

SELDOVIA
CITY COUNCIL



Wednesday
September 25, 2019
6:00 PM

SPECIAL MEETING
MULTI-PURPOSE ROOM

This page is intentionally left blank

**AGENDA FOR A SPECIAL MEETING
OF SELDOVIA CITY COUNCIL
COUNCIL CHAMBERS
Wednesday
September 25, 2019
6:00pm**

ROJAS LETHIN SWEATT COLBERG CAMPBELL MORRISON
--

- A. Call to Order & Roll Call:
- B. Pledge of Allegiance:
- C. Excused Absences: MAYOR LENT, ROJAS
- D. Agenda Approval:
- E. Consent Agenda: *(All items under the Consent Agenda are approved with a single motion, no discussion, and one vote. A Council Member may request to remove an item(s) for discussion and a separate vote.)*
 - 1. Approval of Minutes: Minutes of the Regular Meeting, September 09, 2019
 - 2. Payment Approval Report:
 - 3. Ordinance Introduction:

- F. Mayoral Proclamations:
- G. Public Presentation Prior Notice: (each presenter has up to 10 min)
- H. Public Presentation for Items not on Agenda: (public has 3 min each)
- I. Committee and Advisory Board Reports: (each member has 5 min)
- J. Public Hearings:
 - 1. RESOLUTION 20-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA, SUPPORTING KENAI PENINSULA BOROUGH RESOLUTION 2019-047 TO RECOGNIZE THE RECOMMENDATIONS OF THE KENAI PENINSULA BOROUGH'S ELECTION STAKEHOLDERS GROUP AND DIRECTING STAFF TO EXPLORE IMPLEMENTATION OF THE RECOMMENDATIONS, AND SIGNING KENAI PENINSULA BOROUGH JOINT RESOLUTION 2019-001
 - a. Presentation by Staff or Council
 - b. Council Discussion
 - c. Public Presentation or Hearing (public has 3 min each)
 - d. Action/Disposition

- K. Unfinished Business:
- L. New Business:
 - 1. Discussion- Alaska Rural Water Association and Remote Maintenance Work Program Update
 - a. Presentation by Staff or Council
 - b. Council Discussion
 - c. Public Presentation or Hearing (public has 3 min each)
 - d. Action/Disposition

 - 2. Discussion- Lollipop Park Work Group
 - a. Presentation by Staff or Council
 - b. Council Discussion
 - c. Public Presentation or Hearing (public has 3 min each)
 - d. Action/Disposition

- M. Administration Reports:
 - 1. Treasurer's Report: See Laydown
 - 2. City Manager's Report: See Laydown
 - 3. Chief of Police Report: See Laydown
 - 4. Harbormaster's Report: See Laydown
 - 5. Public Works Report: See Laydown

- M. Informational Items Not Requiring Action:
 - 1. Election Day is October 1, 2019. Absentee voting is available at the city office from September 16, 2019- September 30, 2019, Monday through Friday, 9:00am- 5:00pm.
 - 1. There will be a Special Council Meeting October 7th, 2019 to certify the election.
- O. Executive Session:
- P. Council and Mayor Comments Concerning Items Not on the Agenda:
- Q. Next Meeting: The next Regular Meeting will be held on Monday, October 14, 2019 at 6:00 pm
- R. Adjournment:

* IF YOU REQUIRE SPECIAL ASSISTANCE TO ATTEND THE MEETING, PLEASE NOTIFY THE CITY OFFICE 24 HOURS IN ADVANCE AND ARRANGEMENTS WILL BE MADE *

This page is intentionally left blank

Seldovia City Council
***Special* Meeting**
September 25, 2019

Contents Page

Pages 7-13	Minutes of the Regular Meeting of September 09, 2019
Pages 14-15	Resolution 20-07 Supporting KPB Election Stakeholders Group Recommendations
Pages 16-17	KPB Resolution 2019-047- Recognizing KPB Election Stakeholders Group Recommendations
Pages 18-21	Joint Resolution 2019-001 Recognizing Election Stakeholders
Pages 22-31	KPB Election Stakeholders Group- Final Report and Recommendations

NOTES

This page is intentionally left blank

**MINUTES FROM A REGULAR MEETING
OF SELDOVIA CITY COUNCIL
COUNCIL CHAMBERS
Monday
September 09, 2019
6:00pm**

LETHIN SWEATT COLBERG CAMPBELL MORRISON ROJAS
--

A. Call to Order & Roll Call: PRESENT: COUNCIL MEMBERS: LETHIN, SWEATT, COLBERG, CAMPBELL-telephonic, MORRISON, and ROJAS

STAFF: CITY MANAGER CAMERON
POLICE CHIEF CUSHMAN
CITY CLERK GEAGEL

B. Pledge of Allegiance: Held

C. Excused Absences: None

D. Agenda Approval:

ROJAS/COLBERG MOVED TO APPROVE THE AGENDA SEPTEMBER 09, 2019
VOICE VOTE/UNANIMOUS/MOTION PASSED

SWEATT/COLBERG MOVED TO AMEND THE AGENDA TO ADD ITEM J. 3
RESOLUTION 20-06 EXTENDING THE LOCAL DISASTER EMERGENCY
DECLARATION
VOICE VOTE/UNANIMOUS/MOTION PASSED

SWEATT/ROJAS MOVED TO APPROVE THE AGENDA AS AMENDED
VOICE VOTE/UNANIMOUS/MOTION PASSED

E. Consent Agenda: *(All items under the Consent Agenda are approved with a single motion, no discussion, and one vote. A Council Member may request to remove an item(s) for discussion and a separate vote.)*

1. Approval of Minutes: Minutes of the Regular Meeting, August 26, 2019

2. Payment Approval Report:

3. Ordinance Introduction:

SWEATT/ROJAS MOVED TO APPROVE THE CONSENT AGENDA
VOICE VOTE/UNANIMOUS/MOTION PASSED

F. Mayoral Proclamations:

1. A PROCLAMATION OF THE MAYOR OF THE CITY OF SELDOVIA, ALASKA, TO THE FAMILY OF DOUG PIEREN RECOGNIZING HIS MANY YEARS OF SERVICE TO THE CITY

MAYOR LENT- Read the Proclamation into record.

