

Kenai Peninsula Borough



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Special Meeting
Assembly Packet
September 28, 2012
1:00 p.m.

*Gary Knopp
Assembly President
Seat 1 - Kalifornsky
Term Expires 2012*

*Charlie Pierce
Assembly Vice President
Seat 5-Sterling/Funny
River
Term Expires 2014*

*Mako Haggerty
Assembly Member
Seat 9 - South Peninsula
Term Expires 2012*

*Brent Johnson
Assembly Member
Seat 7 - Central
Term Expires 2013*

*Sue McClure
Assembly Member
Seat 6 - East Peninsula
Term Expires 2012*

*Linda Murphy
Assembly Member
Seat 4 - Soldotna
Term Expires 2013*

*Hal Smalley
Assembly Member
Seat 2 - Kenai
Term Expires 2014*

*Bill Smith
Assembly Member
Seat 8 - Homer
Term Expires 2014*

*Ray Tauriainen
Assembly Member
Seat 3 - Nikiski
Term Expires 2013*

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. APPROVAL OF THE AGENDA

E. BRIEFING REGARDING THE FLOODING SITUATION IN THE KENAI PENINSULA BOROUGH

F. NEW BUSINESS

1. Resolution 2012-076: Extending the Declaration of Local Disaster Emergency for Flooding in the Kenai Peninsula Borough (Mayor)
2. Emergency Ordinance 2012-19-33: Appropriating Funds from the General Fund for Flood Response Under the Declared Local Disaster Emergency Within the Kenai Peninsula Borough (Mayor)

G. PUBLIC COMMENTS (3 Minutes per Speaker)

H. ADJOURNMENT

This meeting will be broadcast on KDLL-FM 91.9 (Central Peninsula), KBBI-AM 890 (South Peninsula), K201AO-FM 88.1 (East Peninsula).

Copies of agenda items are available at the Borough Clerk's Office in the Meeting Room just prior to the meeting. For further information, please call the Clerk's Office at 714-2160 or toll free within the Borough at 1-800-478-4441, Ext. 2160. Visit our website at www.borough.kenai.ak.us for copies of the agenda, meeting summaries, ordinances and resolutions.

Introduced by: Mayor
Date: 09/28/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2012-076**

**AN EMERGENCY RESOLUTION EXTENDING THE DECLARATION OF LOCAL
DISASTER EMERGENCY FOR FLOODING IN THE KENAI PENINSULA BOROUGH**

1 **WHEREAS**, the borough mayor issued a local disaster emergency declaration on September
2 21, 2012, due to flooding throughout the Kenai Peninsula Borough including the
3 cities of Kenai, Soldotna, Homer, Seward, and Kachemak City, and areas
4 surrounding each city, the communities of Tyonek, Beluga, Nikiski, Salamatoff,
5 Sterling, Cooper Landing, Bear Creek, Kasilof, Ninilchik, Nanwalek, Anchor
6 Point, and other areas determined to have been damaged by major rainstorms and
7 flooding; and

8 **WHEREAS**, pursuant to AS 26.23.140 this declaration continues for a period of seven days
9 unless extended by the assembly; and

10 **WHEREAS**, the assembly wishes to extend this declaration as the flooding still continues
11 requiring ongoing emergency response activities;

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

14 **SECTION 1.** That the declaration of local disaster emergency previously issued by the borough
15 mayor on September 21, 2012 is hereby extended for a period of 60 days in order
16 to allow for appropriate response by the borough. A copy of the local disaster
17 emergency declaration extended by this resolution is attached and incorporated
18 herein by reference.

1 **SECTION 2.** That this resolution takes effect immediately upon its adoption.

2 **ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS**

3 **28TH DAY OF SEPTEMBER, 2012.**

Gary Knopp, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520

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**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

TO: Gary Knopp, Assembly President
Kenai Peninsula Borough Assembly Members

FROM: Mike Navarre, Mayor *MN*

DATE: September 25, 2012

SUBJECT: Resolution 2012-076, Extending The Declaration Of Local Disaster
Emergency For Flooding In The Kenai Peninsula Borough

Alaska Statute 26.23.140 limits a declaration of local disaster to 7 days unless extended by the governing body. The local emergency disaster declaration issued by my office on September 21, 2012 expires September 28, 2012. At this time it appears likely that the flooding will continue beyond that expiration date, requiring ongoing emergency response activities and expenditures. For that reason assembly approval of an extension of the disaster declaration is respectfully requested. If the disaster ends in less than the time provided this extension will not continue. Similarly, if the weather and circumstances have changed by the date of the assembly meeting then the administration will request that this resolution be withdrawn from consideration.

