

Introduced by:	Glick
Date:	06/01/93
Hearing:	07/13/93
Action:	Enacted
Vote:	Unanimous

**KENAI PENINSULA BOROUGH
ORDINANCE 93-27**

**AN ORDINANCE REGARDING PREPARATION OF THE BOROUGH CODE AND
THE PERFORMANCE EVALUATION OF THE BOROUGH CLERK**

WHEREAS, the Borough Code currently has conflicting sections regarding the responsibility for the preparation, publication and distribution of the Code; and

WHEREAS, reapportionment changed the composition of the assembly from four multi-member districts to nine single member districts; and

WHEREAS, KPC 22.10.040 requires a performance evaluation of the borough clerk to be accomplished each year by a committee comprised of the assembly president and one member of each district; and

WHEREAS, that requirement would place every assembly member on the committee;

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

SECTION 1. That KPC 2.32.020 is amended to read:

2.32.020. Borough attorney — Powers and duties.

The borough attorney shall:

- A. Administer the legal department;
- B. Be charged with the performance of all legal services of the borough, including those of legal advisor to the mayor and assembly;
- C. Represent the borough in all matters, civil and criminal, coming before any court or tribunal;
- D. Draft any ordinance or resolutions requested by the assembly or mayor;
- E. Approve as to form and legal sufficiency all contracts, bonds and other similar documents to which the borough is a party;
- F. Furnish necessary legal certificates required by the state or federal agencies;
- G. [BE RESPONSIBLE FOR THE PREPARATION, PUBLICATION AND DISTRIBUTION OF THE BOROUGH CODE OF ORDINANCES;
- H.] Perform such other duties as may be required by the borough mayor, assembly and borough departments.

SECTION 2. That KPC 22.10.040 is amended to read:

22.10.040. 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 four assembly members appointed by the assembly president [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 3. That this ordinance takes effect immediately upon enactment.

ENACTED BY THE KENAI PENINSULA BOROUGH ASSEMBLY THIS 13th DAY OF JULY, 1993.


Betty J. Glick, Assembly President

ATTEST:


Gaye J. Vaughan, Borough Clerk