G. Public Presentation Prior Notice: (each presenter has up to 10 min)

1. DAN NELSON, KPB Office of Emergency Management (OEM) – Introduced himself and discussed that he was responsible for incident management within the borough and to coordinate support and be a conduit for the city manager or the person in charge for municipalities within the borough to the state. He defined incident and discussed that incidents could happen each day, but that when they became a higher complexity level, beyond the first responder was when they needed to be managed. There were things in law, in practice, and in doctrine on how incident management was done. All incidents were local and generally did not see a lot of outside help. The incident management progression was from city to borough, and then borough to state. The borough could not spend money in cities and did not have technical expertise on water shortages, which was why the borough also declared an emergency after receiving Seldovia's and sent it on to the state. He discussed the resolution to extend the declaration and that the purpose of a declaration was to certify that they did not have the resources needed. The declaration was

sent to the state emergency department, it would go to the disaster cabinet, and then the recommendations would go to the governor. He had received an email earlier from the state asking for more information, so they were working on it. He discussed that there was always a chance that the disaster declaration would not be accepted and that there were eight other communities in the state with a similar problem. He discussed the borough's five phases of emergency management; prevention, preparedness, response, recovery and mitigation, and that the borough had three open disasters currently; the November 30th earthquake, the October floods in Seward, and the Swan Lake fire and can take five to seven years to close a disaster. The OEM acts as a coordination point and can offer resources if they have them to cities which may be technical expertise, local command units, disaster and mass care units, some of which they have pre-staged for cities. They are available 24/7 and work to build relationships with communities. He discussed that things that make his office successful is being a big propionate for building relationships and at the community level for individual preparedness, and being resilient. He stated that there were differences in Nanwaleek that their water system was built by the tribe and was not a borough run or owned system, for some of the long-term issues they asked the state for help. In the short-term the borough had assisted with agency like Chugachmuit and ANTHC to send bottled water.

SWEATT- Inquired about the process and length of time for the state to declare an emergency and if there was a chance the state would not accept the declaration.

MORRISON- Inquired about the program in Nanwaleek as an unincorporated jurisdiction.

ROJAS- Inquired if there were criteria for the state declaration.

H. Public Presentation for Items not on Agenda: (public has 3 min each)

MARY ANNE WILSON, resident- Presented a letter requesting that council consider reopening senior meals and spoke to the benefits of senior meals for the constituents, community, and employees.

I. Committee and Advisory Board Reports: (each member has 5 min) None

J. Public Hearings:

1. ORDINANCE 20-03 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA, AMENDING SECTION 17.04.020(D) BUILDING PERMITS

a. Presentation by Staff or Council

CLERK GEAGEL- Presented Ordinance 20-03 as recommended by the Seldovia Planning Commission.

b. Council Discussion

ROJAS- Spoke in support of Ordinance 20-03.

SWEATT- Spoke in support of Ordinance 20-03.

c. Public Presentation or Hearing (public has 3 min each)

MAYOR LENT called for public comment and none was heard.

d. Action/Disposition

ROJAS/COLBERG MOVED TO ADOPT ORDINANCE 20-03

VOICE VOTE/UNANIMOUS/MOTION PASSED

2. JOINT RESOLUTION 2019-001 A JOINT RESOLUTION OF THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH AND COUNCILS OF THE CITIES OF HOMER, KACHEMAK, KENAI, SELDOVIA, SEWARD AND SOLDOTNA, SUPPORTING THE RECOMMENDATIONS OF THE KENAI PENINSULA BOROUGH'S ELECTION STAKEHOLDERS GROUP AND DIRECTING STAFF TO EXPLORE IMPLEMENTATION OF THE RECOMMENDATIONS

a. Presentation by Staff or Council

CLERK GEAGEL- Presented Joint Resolution 2019-001.

b. Council Discussion

MAYOR LENT called for council comment and none was heard.

c. Public Presentation or Hearing (public has 3 min each)

MAYOR LENT called for public comment and none was heard.

d. Action/Disposition

ROJAS/SWEATT MOVED TO ADOPT JOINT RESOLUTION 2019-001

VOICE VOTE/UNANIMOUS/MOTION PASSED

3. RESOLUTION 20-06 EXTENDING THE LOCAL DISASTER EMERGENCY DECLARATION

- a. Presentation by Staff or Council
CLERK GEAGEL- Presented Resolution 20-06 extending the local disaster emergency declaration.
- b. Council Discussion
ROJAS- Spoke in support of extending the proclamation.
CAMPBELL- Spoke in support of extending the proclamation.
- c. Public Presentation or Hearing (public has 3 min each)
MAYOR LENT called for public comment and none was heard.
- d. Action/Disposition

ROJAS/MORRISON MOVED THAT THE CITY OF SELDOVIA'S PROCLAMATION OF EMERGENCY DISASTER DECLARATION OF PUBLIC WATER SOURCE DEPLETION IS EXTENDED RESOLUTION 20-06

VOICE VOTE/UNANIMOUS/MOTION PASSED

K. Unfinished Business: None

L. New Business:

1. Discussion- Emergency Operation Plan

- a. Presentation by Staff or Council
CM CAMERON- Presented an Emergency Operations Plan (EOP) for the council to review and then discuss at the next meeting. She discussed that a water shortage plan could be incorporated into the EOP and would be discussed on the next agenda item. She discussed that current water supply measures were not being discussed as part of the emergency operation plan but would be a part of the next agenda discussion.
- b. Council Discussion
MAYOR LENT called for council comment and none was heard.
- c. Public Presentation or Hearing (public has 3 min each)
ROB MUMMEY- Inquired why the city did not drill a water well?
- d. Action/Disposition

