

Introduced by: Mayor
Date: 08/15/23
Hearing: On Shortened Time 08/15/23
Action: Enacted as Amended
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2023-19-12**

**AN ORDINANCE APPROPRIATING \$175,000 FROM THE GENERAL FUND FUND
BALANCE FOR A PROFESSIONAL STUDY CONCERNING HIGH WATER ISSUES
IN THE K-BEACH AREA AND TO PURCHASE MINOR WATER MONITORING
EQUIPMENT**

- WHEREAS,** a heavy 2021-2022 winter snowfall accumulation, coupled with an extremely wet late summer in 2022, created a high-water table condition in the NW K-Beach Road vicinity; and
- WHEREAS,** the Road Service Area (“RSA”) enlisted the engineering support services of Wince-Corthell-Bryson to produce a design solution that will help alleviate the conditions in this area, including ditch cleaning and slight grading, addition of driveway and cross culverts, and the addition of drainage galleries throughout the project; and
- WHEREAS,** Ordinance 2022-19-60 appropriated funds to complete project work to relieve the imminent threat of water damage to public and private property in the area; and
- WHEREAS,** Ordinance 2022-19-60 also identified that the project would not provide a complete solution for the periodic high water or flooding issues present in the project area; and
- WHEREAS,** pursuant to KPB 2.40.050, this study will investigate and study an issue relating to development and betterment and is an appropriate Borough planning function and power under KPB 2.36.020; and
- WHEREAS,** pursuant KPB 22.40.100 it is requested that this ordinance be heard on shortened time due to the need to secure professional services to commence the study as soon as possible to determine a path forward for all interested parties and area residents; and
- WHEREAS,** hearing on shortened time is justified due to the forecast that even average fall precipitation will significantly accelerate water issues and high water concerns in the area, and getting professional services in place before fall precipitation occurs will provide better data for the study; and
- WHEREAS,** the professional services will be awarded pursuant to KPB 5.28.290, Emergency procurement, to allow for an expedited contracting award process; and

WHEREAS, at its meeting on August 14, 2023, the Planning Commission recommended approval of the ordinance and recommended amending the ordinance to include authorization to use \$25,000 of the project funds to purchase minor monitoring equipment;

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

SECTION 1. That the sum of \$175,000 is appropriated from the General Fund fund balance to be transferred to account 100.21110.24SDY.49999 for the purpose of securing professional engineering or hydrological service for a study and long-term solution recommendations for the high-water issues in the Kalifornsky Beach area and for the purchase of minor water monitoring equipment to accommodate the study and provide beneficial data for purposes of long-term solution recommendation(s).

SECTION 2. That the appropriations made in this ordinance are of a project length nature and as such do not lapse at the end of any particular fiscal year.

SECTION 3. That this ordinance shall be effective immediately.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 15TH DAY OF AUGUST, 2023.

Brent Johnson

Brent Johnson, Assembly President

ATTEST:

Michele Turner

Michele Turner, CMC, Borough Clerk



Yes: Chesley, Cox, Derkevorkian, Ecklund, Elam, Hibbert, Ribbens, Tupper, Johnson
No: None
Absent: None