

Introduced by: Johnson
Date: 06/16/15
Hearing: 07/28/15
Action: Failed to Enact
Vote: 3 Yes, 6 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2015-18**

**AN ORDINANCE AMENDING THE SOUTH KENAI PENINSULA HOSPITAL
SERVICE AREA BOUNDARIES TO INCLUDE CERTAIN GEOGRAPHICAL AREAS
IN AND AROUND SELDOVIA IN THE SERVICE AREA**

- WHEREAS,** since hospital service area boundaries should reflect the usage of the communities they serve, it makes sense to examine them periodically to allow for changes; and
- WHEREAS,** formation of the South Kenai Peninsula Hospital Service Area (SKPHSA) was approved by the voters at a special election on April 8, 1969; and
- WHEREAS,** in 1969 a city-owned hospital existed in Seldovia and served the residents of Tutka Bay, Jakolof Bay, Kasitsna Bay, McDonald Spit, Seldovia, Nanwalek and Port Graham and those communities were therefore excepted out of the SKPHSA; and
- WHEREAS,** a hospital was built at Homer in 1955 and was leased to the borough in 1969 when the South Kenai Peninsula Hospital Service Area was established; and
- WHEREAS,** according to historian Susan Springer writing in Seldovia Alaska (1997) page 205 "Seldovia no longer has inpatient hospital services and instead relies on Homer"; and
- WHEREAS,** it is not fair to levy a tax on some communities who use the South Peninsula Hospital, but not levy the same tax on other communities who also use this facility; and
- WHEREAS,** the FY15 SKPHSA mill rate is 2.3 mills; and
- WHEREAS,** eliminating the exception enjoyed by Seldovia and other south Kachemak Bay areas would increase annual revenues to SKPHSA by about \$223,000; and
- WHEREAS,** eliminating the exception could reduce the mill rate for those now in the service area; and
- WHEREAS,** as the city of Seldovia is included in the proposed service area it must either agree by ordinance or be approved separately by a majority of the voters residing inside the city and a majority of the remaining voters in the proposed service area;

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

SECTION 1. That KPB 16.24.010 is amended as follows:

16.24.010 Established—Boundaries.

There is established a service area within the borough designated the "South Kenai Peninsula Hospital Service Area," including that portion of the borough described as follows:

As a point of beginning, begin at the N.W. corner of T1S; R25W (projected), Seward Meridian, State of Alaska;

Thence east along Seward baseline to a point in Cook Inlet and 3 miles offshore on the west side of Cook Inlet;

Thence northeasterly to a point of intersection with Township line between T1N, T2N and 3 miles offshore in Cook Inlet on the east side of Cook Inlet;

Thence east along Township line between T1N and T2N to the E 1/16 corner of Section 34, T2N, R6W;

Thence in a southerly direction to the S.E. corner of the N.E. ¼ of Section 28, T11S, R10W, (projected), said corner being at or approximately at Gore Point;

Thence southwesterly to the S.E. corner of the N.E. ¼ of Sec. 27, T12S, R13W (projected), said corner being on or approximately on the southerly point of East Chugach Island;

Thence southwesterly to the S.E. corner of Sec. 31, T12S, R14W, (projected), said corner being at or approximately at Perl Rock;

Thence southwesterly to longitude 153°00'00" W, latitude 59°02'00" N, in Cook Inlet;

Thence southwesterly to the N.E. corner of Sec. 27, T15S, R24W, (projected), at Cape Douglas on the west side of Cook Inlet;

Thence west to the N.E. corner of Sec. 29, T15S, R26W, (projected);

Thence south to the S.E. corner of Sec. 32, T16S, R26W, (projected);

Thence west to the N.E. corner of T17S, R28W, (projected);

Thence south to the S.E. corner of T17S, R28W, (projected);

Thence west to the S.W. corner of T17S, R32W, (projected);
Thence north to the N.W. corner of T17S, R32W, (projected);
Thence west to the S.W. corner of T16S, R32W, (projected);
Thence north to the N.W. corner of T13S, R32W, (projected);
Thence west to the S.W. corner of T12S, R32W, (projected);
Thence north to the N.W. corner of T11S, R32W, (projected);
Thence east to the S.W. corner of T10S, R30W, (projected);
Thence north to the N.W. corner of T9S, R30W, (projected);
Thence east to the S.E. corner of T8S, R29W, (projected);
Thence north to the N.E. corner of T8S, R29W, (projected);
Thence east to the N.E. corner of T8S, R28W, (projected);
Thence north to the N.W. corner of T6S, R27W, (projected);
Thence east to the S.W. corner of T5S, R26W, (projected);
Thence north to the N.W. corner of T5S, R26W, (projected);
Thence east to the S.W. corner of T4S, R25W, (projected);
Thence north to the N.W. corner of T1S, R25W, (projected);

Thence east to the point of beginning[, EXCEPTING THEREFROM ALL LANDS ABOVE THE MEAN HIGH WATER LINE INCLUDING ISLANDS SOUTHWEST OF A LINE FROM THE S.E. CORNER OF N.E. ¼ OF SECTION 28, T11S, R10W, (PROJECTED) SAID CORNER BEING AT OR APPROXIMATELY AT GORE POINT;

THENCE NORTH TO THE N.W. CORNER OF SECTION 3, T9S, R10W;

THENCE NORTHWEST TO THE ¼ CORNER COMMON TO SECTIONS 20 AND 29, T7S, R12W;

THENCE NORTH 45 DEGREES WEST TO THE MEAN HIGH WATER LINE OF NEPTUNE BAY WITHIN KACHEMAK BAY].

SECTION 2. That a proposition shall be presented to all voters residing in the existing and proposed amended area of the South Kenai Peninsula Hospital Service Area as follows:

PROPOSITION NO ____

Shall the South Kenai Peninsula Hospital Service Area boundaries be amended to include the area described in KPB Ordinance 2015-18? This amendment would include Seldovia and other South Kachemak Bay areas previously excepted.

YES ____ A "Yes" vote shall mean that you approve including these additional areas in the South Kenai Peninsula Hospital Service Area.

NO ____ A "No" vote means that you oppose including these additional areas in the South Kenai Peninsula Hospital Service Area.

SECTION 3. That notwithstanding KPB 16.04.040 the public hearing held within the proposed service area boundaries may be held after this ordinance was introduced and the requirement that an assembly committee meeting be held in both the proposed and existing area of the service area is waived, provided that one such meeting shall be held in either area.

SECTION 4. That Section 1 of this ordinance shall take effect only upon approval of the proposition in Section 2 by a majority of the voters voting in the existing and proposed new boundaries of the service area during the regular KPB election scheduled for October 6, 2015. That Sections 2, 3, 4 and 5 of this ordinance shall take effect immediately upon its enactment.

SECTION 5. That this ordinance shall also only take effect after the City of Seldovia either agrees by ordinance to be included in the service area or approval is granted by a majority of the voters residing in the city and also by a majority of the remaining voters residing in the service area as required by AS 29.35.450(a).

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY OF * 2015.

Dale Bagley, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

Yes: Johnson, Wolf, Bagley

No: Cooper, Haggerty, Gilman, McClure, Ogle, Welles

Absent: None