



## KENAI PENINSULA BOROUGH

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BOROUGH ASSEMBLY

### MEMORANDUM

**TO:** Milli Martin, Assembly President  
Members, Kenai Peninsula Borough Assembly

**FROM:** Pete Sprague, Assembly Member

**DATE:** March 12, 2009

**SUBJECT:** Ordinance 2009-~~18~~, amending the borough code to revise procedures for hiring and dismissing the borough attorney.

Currently, Kenai Peninsula Borough Code provides that the borough attorney is hired by the mayor, and confirmed by the assembly, as are other department heads. In addition, the attorney may be dismissed by the mayor. The attorney is in the unique position of providing counsel for both the administration and the assembly, which could conceivably cause conflict. The Fairbanks North Star Borough Code has similar hiring and confirmation procedures as the Kenai Peninsula Borough, but gives both the mayor and the assembly a voice in the dismissal of the attorney. I believe that this amendment is an equitable and fair solution to resolving this issue. Your consideration is appreciated.