

Blankenship, Johni

From: Teresa Fahning
Sent: Saturday, May 16, 2009 12:35 PM
To: pa12gary@hotmail.com; psprague@acsalaska.net
Cc: Frank Fahning; Blankenship, Johni
Subject: Ordinance 2009-31

May 16, 2009

Assembly Member Knopp
Assembly Member Sprague
Kenai Peninsula Borough
144 N. Binkley
Soldotna, AK 99669

Honorable Gentlemen:

As residents of the Kenai Peninsula Borough, my husband and I wholeheartedly support Ordinance 2009-31, "Providing for a Vote on the Question of Adopting a Manager Plan of Government at the Next Regular Election."

We wish you all the best in your endeavors to introduce and enact this very important piece of legislation and look forward to the opportunity to vote on this in October.

Thank you both for sponsoring Ordinance 2009-31.

Sincerely,

Teresa and Frank Fahning

5/18/2009

Blankenship, Johni

From: Bev Dove
Sent: Saturday, May 16, 2009 1:27 PM
To: Blankenship, Johni
Subject: Ordinance 2009-31

*Dear Madam Clerk,
Please see that this is provided to the assembly members prior to the next meeting.
Thank you,
Bev*

To the Kenai Peninsula Borough Assembly Members

Honorable Assembly:

As residents of the Kenai Peninsula Borough, my husband and I wholeheartedly support Ordinance 2009-31, "Providing for a Vote on the Question of Adopting a Manager Plan of Government at the Next Regular Election."

We wish you all the best in your endeavors to introduce and enact this very important piece of legislation and look forward to the opportunity to vote on this in October.

Sincerely,

Beverley and Skip Dove

5/18/2009

Blankenship, Johni

From: Marion Nelson
Sent: Monday, May 18, 2009 11:13 PM
To: Blankenship, Johni
Subject: Ordinance 2009-31

Dear Madam Clerk,

Please see that this is provided to the assembly members prior to the next meeting.

Thank you,

Marion Nelson

To the Kenai Peninsula Borough Assembly Members

Honorable Assembly:

*As a tax paying, property owning, resident of the Kenai Peninsula Borough, I support Ordinance 2009-31,
"Providing for a Vote on the Question of Adopting a Manager Plan of Government at the Next Regular Election."*

I welcome the introduction of this ordinance at this time and welcome the opportunity to vote on this in October.

Respectfully,

Marion Nelson

Ridgeway

5/19/2009

Blankenship, Johni

From: Carey, Dave
Sent: Monday, June 01, 2009 11:22 AM
To: Blankenship, Johni
Subject: FW: Ordinance 2009-31
Attachments: newimage.jpg

Dear Johni:

Please include this letter to the Assembly and to the ordinance comments section on the Borough's website.


Mayor Carey

From: Curtis and Natalie [mailto:curtisandnats@acsalaska.net]
Sent: Monday, June 01, 2009 10:45 AM
To: Carey, Dave
Subject: Ordinance 2009-31

Dear Mayor Carey:

I am writing to urge the assembly members to vote down Ordinance number 2009-31. It is clear to me and my fellow co-workers that this is merely a back door attempt to remove you from your current position. The system we have in place now with a mayor elected by the PUBLIC and elected assembly members with term limits, provides a healthy mix of checks and balances needed for effective managing of the borough. To change this system to an assembly appointed manager is in no way beneficial to the people of the Kenai borough. Please continue to operate with conservative values in mind, reducing taxes and balancing the borough budget as directed by the voters in the last election, thank You.

Sincerely,
Curtis Pennington

 FREE Animations for your email - by IncrediMail! [Click Here!](#)

Mayor D. Carey
144 Binkley
Soldotna, Alaska 99669

Mayor Carey:

I am writing to express my opposition and concern to the proposed ordinance regarding the appointment of the position of a borough mayor as opposed to the current policy of an elected one.

Having a borough mayor appointed by the assembly would insure that a person who was given the position would have all the same views as the assembly and would eliminate all normal checks and balances the common people need to keep a government favorable to the needs of all.

The State of Alaska at this time is fighting the view of the rest of the nation toward us as being a "den of corruption". I can only see an appointed mayor as furthering this view to include the local level. It is like having a fox be in charge of the hen house. Nothing good, and potentially much bad, can be the only result of such action.

Thank you for your time and all you are trying to do to keep rising costs and borough government under control.



Bernadine A. Cooper

PO Box 1343
Kenai, Alaska 99611

From: Carey, Dave
Sent: Friday, June 12, 2009 9:30 AM
To: Blankenship, Johni
Subject: FW: Thank You

Friday, June 12, 2009 9:29 AM

Dear Johni:

For the Assembly dealing with Manager form ordinance.

Mayor Carey

-----Original Message-----

From: Henry E Cooper [mailto:henry.cooper@delaware.gov]
Sent: Thursday, June 04, 2009 11:19 AM
To: Carey, Dave
Subject: Thank You

Thank you for being the person that you are. I believe you are doing a good job trying to cut the budget and I am against highering a manager to do the bidding of the liberal assembly members that want you out of office. These people want to take away the power of the borough mayer so thay can do with the budget what they want and don't care if they have the money to cover it. I was going to go the the last meeting on 06-02-2009 but was not watching the time while I worked on my home work and when I realized the time it was after 8:00. Thank You again for trying to do your job right.

Thanks: Henry Coopeer

From: Blankenship, Johni
Sent: Monday, June 15, 2009 9:30 AM
To: Turner , Michele
Subject: FW: Ordinance 2009-31

From: terry&charlene [mailto:
Sent: Thursday, June 11, 2009 5:01 PM
To: pa12gary@hotmail.com; hvsmalley@yahoo.com; gsuperman@gci.net; psprague@acsalaska.net; cpierce@gci.net; rlms@ptialaska.net; akfischer@hotmail.com; bsmith@xyz.net; millimom@xyz.net; Blankenship, Johni
Subject: Ordinance 2009-31

I feel the borough Mayor has overstepped his bounds. I feel he should be held accountable by the Assembly for every decision he makes.

I fully support Ordinance 2009-31 as written. I feel the ballot proposition should be placed on the ballot in the next regular borough election. I think it should take effect immediately upon its enactment.

I also hope the Assembly will override the Mayor's veto of the Ordinance 2009-23. I support this Ordinance governing middle-management positions at the borough.

Respectfully,
Charlene Johnson

6/15/2009

From: Blankenship, Johni
Sent: Monday, June 15, 2009 9:33 AM
To: Turner , Michele
Subject: FW: Ordinance 2009-23 and Ordinance 2009-31

Agenda Item

From:
Sent: Saturday, June 13, 2009 11:15 AM
To: pa12gary@hotmail.com; hvsmalley@yahoo.com; gsuperman@gci.net; psprague@acsalaska.net; cpierce@gci.net; rlms@ptialaska.net; akfischer@hotmail.com; bsmith@xyz.net; millimom@xyz.net; Blankenship, Johni
Subject: Ordinance 2009-23 and Ordinance 2009-31

President Martin and Assembly members,
I am urging you to override the Mayor's veto of Ordinance 2009-23 (New Business item 4 on Tuesday's agenda)
Although upper management may "already be protected from unlawful employment action" they are not protected from a Mayor who's arbitrary actions are not in the best interest of borough residents.

I fully support Ordinance 2009-31 as written.

I appreciate the time and effort taken by each of you to act in the best interest of our Kenai Peninsula Borough.
Respectfully,
Roberta Wilfong

6/15/2009

From: Blankenship, Johni
Sent: Monday, June 15, 2009 12:06 PM
To: akjfischer@hotmail.com; Bill Smith; Charlie Pierce; cpierce@gci.net; Gary Knopp; gsuperman@gci.net; hvsmalley@yahoo.com; millimom@xyz.net; psprague@acsalaska.net; Ron Long (E-mail)
Cc: Turner, Michele
Subject: FW: Comments on Ord. 2009-31

FYI

From: Bonnie and Jim
Sent: Monday, June 15, 2009 12:05 PM
To: Blankenship, Johni
Subject: Comments on Ord. 2009-31

Please distribute this memorandum regarding Ord. 2009-31 to Assembly Members. Thank you.

Memorandum to Borough Assembly Members
From: Bonnie Golden, Ex-Borough Grants Manager
Date: June 15, 2009

Subject: 19 REASONS TO CONSIDER A MANAGER FORM OF GOVERNMENT:

OUT OF 14 KEY POSITIONS AT THE BOROUGH, AS OF TODAY THERE HAS BEEN A TURNOVER OF 9 PEOPLE:

1. Bruce Richards – Oil and Gas Liaison, 20+ years experience in state and local government; 2+ years at the Borough
2. Bev Dove – Administrative Assistant to the Mayor, 20+ years at the Borough. Hired employee with far less experience.
3. Gary Davis – Roads Director, 9 years at the Borough, 6 years State Representative in Juneau.
4. Bob Garlock – Solid Waste Director, 8 years at the Borough
5. Bill Kopecky – Maintenance Director, 20+ years at the Borough
6. Dave Tressler – Maintenance Director, 20+ years at the Borough
7. Roberta Wilfong – Spruce Bark Beetle Program Manager, 6+ years at the Borough. Qualifications lowered for new manager.
8. Richard Campbell – General Services Director, 24+ years at the Borough. Qualifications lowered to hire replacement.
9. Bonnie Golden – Grants Manager, 24+ years at the Borough. Qualifications lowered and pay scale raised for replacement.

