



City of Seward

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February 9, 2010

City of Seward, Alaska
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RE: OPPOSITION TO ADOPTION OF ORDINANCE 2009-052

Kenai Peninsula Borough
Office of Mayor David R. Carey
144 N. Binkley
Soldotna, AK 99669

Honorable Mayor Carey, Borough Assembly Members;

On February 16, 2010, you will be hearing Kenai Peninsula Borough Ordinance 2009-052 which would allow that area board members be appointed by the Borough Mayor and confirmed by the Borough Assembly instead of by the majority of the remaining service area board members.

We wish to send this letter in opposition to this borough code amendment of Title 16, Service Areas. Although we see the reasoning, we feel the importance and power for area boards to be allowed to approve their own members outweighs the borough's desire for uniformity with procedures. In Alaska Statutes 29.20.180, that refers to governing bodies, this gives the authority to appoint qualified people in vacancies to the remaining members. If 2nd class boroughs need voter or property owner approval to form a service area board, it just seems to make sense that a majority of those members should be able to appoint during vacancies to their own boards. Being a home-rule city, we feel our area boards should have the authority to choose their own member's vacancies.

In the Seward area, we have three boards affected by this change. The Lowell Point Emergency Service Area Board, the Seward/Bear Creek Flood Service Area Board and the Bear Creek Fire Service Area Board. Every one of these boards held meetings and **unanimously opposed** this change to the borough code, and would like to remain appointing vacancies by a majority vote of their board.

So, for these reasons, the Seward City Council stands united with our local service area boards and adamantly opposes this ordinance change which would take the area board's power to appoint their own members during a vacancy, and give it to the Borough Mayor and Assembly for appointment and approval instead.

Thank you for your consideration in this matter.

Sincerely,

Mayor Willard E. Dunham and the Seward City Council