



Kenai Peninsula Borough

Legal Department

MEMORANDUM

TO: Wayne Ogle, Assembly President
Kenai Peninsula Borough Assembly Members

THRU: Charlie Pierce, Mayor 

FROM: Colette Thompson, Borough Attorney 

DATE: February 22, 2108

RE: Resolution 2018-012, Amending the Name of the Alaska Liquid Natural Gasline Project Advisory Board of the Kenai Peninsula Borough (Mayor)

The assembly adopted resolution 2018-011, a laydown resolution, on February 20, 2018. This established a group which was called the Alaska Liquid Natural Gasline Project Advisory Board of the Kenai Peninsula Borough. Following adoption of this resolution, it came to our attention that AS 29.20.320 provides that the assembly may establish advisory, administrative, technical, or quasi-judicial boards and commissions by ordinance. This provision has generally been construed to apply to the creation of boards and commissions of a more permanent nature than the Alaska Liquid Natural Gasline Project Advisory Board. In order to avoid even the appearance of violating the statute by failing to establish the board by ordinance, it is recommended that the assembly change the word "board" to "committee". Your approval of this resolution would be appreciated.