NO ACTION WAS TAKEN AT THIS TIME

2. Discussion- Water Supply Update

- a. Presentation by Staff or Council
CM CAMERON- Presented a water supply update and discussed that as of that morning the reservoir was at 2.67 million gallons, estimating that to be about 17.61 days based on the average of 30 days of consumption. Consumption rates were hovering right around 90,000 gallons a day, for the last twelve days they were averaged 91,139 gallons for daily consumption. Dan from the borough visited Seldovia the previous week, he visited the reservoir and they discussed roles and the relationship between the borough and the city, and discussed short-term and long-term situations and strategies. She discussed that a list of ideas and concepts were being compiled from discussions with Dan, hydrologists from the state, councilmembers, and public on how to mitigate this situation and included; dredging the reservoir, building the dam wall higher to increase capacity, drilling a commercial well or a multitude of wells, repairing the distribution line from the reservoir to the water treatment plant, redirecting watershed resources, using Fish Creek as a backup, finding alternative back up water sources, aquifers or is there something else out there that can be implemented into the current system, repairing and replacing failing infrastructure, installing water meters, having a desalination plant, constructing an additional back up water storage tank, helping property owners identify possible leaks on their properties, an education campaign, a water conservation campaign for the winter reserves, wrapping and heating pipes of property owners that have to keep their faucets running in the winter,

having year round nonpotable stations and catchment systems throughout town for nonpotable needs. They were working to find the best path forward with the amount of time they had, which was a great unknown. As of now the water levels in the reservoir had increased about a .5 inch in last 72 hours with rainfall, three feet was still needed to be at the normal average level. A professional would need to come in and take soil samples to analysis the watershed and locate all the water sources, to answer questions such as does the watershed meet their needs now, was the reservoir size adequate, did the reservoir need to be dredged and what difference will that make. The watershed was about 540 acres above the reservoir. Kevin with ARWA and his Sarah would visit Seldovia on the week of the 23rd with their leak detection equipment to audit the water system as they had the previous year, it was requested that they possibly put their detection system on property lines from mains to homes to identify leaks there as well. She discussed that the biggest concern was if there was enough time to build back up the significant water needed until it would freeze. According to the US drought monitor they were still in a severe drought. NOAA provided weather patterns for the next month or so and it looked like there would be no cold weather freezes as early as they usually happen. She discussed that the backwash was 30,000 gallons and that as water decreased in the reservoir it would require the systems to work harder to clean the high levels of turbidity. The filters could handle a short-term high turbidity event that could go up to 50 MTUs of raw turbidity for a minimal amount of time. 50 MTUs measures the turbidity, showing how dirty the water was, they were currently running at .72 for the last ten days, usually the MTUs averaged at about .16. At a certain point a large amount of water would be wasted cleaning the filters because of the level of turbidity and the filters could at some point no longer be able to filter the water at all because of the concentration of that raw water turbidity. There was about 2.6 million gallons in the reservoir, but not all was usable. Once the water dropped below the first intake, there was about five feet between the first and the last intake, that water was significantly dirtier than were they were right now. The water level was currently at 2.5 feet above the first intake and needed to keep gaining. She discussed that to use Fish Creek as a backup supply pipes would need to be rerouted, Fish and Game would need to be contacted to use the creek for grey water, the stream was classified as an anadromous. She discussed that priorities could be analyzing the watershed, water leaks, and increasing the size of the reservoir. She discussed that all questions needed to be addressed by the experts and the state to see what was most feasible with the amount of time available. Nonpotable water was setup for community members and there were plenty of gallon jugs of drinking water on hand. Senior meals could be reinstated with a real water saving campaign. The state had not committed anything yet and was still considering the declaration from the borough. She discussed that the state did have a desalinization unit and could be asked for if they got to that point. The line from the reservoir had not been replaced and raw water was measured where it came into the plant. She spoke to the draft of the water shortage management plan and its three levels; it was a mitigation plan that could be put into the EOP. She asked for the council to review and consider the plan before the next council meeting.

b. Council Discussion

MAYOR LENT- Inquired about being able to pump the backwash back to the reservoir and replacing the line to the plant.

ROJAS- Inquired about the turbidity and when filters can no longer take care of the water. Spoke in support of coming up with a short-term and long-term plan and of reopening senior meals. She inquired if prioritization was needed that evening and what amount of water a community of that size should use. She spoke to the leak on the line between the reservoir and plant being fixed 20 years previously.

MORRISON- Spoke to significant rain making the water pretty dirty and spoke in support of continuing to conserve. He inquired about Fish Creeks previous use and if it could be used as nonpotable water.

CAMPBELL- Spoke to the massive reduction in water use being attributed to the leak prepare and in support of prioritizing the repair of leaks above everything and developing a long-term plan. He spoke to the watershed above the dam and needing to understand the amount of water being held subsurface. He spoke in support of reinstating senior meals.

SWEATT- Spoke in support of continuing to conserve in the short-term. She spoke to donated water and nonpotable water and in support of reinstating senior meals.

c. Public Presentation or Hearing (public has 3 min each)

JENNY CHISSUS, resident- Inquired about the capacity of the reservoir and in support of fixing leaks. She spoke to the pressure of time allowed in the extension of the emergency disaster declaration and inquired about what actions could be taken immediately.

MARY ANNE WILSON, resident- Inquired if the water detection people could search for the leak between the reservoir and water treatment plant.

DRISCOLL- Spoke in support of dredging the reservoir and recycling the backwash water back into reservoir.

ROB MUMMEY- Inquired if a desalinization unit was a practical option.

RADZY, resident- Spoke to the leak on the distribution line and inquired if the daily usage was from the reservoir or from the plant.

d. Action/Disposition

NO ACTION WAS TAKEN AT THIS TIME

3. DISCUSSION- Special Event Liability on City Property

a. Presentation by Staff or Council

CLERK GEAGEL- Presented estimates she received from AMLJIA for special event insurance for events in the city throughout the year and spoke to the precedence in the community from other agencies requiring insurance to be carried for events.

CM CAMERON- Discussed that in addition to the estimates presented there would be an increase in the city's risk liability, as the events increase the city's risk exposure. The risk manager at AMLJIA has said that he recommends the agencies wanting to host events on city properties purchase their own insurance, in the event of an incident and coincident claim the agencies insurance would be the one to carry the claim. He recommended a combined risk assessment if the city wanted to allow events on their property as the event holder to identify potential areas of risk and control measures that could be placed and residual risk after those controls were put in place. The city carries general liability insurance, if there was an incident, that insurance would go up, the risk exposure would go up, and the number of incidents on the insurance would go up. She asked for council to consider the parameters of who and what events would be covered.

b. Council Discussion

ROJAS- Inquired if the special event liability was available for groups. She spoke to continuing the discussion in a work session and collaborating with the chamber. She spoke to having a permitting process.

LETHIN- Spoke to the history of events in Seldovia and continuing to do things as they had been done.

CAMPBELL- Spoke to continuing the discussion and collaborating with the chamber.

c. Public Presentation or Hearing (public has 3 min each)

KAREN REESE, resident- Spoke to her experience of having insurance for events.

