedic surgeries is the new standard. With a growing number of residents leaving the service area to have their surgeries performed with robotic technology. The reason for this outward migration are documented improvements in through-put, quality, shorter recovery, quicker ambulation, and improved patient experience. South Peninsula Hospital's surgery program is one of the backbones of Hospital growth and also an important service to our growing and aging community. This memorandum serves as our business analysis and support for the capital lease of a Stryker Mako SmartRobotics Total Joint Arthroplasty System.

DETAIL

South Peninsula Hospital performs approximately 48% of Total Knee Replacements (Total Joint Arthroplasty or TKA) for residents of the Southern Kenai Peninsula.* Total Knee surgeries for our resident population reached a high of 58% in 2021 and has since dropped to 42% of market share in 2023. Anecdotally we have been informed by our patients that many would prefer to have their knee replacements performed with the use of more advanced robotic technology, rather than using the traditional manual surgery approach. This anecdotal data has been proven out by the Market Share report attached to this memorandum. In 2022, we lost 15% of our market share to Hospital's that offer robotic Total Joint Arthroplasty procedures. In 2023, another 5% of TKAs were lost to Hospital's with robotics.

The Stryker Mako SmartRobotics System works simultaneously with a CT Scan in order to design and plan the exact surgery cuts prior to entering the operating room. The precision of the imagery coupled with the robotics allows the surgeon to know the exact implant size based upon the individual physiological structure of the patient and how the procedure will be best performed before a single cut is made. While traditional surgeries may still be performed in certain instances, the use of the Mako SmartRobotics has the ability to not only recapture market share but provide local surgical procedures at the highest quality with the least downtime, travel, and inconvenience.

In July SPH received the final 2023 Community Health Needs Assessment which speaks to the rate of community population growth (4%) far outpacing State wide growth (1%). Further, the population of the Southern Kenai Peninsula has a large bolus of individuals moving into the 45 to 65 year age group which leads to the need for expanded healthcare services. All of these factors support a projected increase in Total Joint Arthroplasty procedures.

South Peninsula Hospital uses Stryker Implants in all of its Total Knee Replacement Surgeries. A traditional TKA surgery requires the use of a 'navigational system' and technician from Stryker to operate that system. The cost of navigation system is approximately \$1,600 per patient. South Peninsula Hospital

has been offered an option to enter into a 7-year Capital Lease for the Stryker Mako SmartRobotics System through an implant purchase commitment with Stryker. At the end of that Capital Lease commitment period, the title to the Mako SmartRobotics System shall transfer to South Peninsula Hospital for \$1. The use of the SmartRobotics System would eliminate the need for the TKA navigation system, resulting in cost savings to organization. The reduction in navigation charges is projected to be approximately \$800,000 over the next 10 years. Conversely, an increase in CT Scans will result in increased net patient service revenue to cover the remainder of the program costs.

The undiscounted cost of the Stryker Mako SmartRobotics System is approximately \$1 million. After discounts, Stryker has offered the system to South Peninsula Hospital through the 7-year capital lease for \$675,000 plus interest. The implicit lending rate in the capital purchase commitment master agreement is based on the Bloomberg SOFR Swap rate (approximately prime plus 2% or 10.5%). Current SOFR rates show a total of \$918 thousand will ultimately be 'paid' for the machine through the purchase of implants over the life of the 7-year master agreement.

The projected increase in market share for Total Joint Arthroplasty Surgeries, the associated net income from CT Scans, and the reduction TKA Navigation charges results in a projected 10-year net income projection of \$279 thousand (see attached business analysis) after the inclusion of machine costs and implicit interest.

What is not included in this business analysis are the current and future applications of the Mako SmartRobotics unit. Currently the System can also perform total Hip replacements, and in 2024 and 2025 the FDA is scheduled to approve it for Shoulder and Spine surgery. The cost to add these services may be the subject of future capital requests to add both the software and the surgical tools/additions to the Mako System.

*SOURCE: MHA OHDIN Database provided by the Alaska Hospital and Healthcare Association

**SOUTH KENAI PENINSULA HOSPITAL
SERVICE AREA BOARD
RESOLUTION 2023-12**

**A RESOLUTION OF THE SOUTH KENAI PENINSULA HOSPITAL SERVICE AREA
BOARD TO SUPPORT APPROVING THE USE OF OPERATING CASH TO FUND
THE CAPITAL LEASE OF THE STRYKER MAKO SMARTROBOTICS SYSTEM**

WHEREAS, the Kenai Peninsula Borough (Borough) owns and provides for the operation of the South Peninsula Hospital, Inc. (SPHI) through the South Kenai Peninsula Hospital (SKPH) Service Area; and

WHEREAS, the South Peninsula Hospital (SPH) is a non-profit entity founded in 1956 that serves those who live in the southern communities of the Kenai Peninsula from Ninilchik to Nanwalek, Port Graham, and Seldovia; and

WHEREAS, the SPH is a 22-bed acute care critical access hospital, with an attached 28-bed skilled nursing/long-term care facility, that provides healthcare services, including acute care, cancer care, home health, family birthing, imaging, sleep center, rehabilitation, surgery, trauma level IV emergency care, and other services utilized by residents of the SKPH Service Area; and

WHEREAS, the Borough has entered into an Operating Agreement with the SPHI for operation of the SPH and other medical facilities, and to provide other healthcare programs and services, on a nonprofit basis, in order to ensure the continued availability of medical services to SKPH Service Area residents; and

WHEREAS, the SPH's Orthopedic Department is an important component of our mission to provide high quality, locally coordinated care; and

WHEREAS, the SPH has demonstrated that it can safely and effectively provide the highest quality healthcare through the use of advanced technology such as advanced imaging and wishes to improve orthopedic throughput, quality, and patient experience with the use of the Stryker Mako SmartRobotics Total Joint Arthroplasty System; and

WHEREAS, the SPH has performed approximately 48% of Total Knee Replacements (Total Joint Arthroplasty) for residents of the Southern Kenai Peninsula over the past five years; and

WHEREAS, a growing number of surgical patients are leaving the service area to have their Total Joint Arthroplasty performed with a robotic system due to improved outcome and patient satisfaction; and

