Introduced by: Policies and Procedures Committee
Date: March 20, 1990
Hearing: April 17, 1990
Action: Enacted
Vote: Unanimous

KENAI PENINSULA BOROUGH

ORDINANCE 90-22
(Committee Substitute)

AMENDING CHAPTER 2.06 CONCERNING SELECTION AND RETENTION OF THE BOROUGH CLERK AND CLARIFYING DUTIES.

WHEREAS, the ordinances regarding the borough clerk were enacted in 1977; and

WHEREAS, Title 29 of the Alaska Statutes has since been revised; and

WHEREAS, the existing ordinance requires clarification;

NOW THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That KPB section 2.06.010 is amended to read:

2.06.010 Established. There is established an office of the borough clerk in the legislative [TOTALLY EXEMPT] service, performing staff functions of a legislative nature, and such other administrative functions as required by law or ordinance.

Section 2. That a new KPB section 2.06.025 is enacted to read:

2.06.025 Responsibilities. The borough clerk shall:

1. Prepare and distribute the meeting agenda packets and give notice of the time and place of meetings of the Assembly and its committees, the Board of Adjustment, Board of Equalization, and such other legislative and adjudicatory boards and commissions as may be established by the assembly to that body, to the public, and appropriate governmental agencies and officials, including such legal notice as required by law, and attend those meetings and keep the journals;

2. Maintain the official seal; administer oaths of office; swear in witnesses; and act as Notary Public;

3. Maintain current listing of borough officers, boards, commissions and committees;

4. Certify foreclosure proceedings on real property;

5. Maintain and catalogue official borough records including original contracts, patents, deeds and other land transaction documents, and other records and documents required by law;

6. Arrange publication of notices, ordinances, and resolutions;

7. Maintain and make available for public inspection and copying an indexed file containing municipal ordinances, resolutions, rules, regulations, and codes, and official minutes of the assembly, borough boards and commissions and of service area boards;

8. Publish, compile and maintain the borough code of ordinances.

9. Examine and certify petitions and attest deeds, contracts and other legal documents as required by law;

10. Assist with state elections and supervise municipal elections, including preparation of ballots, assist canvass boards, and compile final election results;

11. Prepare annual budgets for the assembly, clerk and records management;

12. Provide transcripts and certifications required for bond issues;

13. Issue notices of hearings and meetings and legal notification for the assessing and finance departments. Provide distraint warrants on personal property delinquencies;

14. Supervise such deputy clerks, records management personnel and other employees and contractors assigned to that office;

15. Make travel arrangements for assembly members' authorized travel;

16. Perform other duties required by law, ordinance or the assembly.

Section 2. That section 2.06.025 is amended to read as follows:

2.06.030 Deputy--Appointment. There is established the position of deputy borough clerk in the legislative [TOTALLY EXEMPT] service. The borough clerk is authorized to appoint the deputy borough clerk who shall be confirmed by the assembly [HAVE THE DUTY TO EXECUTE, ATTEST, AND ACKNOWLEDGE ALL DOCUMENTS REQUIRED BY LAW OR ORDINANCE TO BE FORMALIZED BY THE BOROUGH CLERK, AND TO AFFIX THE SEAL OF THE BOROUGH. IN SIGNING ANY DOCUMENTS, THE DEPUTY BOROUGH CLERK SHALL AFFIX THE NAME OF THE BOROUGH CLERK FOLLOWED BY THE WORD, "BY" AND THE DEPUTY BOROUGH CLERK'S OWN SIGNATURE AND TITLE.]

Section 4. That a new KPB Section 2.06.050 be enacted to read:

2.06.050 Advertisement and Selection--Borough Clerk.

A. The assembly president, upon being informed of the vacancy of the borough clerk shall cause announcements of the vacancy to be published at least once in each newspaper within the borough and other major newspapers [STATE] and shall give notice to the Alaska Municipal League, stating in summary the qualifications for appointment, the salary range, and the time and manner of making application for the position.

B. Applications for appointment shall be reviewed by the evaluations committee of the assembly and final selection shall be by majority vote of the assembly at regular or special meeting. Executive session may be called to discuss matters permitted by law to be discussed in such sessions, however, selection voting shall be during public meeting.

Section 5. That a new KPB Section 2.06.060 be enacted to read:

2.06.060. Evaluation. A. The borough clerk shall receive a performance evaluation in March of each year before the annual budget is adopted and at such additional times as determined by the assembly president.

B. An evaluations committee comprised of the assembly president and one member from each assembly district, chosen by the members of that district, shall be formed for each evaluation. The committee shall interview the clerk and prepare the evaluation.

C. The evaluation shall be a confidential personnel action, however, any assembly member shall be entitled to read the final evaluation.

D. The clerk may appeal any evaluation to the assembly, however, such action may remove the confidentiality of that personnel action.

E. The evaluation committee shall make recommendation of retention and salary adjustment to the assembly.

Section 6. That this ordinance shall take effect on June 1, 1990.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 17th DAY OF April, 1990.

James W. Skogstad, Assembly President

ATTEST:

Borough Clerk