JENNY CHISSUS, Seldovia Chamber of Commerce President- Spoke to the exclusions presented being all the things that took place in Seldovia. She inquired about special event insurance and if that was the same permit that the fireworks had. She spoke in support of having coverage, spoke to everyday risks, and asked how the city wanted to proceed. She discussed that the chamber had received a quote for \$500 for just the spectators of the chainsaw competition and general insurance.

d. Action/Disposition

NO ACTION WAS TAKEN AT THIS TIME

MAYOR LENT CALLED FOR A SHORT RECESS AT 7:34pm

MAYOR LENT CALLED THE MEETING BACK TO ORDER AT 7:43pm

M. Administration Reports:

1. Treasurer's Report: None
2. City Manager's Report: See Laydown
3. Chief of Police Report: None
4. Harbormaster's Report: None
5. Public Works Report: None

CM CAMERON- Presented the city manager's report as written and included the first three things on the list had already been discussed and were being worked on. They were continuing to work on brush removal and a tree removal company quoted the city \$800.00 to remove tree on Bay Street down to the ground and included removing the tree but not the stump. The city was now operating 100% in QuickBooks and had completed billing that day, it was a little delayed with the learning curve. She discussed that Caselle was going to give the city a year of no subscription fees, but would have to give some kickback instead because the year was not complete. The Seldovia Space had 4 out of 5 people signed up for the space and a lot of interest surrounding it. A work order had been put in for DSL and a modem for the space. One person had committed fully to the space through August of the next year, another would be month to month, and another person was looking into being another long-term tenant. The money made from the auction would be put back into the space. She spoke to the EDA grant opportunity, discussing that she had a teleconference the previous week and the opportunity was for resilience for the future. Federal money was being allocated to the state of Alaska because of the January earthquake and would cover mitigation and resiliency for the future and could include a backup water source or water storage, or identifying failures in the infrastructure because of seismic activity, depending on how the nexus was written. She presented the upcoming winter ferry schedule, and discussed that there would not be a ferry after January. The schedule would be for Thursday and Sunday and would be dynamic pricing with change fees and additional fees. She recommended making reservations early and keeping them because Kodiak would fill the boat up quickly. The land use management plan was still on her list to work on, as well as, the harbor parking lot plan. The FY18 audit would be presented at the September 26th meeting. Tim Dillon with KPEDD would be presenting on October 14th. She presented a sales tax summary for the summer quarter and discussed that FY19 ended at about \$24000.00 better than the previous year. The two months, July and August, of FY20 were also slightly above last year. There was also a slight increase in property tax for FY19. She spoke to the tank truck not being a good fit and that the Fire Department Board had decided to sell it.

MORRISON- Spoke to the tree removal quote being a good quote and inquired if the city would receive and kickback in Caselle. He inquired if the potential tenants in Seldovia Space would be long-term rentals.

LETHIN- Inquired about the status of tank truck in Anchorage and spoke to it being a water truck that could get water up the hill or around town.

MAYOR LENT- Spoke to the tank truck not being needed, not being able to store it, and that it would not be able to get up the hill.

ROJAS- Inquired if there was water in all the fire trucks.

M. Informational Items Not Requiring Action:

1. The next Commercial Marine Work Session will be held Wednesday, September 11th, 2019 at 6:00pm.

O. Executive Session: None

P. Council and Mayor Comments Concerning Items Not on the Agenda:

LETHIN- Thanked everyone for coming and staff for their work.

SWEATT- Thanked everyone for coming and Dan for giving his presentation. She thanked Cassidi, Heidi and Jackie.

COLBERG-Thanked everyone for coming and Dan. He thanked the staff for all their hard work.

CAMPBELL-Thanked the public and thanked the administration for keeping them up to date and keeping the ball rolling on issues. He thanked Dan and the Kenai Peninsula Borough for continuing to work with the city.

MORRISON-Thanked everyone and Dan for coming down. He spoke in support of senior meals reopening.

ROJAS- Thanked everyone for being there and the staff for their hard work and updates, the public has been very in tuned to the conservation efforts. She thanked Dan for his expertise and being their support, and council for all their hard work.

MAYOR LENT-Thanked everyone, Dan, and staff.

Q. Next Meeting: The next Regular Meeting will be held on Monday, September 09, 2019 at 6:00 pm

R. Adjournment:

ROJAS/COLBERG MOVED TO ADJOURN AT 8:00PM
NO OBJECTION/MOTION PASSED

I certify the above represents accurate minutes of City of Seldovia Council meeting of September 09, 2019.

Heidi Geagel, City Clerk

Approved by Council _____

DRAFT

**CITY OF SELDOVIA
RESOLUTION 20-07**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELDOVIA,
ALASKA, SUPPORTING KENAI PENINSULA BOROUGH RESOLUTION
2019-047 TO RECOGNIZE THE RECOMMENDATIONS OF THE KENAI
PENINSULA BOROUGH'S ELECTION STAKEHOLDERS GROUP AND
DIRECTING STAFF TO EXPLORE IMPLEMENTATION OF THE
RECOMMENDATIONS, AND SIGNING KENAI PENINSULA BOROUGH
JOINT RESOLUTION 2019-001**

WHEREAS, in February, 2019, the Kenai Peninsula Borough established the Election Stakeholders Group (ESG) to increase voter participation by developing sustainable election processes that maximize accessibility and inclusivity; and

WHEREAS, the City of Seldovia was represented on the ESG by Councilmember John Colberg, Councilmember Vivian Rojas as an alternate member, and City Manager Cassidi Cameron; City Clerk Heidi Geagel participated on the ESG as a subject matter expert; and

WHEREAS, in July, 2019, the ESG concluded its work and produced a summary of six final recommendations:

1. Vote by Mail Hybrid: transition the election process from the current polling site structure to a vote by mail hybrid structure (VBMS) wherein every registered voter is mailed a ballot packet 2-3 weeks prior to election day; voters drop their ballots at secured locations, return their ballot by mail, or else vote in person at specified Accessible Vote Centers (AVC);
2. Education & Outreach Campaign: the KPB Assembly appropriates funds for an extensive voter education and outreach campaign designed to encourage voter participation, promote civic engagement, and educate voters about VBMS;
3. Amend Alaska State Statute, Title 29: the KPB Assembly adopts a resolution requesting the Alaska State Legislature to amend AS 29.26.060(c) in order to allow ranked voting for runoff elections;
4. Voter Pamphlet: deliver the voter pamphlet to voters via a website, and also provide hard copies of the voter pamphlets at the Accessible Vote Centers (ACV);
5. Appoint Service Area Board Representatives: transition to appointing KPB service area board representatives rather than electing them;
6. Eliminate Proposition Statements: eliminate having proposition statements, either for or against a proposition, from the voter pamphlet; and