This has resulted in the loss of personnel who provided over a combined total of 130+ years of experienced, dedicated and professional service to the citizens of the Kenai Peninsula Borough.

QUESTIONABLE MANAGEMENT DECISIONS MADE BY CURRENT MAYOR:

1. Eliminate the Spruce Bark Beetle program and personnel. *Reversed* decision by keeping the program and all personnel except the Program Manager.

6/15/2009

2. Move Capital Project Department out to Nikiski, and eliminate 4 staff persons. *Reversed* decision for the move, initially kept 3 of the 4 staff persons, fourth person later re-instated.
3. Create position that combines duties of the Economic Analyst and Grants Manager. *Reversed* decision by requesting that the Assembly defeat the resolution that he sponsored creating the new position of Community and Fiscal Program Manager. Reversed decision by hiring an Economic Analyst and created new job description for the Community and Fiscal Program Manager that lowers the qualifications for the position and increases the salary range.
4. Sent the Mayor's Administrative Assistant *to Texas* for a week-long writing class.
5. Proposed reducing educational funding, causing turmoil within the School District, especially for the 64 families directly impacted.

BENEFITS OF HAVING A BOROUGH MANAGER:

1. A Borough Manager would provide stability and consistency for borough operations and interaction with the public.
2. A Borough Manager would obtain the facts by researching the issue and talking to employees, staff and others, before making a final decision.
3. A Borough Manager would not cause an extreme amount of turmoil and upheaval in personnel; operations would remain steady. Some changes are anticipated with the election of a new mayor; but not the wholesale turnover experienced in the last 7 months.
4. A Borough Manager would inform the staff of goals and objectives; providing a sense of direction. Information would be exchanged among all departments so that staff is kept well-informed on borough issues and activities. This information would be shared with staff prior to announcing it to the media.
5. A Borough Manager would work for the citizens of the borough and would report to the Borough Assembly. The Assembly would then receive ALL the data needed to make an informed decision on borough policies.

From: Blankenship, Johni
Sent: Tuesday, June 16, 2009 8:55 AM
To: Turner , Michele; akjfischer@hotmail.com; Bill Smith; Charlie Pierce; cpierce@gci.net; Gary Knopp; gsuperman@gci.net; hvsmalley@yahoo.com; millimom@xyz.net; psprague@acsalaska.net; Ron Long (E-mail)
Subject: FW: KPB Ordinance 2009-31

FYI - Agenda Item

From: Teresa Fahning
Sent: Tuesday, June 16, 2009 7:25 AM
To: Blankenship, Johni
Subject: KPB Ordinance 2009-31

June 16, 2009

Members of the Kenai Peninsula Borough Assembly
144 N. Binkley St.
Soldotna, Alaska 99669

Re: KPB Ordinance 2009-31, Providing for a Vote on the Question of Adopting a Manager Plan of Government at the Next Regular Election

Honorable Assembly Members:

We wholeheartedly support the enactment of KPB Ordinance 2009-31, which will allow the voters of the Kenai Peninsula Borough to speak on this very important question - should the chief administrative officer be a full-time, permanent manager rather than an elected mayor.

Please give us the opportunity to participate in choosing what we, as voters, perceive to be "in the best interests of the borough."

Sincerely,

B. Frank & Teresa Fahning

6/16/2009

From: Blankenship, Johni
Sent: Tuesday, June 16, 2009 10:03 AM
To: Turner , Michele
Subject: FW: Ordinance 2009-31

Agenda Item

From: Isham, Jim R
Sent: Tuesday, June 16, 2009 10:01 AM
To: pa12gary@hotmail.com; hvsmalley@yahoo.com; gsuperman@gci.net; psprague@acsalaska.net; cpierce@gci.net; rlms@ptialaska.net; akfischer@hotmail.com; bsmith@xyz.net; millimom@xyz.net; Blankenship, Johni
Subject: Ordinance 2009-31

Greetings Assembly Members,

Ordinance 2009-31 caught my eye during a review of today's agenda. Adopting a manager plan of government would shift most if not all the Mayor's duties/responsibilities to KPB Manager which of course is an appointed position.

There are numerous pros and cons for both types of governing bodies however taking away the ability of public vote to choose their candidate of choice is not something I can support.