WHEREAS, the 2023 Community Health Needs Assessment highlights a need for broader healthcare services to support our aging demographic and a projected increase in Total Joint Arthroplasty procedures; and

WHEREAS, the SPH has been offered an option to enter into a 7-year Capital Lease of the Stryker Mako SmartRobotics System through an implant purchase commitment with Stryker. At the end of that Capital Lease commitment period, the title to the Stryker Mako SmartRobotics System shall transfer to South Peninsula Hospital for \$1; and

WHEREAS, the cost of the Stryker Mako SmartRobotics System with discounts is \$675,000 and the implicit lending rate in the capital purchase commitment master agreement is based on the Bloomberg SOFR Swap rate (approximately prime plus 2%); and

WHEREAS, the projected increase in market share for Total Joint Arthroplasty Surgeries and the associated net income from these procedures shall pay for the Stryker Mako SmartRobotics System from Operating Cash; and

WHEREAS, the SPH Board Finance Committee reviewed and approved SPH Resolution 23-24 at their meeting on August 17, 2023; and

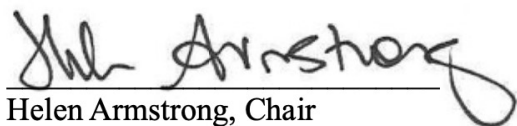
WHEREAS, the SPH Board, at its August 23, 2023 meeting, adopted Resolution 2023-24, which approved the use of Operating Cash to fund the 7-year embedded Capital lease for a Stryker Mako SmartRobotics System through an Implant Purchase Commitment Master Agreement with Stryker.

NOW, THEREFORE, BE IT RESOLVED BY THE SOUTH KENAI PENINSULA HOSPITAL SERVICE AREA BOARD:

1. The South Kenai Peninsula Service Area Board hereby respectfully recommends approval of Resolution 2023-12, to support the use Operating Cash to fund the 7-year embedded Capital lease for a Stryker Mako SmartRobotics System through an Implant Purchase Commitment Master Agreement with Stryker.

PASSED AND ADOPTED BY THE SOUTH KENAI PENINSULA HOSPITAL SERVICE AREA BOARD AT ITS MEETING HELD ON THIS 14th DAY OF SEPTEMBER 2023.

ATTEST:

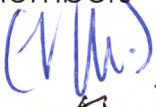

Helen Armstrong, Chair


South Kenai Peninsula Hospital Service Area Board

Kenai Peninsula Borough Assembly

MEMORANDUM

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

THRU: Michele Turner, CMC, Borough Clerk 

FROM: Tamera Ward, Deputy Borough Clerk 

DATE: Tuesday, October 3, 2023

RE: Restaurant Designation Permit – The Angry Salmon – License 1309

Kenai Peninsula Borough Code § 7.10.010 provides for a mandatory Assembly review of applications for restaurant designation permits at locations within the Borough. Accordingly, the attached application for a restaurant designation permit as filed by The Angry Salmon LLC dba The Angry Salmon located in the Kenai Peninsula Borough, Alaska, is being submitted to you for review and action.

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining.

RECOMMENDATION: That the Assembly approve the issuance of the restaurant designation permit requested by The Angry Salmon LLC dba The Angry Salmon.

cc: The Angry Salmon LLC



August 7, 2023

Kenai Peninsula Borough

Attn: [Multiple](#)

License Type:	Beverage Dispensary -Tourism	License Number:	1309
Licensee:	The Angry Salmon LLC		
Doing Business As:	The Angry Salmon		

☐ New Application

☒ Transfer of Ownership Application

☐ Transfer of Location Application

☐ Transfer of Controlling Interest Application

Transfer from Anchor River Lodge LLC to The Angry Salmon LLC

We have received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

AS 04.11.491 – AS 04.11.509 provides that the board will deny a license application if the board finds that the license is prohibited as a result of an election conducted under AS 04.11.507.

AS 04.11.420 provides that the board will not issue a license when a local governing body protests an application on the grounds that the applicant's proposed licensed premises are in a place within the local government where a local zoning ordinance prohibits the alcohol establishment, unless the local government has approved a variance from the local ordinance.

Sincerely,

Joan Wilson Director

amco.localgovernmentonly@alaska.gov



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Why is this form needed?

This transfer license application form is required for all individuals or entities seeking to apply for the transfer of ownership and/or location of an existing liquor license. Applicants should review Title 04 of Alaska Statutes and Chapter 304 of the Alaska Administrative Code. All fields of this form must be completed, per AS 04.11.260, AS 04.11.280, AS 04.11.290, and 3 AAC 304.105.

This form must be completed and submitted to AMCO's Anchorage office, along with all other required forms and documents, before any license application will be considered complete.

Section 1 - Transferor Information

Enter information for the *current* licensee and licensed establishment.

Licensee:	Anchor River Lodge, LLC		License #:	1309	
License Type:	Beverage Dispensary Tourism		Statutory Reference:		
Doing Business As:	Anchor River Inn				
Premises Address:	34358 Old Sterling Highway				
City:	Anchor Point	State:	Alaska	ZIP:	99556
Local Governing Body:	Kenai Peninsula Borough				

Transfer Type:

- ☒ Regular transfer
☐ Transfer with security interest
☐ Involuntary retransfer

OFFICE USE ONLY

Complete Date:		Transaction #:	100553913
Board Meeting Date:		License Years:	
Issue Date:		Examiner:	



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Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 2 – Transferee Information

Enter information for the **new** applicant and/or location seeking to be licensed.

Licensee:	The Angry Salmon, LLC				
Doing Business As:	The Angry Salmon				
Premises Address:	34358 Old Sterling Highway				
City:	Anchor Point	State:	Alaska	ZIP:	99556
Community Council:	N/A				

Mailing Address:	1500 Bogard Road				
City:	Wasilla	State:	Alaska	ZIP:	99654

Designated Licensee:	Cameron Johnson				
Contact Phone:	8183072398	Business Phone:			
Contact Email:	cjohnson@amgland.com				

Seasonal License? ☐ Yes ☒ No If "Yes", write your six-month operating period: _____

Section 3 – Premises Information

Premises to be licensed is:

☒ an existing facility ☐ a new building ☐ a proposed building

The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

679.1' feet

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

1191.7 feet



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Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 4 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 5.