WHEREAS, the ESG final report also recommends that the BPB seek support from and partner with each City to conduct all local elections by mail; and

WHEREAS, because the impact of pursuing these recommendations will be broadly felt throughout the borough, the Kenai Peninsula Borough Assembly has requested that each City demonstrate support for this initiative by signing KPB Joint Resolution 2019-001; and

WHEREAS, KPB Joint Resolution 2019-001 recognizes the recommendations of the ESG, and supports a KPB vote by mail strategy with an implementation target date of October, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA that:

Section 1. The Seldovia City Council hereby supports Kenai Peninsula Borough Resolution 2019-047, and authorizes the Mayor Lent to sign Kenai Peninsula Borough Joint Resolution 2019-001, recognizing the recommendations of the KPB Election Stakeholders Group and supporting a KPB vote by mail strategy with an implementation target date of October, 2020.

Section 2. This resolution shall take effect immediately upon adoption.

PASSED AND APPROVED by a duly constituted quorum of the City Council of the City of Seldovia, on this 25^h day of September, 2019.

ATTEST:

APPROVED:

Heidi Geagel, City Clerk

Dean Lent, Mayor

Introduced by: Dunne, Hibbert
Date: 09/03/19
Action: Adopted as Amended
Vote: 5 Yes, 4 No, 0 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2019-047**

**A RESOLUTION ADOPTING JOINT RESOLUTION NO. 2019-001 OF THE
ASSEMBLY OF THE KENAI PENINSULA BOROUGH AND COUNCILS OF THE
CITIES OF HOMER, KACHEMAK, KENAI, SELDOVIA, SEWARD AND SOLDOTNA,
RECOGNIZES THE RECOMMENDATIONS OF THE KENAI PENINSULA
BOROUGH'S ELECTION STAKEHOLDERS GROUP AND DIRECTING STAFF TO
EXPLORE IMPLEMENTATION OF THE RECOMMENDATIONS**

WHEREAS, the Kenai Peninsula Borough Assembly established the Election Stakeholders Group (“ESG”) through the direction and adoption of Resolution 2019-006, which included community members and members from many local governments in the borough, researched ways to increase voter participation by developing sustainable election processes that maximize accessibility and inclusivity; and

WHEREAS, after holding many public meetings throughout 2019 the ESG issued a final report with six specific recommendations regarding potential changes to borough code and election processes which are intended to achieve guiding principles initially adopted by the ESG; and


WHEREAS, Joint Resolution 2019-001 details the efforts of the ESG, recognizes its recommendations and directs staff to explore implementation of the recommendations;

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

SECTION 1. That the Kenai Peninsula Borough Assembly adopts Joint Resolution 2019-001.

SECTION 2. That this resolution takes effect immediately upon adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 3RD DAY OF SEPTEMBER, 2019.



Wayne H. Ogle, Assembly President

ATTEST:



John Blankenship, MMC, Borough Clerk



- Yes: Bagley, Cooper, Dunne, Hibbert, Smalley
- No: Blakeley, Carpenter, Fischer, Ogle
- Absent: None

**KENAI PENINSULA BOROUGH
CITY OF HOMER
CITY OF KACHEMAK
CITY OF KENAI
CITY OF SELDOVIA
CITY OF SEWARD
CITY OF SOLDOTNA**

JOINT RESOLUTION NO. 2019-001

**A JOINT RESOLUTION OF THE ASSEMBLY OF THE KENAI PENINSULA
BOROUGH AND COUNCILS OF THE CITIES OF HOMER, KACHEMAK, KENAI,
SELDOVIA, SEWARD AND SOLDOTNA, RECOGNIZING THE RECOMMENDATIONS OF
THE KENAI PENINSULA BOROUGH'S ELECTION STAKEHOLDERS GROUP AND
DIRECTING STAFF TO EXPLORE IMPLEMENTATION OF THE RECOMMENDATIONS**

- WHEREAS,** the Kenai Peninsula Borough Assembly established the Election Stakeholder Group (“ESG”) through the direction and adoption of Kenai Peninsula Borough (“KPB”) Resolution 2019-006; and
- WHEREAS,** the ESG was tasked with researching ways to increase voter participation by developing sustainable election processes that maximize accessibility and inclusivity; and
- WHEREAS,** the ESG was comprised of assembly members, city council members, city managers, a representative from the KPB mayor’s office and community members with a specific interest in the electoral process; and
- WHEREAS,** the ESG was supported by the borough and city clerks as well representatives from the KPB Legal Department, Information Technology Department, and the Geographical Information Division; and
- WHEREAS,** the ESG adopted guiding principles to focus and guide its work, including: maximizing accessibility and inclusivity of borough elections; improving voter satisfaction and confidence; making efficient use of public resources; ensuring electing security and integrity; and, improving voter outreach and coordination with all stakeholders; and
- WHEREAS,** the ESG, as detailed in its final report, made six specific recommendations regarding potential changes to KPB code and election processes which are supported by, and intended to achieve, the stated guiding principles; and
- WHEREAS,** the ESG chair and vice-chair presented the attached final report and recommendations to the KPB assembly on August 20, 2019; and
- WHEREAS,** the ESG recommends that the KPB seek support from and partnership with the cities within the borough to administer all future local elections consistent with the vote by mail hybrid structure; and
- WHEREAS,** the ESG recommends that the KPB explore cost sharing with the cities within the KPB for the purchase and maintenance of election equipment; and

WHEREAS, in order to fully educate voters and the public on a new process, the ESG recommends the KPB and community partners conduct an extensive and comprehensive communication/education plan; and

WHEREAS, the ESG further recommends collaboration between the KPB and the cities within the KPB to develop legislation and administrative practices for the administration of local elections that are consistent with KPB processes, and make efficient use of government resources;

NOW, THEREFORE, BE IT RESOLVED BY THE KENAI PENINSULA BOROUGH ASSEMBLY AND THE COUNCILS OF THE CITIES OF HOMER, KACHEMAK, KENAI, SELDOVIA, SEWARD AND SOLDOTNA:

SECTION 1. That the Kenai Peninsula Borough Assembly and the city councils for the Cities of Homer, Kachemak, Kenai, Seldovia, Seward and Soldotna recognize the recommendations of the 2019 Election Stakeholders Group.

