



## **KENAI PENINSULA BOROUGH**


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### **BOROUGH ASSEMBLY**

### **MEMORANDUM**

**TO:** Pete Sprague, Assembly President  
Members, Kenai Peninsula Borough Assembly

**FROM:** Paul Fischer, Assembly Member 

**DATE:** January 7, 2010

**SUBJECT:** Ordinance 2010- 07, prohibiting an assembly member from serving simultaneously on a city council and the assembly

The borough code does not expressly prohibit an assembly member from serving simultaneously as an assembly member and a city council member. The code does prohibit assembly members from serving as school board members, elected positions in the state or federal government, or on any borough board or commission.

While cities and boroughs share many goals in providing good local government, in my view, city and borough interests are too diverse for one person to fully represent the interests of both a city and the borough simultaneously. For example, the borough owns property and operates numerous public facilities inside cities. City interests in the use of the property do not always coincide with those of the borough. Also, borough and city interests in taxes do not always align, land use regulation interests may differ significantly between the borough and a city, and the cities and borough have competed for grants in the past. By eliminating the potential for an assembly member to be conflicted out of numerous issues due to their office on a city council, this also ensures stronger representation for the voters. In all, clarifying that a person may not simultaneously serve in both positions would avoid this problem from surfacing in the future. To avoid cutting short any seated assembly members' current term on either the assembly or a city council, this ordinance applies to any assembly member elected to a city council or any city council member elected to the assembly after the effective date of this ordinance.

Your support would be appreciated.