



KENAI PENINSULA BOROUGH

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DAVID R. CAREY
BOROUGH MAYOR

MEMORANDUM

TO: Gary Knopp, Assembly President
Members, Kenai Peninsula Borough Assembly

FROM: Bill Smith, Assembly Member *Bill Smith*

DATE: May 5, 2011

SUBJECT: Ordinance 2011-18, amending KPB 2.90.030(C) to prohibit the mayor from holding certain positions in any entity that receives a financial benefit from the borough

The Code of Ethics was enacted by the borough assembly in 2010 to assist public officials to carry out their responsibilities under their oaths of office by clarifying specific prohibited conduct. KPB 2.90.030(C) prohibits public officials from holding or seeking other offices or employment which compromises the performance of their elected or appointed duties without disclosure. It requires public officials to disqualify themselves from any particular action which might be compromised by such office or employment.

In my opinion the chapter would be improved by adding a paragraph clarifying some limitations on outside positions that may be held by the borough mayor, which is the only full-time salaried elected position in the borough. This paragraph would clarify that the mayor may not seek or hold another office, employment, or position of governing authority in an entity that receives a financial benefit from the borough. I believe this clarification will help to eliminate ambiguity as to such a circumstance in the future. Your approval of this ordinance would be appreciated.