

Introduced by: Bagley
Date: 10/28/14
Hearing: 11/25/14
Action: Enacted as Amended
Vote: 5 Yes, 3 No, 1 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2014-36**

**AN ORDINANCE AMENDING KPB 22.40.110 TO PROVIDE THAT CERTAIN
NONCONTROVERSIAL ORDINANCES SCHEDULED FOR PUBLIC HEARING MAY
BE PLACED ON THE CONSENT AGENDA IF NO OBJECTION IS RECEIVED**

WHEREAS, Alaska Statute 29.25.020 establishes the procedure governing the enactment of ordinances and requires that a summary of the ordinance be published at least five days before the public hearing; and

WHEREAS, most ordinances appropriate either grant funds or general fund dollars, approve land leases or sales, or amend the borough code; and

WHEREAS, most of the ordinances that do not change the code are conducting routine borough business and are generally considered noncontroversial; and

WHEREAS, providing that noncontroversial ordinances that do not change borough code may be placed on the consent agenda on the date of public hearing will enable the borough to conduct routine business more efficiently; and

WHEREAS, the public has an opportunity to speak to items on the consent agenda before they are approved, which satisfies the requirement for a public hearing before an ordinance is enacted; and

WHEREAS, if any member of the assembly determines that an ordinance is controversial or should have further review after it has been placed on the consent agenda, that member can remove it from the consent agenda for placement on the regular agenda before approval of the consent agenda;

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

SECTION 1. That KPB 22.40.110 is hereby amended as follows:

22.40.110. Agenda—Consent—Procedure.

- A. A consent agenda will consist of any of the following items for action:
1. School furniture and equipment lists,
 2. Election judge list,
 3. Unnumbered recognition resolutions,

4. Receipt of financial reports,
5. Administration generated resolutions of a routine nature at the discretion of the mayor,
6. Resolutions of a routine nature at the discretion of the president;
7. Mayoral appointments to boards and commissions requiring assembly approval,
8. Approval of vacation right-of-way, except where planning commission approval was not unanimous,
9. Introduction of Ordinances and setting of public hearing,
10. Resolutions, after receiving public comment and testimony on that item from anyone in the public who wishes to be heard.
11. Ordinances scheduled for public hearing, but only under the following conditions:
 - a. No objections to that ordinance have been received by the assembly;
 - b. The ordinance is placed on the consent agenda by an assembly member during the meeting scheduled for public hearing;
 - c. The public is clearly informed that this is the final hearing on the ordinance before being provided an opportunity to be heard on that ordinance;
 - d. The public is provided with an opportunity to be heard for three minutes on each such ordinance before the consent agenda is approved;
 - e. The ordinance does not amend the borough code or approve the annual budget; and
 - f. Assembly members are informed after the public hearing that any one of them may remove an ordinance scheduled for hearing from the consent agenda before final approval of the consent agenda.

- B. The consent agenda will be set at the time of agenda approval and a single vote will approve both the agenda and adopt the consent agenda.
- C. At the time of consideration of the consent agenda any agenda item may be added by the unanimous consent of the assembly and any item may be removed from the consent agenda upon objection by a single member of the assembly.
- D. Items removed from the consent agenda shall be placed in their proper numerical order in the appropriate portion of the agenda unless otherwise set by the assembly.
- E. The adoption of the consent agenda shall have the same effect as the enactment, adoption, acknowledgment, approval, or introduction of the ordinance, resolution, report, or other matters handled by the consent agenda as appropriate.

SECTION 2. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 25TH DAY OF NOVEMBER, 2014.

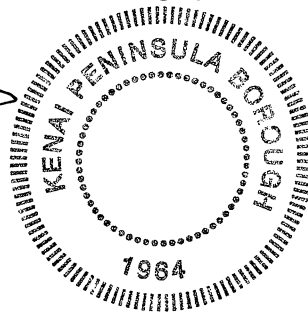
Dale L Bagley

Dale Bagley, Assembly President

ATTEST:

John Blankenship

John Blankenship, MMC, Borough Clerk



Yes: Cooper, Haggerty, Gilman, Johnson, McClure, Ogle, Welles, Wolf, Bagley
No: None
Absent: None