

Introduced by: McClure
Date: 07/03/12
Hearing: 08/07/12
Action: Enacted as Amended
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-28**

AN ORDINANCE AMENDING KPB 16.50.030 TO PROVIDE THAT ALL SEATS OF THE SEWARD-BEAR CREEK FLOOD SERVICE AREA BOARD SHALL BE FILLED BY RESIDENTS OF THE SERVICE AREA AND ELIMINATING THE REQUIREMENT THAT FOUR OF THE SEATS BE RESIDENTS OF THE CITY OF SEWARD AND THREE BE RESIDENTS OF THE REST OF THE SERVICE AREA

WHEREAS, the Seward-Bear Creek Flood Service Area (“SBCFSA”) was established in Ordinance 2003-30 and approved by the service area voters in the October 2003 regular election; and

WHEREAS, as enacted the code provides for four of the seven board members to be residents of the City of Seward and three to be residents of the area outside the city; and

WHEREAS, the SBCFSA board has experienced difficulties in filling all of the seats particularly those seats from City of Seward residents; and

WHEREAS, the service area includes the city and surrounding area and the service area board is required to represent the interests of the entire service area; and

WHEREAS, the best interests of the borough and service area support converting this to an area wide board and eliminating the two election districts in order to expand the pool of eligible board members; and

WHEREAS, at its meeting of June 18, 2012, the SBCFSA board approved recommending a service area wide board by a vote of 4 - 1; and

WHEREAS, the Seward City Council at its meeting of July 23, 2012, recommended enactment;

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

SECTION 1. That KPB 16.50.030 is amended as follows:

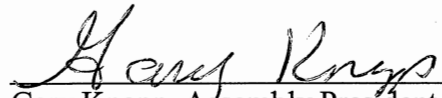
16.50.030. Board of directors.

There is established a board of directors for oversight of the operations of the Seward-Bear Creek Flood Service Area composed of seven members who shall

be elected by the qualified voters of the service area in the manner provided in the borough election code and KPB 16.04.065 as now enacted or may be hereinafter amended. Board seats to be filled at the first election of board members shall be staggered as follows: Seats A and D for one year; seats B and E for two years; and seats C, F, and G for three years. [SEATS A, B, C, AND F SHALL BE FILLED BY RESIDENTS OF THE CITY OF SEWARD, AND SEATS D, E, AND G SHALL BE FILLED BY RESIDENTS OF THE AREA OUTSIDE THE CITY LIMITS OF THE CITY OF SEWARD AND INSIDE THE SERVICE AREA BOUNDARIES.] Notwithstanding provisions of KPB 16.04.060, the first board shall be appointed by the mayor and confirmed by the assembly for one-year terms.

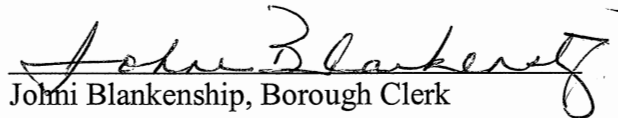
SECTION 2. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF AUGUST, 2012.

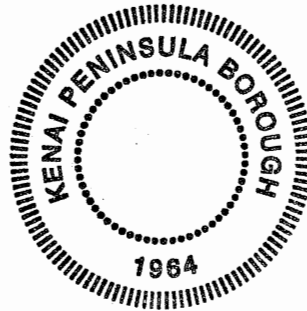


Gary Knopp, Assembly President

ATTEST:



Johni Blankenship, Borough Clerk



Yes: Haggerty, Johnson, McClure, Murphy, Pierce, Smalley, Smith, Tauriainen, Knopp
No: None
Absent: None