

E. NEW BUSINESS

**ITEM E3 – RESOLUTION 2022-__
A RESOLUTION PROVIDING A 30-DAY APPLICATION PERIOD
PRIOR TO INACTIVATING THE KALIFORNSKY ADVISORY
PLANNING COMMISSION**

Kenai Peninsula Borough

Planning Department

MEMORANDUM

TO: Brent Johnson, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Charlie Pierce, Mayor
Melanie Aeschliman, Planning Director

FROM: Samantha Lopez, Senior Manager

DATE: April 7, 2022

RE: Resolution 2022-____, Providing a 30-Day Application Period Prior to Inactivating the Kalifornsky Advisory Planning Commission (Mayor)

The Kenai Peninsula Borough has established Advisory Planning Commissions (APCs) in several communities throughout the borough, one being the Kalifornsky APC. The Kalifornsky APC was established by Ordinance 2019-21 and held its first meeting on November 18, 2019. APCs may seat up to seven members, and at least four members are required to make a quorum.

There are two declared vacancies on the Kalifornsky APC (Seats D and E) as the terms for both seats expired on September 30, 2021. No applications have been received to date to fill Seats D or E. In addition, as of January 2022, four of the five-seated Kalifornsky APC members have submitted resignations and/or cannot be reached (Seats B, C, F, and G). This APC now only has one seated member and therefore the APC is not able to declare vacancies for the other seats per KPB 21.02.100. Code does not address how or when APCs should be inactivated when a quorum cannot be formed.

Through this resolution, Kalifornsky APC seats B, C, F, and G shall be declared vacant and advertised for 30 days. If, during the application period, the borough receives applicants for the APC but there is still not a sufficient number of qualified applicants to secure a quorum on the APC, then the APC will be listed as inactive.

Your consideration of this resolution is appreciated.

Introduced by: Mayor
Date: 04/19/22
Action:
Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2022-**

**A RESOLUTION PROVIDING A 30-DAY APPLICATION PERIOD PRIOR TO
INACTIVATING THE KALIFORNSKY ADVISORY PLANNING COMMISSION**

WHEREAS, the Kenai Peninsula Borough (“Borough”) has established Advisory Planning Commissions (“APCs”) in several communities throughout the Borough, including the Kalifornsky APC; and

WHEREAS, the Kalifornsky APC was established by Ordinance 2019-21 and held its first meeting on November 18, 2019; and

WHEREAS, APCs may seat up to seven members, and at least four members are required to constitute a quorum; and

WHEREAS, currently there are two declared vacancies on this APC, Seat D and Seat E, due to the fact that the terms for both seats expired on September 30, 2021

WHEREAS, no applications have been received to date to fill Seat D and Seat E on this APC; and

WHEREAS, as of January 2022, four of the five seated Kalifornsky APC members have submitted resignations and/or cannot be reached, those seats being Seats B, C, F, and G; and

WHEREAS, there is only one remaining seated member on the Kalifornsky APC and therefore the APC is unable to hold a meeting to declare vacancies on the APC as required by KP.B 21.02.100; and

WHEREAS, Borough code does not address how or when APCs should be inactivated when a quorum cannot be constituted; and

WHEREAS, at its meeting held on April 11, 2022, the Borough Planning Commission recommended _____;

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

SECTION 1. That the Assembly declares Kalifornsky APC Seats B, C, F, and G are vacant and the Borough shall, for a period of thirty days, advertise for applicants to fill those vacancies.

SECTION 2. That if, during the 30-day application period, the Borough receives applicants for the Kalifornsky APC but there remains an insufficient number of qualified applicants to constitute a quorum, the Borough will then list the Kalifornsky APC as inactive.

SECTION 3. This resolution is effective immediately upon adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS _____ DAY OF _____ 2022.

Brent Johnson, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk