

Introduced by:	Johnson
Date:	08/04/20
Hearing:	09/01/20
Action:	Enacted
Vote:	7 Yes, 0 No, 2 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2020-19-04**

**AN ORDINANCE APPROPRIATING \$1,500 FOR THE COSTS OF PRINTING AND
DISTRIBUTING INFORMATION ABOUT THE BALLOT PROPOSITION SEEKING
VOTER APPROVAL TO EXPAND THE ANCHOR POINT FIRE AND EMERGENCY
MEDICAL SERVICE AREA INTO THE NEWLY CREATED WESTERNEMERGENCY
SERVICE AREA WHICH WILL ENCOMPASS BOTH
NINILCHIK AND ANCHOR POINT COMMUNITIES**

WHEREAS, the assembly approved Ordinance 2020-31 providing for submission of a ballot proposition to the qualified voters of the Kenai Peninsula Borough concerning the expansion of the Anchor Point Fire and Emergency Medical Service Area; and

WHEREAS, the ballot question would ask the voters to decide whether to not only expand the Anchor Point Fire and Emergency Medical Service Area into Ninilchik, it would create a new service area as a result to be called the West Emergency Service Area; and

WHEREAS, the administration is preparing educational information relating to this ballot proposition which is intended to be factual and objective; and

WHEREAS, AS 15.13.145 prohibits municipalities from influencing the outcome of an election concerning a ballot proposition unless funds have been specifically appropriated for that purpose by municipal ordinance; and

WHEREAS, KPB 4.10.100 prohibits the use of public funds, facilities, equipment or supplies purchased with public funds, and services of public employees in-kind to promote the passage of a ballot proposition; and

WHEREAS, to avoid potential expenses should a complaint be filed alleging that the borough's material and presentations were intended to promote or influence the outcome of the election, an appropriation of sufficient funds to pay costs of preparing and disseminating the material and acknowledging that they may be seen as intended to influence the outcome of the election is in the best interest of the borough;

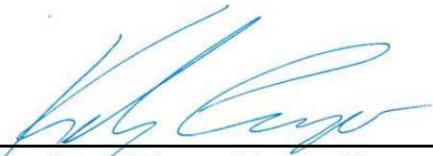
NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. The sum of \$1,500 is hereby appropriated from the General Fund, balance account 100.0000.0000.27910, to account number 100.11210.00000.43410, which may be used to influence the outcome of the election on October 6, 2020, on the ballot question concerning the expansion of the Anchor Point Fire and Emergency Service Area with Ninilchik to create the new Western Emergency Service Area.

SECTION 2. Notwithstanding KPB 4.10.100, the mayor and his staff are authorized to publicly distribute hand-outs and make presentations related to the proposed service area not to exceed the appropriated funds.


SECTION 3. This ordinance shall become effective immediately upon enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 1ST DAY OF SEPTEMBER, 2020.

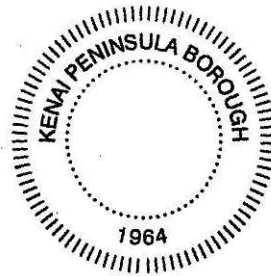


Kelly Cooper, Assembly President

ATTEST:



Johni Blankenship, MMC, Borough Clerk



Yes: Bjorkman, Carpenter, Cox, Dunne, Johnson, Smalley, Cooper
No: None
Absent: Blakeley, Hibbert