Please vote no on ordinance 2009-31

Thanks to all of you for doing a great job

Best regards

James Isham

Soldotna, 99669

6/16/2009

From: Blankenship, Johni
Sent: Tuesday, June 23, 2009 8:33 AM
To: akjfischer@hotmail.com; Bill Smith; Charlie Pierce; cpierce@gci.net; Gary Knopp; gsuperman@gci.net; hvsmalley@yahoo.com; millimom@xyz.net; psprague@acsalaska.net; Ron Long (E-mail)
Cc: Turner, Michele
Subject: FW: Comment for Assembly Packet Ordinance 2009-7

Agenda Item

From: Sandra Key
Sent: Monday, June 22, 2009 10:21 PM
To: Blankenship, Johni
Subject: Comment for Assembly Packet Ordinance 2009-7

I am very troubled by the proposed ordinance. I assume that a City Manager will not work for free and will need benefits, travel costs and of course a staff of three or four people at a minimum. As a taxpayer I question that this is needed. If it is necessary, a much better job of enlightening the citizens about that need should be developed that includes a sensible process.


From a distance, it appears to be a solution to an unknown problem. Rumors abound that there are "relationship" issues this is designed to address. If this is the situation, I strongly suggest you all put on your "Big Boy/Girl Pants" and work it out. We, at the local level, have to deal continually with relationship issues. These issues usually can be decoded to simply mean "power struggles", yet we are expected to work through them and continue functional relationships. We expect the same of the "hired help".

Unless there is a demonstrated need for having this on the ballot it appears to be an airing of laundry that is a waste of staff and voter time.

Until this ordinance and the rumor mill surrounding it occurred, I have been very satisfied with our Assembly and this Mayor and his predecessor. If the rumors are inaccurate and there truly is some huge problem that this will fix, then I believe there still should be more effort put into demonstrating the need for such a fundamental change in how the Borough is governed. Until that need is demonstrated, I am opposed to this ordinance.

Sandra Holsten

Cooper Landing, AK 99572

 **EMAILING FOR THE GREATER GOOD**
Join me

From: Blankenship, Johni
Sent: Tuesday, July 07, 2009 8:24 AM
To: Turner , Michele
Subject: FW: No on Ordinance 2009-31

Agenda Item

From: Dave & Kitty Thompson
Sent: Tuesday, July 07, 2009 2:36 AM
To: pa12gary@hotmail.com; hvsmalley@yahoo.com; gsuperman@gci.net; psprague@acsalaska.net; cpierce@gci.net; rlms@ptialaska.net; akfischer@hotmail.com; bsmith@xyz.net; millimom@xyz.net; Blankenship, Johni
Cc: Carey, Dave; Chumley, Hugh
Subject: No on Ordinance 2009-31

Re: An Ordinance providing for a vote on the question of adopting a manager plan of government

As an elected official of the KPB take a pole of as many of your constituents as you can in an unbiased manner and vote for this ordinance as the majority of them want you to vote, not your personal feelings. This thereby will reflect the true and actual democratic process carried out and take you as elected officials "off the hook" so to speak.

We personally want to keep on voting for our borough mayor, whoever he or she maybe. By eliminating the power of our borough mayor for a manager selected by the borough assembly, we feel, sets up a pupit government and leans toward dictatorship rule.

A borough manager might be OK in a small community of 300 - 350 residents, whereby particiation is limited, but not here on the Kenai with a population of sixy to seventy thousand residents.

We feel having a borough manager along with a mayor is wasteful duplication that we all have to fund. As do all of the many residents we have spoken to recently regarding this ordinance.

David and Katherine Thompson

Kenai Alaska 99611

7/7/2009

From: Blankenship, Johni
Sent: Monday, July 06, 2009 8:27 AM
To: Turner , Michele
Subject: FW: Ordinance 2009-31

Agenda item

From: District 35 Republican
Sent: Wednesday, July 01, 2009 2:16 PM
To: pa12gary@hotmail.com; hvsmalley@yahoo.com; gsuperman@gci.net; psprague@acsalaska.net; cpierce@gci.net; rlms@ptialaska.net; akfischer@hotmail.com; bsmith@xyz.net; millimom@xyz.net; Blankenship, Johni
Subject: Ordinance 2009-31

To: KPB Assembly Members
RE: Ordinance 2009-31

Just a quick note to let you all know that if you continue to ramrod the ordinance 2009-31 we will use every tool available to help defeat this new form of government.

Please consider the time, cost and effort that will be involved in this proposal, should it get to a point of being voted on by the residents of the Kenai Peninsula Borough. Set it to the side and let it die a honorable death.