If it is not withdrawn, your approval of this resolution would be appreciated.



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**MIKE NAVARRE
BOROUGH MAYOR**

LOCAL DISASTER EMERGENCY DECLARATION

WHEREAS, beginning on Saturday, September 15, 2012 the eastern Kenai Peninsula Borough including the City of Seward, Moose Point, and other areas experienced unseasonably heavy rainfall which resulted in flooding throughout these areas, threatening life and property; and

WHEREAS, on Wednesday, September 19, 2012 at approximately 3:15 p.m. the Box Canyon water diversion structure was compromised due to the rainfall, which has resulted in significant flood damage to Old Exit Glacier Road and other roads in the vicinity; and

WHEREAS, three bridges in the Old Mill Subdivision, the Bruno Bridge crossing Kwechak Creek, and numerous other bridges have been damaged in an amount to be determined, causing the Old Mill Subdivision and numerous other homes to become inaccessible by road; and

WHEREAS, the approaches to the Bear Creek Fire Department were underwater and damaged on Wednesday, September 19, 2012 shortly after most fire department equipment was moved to a different location; and

WHEREAS, as of September 20, 2012 at 12:36 p.m. Nash Road was closed at mile 2 due to road erosion and a landslide, Seward Highway milepost 3.5 was limited to one way traffic and Alaska Department of Transportation (DOT) crews were working on a possible breach to alleviate water on the highway, and Lowell Point Road, Exit Glacier Road and Dieckgraeff Road were all closed due to flooding; and

WHEREAS, as of 3:15 p.m. Thursday, September 20, 2012 the Upper Kwechak levee has an 80-foot breach about midway up the levee which is threatening subdivisions near Bear Lake; and

WHEREAS, the Kenai Peninsula Borough opened Seward High School as an evacuation center; and

WHEREAS, on September 19, 2012 the Borough received a Declaration of Disaster Request from the City of Seward indicating that the damages caused by the flooding is difficult to establish because the storm is continuing and much of the damage is submerged, but that clearly the damage that is visible will exceed the recovery and financial capabilities of the city, and that

the city will be asking for the borough's support in requesting a state disaster declaration upon ratification by the city council; and

WHEREAS, in the central area and west side of the Kenai Peninsula heavy rain in the Kenai River Basin is causing the Kenai River to approach flood stage at Cooper Landing on September 20, 2012; and

WHEREAS, landslides are occurring on large slopes along the Kenai River due to the heavy rainfall and flooding; and

WHEREAS, Tall Tree bridge and Tall Tree Road near Anchor Point are both closed due to flood damage, leaving approximately 60 people inaccessible by road; and

WHEREAS, Stariski Creek, Slikok Creek, and Anchor River have overtopped their banks; and

WHEREAS, Kalifornsky Beach road at mile 11 has completely washed out and is closed; and

WHEREAS, water levels are rising from Cooper Landing to numerous areas throughout the western side of the Kenai Peninsula with reports received of flooding and bluff erosion on public and private property; and

WHEREAS, on the west side of Cook Inlet, Tyonek has been without electrical power since 10:30 a.m. September 20, 2012 and roads are eroding, outlying areas north of Beluga have lost power and phones, a flyover by a private pilot reports a foot or more of standing water near residences in the area north of Beluga; and

WHEREAS, flooding throughout the Kenai Peninsula Borough is threatening life and property in many areas; and

WHEREAS, the Borough has activated its emergency response plan throughout the borough to provide emergency assistance by establishing the Seward evacuation shelter, hiring heavy equipment contractors to minimize damage to public infrastructure, monitoring conditions, coordinating emergency responses as needed, disseminating public information, and providing other basic resources; and

