

# KENAI PENINSULA BOROUGH

## Kenai Peninsula Borough Assembly

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Kelly Cooper, Assembly President  
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### MEMORANDUM

**TO:** Kenai Peninsula Borough Assembly Members

**FROM:** Kelly Cooper, Assembly President *(B) for K.L.*  
Stormy Brown, Human Resources Director

**DATE:** February 2, 2017

**RE:** Ordinance 2017-*21*, Amending Chapter 16.04 to Set Forth the Procedures for Establishing a Service Area Where the Power is Authorized Pursuant to AS 29.35.490 (Cooper)

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The borough currently exercises emergency service powers in six service areas – Anchor Point Fire & EMS, Bear Creek Fire (“Bear Creek Fire”), Central Emergency Services (“CES”), Central Peninsula Emergency Medical Service Area, Kachemak Emergency Services, and the Nikiski Fire Service Area.

On the Eastern Kenai Peninsula, emergency service response is also provided by four private volunteer organizations – Cooper Landing Emergency Services, Inc. (“CLES”), Hope/Sunrise Emergency Medical Services, Inc. (“Hope/Sunrise EMS”), Moose Pass Volunteer Fire Company (“Moose Pass Fire”), and the Seward Volunteer Fire Department (“Seward Fire”). These volunteer departments, particularly the three smaller departments (CLES, Hope/Sunrise EMS, and Moose Pass Fire), are primarily concerned with providing emergency services for their residents. However, the majority of their call volume relates to motor vehicle collisions and other emergencies along the state highways. The highway accident call volume creates a large and sometimes insurmountable financial, personnel, and logistical burden on these three smaller volunteer organizations as well as on borough services areas (specifically CES and Bear Creek Fire).

Despite the best, and at times heroic, efforts of these organizations, there are large sections of the Seward, Sterling, and Hope highways that have no emergency service area or designated emergency service provider. In these unserved and highly traveled areas, emergency response is often delayed, limited, or nonexistent.

The EMS workgroup, in cooperation with the administration, has started developing a proposal to remedy this gap in emergency service coverage. However, in order to provide emergency services, the borough needs to acquire emergency service powers for the unserved portions of the state highway corridor on the Eastern Peninsula.

AS 29.35.490(a) currently authorizes the borough to obtain by ordinance emergency service powers for the proposed highway corridor service area if all owners of real property in the service area consent in writing to the exercise of the power and if no voters reside in the service area. The borough has not previously formed a service area where there are no resident voters in the proposed area. Accordingly, KPB Chapter 16.04 currently does not address the procedures for doing so.

This ordinance seeks to adopt the additional procedures permitted in AS 29.35.490 for establishing a service area where there are no resident voters. If this ordinance is enacted a separate ordinance would ultimately be required to establish any such service area.