

Introduced by: Johnson at the Request of  
the Borough Clerk  
Date: 05/07/24  
Hearing: 06/04/24  
Action: Enacted as Amended  
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2024-09**

**AN ORDINANCE AMENDING KPB 22.40.130 REGARDING AGENDA FOR  
ASSEMBLY MEETINGS, PROVIDING MATERIALS FOR PUBLIC PRESENTATION  
AND REMOVING LANGUAGE REGARDING REQUESTING  
TELECONFERENCING**

**WHEREAS**, KPB 22.40.130(A) is amended to remove language regarding requesting teleconferencing because, since 2020, the Assembly has provided for teleconferencing during all meetings via an online communications platform that allows participants to connect with video, audio, and phone functions; and

**WHEREAS**, KPB 22.40.130(B) to specify that public presentations are considered government speech, formal public presentations are scheduled at the discretion of the Assembly President, and presenters must provide meeting materials prior to the deadline or decide to present without materials;

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

**SECTION 1.** That KPB 22.40.130, Agenda—Public Presentations, is hereby amended to read as follows:

**22.40.130. Agenda—Public presentations.**

- A. Public testimony and comment may be made without prior notice concerning legislation then being considered by the assembly in the form of an ordinance set for public hearing or resolution when the assembly considers the specific legislative items. The time allowed for public testimony is three minutes, individually or by agent. A person may give individual testimony and testify as an agent of another, but may not exceed three minutes total. Additional time may be granted by the president, upon motion and approval by the assembly, to a person testifying who possesses special knowledge or expertise on the matter being heard. The three-minute limitation shall be strictly enforced by the president. [AT THE REQUEST OF AN ASSEMBLY MEMBER, WITH ONE WEEK PRIOR NOTICE BEFORE AN ASSEMBLY MEETING, TELECONFERENCING MAY BE SET UP FROM AREAS OVER 50 MILES FROM THE BOROUGH BUILDING ON BINKLEY STREET IN SOLDOTNA. THE AGENDA ITEM ON WHICH THE PUBLIC WISHES TO TESTIFY WILL BE

SPECIFIC AND BE LIMITED TO THE SAME RULES APPLIED IN THIS SECTION. ARRANGEMENTS FOR THE TELECONFERENCE WILL BE MADE BY THE BOROUGH CLERK.]

- B. Any member of the public [~~DESIRING~~]may submit a request stating the subject of the presentation to the borough clerk to make a formal presentation before the borough assembly at a regular meeting or before the committee of the whole concerning a subject not contained in the assembly's agenda for that meeting [SHALL GIVE NOTICE TO THE BOROUGH CLERK]. Upon concurrence of, and at the discretion of, the assembly president, the presentation will be scheduled for the next available meeting. The presenter must provide all presentation materials by the deadline for submitting items for the agenda set by KPB 22.40.050(C) [AND STATE THE SUBJECT OF THE PRESENTATION]. The borough clerk will inform the presenter of the meeting date and time. If presentation materials are not received in the Clerk's Office by the deadline, the presenter may choose between giving the presentation without materials or have the presentation removed from the agenda and rescheduled for another meeting. The total time permitted for formal presentations with prior notice concerning a subject not contained in the assembly's agenda for that meeting will be limited to ten minutes per presentation. The assembly president may, with the concurrence of a majority of the assembly, allow additional time. Presentations before the assembly will be limited to two total presentations per regular meeting or committee of the whole meeting. [SHALL BE LIMITED TO TEN MINUTES PER TOPIC, REGARDLESS OF THE NUMBER OF PERSONS PARTICIPATING IN THE PRESENTATION. THE AGGREGATE TIME FOR PRESENTATIONS WITH PRIOR NOTICE SHALL BE 20 MINUTES PER MEETING. IF THE TOTAL REQUESTS RECEIVED EXCEED 20 MINUTES, THE CLERK SHALL SCHEDULE THE REQUESTS BY GIVING PRIORITY BASED ON THE ORDER THE REQUESTS WERE RECEIVED. THE ASSEMBLY PRESIDENT MAY, WITH THE CONCURRENCE OF A MAJORITY OF THE ASSEMBLY, ALLOW ADDITIONAL TIME. THIS TIME LIMIT SHALL NOT APPLY TO FORMAL PRESENTATIONS MADE AT THE REQUEST OF THE MAYOR OR THE ASSEMBLY. THIS SECTION DOES NOT PRECLUDE THE BOROUGH CLERK, WITH THE APPROVAL OF THE ASSEMBLY PRESIDENT, FROM SCHEDULING PRESENTATIONS WHICH WILL EXCEED TEN MINUTES PRIOR TO THE BEGINNING OF AN ASSEMBLY MEETING OR BEFORE THE ASSEMBLY AS A COMMITTEE OF THE WHOLE. ANY OTHER FORMAL PRESENTATIONS SHALL BE MADE AS APPROVED IN THE AGENDA.]
- C. The time limits for presentations established by this section do not include time used in responding to questions from assembly members.

**SECTION 2.** That this ordinance shall be effective immediately.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 4TH DAY OF JUNE, 2024.**

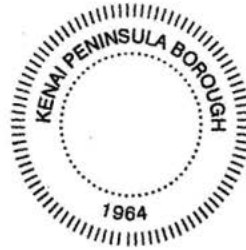
*Brent Johnson*

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Brent Johnson, Assembly President

ATTEST:

*Michele Turner*

\_\_\_\_\_  
Michele Turner, CMC, Borough Clerk



Yes: Cox, Cooper, Ecklund, Elam, Hibbert, Tunseth, Tupper, Johnson

No: None

Absent: Ribbens