

MEMORANDUM

TO: Pete Sprague, Assembly President

Members, Kenai Peninsula Borough Assembly

FROM: Ron Long, Assembly Member

Dale Bagley, Mayor

DATE: June 26, 2003

SUBJECT: Ordinance 2003-30 creating the Seward-Bear Creek Flood Service Area

The Seward and Bear Creek areas have experienced several significant floods since 1986 costing millions of dollars for repairing damages to public and private property. Most recently the flood in 2002 resulted in a presidential disaster declaration. In November 2002, the borough sponsored a community meeting including private citizens and representatives from numerous public agencies to discuss possible solutions to this continuing flood problem. The consensus emerging from that meeting appeared to support investigating formation of a watershed district or service area. Following that meeting, a petition was circulated among Seward and Bear Creek area residents seeking formation of the service area. On March 21, 2003, the borough clerk certified the petition as containing sufficient signatures to establish the service area in the Seward-Bear Creek area to provide flood protection, response, and recovery services.

As proposed in this ordinance, the board would include seven elected members. The service area would include both the city of Seward and the surrounding area and a mill levy of 0.5 is proposed in the ordinance. The ordinance contains language consistent with previously approved language clarifying that the assembly may increase the mill rate in the budget process. In the ordinance, the service area board is also required to prepare a development plan for the provision of these services, and the plan is to be updated annually.

Because the proposed service area includes the area inside the city of Seward as well as the surrounding area, the city of Seward must separately approve its inclusion in the service area. According to Alaska Statutes, the city may approve its inclusion in the service area by ordinance or by separate vote of the residents.