If more space is needed, please attach a separate sheet with the required information.

The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: ☐ applicant ☐ affiliate

Name:					
Address:					
City:		State:		ZIP:	

This individual is an: ☐ applicant ☐ affiliate

Name:					
Address:					
City:		State:		ZIP:	

Section 5 – Entity Ownership Information

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 6.

If more space is needed, please attach a separate sheet with the required information.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official:	CJ Land Consultants Retirement Trust				
Title(s):	Member	Phone:	818-825-5488	% Owned:	30
Address:	3930 Tarrytown Lane				
City:	Agorua Hills	State:	California	ZIP:	91301



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Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Entity Official:	Alexis Gevorgian				
Title(s):	Member	Phone:	818-380-2600	% Owned:	35
Address:	PO Box 260770				
City:	Encino	State:	California	ZIP:	91426-5488

Entity Official:	Broda Management, LLC				
Title(s):	Member	Phone:		% Owned:	15
Address:	1120 Huffman Road, Suite 24-478				
City:	Anchorage	State:	Alaska	ZIP:	99515

Entity Official:	Robert Yundt II				
Title(s):	Member	Phone:	907-232-8340	% Owned:	20
Address:	357 W Parks Hwy				
City:	Wasilla	State:	Alaska	ZIP:	99654

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	10209986	AK Formed Date:	10/07/2022	Home State:	Alaska
Registered Agent:	Daniel Hacker	Agent's Phone:	8183072398		
Agent's Mailing Address:	1500 Bogard Road				
City:	Wasilla	State:	Alaska	ZIP:	99654

Residency of Agent:

Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?

☒ ☐



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Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 6 – Other Licenses

Ownership and financial interest in other alcoholic beverage businesses:

Yes No

Does any representative or owner named as a transferee in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?



If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

Alexis Gevorgian and Cameron Johnson have financial interest in license #4251

Section 7 – Authorization

Communication with AMCO staff:

Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?



If "Yes", disclose the name of the individual and the reason for this authorization:

JDW Counsel - Attorney Weltzin and staff



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Phone: 907 269 0350

Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 8 – Transferor Certifications

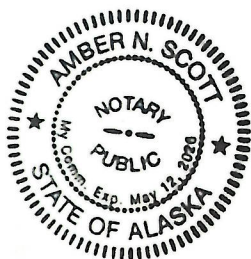
Additional copies of this page may be attached, as needed, for the controlling interest of the current licensee to be represented.

I declare under penalty of perjury that the undersigned represents a **controlling interest** of the current licensee. I additionally certify that I, as the current licensee (either the sole proprietor or the controlling interest of the currently licensed entity) have examined this application, approve of the transfer of this license, and find the information on this application to be true, correct, and complete.

Brittnay Uwekoolani
Signature of transferor

Brittnay Uwekoolani
Printed name of transferor

Subscribed and sworn to before me this 5th day of December, 2022.



[Signature]
Signature of Notary Public

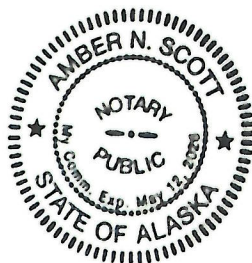
Notary Public in and for the State of Alaska

My commission expires: May 12th, 2026

[Signature]
Signature of transferor

William Walker
Printed name of transferor

Subscribed and sworn to before me this 5th day of December, 2022.



[Signature]
Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: May 12th, 2026



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Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 9 – Transferee Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.



I certify that all proposed licensees have been listed with the Division of Corporations.



I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.



I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.



I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.



I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.



Signature of transferee

Cameron Johnson

Printed name

Signature of Notary Public

Notary Public in and for the State of _____

My commission expires: _____

Subscribed and sworn to before me this _____ day of _____, 20____.

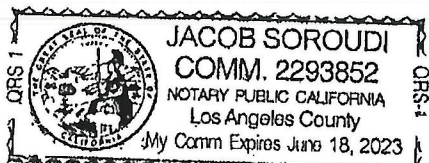
Please see attached. -JS

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 30th
day of November, 2022, by Cameron Johnson

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature

Jacob Soroudi



Alaska Alcoholic Beverage Control Board

Form AB-02: Premises Diagram**What is this form?**

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

The second page of this form is not required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

**Section 1 – Establishment Information**

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	The Angry Salmon, LLC	License Number:	1309		
License Type:	Beverage Dispensary Tourism				
Doing Business As:	The Angry Salmon				
Premises Address:	34358 Old Sterling Highway				
City:	Anchor Point	State:	Alaska	ZIP:	99556