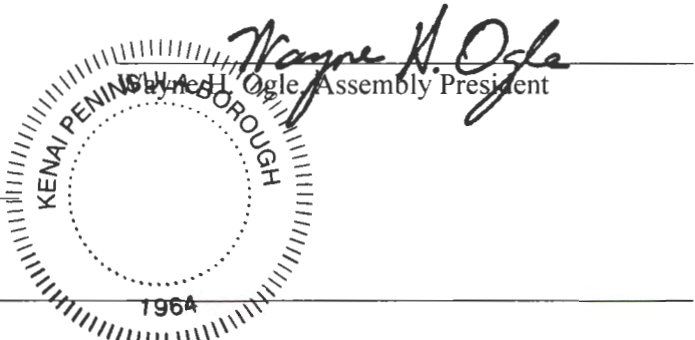
SECTION 2. That the Kenai Peninsula Borough Assembly and the city councils for the Cities of Homer, Kachemak, Kenai, Seldovia, Seward and Soldotna support the KPB clerk and the city clerks as they continue to explore vote by mail elections with a goal to implement the first by mail election in October of 2020 as a strategy to increase voter turnout, thus empowering KPB and city residents with a stronger voice in the democratic process and in the decisions that directly impact their lives.

SECTION 3. That this resolution takes effect immediately upon adoption of the Kenai Peninsula Borough Assembly and the city councils within the Kenai Peninsula Borough.

APPROVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS THIS 3RD DAY OF SEPTEMBER, 2019.

ATTEST:


John Blankenship, MMC, Borough Clerk



APPROVED BY THE COUNCIL OF THE CITY OF HOMER THIS _____ DAY OF _____, 2019.

Ken Castner, Mayor

ATTEST:

Melissa Jacobsen, MMC, City Clerk

APPROVED BY THE COUNCIL OF THE CITY OF KACHEMAK THIS _____ DAY OF _____, 2019.

William Overway, Mayor

ATTEST:

Erika Fitzpatrick, City Clerk

APPROVED BY THE COUNCIL OF THE CITY OF KENAI THIS THIS _____ DAY OF _____, 2019.

Brian Gabriel, Mayor

ATTEST:

Jamie Heinz, CMC, City Clerk

APPROVED BY THE COUNCIL OF THE CITY OF SELDOVIA THIS THIS ____ DAY OF _____, 2019.

Dean Lent, Mayor

ATTEST:

Heidi Geagel, City Clerk

APPROVED BY THE COUNCIL OF THE CITY OF SEWARD THIS THIS _____ DAY OF _____, 2019.

David Squires, Mayor

ATTEST:

Brenda Ballou, MMC, City Clerk

APPROVED BY THE COUNCIL OF THE CITY OF SOLDOTNA THIS THIS ___ DAY OF ___
_____, 2019.

Nels Anderson, Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Kenai Peninsula Borough
Election Stakeholders Group
Final Report and Recommendations
(Unanimously Approved July 26, 2019)



Committee Members: Donna Aderhold, Brenda Ahlberg, Teri Birchfield, Cassidi Cameron, John Coleberg, Tyson Cox, Sammy Crawford, Linda Cusack, Willy Dunne, Joyanna Geisler, Brent Hibbert, Sue McClure, Scott Meszaros, Paul Ostrander, Robert Peterkin, and Stephanie Queen

Alternate Members: Brian Gabriel, Vivian Rojas, and Kaitlin Vadla

Subject Matter Experts: Brenda Ballou, Johni Blankenship, Heidi Geagel, Erica Fitzpatrick, Ben Hanson, Jamie Heinz, Melissa Jacobsen, Sean Kelley, Bobbi Lay, Holly Montague, and Shellie Saner

Support Staff: Michele Turner

Kenai Peninsula Borough
Election Stakeholders Group
Final Report and Recommendations
(Unanimously Approved July 26, 2019)

Table of Contents

PURPOSE	3
GUIDING PRINCIPLES.....	4
1.) Maximize Accessibility and Inclusivity	4
2.) Efficiency and Conservation of Public Resources	4
3.) Voter Satisfaction and Confidence	4
4.) Longevity in the Solution	4
5.) Coordination and Collaboration	5
6.) Security and Integrity	5
7.) Voter Outreach	5
8.) Continuity of Operations / Contingency Disaster Plan.....	5
RECOMMENDATIONS.....	6
Recommendation #1 – Vote by Mail Hybrid:	6
Recommendation #2 – Education and Outreach Campaign	7
Recommendation #3 – Alaska State Statute Title 29 Amendment	8
Recommendation #4 – Voter Pamphlet	9
Recommendation #5 – Appointed Service Area Boards.....	9
Recommendation #6 – Statements Advocating for Approval or Rejection of Propositions.....	10
Additional Recommendations	10

PURPOSE

The Election Stakeholders Group was established to research ways to increase voter participation by developing sustainable election processes that maximize accessibility and inclusivity while conserving public resources.

Voting is the foundation of our democracy. Active participation in the electoral process is necessary for high functioning governance.

The Election Stakeholders Group (ESG) was established on January 8, 2019 by KPB Resolution 2019-006 and tasked with researching ways to increase voter participation by developing sustainable election processes that maximize accessibility and inclusivity while conserving public resources. In addition, the ESG was directed to explore all aspects of administering borough and city elections including the traditional polling site model and the vote by mail hybrid model.

The ESG was encouraged to keep in mind the directives of the conciliation agreement between the borough and the Human Rights Commission. Specifically, Section C which states, "Respondent Kenai Peninsula Borough (KPB) will establish and direct the stakeholder group to explore options for providing assistive technology to visually impaired voters, including the option of distributing ballots to all voters by mail and establishing voting centers with accessible voting equipment open two weeks prior to each election. Respondent will direct the stakeholder group to advance options for its consideration that will allow visually impaired voters to vote privately and independently."

The KPB is at a critical impasse regarding the administration of elections for two reasons:

1. The Human Rights Commission has declared our current accommodations and equipment for voters with disabilities, specifically those that may be visually impaired, as significantly discriminatory;
2. The hardware that is currently being used by the KPB is owned by the State of Alaska and is at its end of life. Further, that equipment does not comply with Americans with Disabilities Act (ADA) requirements and therefore is not an option for the KPB moving forward.

The ESG was comprised of assembly members, city council members, city managers, borough mayor's office and community members interested in the electoral process. The group was staffed by the Borough Clerk's Office and assisted by subject matter experts from within the borough and cities within the borough.

The first ESG meeting was held on February 15, 2019 and subsequent meetings were held every two weeks after that for a total of 12 meetings. The meetings were advertised in accordance with the Open Meetings Act and the public was encouraged to attend; however, there was no public participation aside from 2 emails. A small subcommittee of the group did participate in a local radio show and had an opportunity to respond to questions for the listening audience.

In conducting its work and arriving at recommendations, the ESG adopted the following guiding principles:

GUIDING PRINCIPLES

1.) Maximize Accessibility and Inclusivity

Provide disability-related accommodations and other facilitative measures to enable residents experiencing a disability their equal right to vote privately and independently.

Promote participation in the electoral process for all borough voters.

2.) Efficiency and Conservation of Public Resources

Use public resources efficiently and conservatively by evaluating election-related factors such as cost per vote cast, cost per election, cost sharing with cities within the borough, appointed vs. elected advisory boards, and indirect costs.

3.) Voter Satisfaction and Confidence

Increase voter satisfaction and confidence in borough elections by maintaining voter privacy, providing options for ballot tracking and voter flexibility, and collaborating with the Alaska Division of Elections to maintain accurate voter rolls.

4.) Longevity in the Solution

Maximize the longevity of the election solution and the borough's ability to adapt to advances in technology, changes in the election workforce, engaging new voters, voter preferences, and conditions in regulatory frameworks.

5.) Coordination and Collaboration

Promote collaboration with all election stakeholders, including the public, Alaska Division of Elections, cities within the borough, candidates, media, local community groups, and voting organizations.

6.) Security and Integrity

Ensure security of the voting system, including hardware, software, accountability procedures, and the voter registration database.

Maintain integrity in the system by adopting internal controls such as signature verification, requiring acceptable identifiers, providing extensive election worker training, and giving voters the ability to cure errors to ensure all valid votes are counted.

7.) Voter Outreach

Encourage higher voter turnout by implementing a voter communication and education campaign that promotes the value of civic engagement.

Develop educational materials which explain the new processes to the public, utilizing multiple resources and methods of outreach and communication, to ensure there is a clear public understanding of and support for the new solution.

8.) Continuity of Operations / Contingency Disaster Plan

Adopt a contingency and communication disaster plan to ensure a coordinated and strategic response to any disruptive event and provide for continuity of election operations.

The ESG received presentations from the Borough and City Clerks, representatives from the State of Alaska Division of Elections, the Municipality of Anchorage, the United States Post Office (USPS), and the KPB's current ballot printer and by mail service provider. The ESG received demonstrations from two software/hardware providers. Their presentations were for both polling place and vote by mail structures. Both vendors had ADA compliant equipment for both scenarios. Finally, a subcommittee of the group participated in a field trip to Anchorage to see its "Vote by Mail Election Central" in action.

The ESG spent many hours discussing voter engagement, cost, collaboration and efficiencies. Based on the knowledge gained and through presentations and questions the ESG makes the following recommendations:

RECOMMENDATIONS

Recommendation #1 – Vote by Mail Hybrid:

Recommendation #1 is consistent with and reinforced by all of the guiding principles adopted by the Election Stakeholders Group.

The Election Stakeholders Group recommends the Assembly transition the election process from the current polling site structure to a vote by mail hybrid structure (VBMS). The VBMS is a proven methodology that the KPB has been using for over 20 years in six (Cooper Landing, Hope, Fox River, Moose Pass, Seldovia/Kachemak Bay and Tyonek) of its 28 precincts. The group reviewed the current and VBMS structures and ranked the pros and cons. The pros of the VBMS far outweighed the pros of the existing structure and aligned with the group's adopted guiding principles.

The VBMS has proven to be a more efficient and effective process for the administration of elections. In this process every registered voter will be mailed a ballot package 2-3 weeks prior to election day, giving more voters an opportunity to exercise their right to vote at a time and place that meets their schedule and convenience.

Accessible Vote Centers (AVC) will be established 2 weeks prior to election day in at least 5 locations throughout the borough. AVCs can be utilized to drop off voted ballots or to satisfy the desire to vote in person. The vote centers will be equipped with ADA compliant hardware, allowing all voters to vote privately and independently. The VBMS allows for all voters to vote in the way that suits them best.

Ballot drop boxes will need to be purchased as part of the structure and distributed throughout the borough. Voters can choose to drop their voted ballots in a drop box, at an AVC or in the mail by using the prepaid postage.

The VBMS is a long term solution for the borough and the cities within the borough as it is not subject to the changing technology of the current structure. It uses off-the-shelf scanners to count the ballots and printers for on-demand ballot printing which allows for greater accessibility, upgrades and cost effective repairs.

The VBMS has been demonstrated by the Municipality of Anchorage to engage all voter demographics and therefore translates into higher voter participation and higher voter satisfaction.

The initial capital cost of the VBMS hardware and software is less than that of the traditional structure. There will be other costs to consider; for example, ballot drop

boxes and an initial voter outreach and education campaign. The costs could be shared by the cities within the borough.

The VBMS will add to voter security and confidentiality as well as offer voters an opportunity to cure any issues that may occur with their voted ballots (e.g. no signature provided, no identifier provided, other). The group recommends the implementation of signature verification software and a signature review board. It further recommends to require at least one identifier be provided by the voter (an identifier would include voter registration number, driver's license number, or social security number). The borough should work toward a technical solution which will allow voters to track their voted ballot ensuring its receipt and review.

The VBMS further allows for the review board to adjudicate each ballot to ensure voter intent is correctly determined based on standardized methods and training.

In summary, the ESG supports and recommends the VBM structure for the administration of elections in the KPB.

