

Kenai Peninsula Borough  
Office of the Borough Clerk

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**MEMORANDUM**

**TO:** Wayne Ogle, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** Johni Blankenship, Borough Clerk (B) (M)

**FROM:** Michele Turner, Deputy Borough Clerk (M)

**DATE:** April 2, 2019

**RE:** Ordinance 2019-04: Amending KPB 16.41.030 to Remove the Requirement that the Road Service Area Board Agenda be Published in a Newspaper and Distributed to Each Board Member by Mail or Telephone (Mayor)

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The Road Service Area (RSA) board addressed the referenced ordinance. Please amend the final Whereas clauses to read:

**"WHEREAS,** the RSA board at its regularly scheduled meeting of February 12, 2019 reviewed this ordinance and recommended approval by unanimous consent."

Thank you.

Mr. Ruffner asks if there is anyone from the public that would like to address the board regarding this permit. No comments were given.

**MOTION TO POSTPONE the Encroachment Permit Application for the Kenai Keys Property Owners Association:** Smith **MOVED** to postpone. Hartline **SECONDED**.

Seeing and hearing no objections Mr. Ruffner postpones the permit application until March 12, 2019 RSA Board meeting.

**2. Code 16.41.030 Revision Approval:**

(7:54:25)

Mr. Uhlin explains this is a recommendation to amend borough code for publishing the entire tentative meeting agenda and remove the requirement that the RSA board agenda be published in a newspaper and distributed to each board member by mail or telephone. The revision would eliminate specific requirements and state that the agenda will be distributed. Per the Open Meetings Act, the agenda is not required to be published however staff will still be posting the tentative agenda online and providing the link to the agenda in the public notice. The RSA will also make the tentative agenda available for public viewing and pickup at the RSA's poppy building. The RSA will continue to provide the RSA board the tentative agenda in a timely manner.

Ms. Hartline questions if the board feels that staff needs to submit newspaper agendas at all given that most newspapers are diminishing and not being read as often as years past and if the board can get rid of this expense all together.

Mr. Kelley states that when a government body meets the Open Meetings Act requires a notice of date, time and place. It does not state any requirement of a newspaper publication just that notice be given using print or broadcast media.

Mr. Ruffner asked for any questions or comments from the public with none given and if there is any objection by the board to approve this ordinance as it is currently written.

Ms. Hartline states that she would like to amend by replacing the word newspaper with public service announcement via radio or any other form of free announcements as long as it is legal to do so.

Mr. Uhlin reads how the ordinance out loud and states that there are no publishing requirements in the agenda in regards to the newspaper, it is standard practice. He stated that he will research RSA policies and get back to the board regarding specific language stating if the agenda must be published in a newspaper or not.

Ms. Hartline withdraws her amendment.

Mr. Ruffner states that hearing and seeing no objections on this motion, the RSA board **APPROVES THE ORDINANCE to Amend KPB 16.41.030 BY UNANIMOUS CONSENT**.