

Kenai Peninsula Borough

Office of Emergency Management

MEMORANDUM

TO: Wayne Ogle, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Charlie Pierce, Mayor *CP*
Brandi Harbaugh, Finance Director *BH*
Brenda Ahlberg, Community & Fiscal Projects Manager *BA*

FROM: Dan Nelson, OEM Senior Manager *DN for DN*

DATE: February 21, 2019

SUBJECT: Resolution 2019- 017, Authorizing the Mayor to Apply for Assistance through the State of Alaska Division of Homeland Security and Emergency Management for Damages Due to the October 2018 Flood/Storm Event identified under the State Disaster Declaration Number AK-18-264 (Mayor)

On October 12, 2018 numerous areas of the borough outside of the cities and in the City of Seward suffered flooding and related severe damage caused by exceptionally heavy rainstorms. On October 16, 2018, Borough Mayor Charlie Pierce signed a Local Emergency Disaster Declaration requesting assistance from the state for emergency protection services along with temporary and permanent repairs to public facilities and technical assistance.

On October 16, 2018, upon recommendation by the Governor's Disaster Cabinet that same day, Governor Bill Walker signed a State Disaster Declaration authorizing assistance to the Kenai Peninsula Borough. The disaster approval met state thresholds, making funds available through the State of Alaska Public Assistance program to reimburse 100 percent of eligible expenses associated with this disaster. The disaster did not meet the requirements for a federal disaster declaration.

As a condition of any assistance award in the form of a grant, the Kenai Peninsula Borough Assembly must formally authorize the applications to be filed including all assurances contained in it. One such assurance is that the borough consent by resolution to waive its immunity from lawsuits against itself as to all causes of

action arising out of the project funded by the disaster assistance grant agreement.

The conditions have been reviewed by the legal department. This resolution would authorize the mayor to negotiate, administer and execute on behalf of the borough the disaster assistance application and grant agreement designated as the 2018 Flood/Storm Event by the state. It also authorizes the mayor to negotiate, execute, and administer any other documents, agreements, and contracts required under or related to the grant agreement, including the Assurances and Agreements, the Summary of Grant Conditions for All Applicants, and the Indemnity and Hold Harmless Agreement which are required as a condition of the disaster assistance application package and any subsequent grant awards or amendments.

The assembly is respectfully asked to consider this resolution at its meeting of March 5, 2019. Assembly approval is required to apply for public assistance grants. Your favorable consideration of this resolution would be appreciated.