



## **KENAI PENINSULA BOROUGH**

PLANNING DEPARTMENT

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DAVID R. CAREY  
BOROUGH MAYOR

### **MEMORANDUM**

TO: Gary Knopp, Assembly President  
Kenai Peninsula Borough Assembly Members

THRU: David R. Carey, Borough Mayor *DR Carey*

FROM: *MJB* Max J. Best, Planning Director

DATE: April 28, 2011

SUBJECT: Ordinance 2011-07; An ordinance reducing the number of Kenai Peninsula Borough Planning Commissioners from 13 to 11.

The Planning Commission reviewed the subject ordinance during their regularly scheduled April 25, 2011 meeting. A motion passed by unanimous consent to declare their opposition to the approval of this ordinance.

Attached are the unapproved minutes of the subject portion of the April 25, 2011 meeting.

AGENDA ITEM F. PUBLIC HEARINGS

4. Ordinance 2011-07; an ordinance reducing the number of Kenai Peninsula Borough Planning Commissioners from 13 to 11.

Staff Report given by Max Best

PC Meeting: 04/25/11

In 2001 planning commission membership was increased from 11 to 13. The number 13 resulted from retaining a planning commissioner from each home rule or first class city in the borough, which totals five commissioners. AS 29.40.020 requires that the number of planning commissioners from within the home rule and first class cities be proportionate to the home rule and first class city population however, the statute does not require each city to have its own representative. In order for representation on the planning commission to meet this requirement it was necessary to have eight non-area wide planning commissioners.

There are currently 55,400 people in the Borough with 19,214 people in the cities according to the recent census figures. A 13 member commission would be 5 (4.5) people in the city and 8 (8.5) people out of the city. The 11 member commission would be 4 (3.8) for city representation and 7 (7.2) outside city representation. A 9 member commission would equate to (3) 3.12 for representation of the five cities and 6 for representation outside city limits.

Mr. Johnson served on the planning commission for 15 years and was aware that the work of the commission can be accomplished with fewer than 13 commissioners. Seldovia has few items on the planning commission agenda and is the most costly seat to accommodate due to travel expenses. It could save the borough approximately \$16,000-\$20,000 to combine the Seldovia and Homer seats and eliminate one seat from outside of the cities. By reducing the number of city representatives by one, the borough can also reduce the number of commissioners outside the cities by one. I am proposing to combine the Seldovia and Homer seats and the Sterling and Ridgway seats. Both the Seldovia and Sterling terms end in 2012, the proposed effective date of the ordinance, so no commissioners' term would be truncated by this ordinance.

Your consideration of this cost saving measure is appreciated.

END OF MEMORANDUM & STAFF REPORT

Vice Chairman Martin opened the meeting for public comment. Seeing and hearing no one wishing to speak, Vice Chairman Martin closed the public comment period and opened discussion among the Commission.

**MOTION:** Commissioner Carluccio moved, seconded by Commissioner Holsten that the KPB Planning Commission declares their opposition to Kenai Peninsula Borough Ordinance 2011-07.

Commissioner Carluccio stated there was a resolution issued by the Seldovia City Council asking that local representation on the KPB Planning Commission be retained. There was also a letter from the City Manager who strongly opposes this Borough ordinance.

Commissioner Carluccio realized that the City of Seldovia was small however it is classified as a first class city within the Kenai Peninsula Borough. It has been a member on this commission since its inception. They are on the southern side of Kachemak Bay so they are somewhat removed which makes it harder to attend the meetings. It does cost more for the Seldovia planning commissioner to come to the meetings however this person who comes from Seldovia donates more time and needs to be more dedicated.

Commissioner Carluccio stated that Seldovia wants to be part of the Kenai Peninsula. A lot of money that comes to Seldovia is from tourism so they are definitely interested in what happens on the Kenai Peninsula and what happens within the Borough. All the issues of the Borough directly or indirectly affects all including Seldovia. The amount of money that would actually be saved was negligible when compared to the overall planning budget or borough budget or the fact that the Borough takes in approximately \$53 million in taxes. The \$16,000-\$20,000 savings by eliminating two people on this board and by eliminating their input and possible expertise is really negligible. She asked the commission to vote in favor of her motion.

Commissioner Isham also thought the savings of \$16,000-\$20,000 was negligible. Individually that is a lot of money however the overall borough general fund budget is \$73 million which does not include the schools. The amount saved is just a token amount and wasn't worth losing two seats. Every commissioner knows their district so it is in the public's best interest to have more in attendance than less. He felt the amount of money saved could be made up by eliminating the meetings in the winter from two meetings to one meeting a month.

Commissioner Holsten stated she would vote in favor of the motion. In her experience, if cuts need to be made then it was always better to have suggestions come from the organization up. She felt it wouldn't be too hard to look at their operation and come up with savings.

Commissioner Holsten's reason for strongly opposing the ordinance is that there is a wide variance and difference between the issues of one community and another. Where they are at economically, socially and politically is completely different. Representation from those outlying areas is more important than those closer in who have paid governments, who interact with Borough staff and the Assembly on a regular basis. She expressed her strong opposition to the approval of this ordinance.

Commissioner Collins also stated she would be voting in favor of the motion for the reasons that have already been stated. She also stated that if Seldovia was removed then the district would be Homer / Seldovia and who would say that someone from Seldovia would not be serving in that position anyway which does away with the reason for saving money. Commissioner Collins doesn't want to see the body cut in numbers and thought all areas need to be represented.

Commissioner Lockwood also supported the motion. He felt that if the Assembly wanted to save money then they shouldn't be offering Mayor Carey a \$20,000 raise.

Commissioner Tauriainen also would be voting in favor of the motion and believed the savings was negligible. He felt there were much more efficient ways to save money. He referred to the Homer Transfer Station which will be costing \$5 million and thought they could find \$16,000 to save.

**VOTE:** The motion passed by unanimous consent.

BRYSON ABSENT	CARLUCCIO YES	COLLINS YES	ECKLUND YES	FOSTER YES	GROSS YES	HOLSTEN YES
ISHAM YES	LOCKWOOD YES	MARTIN YES	PARKER YES	RUFFNER YES	TAURIAINEN YES	12 YES 1 ABSENT

**AGENDA ITEM F. PUBLIC HEARINGS**

- 5. Ordinance 2011-12, An ordinance amending KPB 21.18.025 to add additional water bodies subject to Anadromous Stream Habitat Protection.

Memorandum given by Max Best

PC Meeting: 2/28/2011

In 1996, the Kenai Peninsula Borough began regulating development adjacent to the Kenai River in order to provide riparian habitat protection.

In 2000, the Assembly enacted Ordinance 2000-08 which added 24 additional streams to include more of the major salmon rearing and spawning habitat on the Kenai Peninsula.

The findings validating Ordinance 2000-08 are not only valid for the currently managed anadromous streams, they are valid for all anadromous streams within the borough.

Some findings in Ordinance 2010-16 include: