

Introduced by:	Bagley
Date:	04/03/18
Hearing:	05/01/18
Action:	Postponed as Amended to 06/19/18
Vote:	5 Yes, 4 No, 0 Absent
Date:	06/19/18
Action:	Amended by Substitute
Vote:	9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2018-16**

**AN ORDINANCE AMENDING KPB 16.08.010 AND 16.24.010 TO MOVE THE
COMMON BOUNDARY BETWEEN THE CENTRAL KENAI PENINSULA HOSPITAL
SERVICE AREA AND THE SOUTH KENAI PENINSULA HOSPITAL SERVICE AREA
SOUTH, SUBJECT TO APPROVAL BY VOTERS RESIDING IN THE CENTRAL
KENAI PENINSULA HOSPITAL SERVICE AREA AND THE PROPOSED NEW 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,** results of a special election held on April 8, 1969 created South Kenai Peninsula Hospital Service Area (“SKPHSA”) and Central Kenai Peninsula Hospital Service Area (“CKPHSA”); and
- WHEREAS,** a hospital was built at Homer in 1955 and was leased to the borough in 1969 and became the focus of the SKPHSA; and
- WHEREAS,** a 49-bed borough-owned hospital opened at Soldotna in 1971, and before that date patients from Clam Gulch, Soldotna and Kenai often used a clinic in Soldotna, or hospitals either at Seward or Anchorage; and
- WHEREAS,** the common boundary between the two hospital service areas has, since their inception, crossed the Sterling Highway at the Clam Gulch Tower, which is about 14.5 miles closer to Central Peninsula Hospital (“CPH”) than the roadway midpoint; and
- WHEREAS,** the roadway midpoint between the two hospitals is Sterling Highway mile 133.75 (near Barbara Drive, about 1.25 miles north of Ninilchik River); and
- WHEREAS,** Ninilchik Emergency Services provides ambulance service between the Clam Gulch Tower (mile 119.25) and Happy Valley Bar (mile 145), and from January 2013 through May 2016, about 78 percent of their local hospital runs were to Central Peninsula Hospital; and

WHEREAS, the closer residents live to Soldotna, the more likely they are to choose CPH for their hospital needs; and

WHEREAS, the SKPHSA mill rate is 2.3 mills and the CKPHSA mill rate is 0.01 mills; and

WHEREAS, the financial needs of the hospitals should be considered when adjusting service area boundaries; and

WHEREAS, care should be exercised when making new boundaries to avoid bisecting existing land parcels; and

WHEREAS, as voter approval is required to expand the boundaries of a service area, approval by the voters of CKPHSA and the voters in the proposed new area in the CKPHSA is required; and

WHEREAS, at its meeting of _____ the SKPHSA Board recommended _____;

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

SECTION 1. That KPB 16.08.010 is hereby amended as follows:

CHAPTER 16.08. CENTRAL KENAI PENINSULA HOSPITAL SERVICE AREA

16.08.010 Established—Boundaries.

There is established a service area within the borough, designated the "Central 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 T15N, R23W (projected), Seward Meridian, State of Alaska;

Thence east to the N.E. corner of T15N, R12W, (projected);

Thence south to the N.W. corner of T13N, R11W, (projected);

Thence east to the N.E. corner of T13N, R10W, (projected);

Thence south to the S.E. corner of T13N, R10W, (projected); said corner being in Cook Inlet at longitude 150°58'18" W, latitude 61°10'00" N;

Thence southeasterly to the S.E. corner of T12N, R9W, (projected), said corner being in Cook Inlet at longitude 150°46'37" W, latitude 61°04'49" N;

Thence northeasterly to the N.E. corner of T12N, R7W, (projected), said corner being in Cook Inlet at longitude 150°26'01" W, latitude 61°01'01" N;

Thence southeasterly to the N.E. corner of T11N, R6W, (projected), said corner being in Turnagain Arm at longitude 150°14'40" W, latitude 61°04'49" N;

Thence east to the N.E. corner of T11N, R5W, (projected), said corner being in Turnagain Arm at longitude 150°04'01" W, latitude 61°04'49"N;

Thence southeasterly to the common boundary of the Kenai National Moose Range and the Chugach National Forest and Chickaloon Bay;

Thence south along the common boundary of the Kenai National Moose Range and the Chugach National Forest to the intersection with the boundary between election district numbers 9 and 10;

Thence southerly along the boundary line between election district numbers 9 and 10 to an intersection with the township line between T1N and T2N (projected);

Thence west along the township line between T1N and T2N to a point 3 miles offshore in Cook Inlet;

Thence southwesterly to an intersection with Seward baseline at a point 3 miles offshore in Cook Inlet from the western shore of Cook Inlet;

Thence west to the S.W. corner of T1N, R24W, (projected);

Thence north to the N.W. corner of T4N, R24W, (projected);

Thence east to the S.W. corner of T5N, R23W, (projected);

Thence north to the N.W. corner of T8N, R23W, (projected);

Thence west to the S.E. corner of T9N, R24W, (projected);

Thence north to the N.E. corner of T12N, R24W, (projected);

Thence west to the S.E. corner of T13N, R24W, (projected);

Thence north to the N.E. corner of T15N, R24W, (projected), the point of beginning.

SECTION 2. That KPB 16.24.010 is hereby amended as follows:

CHAPTER 16.24. SOUTH KENAI PENINSULA HOSPITAL SERVICE AREA

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 3. That a proposition shall be presented to all voters residing in both the existing and the proposed new area of the Central Kenai Peninsula Hospital Service Area as follows:

Shall the common boundary line between the Central Kenai Peninsula Hospital Service Area and the South Kenai Peninsula Hospital Service Area be moved south by about 15 miles as described in KPB Ordinance 2018-16 and the borough be authorized to exercise the Central Kenai Peninsula Hospital Service Area powers in that additional area?

YES A “Yes” vote means you approve moving the common boundary line between the Central Kenai Peninsula Hospital Service Area and the South Kenai Peninsula Hospital Service Area south by about 15 miles and the borough exercising Central Kenai Peninsula Hospital Service Area powers in that additional area.

NO A “No” vote means that you oppose moving the common boundary line between the Central Kenai Peninsula Hospital Service Area and the South Kenai Peninsula Hospital Service Area and the borough exercising Central Kenai Peninsula Hospital Service Area powers in that additional area.

SECTION 4. 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 before the public hearing on this ordinance.

SECTION 5. That sections 1 and 2 of this ordinance shall take effect only upon approval of the proposition in section 3 by a majority of the voters voting on the question during the regular KPB election scheduled for October 2, 2018. Sections 3, 4 and 5 of this ordinance shall take effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY OF * 2018.

Wayne H. Ogle, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

05/01/18 Vote on motion to postpone:

Yes: Blakeley, Cooper, Dunne, Fischer, Ogle

No: Bagley, Carpenter, Hibbert, Smalley

Absent: None

06/19/18 Vote on motion to amend by substitute:

Yes: Bagley, Blakeley, Carpenter, Cooper, Dunne, Fischer, Hibbert, Smalley, Ogle

No: None

Absent: None