

Introduced by:	Johnson
Date:	06/02/20
Hearing:	07/07/20
Action:	Enacted as Amended
Vote:	9 Yes, 0 No, 0 Absent
Date:	10/13/20
Action:	Ratified by the Voters at the 10/06/20 Election
Vote:	Proposition 1A: Yes 319; 67.58% No 153; 32.42% Proposition 1B: Yes 472; 66.95% No 233; 33.05%

**KENAI PENINSULA BOROUGH  
ORDINANCE 2020-31**

**AN ORDINANCE EXPANDING THE ANCHOR POINT FIRE AND EMERGENCY  
MEDICAL SERVICE AREA BOUNDARIES TO INCLUDE THE NINILCHIK AREA**

- WHEREAS,** since fire and emergency medical 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,** Ninilchik Emergency Services (“NES”) has provided fire protection and emergency medical services to the Ninilchik community since 1978; and
- WHEREAS,** the Anchor Point Fire and Emergency Medical Service Area (“APFEMSA”) was established in 1983 to provide fire protection and ambulance service to the Anchor Point area; and
- WHEREAS,** both NES and APFEMSA work diligently to provide fire and emergency protection to their communities; and
- WHEREAS,** the APFEMSA board has tried to expand their services and increase staffing for the fire station in an effort to better serve their community; and
- WHEREAS,** recent changes in Ninilchik have highlighted the need for Ninilchik to expand its fire and emergency services; and
- WHEREAS,** both Ninilchik and Anchor Point have a long and documented history of working together and assisting each other during times of need; and
- WHEREAS,** forming an independent fire and emergency medical service area would be cost prohibitive in Ninilchik; and

**WHEREAS** funding for Ninilchik independently is estimated to necessitate a mil rate of 5.75 in order to provide for a staff of three plus sufficient funding for basic equipment and minimal fund balance; and

**WHEREAS,** the two communities would be able to leverage their years of expertise and training to create a more comprehensive coverage area benefiting both communities; and

**WHEREAS,** on March 17, 2020, the Ninilchik-Anchor Point Joint Service Area Work Group ("NAPJSAWG") was established by KPB resolution 2020-025 as a result of the February 6, 2020 town hall meeting in Ninilchik; and

**WHEREAS** the group was tasked with researching and making recommendations regarding whether Ninilchik should have its own service area, attempt to join APFEMSA, or try to make adjustments and continue to operate its current volunteer service; and

**WHEREAS** at its May 15, 2020 meeting the NAPJSAWG unanimously recommended that a question be placed on the October 6, 2020 ballot proposing to combine APFEMSA with the area currently being served by NES;

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

**SECTION 1.** That the title of KPB Chapter 16.60 is hereby amended as follows:

**CHAPTER 16.60. [ANCHOR POINT FIRE AND EMERGENCY MEDICAL] WESTERN EMERGENCY SERVICE AREA**

**SECTION 2.** That KPB 16.60.010 is hereby replaced as follows:

**16.60.010. Established Boundaries**

There is established a service area within the borough, designated the "[ANCHOR POINT FIRE AND EMERGENCY MEDICAL] Western Emergency Service Area," including that portion of the borough described as follows:

All of the following referenced to the Seward Meridian, Alaska:

Commencing at the section corner common to sections 2, 3, 10, and 11, T3S, R16W;

Thence east along the section line to the range line common to R15W and R16W;

Thence north along said range line to the baseline at the northwest corner of T1S, R15W;

Thence east along the baseline to the southeast corner of T1N, R15W;

Thence north along the range line common to R14W and R15W to the northeast corner T1N, R15W;

Thence east along the township line to the corner common to Sections 32 and 33, T2N, R11W, and Sections 4 and 5, T1N, R11W;

Thence south along the section line to the intersection with the baseline;

Thence east along the baseline to the northeast corner Section 2, T1S, R11W;

Thence south along the section line to the corner common to Sections 35 & 36, T2S, R11W, and Sections 1 and 2, T3S, R11W;

Thence west along the township line common to T2S and T3S to the corner of T2S, R11 and 12W, and T3S, R11 and 12W;

Thence south along the range line common to R11W and R12W to the corner of Sections 30 and 31, T4S, R11W, and Sections 25 and 36, T4S, R12W;

Thence continuing south along said range line to the point of intersection of the line common to Section 31, T4S, R11W, and Section 36, T4S, R12W and the thread of the Anchor River;

Thence westerly along the thread of the Anchor River to the point of intersection with the line common to Sections 28 and 29, T5S, R14W;