Thank you for your consideration.
Sincerely, Dave and Eileen Becker, Peninsula Communication Inc.

7/6/2009

Kristine A. Schmidt

Kenai, Alaska 99611

July 6, 2009

Millie Martin, President
David A. Carey, Borough Mayor
Kenai Peninsula Borough Assembly
144 N. Binkley St.
Soldotna, Alaska 99669

Re: Ordinance 2009-31 - Assembly-Appointed Borough Manager

Dear President Martin, Mayor Carey, and Assembly Members:

I have been a supporter of having some form of borough manager for many years. I worked at the Kenai Peninsula Borough 1984-1994, and by the end of my tenure, it was evident to me that the Borough had grown too big to be managed by a single elected official, especially by one who had little to no experience in running a very large company, like the Borough.

The current systems -- elected Mayor or council/assembly-appointed manager -- both have many flaws. One of the most glaring flaws in the elected Mayor system is the instability and low employee morale that results from the frequent mayoral transitions: there have been five different Borough Mayors in the last 15 years. As a result, department directors become "yes men" (or women) because they are afraid of being fired, and they act out their fears on the employees they supervise.

Another problem with the elected Mayor system is that, because the Kenai Peninsula Borough job is so big, the Mayor has to rely too heavily on department directors. The Mayor rarely interacts with direct service staff, and really has no idea what is going on at the Borough, except what he is being told by the department directors.

There is also a lot of cronyism with the elected Mayor system. Over the years, the Borough Mayor's office has become weighted down with staff, and many times the people who fill these jobs are the mayor's campaign staff, who may not be the best qualified people for these executive positions. When I started working at the Borough in 1984, Mayor Stan Thompson had a secretary, and one assistant, Sam Best who was, in effect, the Borough manager. The current Mayor has five staff members.

Under the elected Mayor system, because the Borough Mayor changed so often in the last 15 years, and because the job is so demanding and political, the Borough Mayor has not had the time to put into place good management practices that would help the Borough become a more efficient, user-friendly operation. For example, the Borough still hires department directors with no management training or experience, and does not provide or require management training.

The Borough has no effective quality control system for most of its operations. In a well-run private company, these bad management practices would not be tolerated.

However, having lived under the council-appointed manager system in the City of Kenai for the last 27 years, I have come to believe that this system has just as many if not more flaws. The worst flaw is that the manager is not accountable to the public, in any way.

Bad managers -- and there have been some -- simply do not care about what the residents want or need. They spend their time catering to what the current majority on the council wants, and their own private career goals. A bad manager can have a very adversarial relationship with City residents, and can neglect City services, and there is nothing that residents can do about it. There is no process for complaints against the manager, and the public is not permitted to participate in the manager evaluation process. Getting rid of a bad manager is almost impossible, for either the public or council (the Kenai City Charter requires 5 out of 7 votes to remove a manager).

On the other hand, with the elected mayor system, an unpopular or poorly performing mayor (in the public's eyes) can be voted out within 3 years. We saw that happen in 2008 when Mayor Williams was not re-elected.

In addition, in my opinion, having an assembly-appointed manager would give the Borough Assembly too much power. The current balance of power in the Kenai Peninsula Borough between the Mayor and the Assembly is just right.

I have discussed the pros and cons of mayor v. manager with many people and public officials in various parts of the state over the last few years. The best system I have seen is the elected Mayor-appointed manager system like Anchorage has. That way, you get the best of both worlds -- an elected mayor to be accountable to the public, and an appointed manager, to run the day to day operations of the municipality.

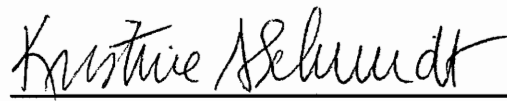
The Anchorage Charter, at Article V, Section 5.03, creates the municipal manager position, and makes the position appointed by the Mayor and confirmed by the assembly (see attached charter sections). According to Section 5.03, the manager is "selected solely on the basis of professional qualifications." That should be some protection from cronyism hiring.

Please, look at putting the Anchorage system into place at the Borough, rather than taking away the elected Borough Mayor system entirely.

And to those of you who would vote in favor of Ordinance 2009-31 just to "test the waters," or "let the voters decide," I think that's a cop-out. We elected you as our representatives to take positions, based on what your constituents want, and your own common sense. In my opinion, you should only put a matter on the Borough ballot for voter approval when there is wide-spread public approval of that matter as shown in public hearings and public forums. I have not seen or heard wide-spread public approval for an appointed Borough manager system. Let those who want to "test the waters" use the initiative process.

Thank you for considering my comments.

Very truly yours,

A handwritten signature in cursive script that reads "Kristine Schmidt". The signature is written in black ink and is positioned above a horizontal line.