WHEREAS, as a second-class borough the Borough does not have the authority to provide financial support to the cities or private parties, or to repair or replace their damaged facilities or infrastructure; and

WHEREAS, the Borough continues to provide resources as needed but the damages exceed the capabilities and authority of the Borough;

NOW THEREFORE, as Mayor of the Kenai Peninsula Borough I hereby declare a Disaster Emergency per AS 26.23.140 to exist in the Kenai Peninsula Borough in the following areas of the Borough: the cities of Kenai, Soldotna, Homer, Seward, and Kachemak City, and areas surrounding each city, the communities of Tyonek, Beluga, Nikiski, Salamatoff, Sterling, Cooper

Landing, Bear Creek, Kasilof, Ninilchik, Nanwalek, Anchor Point, and other areas determined to have been damaged by the major rainstorms and flooding described above.

FURTHERMORE, it is hereby respectfully requested that the Honorable Sean Parnell, Governor of the State of Alaska, declare a disaster emergency to exist as described in AS 26.23.020 and provide disaster assistance to the Kenai Peninsula Borough, the City of Seward, and to the other cities that have responded to this disaster. The Borough specifically requests public assistance for the emergency response measures along with temporary and permanent repairs to public facilities, technical assistance to evaluate damages to both public and individual homeowners, individual assistance for home and business owners as is applicable, and public health water quality testing and safe drinking kits for at least 3,000 residential structures.

Signed Mike Navarre
Mike Navarre, Mayor

Date 9/21/12

Attest

John Blankenship
John Blankenship
Borough Clerk



Introduced by: Mayor
Date: 09/28/12
Hearing: 09/28/12
Action:
Vote:

**KENAI PENINSULA BOROUGH
EMERGENCY ORDINANCE 2012-19-33**

**AN EMERGENCY ORDINANCE APPROPRIATING FUNDS FROM THE
GENERAL FUND FOR FLOOD RESPONSE UNDER THE DECLARED LOCAL
DISASTER EMERGENCIES WITHIN THE KENAI PENINSULA**

1 **WHEREAS**, the Mayor has issued an emergency disaster in response to flooding in the Kenai
2 Peninsula Borough; and

3 **WHEREAS**, an appropriation is needed to provide funding for a response and an assessment;
4 and

5 **WHEREAS**, the assembly finds that an emergency exists due to current flood conditions,
6 damage from recent flooding, and the continued threat to persons and property
7 from these conditions;

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

10 **SECTION 1.** That the sum of \$500,000 is hereby appropriated from the general fund balance
11 and transferred to account no. 260.11251.13FL0.49999 for response and
12 assessment by the borough through the declared disaster emergencies within the
13 Kenai Peninsula Borough.

14 **SECTION 2.** That this ordinance shall take effect immediately upon its enactment.

1 **ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS**
2 **28TH DAY OF SEPTEMBER, 2012.**

Gary Knopp, Assembly President

ATTEST:

Johani Blankenship, MMC, Borough Clerk

Yes:

No:

Absent:



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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Gary Knopp, Assembly President
Members, Kenai Peninsula Borough Assembly

FROM: Mike Navarre, Mayor *MN*

DATE: September 25, 2012

SUBJECT: Emergency Ordinance 2012-19-33 appropriating funds from the general fund for flood response under the declared local disaster emergency within the Kenai Peninsula Borough

Heavy rainfall during the month of September 2012 has resulted in significant damages and flooding in many areas of the borough. As a result of these problems, a local emergency disaster was declared by my office on September 21, 2012. In addition, Governor Sean Parnell declared a state disaster for the Kenai Peninsula Borough. It is expected that significant expenses will be incurred in recovering from the damages caused by this event. This ordinance is an emergency ordinance due to life, health, and safety issues. It seeks funding in the amount of \$500,000 to enable the borough to respond to and immediately commence work repairing damages associated with the disaster. An emergency ordinance requires approval by three-fourths of the total assembly and is effective for 60 days. Your consideration is appreciated.

FINANCE DEPARTMENT FUNDS VERIFIED	
Acct. No.	<u>100.27910</u>
Amount	<u>\$500,000.⁰⁰</u>
By:	<u>pc</u> Date: <u>9/25/12</u>

Allyn