

Kenai Peninsula Borough  
Planning Department

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**MEMORANDUM**

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

THRU: Charlie Pierce, Borough Mayor *CP*

FROM: Melanie Aeschliman, Planning Director *MA*

DATE: February 23, 2021

RE: Ordinance 2020-19-20: Appropriating \$63,791.65 from the Equipment Replacement Fund for Imagery Acquisition and Approving a Sole Source Award to EagleView for the Purchase and Implementation of Pictometry Imagery.

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The Kenai Peninsula Borough Planning Commission reviewed the subject ordinance during their regularly scheduled February 22, 2021 meeting.

A motion passed by unanimous vote (10 Yes, 0 No, 1 Absent) to recommend approval of Ordinance 2020-19-20.

In the ordinance please amend the last WHEREAS statement:

WHEREAS, the Kenai Peninsula Borough Planning Commission at its regularly scheduled meeting of February 22, 2021 recommended approval by unanimous vote.

Attached are the unapproved minutes of the subject portion of the meeting.

- Administration (MSHA) regulations (including but not limited to noise and safety standards), and Federal Bureau of Alcohol, Tobacco and Firearm regulations regarding using and storing explosives.
17. The permittee shall post notice of intent on parcel corners or access, whichever is more visible if the permittee does not intend to begin operations for at least 12 months after being granted a conditional land use permit. Sign dimensions shall be no more than 15" by 15" and must contain the following information: the phrase "Permitted Material Site" along with the permittee's business name and a contact phone number.
  18. The permittee shall operate in accordance with the application and site plan as approved by the planning commission. If the permittee revises or intends to revise operations so that they are no longer consistent with the original application, a permit modification is required in accordance with KPB 21.29.090.
  19. This conditional land use permit is subject to review by the planning department to ensure compliance with the conditions of the permit. In addition to the penalties provided by KPB 21.50, a permit may be revoked for failure to comply with the terms of the permit or the applicable provisions of KPB Title 21. The borough clerk shall issue notice to the permittee of the revocation hearing at least 20 days but not more than 30 days prior to the hearing.
  20. Once effective, this conditional land use permit is valid for five years. A written request for permit extension must be made to the planning department at least 30 days prior to permit expiration, in accordance with KPB 21.29.070.

NOTE: Any party of record may file an appeal of a decision of the Planning Commission in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances, Chapter 21.20.250. A "party of record" is any party or person aggrieved by the decision where the decision has or could have an adverse effect on value, use, or enjoyment of real property owned by them who appeared before the planning commission with either oral or written presentation. Petition signers are not considered parties of record unless separate oral or written testimony is provided (KPB Code 21.20.210.A.5b1). An appeal must be filed with the Borough Clerk within 15 days of the notice of decision, using the proper forms, and be accompanied by the \$300 filing and records preparation fee. (KPB Code 21.25.100)

**END OF STAFF REPORT**

Chair Martin opened the item for public comment. Hearing no one wishing to comment, Chair Martin closed public comment and opened discussion among the Commission.

**MOTION:** Commissioner Brantley moved, seconded by Commissioner Venuti to adopt PC Resolution 2021-06 granting the conditional land use permit per staff recommendations and permit conditions.

**MOTION PASSED:** Hearing no discussion or objection, the motion was carried by the following vote.

Yes	9	No	0	Absent	2
Yes	Bentz, Brantley, Carluccio, Chesser, Fikes, Gillham, Martin, Morgan, Venuti				
No					
Absent	Ecklund, Ruffner				

**4. Ordinance 2020-19-20: Appropriating \$63,791.65 from the Equipment Replacement Fund for imagery acquisition and approving a sole source award to EagleView for the purchase and implementation of pictometry imagery.**

Staff report given by Marcus Mueller.

EagleView™ pictometry imagery products integrate with the Pro Val CAMA that the Assessing Department uses for property valuation. The Assessing Department is using pictometry for the eastern peninsula canvas area, which was acquired through CARES funding to limit the risk of COVID19 exposure. This use is resulting in cost savings, along with employee safety, and overall efficiency in accomplishing canvassing requirements.

Funds have been budgeted in FY21 for GIS to update the borough's imagery resources. The borough's current imagery resources for the western Kenai Peninsula are from 2012/13, which are no longer reliable

considering wildfire, beetle kill, new road construction, land development and other changes that have occurred. Borough imagery is extremely important to public safety, general government, landowners, and a wide variety of public uses and private business matters. For instance, KPB online viewers are used more than 200K times per year.

GIS and Assessing have come together with a strategy to accomplish the objective of general imagery updating combined with Assessing's specifications for continuing the geographically rotating 5-year canvas schedule.

The attached ordinance would appropriate funds in addition to those already available in the GIS budget to accomplish a spring 2021 imagery capture and would approve a sole source award to EagleView™ for a multi-year purchase of pictometry imagery. The approval is contingent on annual appropriation of funding by the Assembly. The GIS Division will provide internal services to budget for and manage the contract specifications and deliverables.

**END OF STAFF REPORT**

Chair Martin opened the item for public comment. Hearing no one wishing to comment, Chair Martin closed public comment and opened discussion among the Commission.

**MOTION:** Commissioner Venuti moved, seconded by Commissioner Bentz to forward to the Assembly a recommendation to adopt Ordinance 2020-19-20: Appropriating \$63,791.65 from the Equipment Replacement Fund for imagery acquisition and approving a sole source award to EagleView for the purchase and implementation of pictometry imagery.

Commissioner Martin asked Mr. Mueller if he knew what kind of aircraft will be used to capture the imagery and how low the flyover will be. Mr. Muller replied that he did not know the specific type of aircraft that will be used. Typically it will be a small aircraft that will fly at anywhere between 1,000 to 3,000 feet. Commissioner Martin then asked what would be the resolution of the imagery. Mr. Mueller replied the imagery would consist of top/down and obelisk photos at different resolutions. He then noted on the parcel viewer the imagery on the eastside of the peninsula is from 2020 and is at a one-meter resolution. The new imagery will have similar high resolution.

**MOTION PASSED: Hearing no discussion or objection, the motion was carried by the following vote.**

Yes	9	No	0	Absent	2
Yes	Bentz, Brantley, Carluccio, Chesser, Fikes, Gillham, Martin, Morgan, Venuti				
No					
Absent	Ecklund, Ruffner				

**5. Ordinance 2021-08: Authorizing leases of space at the Kenai River Center building with the State of Alaska Department of Fish & Game and Department of Natural Resources and repealing Ordinance 2020-30**

Staff report given by Marcus Mueller

Ordinance 2020-30 authorized the mayor to enter into cooperative leases and a share services agreement for multi-agency occupancy and use of space at the Kenai River Center facility. During lease negotiations, the terms and lease package changed from the package authorized in Ordinance 2020-30 to an extent that it seemed necessary to repeal that ordinance and replace it with this ordinance authorizing the lease packages as negotiated.

The leases were re-arranged to a more traditional lease form using a set lease rate. The set rate is substantially similar to contribution amounts calculated under the former shared services agreement. Rents under the lease are subject to adjustment in 5-year intervals.

**END OF STAFF REPORT**

Chair Martin opened the item for public comment. Hearing no one wishing to comment, Chair Martin closed