KRISTINE A. SCHMIDT

ARTICLE V. THE EXECUTIVE BRANCH*

*State law references: Executive power, AS 29.20.220.

Section 5.01. The office of the mayor.

- (a) The executive and administrative power of Anchorage is vested in the mayor. The mayor is elected at-large for a three-year term.
- (b) A candidate for the office of mayor:
 - (1) Shall be a qualified voter of Anchorage; and
 - (2) Shall be a resident of Anchorage for at least two years immediately preceding his election.
- (c) The mayor shall remain a resident of Anchorage while in office.
- (d) A person who has served as mayor for two consecutive terms may not be re-elected to that office until one full term has intervened.
- (e) The compensation of the mayor shall be fixed by the commission on salaries and emoluments, and may not be reduced during his term of office without his consent.

Section 5.02. Powers of the mayor.

- (a) The mayor shall appoint all heads of municipal departments, subject to confirmation by the assembly, on the basis of professional qualifications. Persons appointed by the mayor serve at the pleasure of the mayor.
- (b) The mayor may participate in all assembly meetings to the same extent as an assemblyman, but may not vote.
- (c) The mayor has the veto power. The mayor also has line item veto power. The mayor may, by veto, strike or reduce items in a budget or appropriation measure. The veto must be exercised and submitted to the assembly with a written explanation within seven days of passage of the ordinance affected. The assembly, by two-thirds majority vote of the total membership, may override a veto any time within 21 days after its exercise.
- (d) In case of emergency, the mayor has the power of a peace officer and may exercise that power as chief executive officer to prevent disorder and to preserve the public health. The assembly by resolution may declare that the emergency no longer exists.

(AO No. 90-82(S), prop. 6, 10-2-90)

Section 5.03. Manager.

- (a) There shall be a manager appointed by the mayor and confirmed by the assembly. The manager serves at the pleasure of the mayor. The manager is selected solely on the basis of professional qualifications. He need not be a resident of the municipality at the time of appointment but must be a resident while in office.
- (b) The manager is responsible to the mayor for the overall conduct of the administrative functions of the municipality.
- (c) During the temporary absence or incapacity of the mayor the manager shall assume the powers and duties of the mayor, except emergency and veto powers.

Section 5.04. Municipal attorney.

There shall be a municipal attorney appointed by the mayor and confirmed by the assembly. The attorney serves at the pleasure of the mayor. The attorney shall advise and assist the municipal government on legal matters.

Section 5.05. Chief fiscal officer.

There shall be a chief fiscal officer appointed by the mayor and confirmed by the assembly. The chief fiscal officer serves at the pleasure of the mayor. He is the custodian of all municipal funds. He shall keep an itemized account of money received and disbursed, pay money on vouchers drawn against appropriations, and perform such other duties as the assembly by ordinance may prescribe.

Section 5.06. Administrative code.

The assembly by ordinance shall adopt an administrative code providing for:

- (a) The identity, function, and responsibility of each executive department and agency;

- (b) Rules of practice and procedure governing administrative proceedings;
- (c) Personnel policy and rules preserving the merit principle of employment.

Section 5.07. Boards and commissions.

- (a) The assembly by ordinance may provide for advisory, regulatory, appellate or quasi-judicial boards or commissions. The ordinance shall prescribe the duties, terms and qualifications of members.
- (b) The mayor appoints the members of boards and commissions, unless otherwise specifically provided in this Charter. Appointments are subject to confirmation by the assembly.
- (c) Boards and commissions may make recommendations to the assembly, the mayor, and heads of executive departments on matters specified in the ordinance creating the board or commission.
- (d) The assembly by ordinance may create or designate itself to be a board of review, adjustment, or equalization. The ordinance shall prescribe the rules of procedure, including quorum and voting requirements.

Editor's note: The charter commission's commentary on subsection (d) of this section is printed following the Charter as Section 5.07(d) of such commentary.

Section 5.08. Commission on salaries and emoluments.

- (a) There is established a commission on salaries and emoluments of elected officials. The commission is composed of five members appointed for terms of four years. The commission shall be composed of at least one business executive, one representative of a nonpartisan voters' organization, one person with experience in public administration, and one representative of a labor organization.
- (b) No member of the commission shall be employed by the municipality during the term for which he is appointed, nor shall he hold elective municipal office during his term or within one year thereafter.
- (c) The commission shall establish the compensation, including salaries, benefits, and allowances, if any, of elected officials. A decision of the commission to adjust the compensation of elected officials shall not affect seated elected officials, but shall affect those elected officials seated after the election following approval of the decision. A decision of the commission not affecting the compensation of elected officials takes effect at the beginning of the next fiscal year of the municipality. A decision by the commission is subject to initiative and referendum in the same manner as an ordinance.
- (d) The commission shall afford an opportunity for the public to be heard before rendering any decision that changes the compensation of an elected official. At least every two years, but not more frequently than every year, the commission shall review the compensation of elected officials. The commission shall render its decision with respect to salaries not later than 30 days before the end of the fiscal year of the municipality.