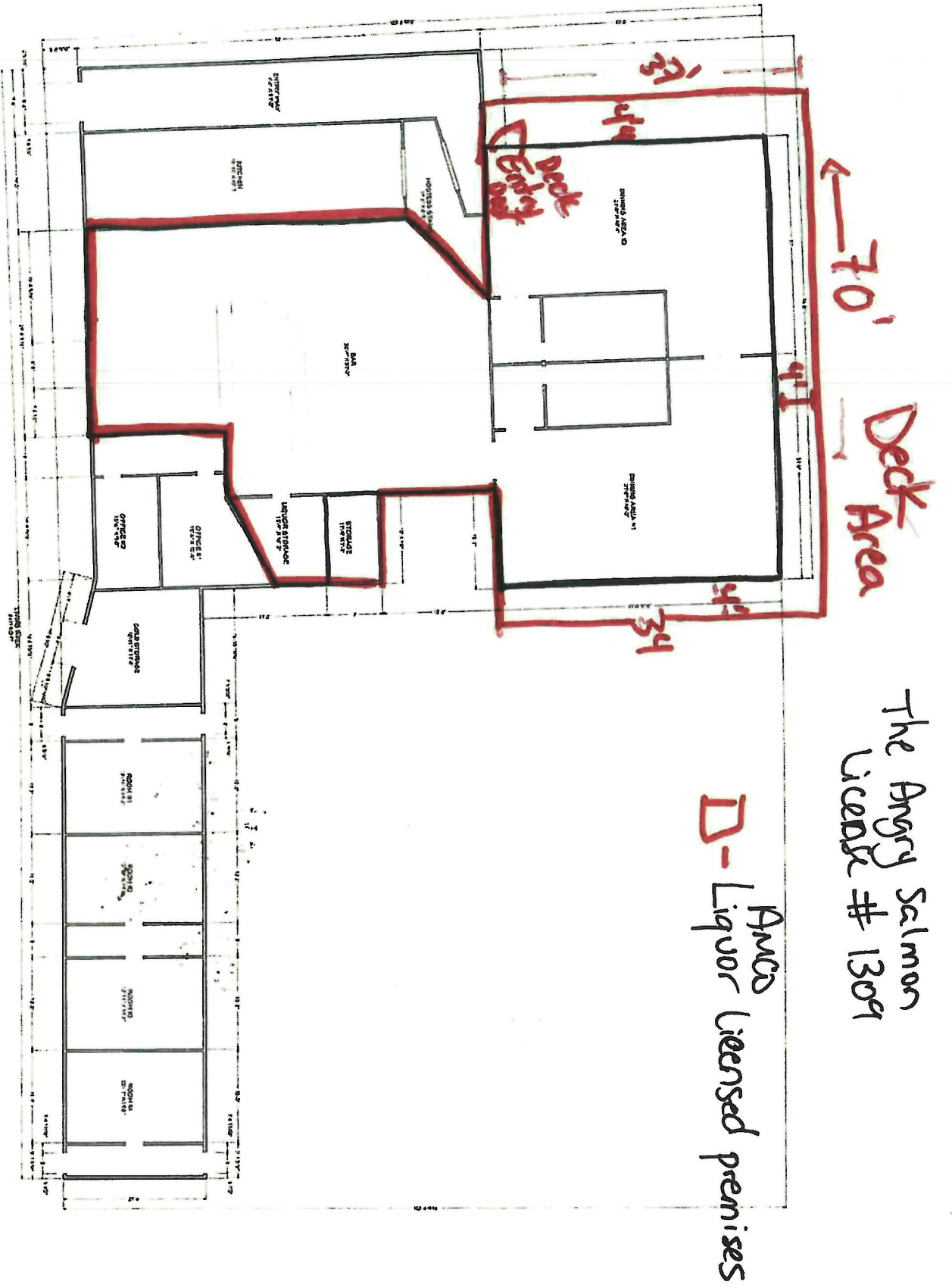


Alaska Alcoholic Beverage Control Board

Form AB-02: Premises Diagram**Section 2 – Detailed Premises Diagram**

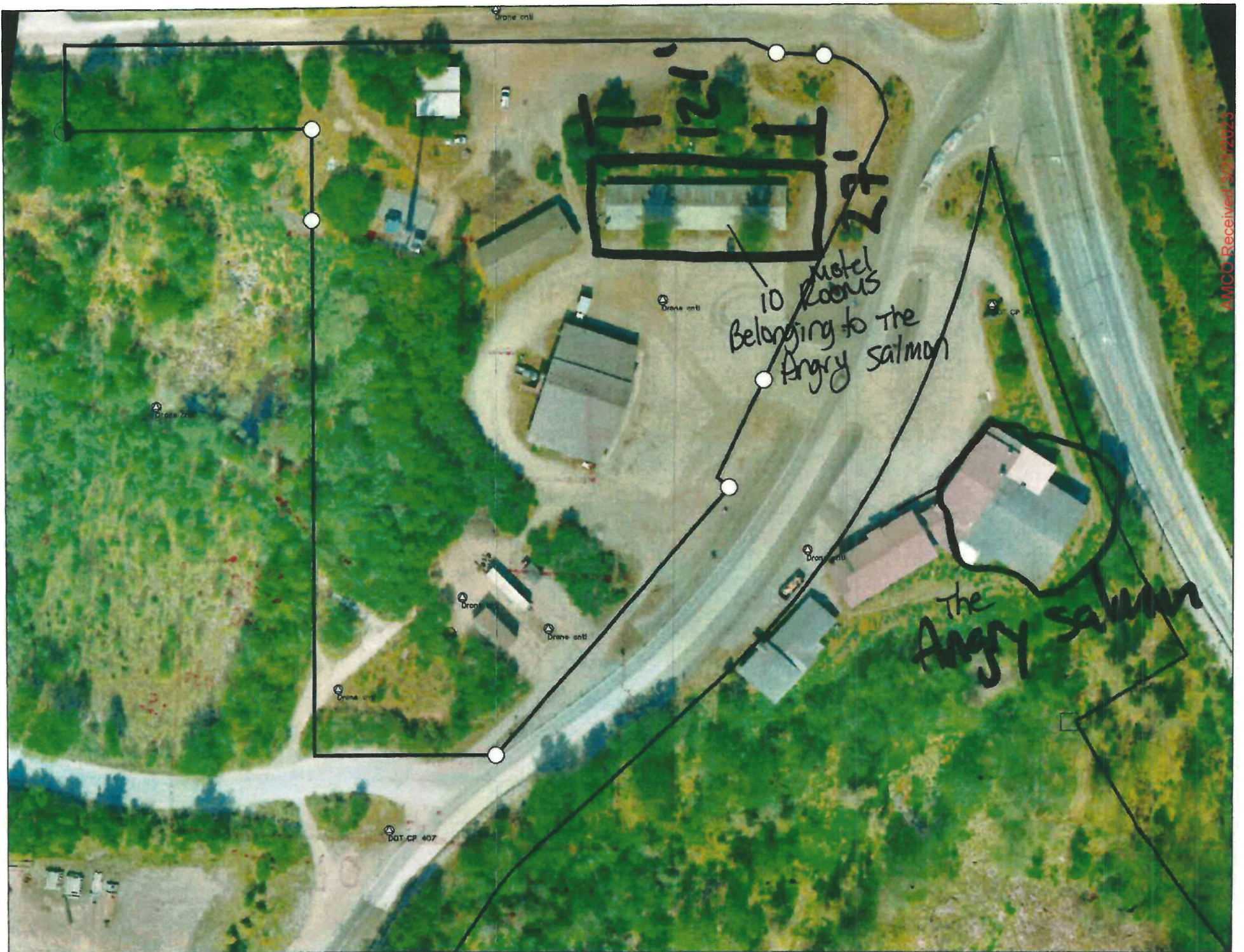
Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, walls, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, consumption, and manufacturing. Include dimensions, cross-streets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.

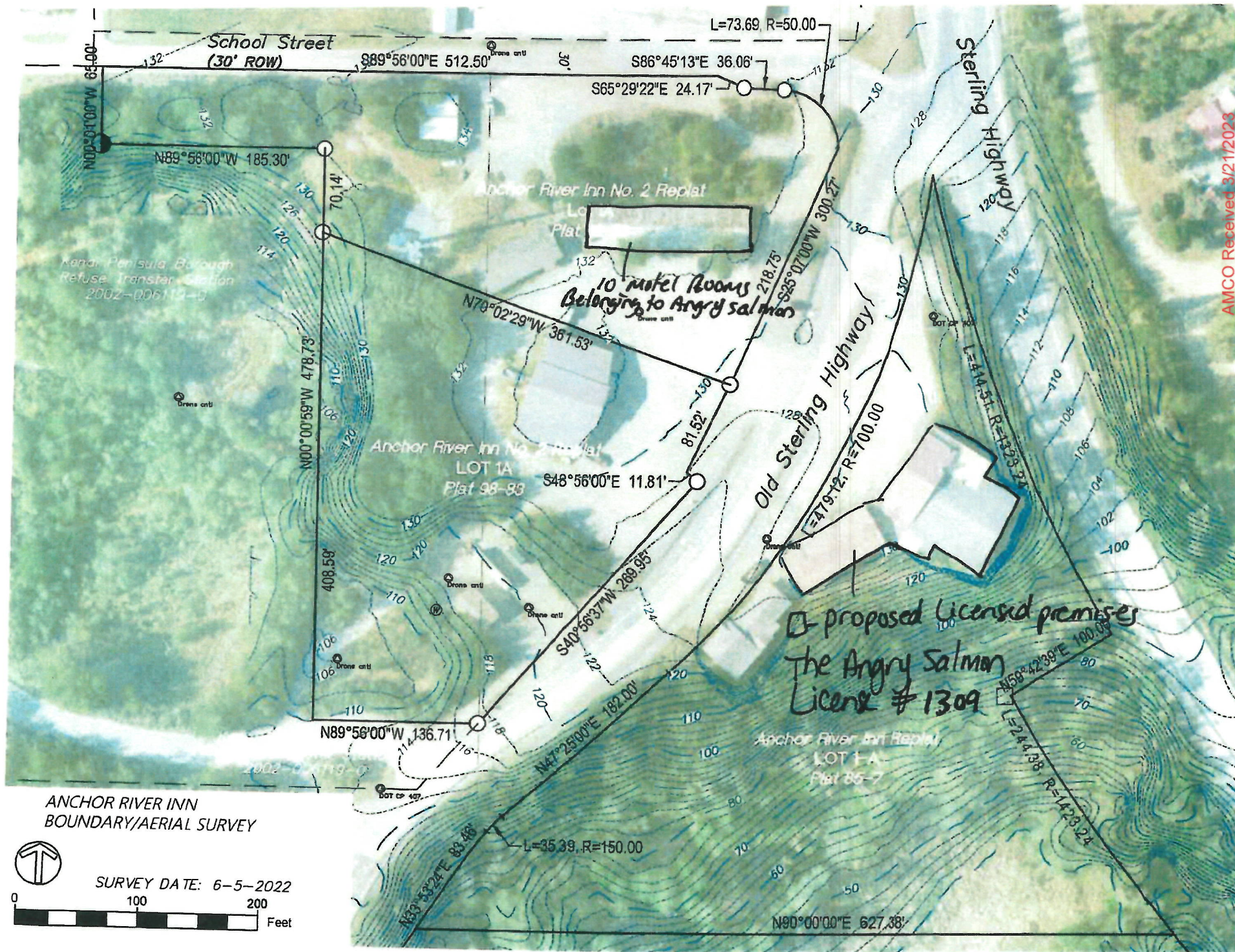
See Attached



The Angry Salmon
License # 1309

AMCO
Liquor licensed premises







Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

What is this form?

A restaurant designation permit application is required for a licensee desiring designation under 3 AAC 304.715 – 3 AAC 304.795 as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049. Designation will be granted only to a holder of a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license, and only if the requirements of 3 AAC 304.305, 3 AAC 304.725, and 3 AAC 304.745, as applicable, are met. A menu or expected menu listing the meals, including entrees prepared onsite and offered to patrons, and copy of the DEC Food Service Permit (or corresponding DHHS documentation for licenses located in the Municipality of Anchorage) must accompany this form. Applicants should review AS 04.16.049 – AS 04.16.052 and 3 AAC 304.715 – 3 AAC 304.795. All fields of this form must be completed. The required \$50 permit fee may be made by credit card, check, or money order.

Section 1 – Establishment Information

Enter information for licensed establishment.

Licensee:	The Angry Salmon, LLC				
License Type:	Beverage Dispensary Tourism	License Number:	1309		
Doing Business As:	The Angry Salmon				
Premises Address:	34358 Old Sterling Highway				
City:	Anchor Point	State:	Alaska	ZIP:	99556
Contact Name:	Cameron Johnson	Contact Phone:	8183072398		

Section 2 – Type of Designation Requested

This application is for the request of designation as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049, and for the request of the following designation(s) (check all that apply):

- ☒ Dining after standard closing hours: AS 04.16.010(c)
- ☒ Dining by persons 16 – 20 years of age: AS 04.16.049(a)(2)
- ☒ Dining by persons under the age of 16 years, accompanied by a person over the age of 21: AS 04.16.049(a)(3)
- ☐ Employment for persons 16 or 17 years of age: AS 04.16.049(c)
NOTE: Under AS 04.16.049(d), this permit is not required to employ a person 18 - 20 years of age.

