

Introduced by: Ecklund
Date: 06/06/23
Action: Adopted
Vote: 7 Yes, 1 No, 1 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2023-044**

**A RESOLUTION INITIATING THE PROCESS TO ESTABLISH THE COOPER
LANDING EMERGENCY SERVICE AREA**

WHEREAS, Cooper Landing residents have expressed interest in forming a Cooper Landing Emergency Service Area; and

WHEREAS, per Borough Code, the process to establish a service area may be initiated by petition or by Assembly resolution; and

WHEREAS, the proposed Cooper Landing Emergency Service Area cannot feasibly be provided by an existing service area, by annexation to a city, or by incorporation as a city; and

WHEREAS, per KPB 16.04.025(B)(2), the Assembly must find that the public interest may be served through formation of a service area; and

WHEREAS, per KPB 16.04.025(B)(2), the statement of services proposed, the services proposed will be to provide fire and emergency services within the service area; and

WHEREAS, if this resolution is approved by the Assembly, it will initiate a process that will begin with referral to the Mayor for analysis and recommendation pursuant to KPB 16.040.030; and

WHEREAS, the Mayor's report will include (1) the need for and estimated cost of the service areas; (2) a plan defining the service area; (3) the totally assessed valuation within the area proposed to be established; and (4) the population of the area proposed to be established as a service area, including the total number of voters residing in the service area; and

WHEREAS, at least 15 days after the Mayor's report under KPB 16.04.030 is provided to the Assembly, a public hearing on the necessity for the proposed service area will be held within the boundaries of the service area; and

WHEREAS, the public hearing required under KPB 16.04.04 may be held by a special committee of less than the whole assembly provided that the special committee must make a report of its findings and recommendations to the whole assembly at a regular meeting prior to the Assembly's action on the proposed service area; and

WHEREAS, following the public hearing on the necessity the Assembly may introduce an ordinance to establish the proposed service area subject to approval by a majority of the voters residing in the service area;

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

SECTION 1. That the Kenai Peninsula Borough finds that the public interest may be served through formation of a Cooper Landing Emergency Service Area to provide for fire and emergency services within the proposed service area.

SECTION 2. That the map accompanying this resolution shows the area to be encompassed by the proposed service area, which will be distinct from and outside of the boundary for the Eastern Peninsula Emergency Service Area highway corridor.

SECTION 3. That the public hearing on necessity will be held within the boundaries of the proposed service area at least 15 days after the Mayor's report providing the required survey, analysis and recommendation is sent to the Assembly. The Mayor will fix the time and place of a public hearing within the community to consider the necessity for the proposed service area. The public hearing will be held by a special committee of less than the whole assembly and the special committee will make a report of its findings and recommendations to the whole Assembly at a regular meeting prior to the Assembly's action on the proposed service area or expansion thereof. The special committee will be comprised of any Assembly members who attend the public hearing within the community to consider the necessity for the proposed service area.

SECTION 4. This resolution is effective immediately upon adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 6TH DAY OF JUNE, 2023.


Brent Johnson, Assembly President

ATTEST:


Michele Turner, CMC, Acting Borough Clerk



Yes: Chesley, Cox, Derkevorkian, Ecklund, Hibbert, Tupper, Johnson

No: Ribbens

Absent: Elam