(AO No. 94-92, prop. 1, 6-1-95)

Code references--Public meetings, Ch. 1.25; assembly, Ch. 2.20; administrative executive organization, Ch. 3.20; school board, Ch. 29.10; Anchorage Telephone Utility, Tit. 30.

JULY 7, 2009

TO ALL THE ASSEMBLY MEMBERS OF THE KENAI PENINSULA BOROUGH:

From the first day that my husband Al Chong and I landed in Alaska on November 3, 2002, I have been very much in love with Alaska and have adapted to the weather, and the Alaskan culture, and our super neighbors, and the community structures . . . AND . . . our Alaskan government leaders. I am privileged to have already participated **several times** in the voting process that helped to elect these wonderful leaders!

It is with giant frustration that I totally disagree with **a lot** of what our President is doing! And ~ I am extremely sad that our Governor Palin has stepped down from her post ~ but she has her reasons. ALSO . . . It has been a pleasure to meet and know many of the Borough Assembly members personally, and I appreciate and respect all that you EACH do to keep our Kenai Peninsula Borough "A GREAT place to live!"

So it is with a humble heart that I send this letter to each of you to say that I personally do NOT SUPPORT the **ORDINANCE PROVIDING FOR A VOTE ON THE QUESTION OF ADOPTING A MANAGER PLAN OF GOVERNMENT**.

The City of Soldotna has a City Manager and the City of Kenai has a City Manager. The Kenai Peninsula Borough DOES NOT because OUR BOROUGH MAYOR MANAGES OUR BOROUGH TOGETHER WITH OUR ASSEMBLY.

The residents of the Kenai Peninsula Borough elected our Mayor to manage our Borough and we should listen to the people. **No leader is perfect!** What if we have a United States Manager or Managing Director for the President of the United States? Or a State Manager for our Governor of Alaska? We don't need one for the Mayor. That is why we have an Assembly. That is why we have a City Council. That is why we have the Senate or the House of Representatives. That is why we have the Legislature!

I've worked with Mayor Bagley! I voted for Gary Superman and later became impressed with Mayor Williams and voted for him last year. I've been an admirer of Mayor Carey before he became the Borough Mayor. My comment has nothing to do with who is Mayor. I personally BELIEVE the person who runs for the office of Mayor of the Kenai Peninsula Borough is elected by the people to MANAGE the Kenai Peninsula Borough to keep us STRONG. And when we vote for our Assembly representative, it is because we want our individual "region" to have a voice in HOW the Mayor manages the Borough.

If I didn't already have a commitment tonight I would be there in person to RESPECTFULLY deliver my message. Thank you for your time.

Very Sincerely,


Bunny Chong 41710 Stone Court, Soldotna, AK 99669

From: Blankenship, Johni
Sent: Monday, August 03, 2009 10:24 AM
To: Turner , Michele
Subject: FW: Local AIP Opposes KPB Ordinance 2009-31

Agenda Item

From: J.R. Myers
Sent: Friday, July 31, 2009 7:32 PM
To: Blankenship, Johni; millimom@xyz.net; bsmith@xyz.net; akfischer@hotmail.com; rlms@ptialaska.net; cpierce@gci.net; psprague@acsalaska.net; gsuperman@gci.net; hvsmalley@yahoo.com; pa12gary@hotmail.com
Cc: Carey, Dave; aipsdq@yahooogroups.com
Subject: Local AIP Opposes KPB Ordinance 2009-31

Dear KPB Assembly Member,

At our most recent Alaskan Independence Party Senate District Q meeting, held in Kenai 07/13/09, it was unanimously agreed upon that we would officially oppose proposed Kenai Peninsula Borough Ordinance 2009-31 "An ordinance for a vote on the question of adopting a manager plan of government at the next regular election beginning in 2011." We represent nearly 1,000 AIP members in SDQ and speak for many others throughout the KPB as well.

If passed this measure would shift the KPB from a strong mayor system, where the mayor is directly elected by and accountable to all the voters in the borough and has substantial administrative responsibilities, to a weak mayor figurehead with a hired KPB Manager running the daily affairs of the KPB. Such a Manager would then be beholden to the Assembly first rather than to the people directly. We believe that this would effectively distance KPB executive accountability from the voters.