OFFICE USE ONLY	
Transaction #:	100553913
Initials:	



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Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 3 – Minor Access

Review AS 04.16.049(a)(2); AS 04.16.049(a)(3); AS 04.16.049(c)

List where within the premises minors are anticipated to have access in the course of either dining or employment as designated in Section 2. (Example: Minors will only be allowed in the dining area. OR Minors will only be employed and present in the Kitchen.)

Minors will be allowed throughout the entire establishment where patrons are permitted for dining.

Describe the policies, practices and procedures that will be in place to ensure that minors do not gain access to alcohol while dining or employed at your premises.

The Angry Salmon will ensure that no minors will gain access to alcohol while on the premises by checking the ID of every person who orders an alcoholic beverage regardless of age assumption. Employees and management will keep a close eye on all patrons' actions, ensuring that no person who has not had their ID checked is handed an alcoholic beverage, and quickly clean up unfinished drinks when patrons leave. If an employee witnesses a patron handing a minor alcohol, he/she will immediately contact management, who, in turn, will contact local law enforcement and the patron will be dealt with accordingly. All servers will be over the age of 21 and will be extensively trained in verifying valid government issued photo identification.

Is an owner, manager, or assistant manager who is 21 years of age or older always present on the premises during business hours?

Yes ☒ No ☐

Section 4 – DEC Food Service Permit

Per 3 AAC 304.910 for an establishment to qualify as a Bona Fide Restaurant, a Food Service Permit or (for licenses within the Municipality of Anchorage) corresponding Department of Health and Human Services documentation is required.

Please follow this link to the DEC Food Safety Website: <http://dec.alaska.gov/eh/fss/food/>

Please follow this link to the Municipality Food Safety Website:

<http://www.muni.org/Departments/health/Admin/environment/FSS/Pages/fssfood.aspx>

IF you are unable to certify the below statement, please discuss the matter with the AMCO office:

I have attached a copy of the current food service permit for this premises OR the plan review approval.

Initials

*Please note, if a plan review approval is submitted, a final permit will be required before finalization of any permit or license application.



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
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Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 5 – Hours of Operation

Review AS 04.16.010(c).

Enter all hours that your establishment intends to be open. Include variances in weekend/weekday hours, and indicate am/pm:

The Angry Salmon will be open Monday through Sunday from 12 noon until 12 midnight.

Section 6 – Entertainment & Service

Review AS 04.11.100(g)(2)

Are any forms of entertainment offered or available within the licensed business or within the proposed licensed premises?

Yes ☒ No ☐

If "Yes", describe the entertainment offered or available and the hours in which the entertainment may occur:

The Angry Salmon intends to have live music on weekends from 7pm until 12 midnight; pool tables - available during operating hours; darts - available during operating hours; trivia nights - monthly or weekly, depending on patron interest.

Food and beverage service offered or anticipated is:

☒ table service ☒ buffet service ☐ counter service ☐ other

If "other", describe the manner of food and beverage service offered or anticipated:



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Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 7 – Certifications and Approvals

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

There are tables or counters at my establishment for consuming food in a dining area on the premises.



I have included with this form a menu, or an expected menu, listing the meals to be offered to patrons.
 This menu includes entrees that are regularly sold and prepared by the licensee at the licensed premises.



I certify that the license for which I am requesting designation is either a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license.



I have included with this application a copy of the most recent AB-02 or AB-14 for the premises to be permitted.
(AB-03 applications that accompany a new or transfer license application will not be required to submit an additional copy of their premises diagram.)



I declare under penalty of perjury that this form, including all attachments and accompanying schedules and statements, is true, correct, and complete.

Signature of licensee

Cameron Johnson

Printed name of licensee

Signature of Notary Public

Notary Public in and for the State of _____

My commission expires: _____

Subscribed and sworn to before me this _____ day of _____, 20____.

*Please see attached.
 -JS*

Local Government Review (to be completed by an appropriate local government official):

Approved

Denied



Signature of local government official

Date

Printed name of local government official

Title



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

AMCO Enforcement Review:

Enforcement Recommendation:

Approve

Deny

☐
☐

Signature of AMCO Enforcement Supervisor

Printed name of AMCO Enforcement Supervisor

Date

Enforcement Recommendations:

AMCO Director Review:

Approved

Denied

☐
☐

Signature of AMCO Director

Printed name of AMCO Director

Date

Limitations:

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 30th
day of November, 2022, by Cameron Johnson

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature

Jacob Soroudi

Angry Salmon Food and Beverage Menu

Appetizers

1. Angry Anchor Fritters – Smoked salmon, habanero, and cheese. Breaded and deep fried. Served with ranch-tartar dipping sauce.
2. Corn Flake Shrimp – Fried and served with a dipping sauce of your choice.
3. Baked Mac and Cheese - Topped with panko.
4. Steamer Clams - Sauteed in butter, garlic and white wine. Served with toast points.
5. Bacon-wrapped scallops – Sauteed and served with a bourbon glaze drizzle.
6. Bacon Guacamole Bombs - Guacamole rolled in bacon bits, deep fried and served with sour cream.
7. Shrimp cocktail – Chilled shrimp served with cocktail sauce.
8. Chips and Salsa
9. Big ol' Wings... Whole-wing chicken wings with ranch or blue cheese. Choose a flavor:
 - a. Buffalo
 - b. Spicy Buffalo
 - c. Asian
 - d. The Reverse – Tossed in a blue cheese sauce and served with regular or spicy buffalo dipping sauce.

10. King Nachos – A pan of corn tortilla chips layered with cheddar, black beans, ground beef, Pico de gallo, guacamole, sour cream, sliced jalapeños, and fresh cilantro.
11. Mozzarella Sticks – Breaded and fried, served with marinara.
12. Onion Bloom – Breaded and fried. Served with ranch or black garlic aioli.
13. Fries – Served standard or make them:
 - a. Poutine – Covered in gravy and melted cheese curds.
 - b. Garlic – Tossed in garlic and sprinkled with parmesan cheese.