The ESG received proposals from Dominion Voting software and ADA compatible hardware for both the traditional polling site structure and the vote by mail structure. The vote by mail proposal was \$213,106.60 less than the traditional polling site proposal. The vote by mail structure would require the purchase of ballot drop boxes which, according to the Municipality of Anchorage, cost around \$3,300 apiece to fabricate. The Municipality of Anchorage has 16 drop boxes distributed throughout its jurisdiction. The Municipality of Anchorage also does not prepay the postage for the return of voted ballots. The ESG recommends that the KPB deploy drop boxes as needed on the road system and encourages voters in more remote areas to use USPS. Based on information provided by the Municipality of Anchorage, the ESG is encouraged that the VBMS will increase voter turnout and that the administrative costs will decrease over time.

Recommendation #2 – Education and Outreach Campaign

Recommendation #2 is consistent with and reinforced by guiding principles, 1.) Maximize Accessibility and Inclusivity; 3.) Voter Satisfaction and Confidence; 4.) Longevity in the Solution; 5.) Coordination and Collaboration and 7.) Voter Outreach, adopted by the Election Stakeholders Group.

The Election Stakeholders Group recommends the Assembly appropriate funds for an extensive education and outreach campaign. The voter turnout in the KPB and the cities within it has been historically low. The turnout tends to trend higher or lower depending on what is on the ballot.

One of the focuses of the outreach campaign would be specifically to encourage voter participation no matter what is on the ballot through a

communication plan which promotes civic engagement and targeted marketing regarding the importance of the election process.

Another primary focus would be to educate the voters on the new VBMS.

The group recommends the use of social media, print media, and broadcast media, as well as outreach through the participation of existing community groups (chambers of commerce, rotary, etc.).

The group further recommends the KPB consider contracting with an outside resource to develop and implement a plan specifically regarding the education and notification of the voters of the new vote by mail hybrid structure.

Recommendation #3 – Alaska State Statute Title 29 Amendment

Recommendation #3 is consistent with and reinforced by guiding principles, 1.) Maximize Accessibility and Inclusivity; 2.) Efficiency and Conservation of Public Resources and 3.) Voter Satisfaction and Confidence, adopted by the Election Stakeholders Group.

The Election Stakeholders Group recommends the Assembly adopt a resolution requesting the Alaska State Legislature introduce and support a bill allowing for ranked choice voting. The bill would amend AS 29.26.060(c) to read as follows:

Sec. 29.26.060. Runoff elections.

(a) Unless otherwise provided by ordinance, a runoff election shall be held if no candidate receives over 40 percent of the votes cast for the office of

(1) mayor; or

(2) member of the governing body or school board if candidates run for a designated seat.

(b) Unless otherwise provided by ordinance, if candidates for the governing body or school board run at large, a runoff election for a seat shall be held if no candidate receives a number of votes greater than 40 percent of the total votes cast for all candidates divided by the number of seats to be filled.

(c) Unless otherwise provided by ordinance, a runoff election shall be held within three weeks after the date of certification of the election for which a runoff is required, and notice of the runoff election shall be published at least five days before the election date. Unless otherwise provided by ordinance t[T]he runoff election shall be

between the two candidates receiving the greatest number of votes for the seat.

This amendment would allow municipalities the flexibility to conduct runoff elections according to local preference.

The ESG recommends the KPB Assembly further research and explore the solution of Ranked Choice Voting for the election of the Borough Mayor rather than continuing to conduct separate runoff elections which are costly and typically receive lower voter turnout than the regular election. Ranked Choice Voting would allow for an immediate runoff to select the prevailing candidate.

Recommendation #4 – Voter Pamphlet

Recommendation #4 is consistent with and reinforced by guiding principles, 2.) Efficiency and Conservation of Public Resources and 3.) Voter Satisfaction and Confidence, adopted by the Election Stakeholders Group.

The Election Stakeholder Group recommends including information in each ballot package which directs the voter to a website with voter information, candidate profiles and proposition summaries. The information provided would also specify locations at which hard copies of the voter pamphlet could be obtained. In addition, hard copies of the voter pamphlet could be mailed directly to a voter upon request.

Paper copies of the voter pamphlet should include candidate profiles, proposition summaries and additional voter information and be made available at each of the AVCs. AVC employees would be educated and prepared to assist voters in the navigation of the election website.

Recommendation #5 – Appointed Service Area Boards

Recommendation #5 is consistent with and reinforced by guiding principle, 2.) Efficiency and Conservation of Public Resources, adopted by the Election Stakeholders Group.

The Election Stakeholders Group recommends amending KPB Titles 2, 4 and 16 – Service Areas to provide that all KPB service area boards are appointed instead of elected (draft ordinance attached for consideration).

It is rare for a service area board race to be contested at an election. In addition, there have been many years when no candidate files for the seat at all and ultimately the seat is filled by appointment after the election is certified.

Recommendation #6 – Statements Advocating for Approval or Rejection of Propositions

Recommendation #6 is consistent with and reinforced by guiding principles, 2.) Efficiency and Conservation of Public Resources and 3.) Voter Satisfaction and Confidence, adopted by the Election Stakeholders Group.

The Election Stakeholders Group recommends the Assembly amend KPB 4.10.110 by deleting Section B which provides for the inclusion of statements advocating voter approval or rejection of propositions in the voter pamphlet. Recommendation #4 suggests streamlining the voter pamphlet to reduce waste and cost. Amending this section of code would further support that reduction. Additionally, the current inclusion of the statements may be contributing to voter confusion.

The information provided and disseminated by the borough should be that of a factual nature. Public funds should not be used to further the message of an outside group, and the official voter information pamphlet is an inappropriate place to allow members of the public to advocate for or against a proposition. In today's technical environment there are multiple ways to effectively and efficiently spread a message without cost to the tax payers of the borough.

Additionally, the administration of this code provision has proven to be difficult and identifying possible authors of statements has proven to be problematic. Historically, statements have been submitted for inclusion in the voter pamphlet and those statements are not vetted or verified by the borough and therefore may include misleading information.

This provision of code was enacted in 2007 and has only been utilized a handful of times and typically only when there is a voter initiative or referendum proposition on the ballot.

Additional Recommendations

The ESG recommends the KPB seek support from and partners with the cities within the borough to conduct all local elections by mail. Further, we recommend cost sharing with the cities within the borough for election equipment, an extensive and comprehensive communication/education plan and administration of all future elections. The ESG promotes the collaboration between the KPB and the cities within the KPB to develop legislation and administrative practices for the administration of local elections.