We ask you to please reconsider your support of KBP Ordinance 2009-31. We do not believe that it would be a positive change in local government for the people of the KBP. There is no real need for this ordinance to be on the October 6, 2009 ballot. Thank you for your reconsideration of this important issue.

Sincerely,

J.R. Myers
AIP SDQ Chairman

8/3/2009

From: Blankenship, Johni
Sent: Monday, August 03, 2009 10:24 AM
To: Turner , Michele
Subject: FW: Local AIP Opposes KPB Ordinance 2009-31

Agenda Item

From: J.R. Myers
Sent: Friday, July 31, 2009 7:32 PM
To: Blankenship, Johni; millimom@xyz.net; bsmith@xyz.net; akfischer@hotmail.com; rlms@ptialaska.net; cpierce@gci.net; psprague@acsalaska.net; gsuperman@gci.net; hvsmalley@yahoo.com; pa12gary@hotmail.com
Cc: Carey, Dave; aipsdq@yahogroups.com
Subject: Local AIP Opposes KPB Ordinance 2009-31

Dear KPB Assembly Member,

At our most recent Alaskan Independence Party Senate District Q meeting, held in Kenai 07/13/09, it was unanimously agreed upon that we would officially oppose proposed Kenai Peninsula Borough Ordinance 2009-31 "An ordinance for a vote on the question of adopting a manager plan of government at the next regular election beginning in 2011." We represent nearly 1,000 AIP members in SDQ and speak for many others throughout the KPB as well.

If passed this measure would shift the KPB from a strong mayor system, where the mayor is directly elected by and accountable to all the voters in the borough and has substantial administrative responsibilities, to a weak mayor figurehead with a hired KPB Manager running the daily affairs of the KPB. Such a Manager would then be beholden to the Assembly first rather than to the people directly. We believe that this would effectively distance KPB executive accountability from the voters.

We ask you to please reconsider your support of KPB Ordinance 2009-31. We do not believe that it would be a positive change in local government for the people of the KPB. There is no real need for this ordinance to be on the October 6, 2009 ballot. Thank you for your reconsideration of this important issue.

Sincerely,

J.R. Myers
AIP SDQ Chairman

8/3/2009

From: Blankenship, Johni
Sent: Tuesday, August 04, 2009 2:41 PM
To: Turner , Michele
Subject: FW: RECONSIDERATION OF ORDINANCE 2009-31

agenda item

-----Original Message-----

From: P. Falkenberg [mailto:pet_rainbow@yahoo.com]
Sent: Tuesday, August 04, 2009 2:39 PM
To: Blankenship, Johni
Cc: Carey, Dave
Subject: Re: RECONSIDERATION OF ORDINANCE 2009-31

RE: ORDINANCE 2009-31 - KENAI BOROUGH MAYOR TO MANAGER

Honorable Members of the Kenai Borough Assembly:

It was brought to my attention the other day on one of our local radio programs that this borough assembly really does listen to the people. I am very sure that you all listen, but I am just not sure that some of you really **HEAR** the people who are testifying.

In my estimation there has not been sufficient support from the public for this kind of change to our current government.

When this Ordinance was first introduced on May 19th there was **no one** testifying in favor and **four** testified against Ordinance 2009-31.

At the first hearing held on June 16th there was **no one** testifying in favor and **ten** people in the public who testified against it.

At the final hearing on July 7 again there was **no one** who spoke in favor and **six** people in the public who testified against it.

I know that you can do the math and figure this out. We do not need one more layer of government.

Please **hear** your constituents and Reconsider Ordinance 2009-31 and vote **NO** on adopting this form of government.

Yours truly,

Patricia Falkenberg

Agenda Item N.I.A
Committee —
Page Number 210

From: Blankenship, Johni
Sent: Tuesday, August 04, 2009 2:25 PM
To: Turner , Michele
Subject: FW: From: Herman & Irene Fandel

agenda item

-----Original Message-----

From: Agil4u2fish@aol.com [mailto:Agil4u2fish@aol.com]
Sent: Tuesday, August 04, 2009 2:19 PM
To: Blankenship, Johni
Cc: Carey, Dave
Subject: From: Herman & Irene Fandel

We are pleased with the job that Borough Mayor Dave Carey is doing and we are strongly apposed to adding the position of borough manager.

We believe this will add more problems than solutions!

It will also be costly to the taxpayer.

LET DAVE CAREY DO THE JOB WE ELECTED HIM TO DO!!!!

Herman & Irene Fandel and Family

Agenda Item N.I.A.
Committee —
Page Number 210