

Introduced by: Public
Affairs Comm.
Date: July 17, 1984
Vote: 10 YES, 4 NO
Action: ENACTED

KENAI PENINSULA BOROUGH

RESOLUTION 84-129

PROVIDING FOR A BALLOT PROPOSITION TO ACQUIRE NON-AREAWIDE PORT & HARBOR POWERS WITHOUT PREVIOUS RESTRICTIONS ON THOSE POWERS.

WHEREAS, the voters outside cities approved the acquisition of non-areawide port and harbor powers in 1981 subject to certain restrictions; and

WHEREAS, these restrictions provide that the powers would be exercised only by existing borough staff and no additional employees would be employed and no developments would be made from borough capital funds without voter approval; and

WHEREAS, the nature of harbor and port functions are such that these powers cannot be feasibly exercised with the voter imposed restriction that no new employees can be hired; and

WHEREAS, the Alaska Statutes provide that before the borough exercises a non-areawide power it must seek to have the cities transfer such powers to the borough; and

WHEREAS, under the current restrictions, if the cities did elect to transfer port and harbor powers and facilities, existing capital debt could be incurred without voter approval making it impossible to exercise such powers as exist; and

WHEREAS, the potential of transfer of harbors from the cities, if such were to occur, could result in new employees that would violate that restriction; and

WHEREAS, the assembly feels that a need exists to provide harbor and marine facilities outside of cities; and

WHEREAS, the voter imposed restriction can only be removed by the voters;

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

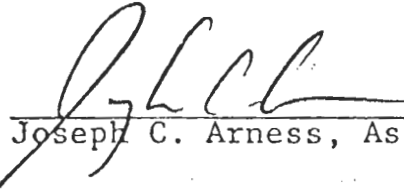
Section 1. That the following proposition shall be placed before the voters to be voted upon by voters outside cities only at the next regular election on October 2, 1984:

Proposition: Shall the borough acquire non-areawide (outside cities) power to provide for ports, harbors, wharfs and other marine facilities in accordance with Alaska Statutes:

Yes _____ No _____

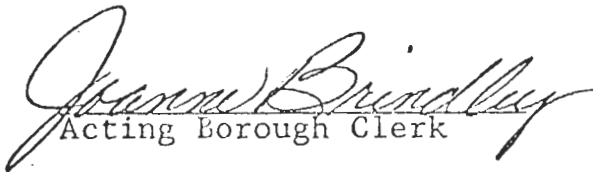
Section 2. That this resolution takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 7th DAY OF August, 1984.



Joseph C. Arness, Assembly President

ATTEST:



Acting Borough Clerk