Salads

1. Cobb – A bed of romaine topped with bacon, avocado, chicken breast, diced tomato, and a hard-boiled egg. Served with house-made vinaigrette.
2. House Salad – A bed of mixed greens topped with seasonal vegetables.
3. Apple Spinach – Bed of spinach topped with apple, bacon, red onion, feta, and walnuts. Served with cider vinaigrette.
4. Quinoa Power Bowl - Quinoa, black beans, avocado, cabbage slaw, tomato, red onion, spinach and spiced lemon dressing.

Entrees

1. Browned Butter Garlic Salmon – Alaskan salmon sauteed in browned butter, honey, and garlic.
2. Grilled/Fried Fish Tacos – Soft corn tortillas, local salmon, halibut or rockfish, (seasonal/availability dependent), cabbage slaw, and aioli. Served with tortilla chips and salsa.
3. Anchor Cheeseburger – House-ground beef patty on a toasted bun, served with cheddar, lettuce, tomato, and onion. Add:
 - a. Swiss or Blue
 - b. Bacon
 - c. Jalapeno
 - d. Sauteed Mushrooms
 - e. Sauteed Onion
 - f. Avocado
4. Fish and Chips - Local Halibut, Rockfish, or Salmon (seasonal/availability dependent). Deep fried and served with house fries.
5. Buttermilk Chicken Strip Basket w/ Fries – Hand-dipped, fried chicken served with choice of dipping sauce.
6. Alaska Jambalaya – Cajun-style and loaded with reindeer sausage, shrimp, and rockfish.
7. Chicken Parmesan – Breaded chicken covered in marinara and melted parmesan. Served over a bed of spaghetti with garlic bread.
8. Spaghetti and Meatballs – House-made meatballs and marinara over a bed of spaghetti noodles.
9. Steak Frites – USDA Choice Ribeye, house fries, gravy and a melted cheese curd.

Sandwiches - Served with a choice of fries or side salad.

1. Spicy Buttermilk Fried Chicken Sandwich – Hand-dipped chicken tossed in honey-habanero sauce. Topped with cabbage slaw and aioli.
2. Meatball Sub – House-made meatballs, marinara and melted parmesan served on a hoagie roll.
3. Fried Oyster Po’Boy – Fried oysters, shredded romaine, pickles and remoulade.
4. Quinoa Burger – Quinoa, black bean, and walnut patty. Topped with arugula, tomato, onion and aioli.
5. BLT – The classic served with aioli.
 - A. Add avocado
 - B. Double bacon
 - C. Add onion

Kids Menu

1. Corn Dog with fries
2. Burger – Just cheese and fries
3. Chicken strips with fries
4. Mac and Cheese - half portion of the appetizer size

Draft Beer List (Domestic Heavy, Domestic Light, IPA, Mid-weight (Pale/Red/Amber), Dark (Porter/Stout), Light (Blonde/Pilsner))

1. Grace Ridge Brewing Sadie Peak IPA
2. Budweiser
3. Coors Light
4. Homer Brewing Porter
5. Kassiks Beavertail Blonde
6. Cooper Landing Pale Ale

Cans & Bottles

Light Domestics:

1. Michelob Ultra
2. Miller Light
4. Coors Light
5. High Life
6. Coors Banquet
7. MGD
8. PBR
9. Mike's Hard Lemonade

Alaskan Craft:

1. Magnitude 9.2 – Double Citrus Ale – Matanuska Brewing
2. AK Lake Day – Double IPA – Kassiks Brewing
3. Alaskan Amber – Alaskan Brewing
4. Alaskan White – Alaskan Brewing
5. Honeymoon Hefe - Hefeweizen – Kenai River Brewing
6. Twister Creek – IPA – Denali Brewing
7. Blueberry Mojito – Denali Brewing
8. Alaskan Seltzers (assorted flavors) – Alaskan Brewing

Signature Cocktails

1. Anchor River Bloody Mary – Vodka, House-made bloody mary mix, candied bacon, celery stick, homemade pickled veggies, salted bacon rim.
2. Angry Margarita – Made with habanero-infused Tequila.
3. Blueberry Lemonade – Blueberry vodka and lemonade.
4. Anchor Old Fashioned – House-made porter reduction syrup, Woodford Reserve, Angostura Bitters and a spritz of orange peel.

Liquors

Whiskey:

1. Jack Daniels
2. Seagram's 7
3. Jim Beam – Well
4. Maker's Mark
5. Pendleton
6. Crown Royal
7. Crown Royal Peach
8. Crown Royal Apple
9. Angel's Envy
10. Fireball
11. Southern Comfort
12. Jameson
13. Basil Hayden

Scotch:

1. Jonnie Walker Black
2. Jonnie Walker Red
3. Jonnie Walker Blue
4. Dewar's White Label
5. Glenlivet 12 Year

Brandy:

1. E & J
2. Hennessy
3. Remi Martin

Vodka:

1. Anchorage Distillery Ghost Pepper vodka
2. Grey Goose
3. Titos - Well
4. Kettle One
5. Absolute
6. Absolute Ruby Red
7. Absolute Vanilla
8. Kettle One Blueberry

Gin:

1. Tanqueray – well
2. Bombay Sapphire
3. Beefeater
4. Engine Gin
5. Port Chilkoot's 50 Fathoms Gin

Rum:

1. Bacardi Silver - Well
2. Bacardi Gold
3. Gosling's Dark Rum
4. Sailor Jerry's
5. Captain Morgan

Tequila:

1. Patron Silver
2. Don Julio 1942
3. Espolon Blanco
4. Casamigos
5. Jose Cuervo -well

Cordials:

1. Bailey's
2. St. Germaine
3. Peach Schnapps
4. Triple Sec
5. Sweet Vermouth
6. Dry Vermouth
7. Kahlua
8. Midori
9. Blue Curacao
10. Apple Pucker
11. Watermelon Pucker
12. Chambord
13. Grand Marnier
14. St. Germaine

Non-alcoholic beverages:

1. Coca-Cola
2. Diet Coke
3. Root Beer
4. Sprite
5. Lemonade
6. Dr. Pepper
7. Ginger Ale
8. Ginger Beer



Application for Food Establishment Permit

Alaska Department of Environmental Conservation
Division of Environmental Health
Food Safety and Sanitation Program



Permit ID:

