



KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Council Member Jim Glendening

DATE: October 25, 2021

SUBJECT: **Resolution 2021-65 – Supporting Kenai Peninsula Borough Ordinance 2021-40, Amending KPB 2.40.015 Regarding Planning Commission Membership and Apportionment**

The Kenai Peninsula Borough Assembly will be considering Ordinance 2021-40, Amending KPB 2.40.015 regarding Planning Commission Membership and Apportionment at its December 7, 2021 meeting. This Ordinance re-establishes city seats, including the City of Kenai, on the Borough Planning Commission, which were reduced by Kenai Peninsula Borough Ordinance 2016-25 Substitute.

Since the enactment of Ordinance 2016-25, which was opposed by the City of Kenai at introduction, the five home rule and first class cities of the Borough, including Homer, Kenai, Soldotna, Seward, and Seldovia have shared four city seats by rotation. Kenai Peninsula Borough Code does not provide clarity as to how these seats would be distributed; however, the current policy of rotation means that at all times, one of these cities will not have representation on the Borough's Planning Commission for matters of importance to that city.

As the city with the largest population in the Borough, it is important that the City of Kenai has representation on the Borough's Planning Commission and not be required to share a rotating seat. Re-establishing the city seat lost by the enactment of Ordinance 2016-25 Substitute by re-establishing these seats and clarifying that the commissioner serving on a city seat must be a city resident, and a list have at least one name is in the best interests of residents of Kenai as well as the greater Kenai community.

Your consideration is appreciated.



Sponsored by: Council Member Jim Glendingen

CITY OF KENAI

RESOLUTION NO. 2021-65

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, SUPPORTING KENAI PENINSULA BOROUGH ORDINANCE 2021-40, AN ORDINANCE AMENDING KPB 2.40.015 REGARDING PLANNING COMMISSION MEMBERSHIP AND APPORTIONMENT.

WHEREAS, Resolution 2016-31 opposed Kenai Peninsula Borough Ordinance 2016-25 as introduced, which proposed to reduce Borough Planning Commission membership from 13 to 9 and eliminate the designated seat for the City of Kenai; and,

WHEREAS, Kenai Peninsula Borough Ordinance 2016-25 Substitute amended Borough Code 2.40.010 to reduce the Borough's Planning Commission membership from 13 members, including one member from each of the five first class or home rule cities of the Borough, to 11 members, without providing a process for how the five cities would share the four remaining city seats; and,

WHEREAS Kenai Peninsula Borough Code 2.40.010 does not identify specific city seats, how they would equitably rotate each year and term, or require that the 5 city seats be filled by a resident of the respective cities; and,

WHEREAS, Kenai Peninsula Borough Ordinance 2021-40, which has been introduced and is scheduled to be heard on December 7, 2021, would re-establish the number of Borough planning commissioners at 13; and,

WHEREAS, the Ordinance would also establish a designated seat for the cities of Homer, Kenai, Soldotna, Seward, and Seldovia and require that the individual appointed to that seat be a resident of the respective city; and,

WHEREAS, current Borough policy requires that each Council provide a list of recommendations with more than one applicant, limiting the ability of the respective Council to comply with the policy in instances where only one applicant applies for a city seat; and,

WHEREAS, that same policy does not require that an individual that is appointed to a City seat be a resident of the respective City; and,

WHEREAS, the City of Kenai has the largest population of any city in the Borough, with a population of 7,424, or approximately 12% of the Kenai Peninsula Borough, according to the 2020 Census data; and,

WHEREAS, membership on the Borough's Planning Commission allows the City to provide input and weigh in on important development and economic activities that affect the City; and,

WHEREAS, specific representation on the Borough's Planning Commission for municipalities and population centers is critical as evidenced by the Alaska Statute 29.40.020 which sets out a specific apportionment for home rule and first class cities located in the borough; and,

WHEREAS, it is in the best interests of the residents of the City of Kenai to be served by representation on the Borough's Planning Commission as well as the residents of our neighboring home rule and first class cities within the Borough by re-establishing the number of Borough planning commissioners to 13 and reinstating City seats.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA:

Section 1. The Council supports Kenai Peninsula Borough Ordinance 2021-40 as introduced and recommends the Kenai Peninsula Borough Assembly reestablish designated seats for the cities of Homer, Kenai, Soldotna, Seward, and Seldovia, and clarify that a Kenai Peninsula Borough planning commissioner representing a city must be a resident of that city, and a list have at least one name.

Section 2. That a copy of this Resolution be forwarded to the Kenai Peninsula Borough Assembly, Mayor Pierce and the Kenai Peninsula Borough Planning Commission.

Section 3. That this resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 3rd day of November, 2021.



BRIAN GABRIEL, SR., MAYOR

ATTEST:



Jamie Heinz, MMC, City Clerk