Thence south along said common line and continuing along the line common to Sections 32 and 33, T5S, R14W, to the north 1/16 th corner common to said Sections 32 and 33, T5S, R14W;

Thence west along the north 1/16 th line through Section 32 and continuing through Section 31 to the north 1/16 th corner of Section 31 on the range line common to T5S, R14W and T5S, R15W;

Thence west along the north 1/16 th line through Section 36, T5S, R15W and continuing through Section 35, T5S, R15W to the Mean High Water of Cook Inlet;

Thence from the latitude of the intersection of the north 1/16 th line of Section 35, T5S, R15W and the MHW of Cook Inlet due west to the west edge of T5S, R15W;

Thence north along the line between R15W and R16W to the northwest corner of T5S, R15W;

Thence west along the line between T5S and T4S to the southwest corner of Section 35, T4S, R16W;

Thence north to the section corner common to sections 2, 3, 10, and 11, T3S, R16W, the true point of beginning.

Map Attached

**SECTION 3.** That KPB 16.60.020 is hereby amended as follows:

**16.60.020. Board of Directors**

- (a.) There is established a board of directors for the [ANCHOR POINT FIRE AND EMERGENCY MEDICAL] Western Emergency Service Area composed of [5] five members, two of whom shall be residents of Anchor Point, two of whom shall be residents of Ninilchik and one of whom may be a resident from either community. All members [WHO SHALL BE RESIDENTS OF THE SERVICE AREA AND] shall be appointed by the mayor and confirmed by the assembly. Up to one board member may also serve as a volunteer firefighter and/or emergency medical service provider for the service area without compensation except that which is ordinarily provided to such volunteers.
- (b.) The board shall meet periodically at regular and special meetings called by the Board. All meetings shall be open to the public as provided by law.

**SECTION 4.** That KPB 16.60.020 is hereby amended as follows:

**16.60.090. Ambulance Billing**

Revenues collected from ambulance billing by the [ANCHOR POINT FIRE AND EMERGENCY MEDICAL] Western Emergency Service Area as approved by the assembly pursuant to KPB 1.26.010 shall be recorded as revenue within that service area.

**SECTION 5.** Add a new section to KPB 16.60 as follows:

**16.60.100. Mill Levy**

No mill levy in excess of 2.95 mills shall be levied on behalf of the service area unless an increase is approved by the assembly during the budgetary process.

**SECTION 6.** That the following proposition shall be placed before the voters of the [ANCHOR POINT FIRE AND EMERGENCY MEDICAL] Western Emergency Service Area and the voters residing within the remaining areas described in section 2 of this ordinance at the regular election to be held on October 6, 2020:

**PROPOSITION:**

Shall the Kenai Peninsula Borough be authorized to exercise powers to provide fire protection and emergency medical services through the expansion of the Anchor Point Fire and Emergency Medical Service Area to include the Ninilchik area as defined by Section 2 of Ordinance 2020-31?

YES  A yes vote approves the expansion of the Anchor Point Fire and Emergency Medical Services Area into the Ninilchik Area.

NO  A no vote would prohibit the expansion of the Anchor Point Fire and Emergency Medical Service Area into the Ninilchik area.

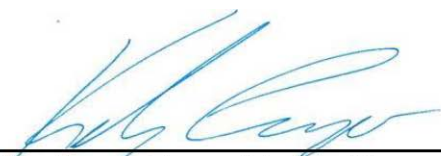
**SECTION 7.** That section 5 of this ordinance takes effect immediately upon enactment of this ordinance. Sections 1, 2, 3 4, 6 and 7 of this ordinance shall take effect only upon approval by the majority of the voters residing in both the Anchor Point Fire Service Area and the majority of the voters residing in the proposed expanded boundaries area outside the boundaries of the Anchor Point Fire Service Area voting on the question during the regular KPB election scheduled for October 6, 2020.

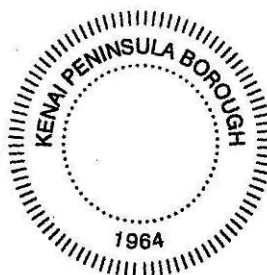
**SECTION 8.** That this ordinance shall also only take effect if the Ninilchik Emergency Services (NES) non-profit organization transfers free and clear title, ownership, and possession of all real and personal property located in or obtained for use at or by the Ninilchik Fire Department to the borough on behalf of the Anchor Point Ninilchik Fire and Emergency Medical Service Area on or before January 31, 2021.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF JULY, 2020.**

ATTEST:

