

Introduced By: Mayor, Chilson
Date: November 10, 2021
Action: Adopted
Vote: 6 Yes, 0 No

CITY OF SOLDOTNA
RESOLUTION 2021-055

A RESOLUTION IN SUPPORT OF PROPOSED KENAI PENINSULA BOROUGH ORDINANCE
2021-40: AN ORDINANCE AMENDING KPB 2.40.015 REGARDING PLANNING
COMMISSION MEMBERSHIP AND APPORTIONMENT

WHEREAS, Resolution 2016-028 adopted by the Soldotna City Council on July 13, 2016 opposed Kenai Peninsula Borough (KPB) Ordinance 2016-25 in its original form which proposed the KPB Planning Commission be reduced from thirteen members to nine members, with one member being from either the City of Soldotna or City of Kenai; and

WHEREAS, the KPB Assembly amended Ordinance 2016-025 by substitute reducing the membership from thirteen to eleven members, the substitute ordinance as enacted provided no provisions for how the five cities would share the four seats designated for city representation; and

WHEREAS, KPB Ordinance 2021-40 proposes to increase the KPB Planning Commission membership from eleven back to thirteen, with each of the five first class or home rule cities within the KPB again having a designated seat on the KPB Planning Commission; and

WHEREAS, it is in the best interest of the cities and the borough that all cities have a fixed seat on the KPB Planning Commission to ensure that a diversity of perspectives are offered and that cities have a voice on local and regional land use decisions and policy recommendations; and

WHEREAS, the Borough Administration has historically held that candidates for a 'city' designated seat on the Borough Planning Commission must be a qualified voter of the borough "who reside within the city limits," and this qualification was reiterated as recently as May 5, 2021 in a letter from Mayor Pierce to Mayor Whitney, announcing the current vacancy on the Borough Planning Commission; and

WHEREAS, this residency interpretation has been consistently applied by the Borough in the past, even causing sitting planning commissioners to have to step down from their seat if they moved their residence during their tenure on the Borough Planning Commission; and

WHEREAS, the Borough's recent advertisement for a vacant city designated seat provided that 'Any borough resident may apply,' a reversal of the borough's own longstanding practice and in conflict with State Statutes which require membership to be apportioned based on population inside versus outside incorporated cities; and

WHEREAS, past and current Borough Mayors have given great deference to the City Councils of the incorporated cities, as the elected representatives designated under Alaska Statutes responsible for forwarding a recommendation for the Borough Planning Commission member to represent their city; and

WHEREAS, the various City Councils often forward a single name for consideration, and Mayor Pierce recently accepted and recommended Assembly confirmation when only one recommended candidate was forwarded from the City of Seldovia in 2018, the Cities of Kenai and Homer in 2019, and the City of Seward in 2020; and

WHEREAS, KPB Ordinance 2021-40 codifies in Borough code the long-standing processes for filling vacancies of City representatives on the Borough Planning Commission, and returns the commission to 13 members as it existed prior to 2016; and

WHEREAS, the City of Soldotna has not had a representative on the Borough Planning Commission since July 31, 2020; and

WHEREAS, it is in the best interest of the residents of the City of Soldotna that the Assembly adopt Ordinance 2021-40, reestablishing designated city seats on the Borough Planning Commission and codifying procedures that ensure the residents of home rule and first class cities within the Borough are represented in borough planning decisions and processes;

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

Section 1. That the Soldotna City Council supports KPB Ordinance 2021-40 as introduced, and recommends the Kenai Peninsula Borough Assembly reestablish designated seats for the cities of Homer, Kenai, Seldovia, Seward, and Soldotna, and clarifying that a planning commissioner serving on a city seat must be a city resident, and that City Councils may forward a single recommended candidate for consideration.

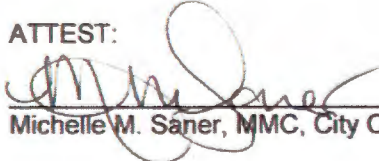
Section 2. That a copy of this Resolution shall be forwarded to the Borough Clerk's Office, the Borough Planning Commission, the Kenai Peninsula Borough Assembly, and the office of Mayor Charlie Pierce.

Section 3. This resolution shall become effective immediately upon its adoption.

ADOPTED BY THE CITY COUNCIL THIS 10TH DAY OF NOVEMBER, 2021.


Paul J. Whitney, Mayor

ATTEST:


Michelle M. Sauer, MMC, City Clerk

Yes: Hutchings, Ruffridge, Nelson, Carey, Chilson, Parker
No: None