



Petersburg Borough

12 South Nordic Drive
Petersburg, AK 99833

Meeting Agenda Borough Assembly Regular Meeting

Monday, November 06, 2023

12:00 PM

Assembly Chambers

You are invited to a Zoom webinar.
When: November 6, 2023 12:00 PM Alaska
Topic: November 6, 2023 Borough Assembly Meeting

Please click the link below to join the webinar:
<https://petersburgak-gov.zoom.us/j/82689388463?pwd=vvU5DkNt7m5noxCmR-wPbEuMSJ7KDg.gg5u647XD6G81f0J>
Passcode: 666582

Or Telephone:
(253) 215-8782 or (720) 707-2699
Webinar ID: 826 8938 8463
Passcode: 666582

1. **Call To Order/Roll Call**
2. **Voluntary Pledge of Allegiance**
3. **Approval of Minutes**
 - A. **October 16, 2023 Assembly Meeting Minutes**
4. **Amendment and Approval of Meeting Agenda**
5. **Public Hearings**
6. **Bid Awards**
7. **Persons to be Heard Related to Agenda**
Persons wishing to share their views on any item on today's agenda may do so at this time.
8. **Persons to be Heard Unrelated to Agenda**
Persons with views on subjects not on today's agenda may share those views at this time.
9. **Boards, Commission and Committee Reports**
10. **Consent Agenda**

A. The Trees Liquor License Transfer

The Alcohol and Marijuana Control Office (AMCO) has received two liquor license transfer of ownership applications from The Trees RV LLC to The Trees, LLC, and then from The Trees, LLC to PAH, LLC. The Assembly may support or protest the applications. A protest may not be arbitrary, capricious or unreasonable.

B. Acceptance of a Grant Award in the Amount of \$50,199 from the Division of Homeland Security and Emergency Management

This grant provides funding for the purchase and installation of an antenna with repeater, 2 base stations, 20 portable radios and the fees for FCC licensing of the School District's own frequency. This grant was not budgeted for in the FY24 Adopted Budget and if approved will be placed in the next supplemental budget which will be presented at a later date.

11. Report of Other Officers

A. Petersburg Medical Center

PMC CEO Hofstetter will provide an update on Medical Center activities.

B. US Forest Service

Acting District Ranger Castro will provide an update on Forest Service activities.

C. Human Resources

Human Resource Officer/Deputy Clerk Regula will give a report on the Borough's progress addressing recommendations from the APEI review.

12. Mayor's Report

A. November 6, 2023 Mayor's Report

13. Manager's Report

A. November 6, 2023 Manager's Report

14. Unfinished Business

A. Ordinance #2023-14 - An Ordinance Amending the Official Zoning Map for Service Area 1 of the Petersburg Borough to Rezone Lot GL 14, Section 33, Township 58 South, Range 79 East, Copper River Meridian, (Parcel #01-010-600) from Public Use (P-1) to Single-Family Mobile Home (SFMH), with Conditions - Third and Final Reading

If approved in three readings, Ordinance #2023-14 will rezone Lot GL 14, owned by Skylark Park, LLC, from Public Use to Single-Family Mobile Home. Skylark Park, LLC applied for the zoning amendment, stating the intended use for the property is to subdivide the parcel into lots for placement of stick built or manufactured homes. The

Planning Commission recommends the rezone request be approved. Ordinance #2023-14 was amended in its second reading to add conditions to the rezone that specify only one-family or two-family dwellings and newly constructed manufactured homes are permitted uses on Lot GL 14 and to define the term "manufactured home". The Assembly unanimously approved Ordinance #2023-14, as amended, in its second reading.

15. New Business

A. **Resolution #2023-13A: A Resolution Authorizing the Borough Manager to Apply to the State of Alaska, Department of Environmental Conservation, for a Loan from the Alaska Clean Water Fund for the Design and Construction of the Pump Station 4 Force Main Project**

Resolution #2023-13A is an amended version of Resolution #2023-13, which allows the Borough to apply for a loan increase from ADEC for the Pump Station 4 Force Main Project and was approved by the Assembly on October 9, 2023. This amended version references the amount of overall indebtedness to the water and wastewater funds that was approved by the voters with Proposition #1 at the 2019 municipal election (up to \$8 million).

B. **Resolution #2023-14: A Resolution in Support of Southeast Alaska Power Agency's Southeast Alaska Grid Resiliency Project Including Installation of a Third Turbine and Generator at the Tye Hydroelectric Facility**

Adoption of Resolution #2023-14 will affirm the Borough's support of SEAPA's efforts to enhance hydroelectric generation and electrical grid resiliency in our region.

C. **Resolution #2023-15: A Resolution in Support of Raising the Maximum Available Alaska Department of Transportation Harbor Facility Grant to \$7,500,000 for Eligible Projects on an Annual Basis**

If adopted, Resolution #2023-15 will show the Borough's support for Governor Dunleavy and the Alaska Legislature to amend Alaska Statute 29.60.800 to raise the maximum Harbor Facility Grant Fund award from \$5,000,000 to \$7,500,000 per eligible project to account for inflation since 2006.

D. **Skylark Park LLC Application to Purchase Borough Land (Lots 2, 3, 5, 5A, and 6, Skylark II Subdivision, and Government Lot 21, Section 33, T58S, R79E)**

Skylark Park LLC submitted an application to purchase six Borough owned lots between the Severson's Subdivision and Skylark Way for the purpose of developing a 10+ acre major subdivision with roads and utilities in an effort to provide affordable housing options to Petersburg residents. The lots would need to be rezoned to allow for placement of stick built or manufactured homes on the subdivided parcels. The Planning Commission held a public hearing regarding the application to purchase on October 10, 2023, and recommends the Assembly approve the application to move forward in the process with the condition that the necessary rezone requests are also approved. Skylark Park LLC is requesting the Assembly authorize a direct sale of the property rather than offer the parcels for sale by competitive bid or outcry auction.

