

Introduced by: Policies & Procedures Comm.  
Date: 08/03/04  
Action: Postponed until 08/17/03  
Action: Adopted as Amended  
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH  
RESOLUTION 2004-075**

**A RESOLUTION AMENDING THE ASSEMBLY MANUAL TO CLARIFY  
THE ASSEMBLY'S POSITION WITH RESPECT TO ASSEMBLY BUSINESS CARDS,  
TO GIVE GUIDANCE TO ASSEMBLY MEMBERS ATTENDING THE ALASKA  
MUNICIPAL LEAGUE'S ANNUAL CONFERENCE, AND TO CONFORM TO  
PROVISIONS IN THE BOROUGH CODE AND ALASKA STATUTES RELATING  
TO PUBLIC NOTICE REQUIRED FOR SPECIAL MEETINGS OF THE ASSEMBLY**

**WHEREAS,** the borough assembly manual was last updated in December 2002; and

**WHEREAS,** a review of the assembly manual has revealed some minor discrepancies between the manual and the borough code of ordinances and between the manual and the state open meetings act; and

**WHEREAS,** it is the desire of the Assembly to clarify its position regarding information to be included on assembly business cards; and

**WHEREAS,** the Assembly also wishes to provide guidance for those members attending the Alaska Municipal League's Annual Conference with respect to positions taken at the conference on issues and candidates;

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

**SECTION 1.** That Section IV of the assembly manual is amended to read as follows:

**IV. COMMUNICATIONS**

- A. Communications to legislators, the governor, state department personnel, [OR] other official agencies, and the public purporting to represent an action or position of the assembly, shall only be transmitted by, or at the direction of, the president, or by direction of the assembly, and shall represent the action of or the majority opinion of the assembly.
- B. The use of Kenai Peninsula Borough stationery shall be limited to official communications and will not be used for individual correspondence by an assembly member. All communications on KPB stationery will be prepared by the borough clerk or her staff, who will route a copy to the president and keep a copy on file in the Clerk's records. KPB stationery will not be issued to assembly members.

- C. Correspondence from individual assembly members to legislators, the governor, state or federal department personnel or other official agencies regarding matters upon which the assembly has taken no official action or which expresses the personal view of the individual assembly member must clearly indicate that the letter does not represent the opinion or position of the Kenai Peninsula Borough. In addition, individual assembly members must refrain from using their official title “assembly member” in the heading or signature line of personal correspondence.
- D. Telephone calling cards for assembly business may be issued to assembly members at the discretion of the assembly president. Telephone logs must support billing for reimbursement, commencing with FY 1993-94.
- E. Assembly members may include a borough website uniform resource locator (URL) on their assembly business cards with their address, email address, and telephone number, cell phone number, and/or fax number, as requested. At the request of an assembly member, the administration may provide a link on the borough web page to an assembly member’s personal web site provided that a disclaimer, approved by the borough attorney, shall appear prior to a transfer from the borough web page to the personal web site. A personal web site to which a link is provided on the borough web page may not contain information that violates applicable laws, regulations or policies, and shall not be designed to promote the assembly member’s pecuniary benefit.

**SECTION 2.** Section VI (A) (1) of the assembly manual is amended to read as follows:

**VI. ASSEMBLY TRAVEL POLICY**

- A. Travel within the borough. (KPB 22.30.130)
  - 1. Any travel to and from Borough Assembly meetings, or committee members' travel to meetings of standing or special committees, or borough sponsored public hearings will be reimbursed at the rate of 45 cents per mile. You may submit for reimbursement on the expense sheets provided by the Clerk’s Office at assembly meetings [ONCE A MONTH]. Travel within the borough at the direction of the assembly or the president will also be reimbursed at 45 cents per mile.

