

Kenai Peninsula Borough

Planning Department

MEMORANDUM

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

THRU: Mike Navarre, Mayor *MN*
Robert Ruffner, Planning Director *SLFRR*

FROM: Samantha Lopez, Senior Manager *SL*

DATE: January 5, 2023

RE: Resolution 2023-007, Providing a 30-Day Application Period Prior to Inactivating the Kachemak Bay Advisory Planning Commission (Mayor)

The Kenai Peninsula Borough (Borough) has established an Advisory Planning Commissions (APC) in several communities throughout the Borough, one being the Kachemak Bay APC. The Kachemak Bay APC was established on January 16, 1996, by Ordinance 95-38.

Borough code allows an APC to seat up to seven members, and requires at least four members to constitute a quorum. Since September 30, 2022, there have been two filled seats on this APC (Seats C and D), and five vacancies (Seats A, B, E, F, and G). These vacancies have been posted since October 3, 2022, and no applications have been received to date to fill these seats.

Because only two seats are filled, this APC is unable to meet and conduct business due to a lack of a quorum. Code does not address how or when an APC should be inactivated when a quorum cannot be established. However, when the Kalifornsky APC did not have enough members to form a quorum, it was deactivated by the same process via Resolution 2022-025 on April 19, 2022.

Through this resolution, Kachemak Bay APC seats A, B, E, F, and G will 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 is appreciated.