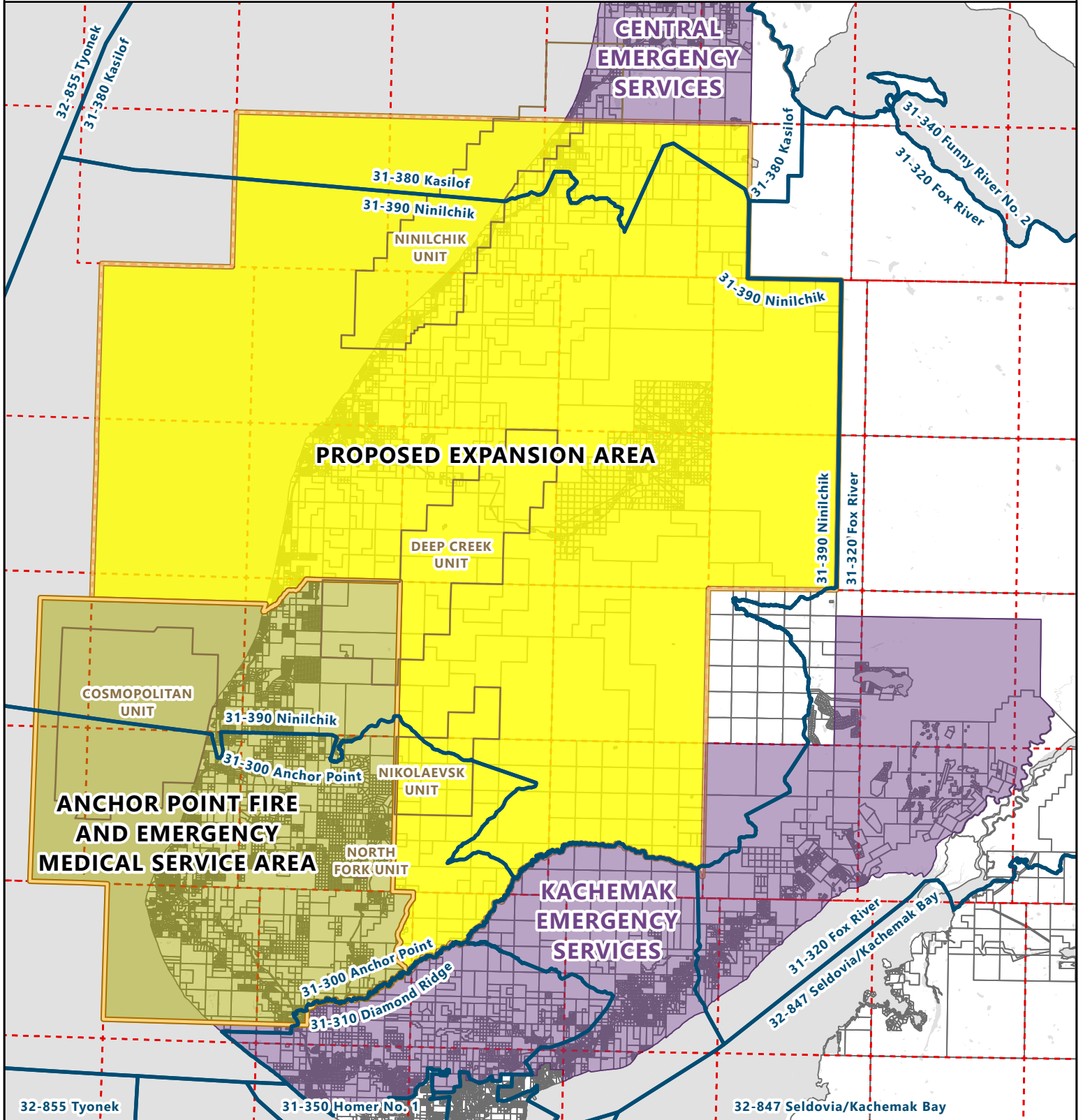
  
Johni Blankenship, MMC, Borough Clerk

  
Kelly Cooper, Assembly President



Yes: Bjorkman, Blakeley, Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, Cooper  
No: None  
Absent: None

# PROPOSED ANCHOR POINT FIRE AND EMERGENCY MEDICAL SERVICE AREA EXPANSION



 PROPOSED EXPANSION AREA

EXISTING FIRE AND EMERGENCY SERVICE AREAS

 ANCHOR POINT FIRE AND EMERGENCY MEDICAL SERVICE AREA

 CENTRAL EMERGENCY SERVICES

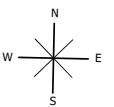
 KACHEMAK EMERGENCY SERVICES

 VOTER PRECINCTS

 OIL AND GAS UNITS

 TOWNSHIP LINES

 PARCELS



0 5 Miles