Section 1 - GENERAL INFORMATION (All applicants complete entire section - please print)

Purpose (check one) <input type="checkbox"/> New <input type="checkbox"/> Information Change <input type="checkbox"/> Extensive Remodel <input checked="" type="checkbox"/> Change of owner/operator <input type="checkbox"/> Reactivate			
Owner/Business Information	Name of Entity or Owner Responsible for Food Service The Angry Salmon, LLC (formerly Anchor River Lodge, LLC)		AK Business License # 2168274
	Business/Corporate Mailing Address 1500 Bogard Road	City Wasilla	State Alaska
	Business/Corporate Phone 818-307-2398	Email cjohnson@amgland.com	
	Owner(s) or Corporate Officer(s) & Title(s) or Responsible Party Cameron Johnson		Fax
	Type of Entity <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Other:		
Establishment Information	Establishment Name The Angry Salmon		Physical Location Anchor Point
	Establishment Mailing Address 1500 Bogard Road		Nearest Community Anchor Point
	Establishment Phone 8183072398	City Wasilla	State Alaska
	Establishment Physical Address 34358 Old Seward Highway	Fax	Zip 99654
	City Anchor Point	Contact Person Cameron Johnson	State Alaska
SEATING: (Food Service Only) <input type="checkbox"/> N/A <input checked="" type="checkbox"/> 25 or less <input type="checkbox"/> 26-100 <input type="checkbox"/> > 101			

TYPE OF OPERATION Please describe the type of facility you plan to open below (i.e. restaurant, bar, grocery store, etc.)

Tourism restaurant with liquor license and motel services

SECTION 2 - NEW OR EXTENSIVELY REMODELED FACILITIES

- a. A plan review will be required if your facility has never been permitted by the Alaska's Food Safety and Sanitation Program; has not had an active permit in the last five years; will be extensively remodeled; or is a new construction. If any of these apply, a Plan Review Application is required to process your application. Have you attached the Plan Review Application? ☐ Yes ☒ No

SECTION 3 - COMPLETE FOR ALL FOOD ESTABLISHMENTS (All applicants fill this section)

FOOD SERVICE ESTABLISHMENTS

- a. A copy of your menu will be required. Have you attached a copy of the proposed menu? ☒ Yes ☐ No
- b. Attach appropriate label, placard, or menu notation for the consumer advisories if you serve:
☐ Wild Mushrooms ☐ Unpasteurized juices ☐ Farmed halibut, salmon, or sablefish
☐ Raw/undercooked animal foods such as beef, shell eggs, lamb, pork, poultry, seafood, and shellfish.
- c. Methods of food preparation (check the one that most closely describes the establishment):
☐ Assembly of Ready to Eat Foods ☒ Cook and Serve
☐ Hot or cold Service for 2 hours or more is done
☐ Complex (Preparation 1 day or more in advance, cooling and reheating is done).
- d. Style of Service: ☒ Counter Service ☐ Self Service (i.e. buffet line, salad bar) ☒ Table Service
☐ Other:
- e. Do you plan to operate as a caterer? ☐ Yes ☒ No
 If yes, list all the equipment used to protect food from contamination and maintain product temperature during:
 Transportation: Hot or Cold Holding:

RECEIVED

MAR 09 2023

Introduced by:	Administration
Date:	8/23/2023
Action:	Approved
Vote:	Yes -7; No-0; Exc- 4

**SOUTH PENINSULA HOSPITAL
BOARD RESOLUTION
2023-24**

**A RESOLUTION OF THE SOUTH PENINSULA HOSPITAL BOARD OF DIRECTORS
APPROVING THE USE OF OPERATING CASH TO FUND THE CAPITAL LEASE OF
THE STRYKER MAKO SMARTROBOTICS SYSTEM**

WHEREAS, South Peninsula Hospital's Orthopedic Department is an important component of our mission to provide high quality, locally coordinated care; and

WHEREAS, South Peninsula Hospital has demonstrated that it can safely and effectively provide the highest quality healthcare through the use of advanced technology such as advanced imaging and wishes to improve orthopedic throughput, quality, and patient experience with the use of the Stryker Mako SmartRobotics Total Joint Arthroplasty System; and

WHEREAS, South Peninsula Hospital has performed approximately 48% of Total Knee Replacements (Total Joint Arthroplasty) for residents of the Southern Kenai Peninsula over the past five years; and

WHEREAS, a growing number of surgical patients are leaving the service area to have their Total Joint Arthroplasty performed with a robotic system due to improved outcome and patient satisfaction; and

WHEREAS, the 2023 Community Health Needs Assessment highlights a need for broader healthcare services to support our aging demographic and a projected increase in Total Joint Arthroplasty procedures; and

WHEREAS, South Peninsula Hospital has been offered an option to enter into a 7-year Capital Lease of the Stryker Mako SmartRobotics System through an implant purchase commitment with Stryker. At the end of that Capital Lease commitment period, the title to the Mako SmartRobotics System shall transfer to South Peninsula Hospital for \$1; and

WHEREAS, the cost of the Stryker Mako SmartRobotics System with discounts is \$675,000 and the implicit lending rate in the capital purchase commitment master agreement is based on the Bloomberg SOFR Swap rate (approximately prime plus 2%); and

WHEREAS, the projected increase in market share for Total Joint Arthroplasty Surgeries and the associated net income from these procedures shall pay for the Stryker Mako SmartRobotics System from Operating Cash; and

WHEREAS, the South Peninsula Hospital Board Finance Committee reviewed and approved this resolution at their meeting on August 17, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF SOUTH PENINSULA HOSPITAL:

1. That the South Peninsula Hospital Board of Directors approves the use of Operating Cash to fund the 7-year embedded Capital lease for a Stryker Mako SmartRobotics System through an Implant Purchase Commitment Master Agreement with Stryker.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF SOUTH PENINSULA AT ITS MEETING HELD ON THIS 23rd DAY OF AUGUST, 2023.

ATTEST:

DocuSigned by:
Julie Woodworth
40F15ADB220F4CF...
Julie Woodworth, Board Secretary

DocuSigned by:
Kelly Cooper
552FEAD010F54B4...
Kelly Cooper, Board President