**SECTION 3.** Section VI (D) is amended to read as follows:

- D. Attendance at AML Conferences
  - 1. The [ASSEMBLY] Legislative Committee will [HOLD A WORKSHOP] meet on the day of the last assembly meeting in October [OR THE FIRST PART OF NOVEMBER AFTER ELECTIONS] to review the proposed Alaska Municipal League policy statement and resolutions. At this meeting or before, the

assembly will draft and file as the KPB Assembly any resolutions that the assembly intends to introduce at the annual conference. (Res. 96-003 §1, 1996).

2. The assembly president will make assignments to attend each of the four policy subcommittee sessions at the conference. The assembly president, or a spokesperson designated by the assembly president will cast the vote for directors, for support of policy statements or to make amendments that the assembly desires to submit on policy statements or resolutions. The assembly president or delegation head shall cast all votes for the borough and these votes should represent the opinions of the majority of the assembly members present. (Res. 96-003 §1, 1996).
3. The assembly recognizes that amendments to the policy statement or resolutions or new resolutions can arise at the conference. [TO THIS END THE ASSEMBLY MEMBERS IN ATTENDANCE AT THE CONFERENCE WILL MEET THE EVENING BEFORE THE ANNUAL BUSINESS MEETING TO DETERMINE A POSITION ON ANY NEW POLICY ISSUES, RESOLUTIONS, OR PROPOSED AMENDMENTS. ALTHOUGH THIS SESSION WILL BE HELD AT THE CONFERENCE SITE, MEMBERS OF THE PUBLIC MAY ATTEND THIS SESSION AND ARE INVITED TO DO SO.] The procedure for deciding points first raised at the business meeting will be by a vote of all present assembly members who are seated with the designated spokesperson. Decisions for election of officers to AML will be handled in the same manner. Any decisions made at the conference regarding the borough's position on issues or candidates must receive the affirmative vote of at least two-thirds of those members of the assembly in attendance. (Res. 96-003 §1, 1996).

**SECTION 4.** Section IX of the assembly manual is amended to read as follows:

**IX. ASSEMBLY MEETING**

A. Regular Assembly Meetings.

1. 7:00 p.m. on the first and third Tuesdays of each month. (KPB 22.40.010)

B. Special Meetings.

1. [MAY BE HELD ON CALL OF THE PRESIDENT OR ONE-THIRD OF ASSEMBLY MEMBERS UPON NOT LESS THAN 24 HOURS NOTICE TO EACH ASSEMBLY MEMBER.(AS 29.20.160)] Special meetings may be held on the call of the president or any three members of the assembly.

Reasonable public notice must be given of any special meeting, and only those items included in the notice of the special meeting may be addressed at that meeting.

C. Public Presentations.

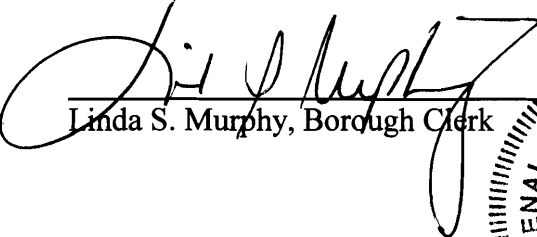
1. A member of the public desiring to make a formal presentation before the assembly at a regular meeting concerning a subject not contained on the assembly's agenda for that meeting must give notice to the borough clerk no later than 4:30 p.m. on the second Thursday prior to the meeting. The total time permitted for formal presentations (other than those made at the request of the mayor or the assembly) is limited to 10 minutes per topic, regardless of the number of persons participating in the presentation. (KPB 22.40.130)
2. A separate place will be provided on the regular meeting agenda for public comments on items not appearing on the agenda. Each speaker will be limited to three minutes, with an aggregate time of not more than 20 minutes allotted to this agenda item.

**SECTION 5.** That this resolution takes effect immediately upon its adoption.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 17TH DAY OF AUGUST , 2004.**

  
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Pete Sprague, Assembly President

ATTEST:

  
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Linda S. Murphy, Borough Clerk