Borough Code Section 16.12.080(E) states that the Assembly shall determine whether an application shall move forward in the application process or be denied. If the application is to move forward, the Assembly shall schedule a public sale or exempt the application from public sale. If the application is exempted from public sale, the Assembly may authorize the Borough Manager to negotiate the sale with the applicant, the final terms of which are subject to approval by the Assembly.

E. Mental Health Trust Lot 37 on Blind Slough

The Alasa Mental Health Trust Land Office is offering for sale South Mitkof Lot 37 for a minimum bid of \$102,500. The lot fronts Blind Slough and is located in a popular recreational area for Petersburg's residents and visitors. In 2008 the Andy Mathisen family donated approximately \$95,000 to the Borough to be used towards a fishing park on the Wrangell narrows by Eagles Roost Park. The project never progressed due to costs above and beyond the gifted funds. The Andy Mathisen Fishing Park investment fund currently has a balance of \$99,327.90 and the Mathisen estate is willing to use these funds to help purchase the Blind Slough property to ensure public access on Blind Slough is maintained. The Assembly is asked to determine whether or not the Borough should participate in the sealed bid land sale for the parcel.

F. Request to Negotiate Purchase of 50-Foot Public Access Easement on Lots 37, 38 and 39 Fronting Blind Slough

If approved, the Assembly will send the attached letter to ADNR to request the Borough be allowed to purchase from the Mental Health Land Trust a 50-foot public access easement on Lots 37, 38, and 39 that front Blind Slough to ensure access along the Blind Slough shoreline.

G. Petro Building Acquisition Status

The Borough (Staff and Attorney) has been working with Petro 49 since 2018 to acquire the old Union Oil building and property at 703 S. Nordic Drive for use as a maintenance facility for our Harbor Department. The Borough and Petro 49 have also been working with ADEC as a clear letter of conditions on the property is required before the Borough follows through with the acquisition. The Borough was recently informed that the process of receiving a clear letter of conditions on the property from ADEC may not be completed for several more years. Manager Giesbrecht is requesting direction from the Assembly whether the Borough should continue with the acquisition or look for other alternatives.

H. Housing Task Force

The Housing Task Force was created in October of 2022 and Assembly Member Kensinger was appointed Chair by the Assembly. The Task force researched housing issues in Petersburg and facilitated a Housing Needs Assessment performed by Agnew::Beck. The Housing Needs Assessment was finalized and shared with the Assembly in early October. Assembly Member Kensinger chose not to run for another term on the Assembly and left his Assembly seat on October 9, 2023. Mr. Kensinger requested that if the Assembly chooses to continue the Housing Task Force, he be allowed to continue to be a member of the Task Force but that the

Assembly appoint a new Assembly Member as Chair. The Assembly should determine whether to continue or dissolve the Housing Task Force at this time.

I. Election of Vice Mayor

Borough Charter Section 2.05B provides that no later than the first regular meeting of the Assembly in November each year, the Assembly shall elect from its membership a Vice Mayor.

J. Assembly Member Appointments to Boards

Mayor Jensen, with Assembly approval, will appoint Assembly Members as representatives or liaisons to the Southeast Conference, Alaska Municipal League, Harbors and Ports Advisory Board, Hospital Board, Public Safety Advisory Board, Local Emergency Planning Committee, the Early Childhood Education Task Force, and the Housing Task Force. The 2022/23 Assembly Appointment list is attached for reference.

K. Alaska Municipal League 73rd Annual Local Government Conference

The annual AML Conference is being held in Anchorage December 4-8, 2023. The Assembly budgeted for Mayor Jensen and one other Assembly Member to attend. It appears Mayor Jensen is not able to attend this year. Assembly Member Fine-Walsh has expressed interest in attending. The Assembly should decide who will attend on behalf of the Borough. Conference information and a draft agenda are attached.

L. Letter of Support for the Alaska Municipal League's Reducing Impact of Rural Boardwalk Barriers Project

If approved, the attached letter of support will be sent to U.S. Secretary of Transportation, Pete Buttigieg, to pledge Petersburg's support and commitment to participating in the Thriving Communities Regional Grant program.

16. Communications

A. Correspondence Received Since October 12, 2023

17. Assembly Discussion Items

A. Seafood Market Update

OBI and Trident Seafoods recently held a webinar to discuss the current seafood market. Assembly Member Schwartz was able to attend and will provide a brief report of the information provided during the webinar.

B. Assembly Phone Numbers Posted on Borough Website

Assembly Member Marsh would like the Borough to post Assembly Member phone numbers on the Borough website but would like to discuss it with the Assembly first (at the request of Clerk Thompson, who wants to verify that all Assembly Members are on board with the Borough doing so).

C. Assembly Member Comments

D. Recognitions

18. Executive Session

The Assembly will adjourn to Executive Session to discuss with members of the Borough negotiating team the status of the negotiations for a new labor agreement between the Borough and the International Brotherhood of Electrical Workers.

19. Ratification of the International Brotherhood of Electrical Workers Collective Bargaining Agreement for November 11, 2023 through June 30, 2027

If approved, the new IBEW CBA will be effective through June 30, 2027.

20. Executive Session

The Assembly will adjourn to Executive Session, in accordance with Alaska Statute 44.62.310(c)(3), matters which by law are required to be confidential and the attorney-client privilege, to receive advice and recommendations from attorneys in regard to pending litigation (Koenigs v. Petersburg Borough, 1PE-22-00046 CI; James Kerr v. Petersburg Borough, 1JU-22-00856 CI).

21. Adjourn