

Introduced by: Dunne
Date: 01/02/18
Hearing: 02/06/18
Action: Enacted as Amended
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2018-04**

AN ORDINANCE AMENDING KPB CHAPTERS 16.20 AND 16.55 TO PROVIDE FOR APPOINTED MEMBERS TO SERVE ON THE KACHEMAK EMERGENCY SERVICE AREA BOARD AND THE SELDOVIA RECREATIONAL SERVICE AREA BOARD

WHEREAS, the Kachemak Emergency Service Area (“KESA”) and Seldovia Recreational Service Area (“SRSA”) boards draw from a relatively small pool of residents to serve on the board of directors; and

WHEREAS, members from the KESA board and the SRSA board have indicated it can be difficult to recruit members of the community to serve on those service area boards when the position is elected due to the additional paperwork involved in running for an elected position; and

WHEREAS, converting these from elected to appointed service area boards is expected to improve the ability to convince members of the public to serve on those boards; and

WHEREAS, at its meeting of November 9, 2017 the KESA board recommended approval by majority consent; and

WHEREAS, at its meeting of February 6, 2018 the SRSA board recommended approval by unanimous consent;

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

SECTION 1. That KPB 16.20 is hereby amended, as follows:

CHAPTER 16.20 KACHEMAK EMERGENCY SERVICE AREA

...

16.20.030. Board of directors.

There is established a board of directors for oversight of the operations of the Kachemak Emergency Service Area composed of five members who [, EXCEPT AS PROVIDED BELOW, SHALL BE ELECTED BY THE QUALIFIED VOTERS OF THE SERVICE AREA IN THE MANNER PROVIDED IN THE BOROUGH ELECTION CODE AND KPB

16.04.065 AS NOW ENACTED OR MAY BE HEREINAFTER AMENDED. NOTWITHSTANDING THE PROVISIONS OF KPB 16.04.060, THE FIRST BOARD] shall be appointed by the mayor and confirmed by the assembly [FOR ONE YEAR TERMS].

...

16.20.050. Board—Election of officers.

Each year [A]at the board's first regular meeting [FOLLOWING CERTIFICATION OF THE ELECTION BY THE ASSEMBLY, AND ANNUALLY THEREAFTER] in October, or as soon thereafter as possible, the board shall elect by majority vote of the board members, and from the board members, a chair[MAN], vice-chair, and such other officers as the board shall determine to be desirable who shall hold office until successors are elected.

16.20.060. Board—Terms of office.

Each member of the board of directors shall be [ELECTED] appointed for a term of three years and may serve thereafter until a successor has been [ELECTED OR] appointed, qualified and sworn to assume the duties of the office[, EXCEPT THAT THE FIRST ELECTED BOARD SHALL CONTAIN MEMBERS ELECTED FOR LESSER PERIODS AS DESIGNATED IN THE DOCUMENTS SETTING UP THE ELECTION TO PROVIDE FOR STAGGERED TERMS]. Nothing in this section shall be construed to prohibit a member of the board from resigning or their seat from being vacated as provided in this chapter.

...

16.20.080. Board—Vacancies—Filling.

Vacancies on the board shall be filled by appointment by the mayor and confirmed by the assembly [UNTIL THE NEXT REGULAR ELECTION OF THE BOROUGH AT WHICH TIME A NEW MEMBER SHALL BE ELECTED] to fill the unexpired term or for a three-year term if no unexpired term remains. The clerk shall provide at least twenty-one days' advance public notice before filling the vacancy. Public notice may be provided by publication through print or broadcast media, posting at the primary service area office or at the borough administration building, and such other publication as the service area board deems appropriate.

...

SECTION 2. That KPB 16.55 is hereby amended, as follows:

CHAPTER 16.55. SELDOVIA RECREATIONAL SERVICE AREA

...

16.55.030. Board of directors.

There is established a board of directors for oversight of the operations of the Seldovia Recreational Service Area composed of five members who [, EXCEPT AS PROVIDED BELOW, SHALL BE ELECTED BY THE QUALIFIED VOTERS OF THE SERVICE AREA IN THE MANNER PROVIDED IN THE BOROUGH ELECTION CODE AND KPB 16.04.065 AS NOW ENACTED OR MAY BE HEREINAFTER AMENDED. NOTWITHSTANDING THE PROVISIONS OF KPB 16.04.060, THE FIRST BOARD] shall be appointed by the mayor and confirmed by the assembly [FOR TERMS EXPIRING UPON CERTIFICATION OF THE REGULAR ELECTION HELD IN OCTOBER 2012. BOARD SEATS TO BE FILLED AT THE FIRST ELECTION OF BOARD MEMBERS SHALL BE STAGGERED AS FOLLOWS: SEATS A AND D FOR ONE YEAR; SEATS B AND E FOR TWO YEARS; AND SEAT C FOR THREE YEARS].

...

16.55.050. Board—Election of officers.

Each year [A]at the first regular meeting in October, or as soon thereafter as possible. [FOLLOWING CERTIFICATION OF THE ELECTION BY THE ASSEMBLY, AND ANNUALLY THEREAFTER,] the board shall elect by majority vote of the board members, and from the board members, a chairperson, a vice-chair, and such other officers as the board shall determine to be desirable who shall hold office until successors are elected.

16.55.060. Board—Terms of office.

Each member of the board of directors shall be [ELECTED] appointed for a term of three years and may serve thereafter until a successor has been [ELECTED OR] appointed, qualified and sworn to assume the duties of the office[, EXCEPT THAT THE FIRST ELECTED BOARD SHALL CONTAIN MEMBERS ELECTED FOR LESSER PERIODS DESCRIBED IN KPB 16.55.030]. Nothing in this section shall be construed to prohibit a member of the board from resigning or their seat from being vacated as provided in this chapter.

...

16.55.080. Board—Vacancies—Filling.

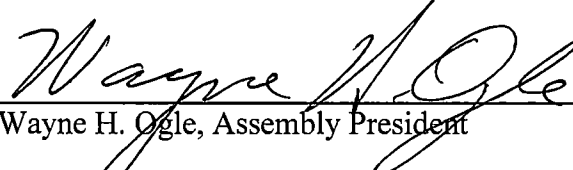
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...

SECTION 3. That notwithstanding the appointment requirements in this ordinance, the service area board members serving on the Kachemak Emergency Service Area board and the Seldovia Recreational Service Area Board when this ordinance is effective may complete their current terms of office without being appointed to their seats.

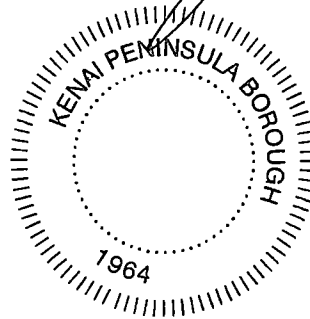
SECTION 4. That this ordinance shall become effective upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 6TH DAY OF FEBRUARY, 2018.


Wayne H. Ogle, Assembly President

ATTEST:


Johni Blankenship, MMC, Borough Clerk



Yes: Bagley, Blakeley, Carpenter, Cooper, Fischer, Hibbert, Smalley, Ogle
No: None
Absent: Dunne