

ORDINANCE CERTIFICATION

I certify that upon final enactment of Ordinance No. 81-117 of the Kenai Peninsula borough, this certification of the actions taken by me conforms with the rules and regulations governing ordinances.

1. Publication: Publication has been made by causing a summary of this ordinance to be inserted one time in a newspaper of general circulation in the borough. One copy of this ordinance as set for hearing, together with Notice of Hearing has been mailed to the city clerks of each first class city in the borough and to each postoffice in the borough with a request for posting on the City Hall and Post Office bulletin boards for 10 days immediately following receipt.
2. After adoption of this ordinance, one copy will be mailed to the city clerk of each first class city in the borough.

This ordinance was ENACTED by the assembly of the Kenai Peninsula Borough on the 2nd day of February, 1982 and will become effective immediately.

Frances Brimmer
Borough Clerk

Date: 2-22-82

Introduced by: Mayor
Date: Dec. 1, 1981
Hearing: Jan. 5, 1982 Am.
Vote: 6 Yes, 8 No
Action: Am/Defeated w/Rcn
Enacted as AM 2-2-82

KENAI PENINSULA BOROUGH

ORDINANCE 81-117

ENACTING CHAPTER 16.40 OF THE BOROUGH CODE OF ORDINANCES PROVIDING FOR THE ESTABLISHMENT, ORGANIZATION AND OPERATION OF THE CENTRAL PENINSULA EMERGENCY MEDICAL SERVICE AND AMBULANCE SERVICE AREA AND ESTABLISHING THE POWERS AND DUTIES OF THE BOARD OF DIRECTORS.

WHEREAS, the Assembly by Ordinance 81-75 established the Central Peninsula Emergency Medical Service and Ambulance Service Area and this ordinance was ratified by a majority of the voters residing within the proposed area at a special election held on October 6, 1981; and

WHEREAS, it is necessary to provide for the organization and operation of the service area and to establish the powers and duties of the board of directors of the newly-established service area;

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

Section 1. Title 16 of the Borough Code of ordinances is amended by addition of this chapter:

CHAPTER 16.40. CENTRAL PENINSULA EMERGENCY
MEDICAL SERVICE AND AMBULANCE SERVICE AREA

Section 16.40.010. Boundaries. There is hereby established a Central Peninsula Emergency Medical Service and Ambulance Service Area within that portion of the Borough described as all lands lying within the boundaries of the Tustumena, Kalifonsky, Sterling and Ridgeway election precincts as established by the Lieutenant Governor of the State of Alaska as of July 1, 1981 and more particularly described by the following boundary.
Beginning at the NW corner of T8N, R9W, S.M. thence easterly along the township line common to T8N and T9N, S.M. to a line drawn along the Kenai Mountains from USGS Triangulation Station Gore Point on the

Gulf of Alaska to USGS Triangulation Station Gull Rock on Turnagain Arm. Thence southwesterly along the previously described line to a point on the southerly boundary of the Kenai National Moose Range within T4S, R8W, S.M. Thence northwesterly along the southwesterly mean high waterline of Sheep Creek also being the boundary of the Kenai National Moose Range. Thence N45W along the Moose Range boundary to the SE corner of Section 19, T3S, R9W. Thence northerly along the Moose Range boundary to the NE corner of Section 7, T3S, R9W., S.M. Thence westerly along the Moose Range boundary to the SE corner of Section 2, T3S, R11W, S.M. Thence northerly along the Moose Range boundary to the NE Corner of Section 2, T1S, R11W, S.M. Thence westerly along the Moose Range boundary between T1N and T1S to the SW corner of Section 33, T1N, R11W, S.M. Thence northerly along the Moose Range boundary to the township line between T1N and T2N. Thence westerly along the township line between T1N and T2N to the easterly line of mean high water of Cook Inlet. Thence northerly along the mean high waterline of Cook Inlet to a point of intersection with the Kenai City corporate boundary being the section line between Sections 7 and 18, T5N, R11W, S.M. Thence easterly and northerly along the corporate boundary of the City of Kenai to the NW corner of Section 31, T6N, R10W, S.M. Thence easterly leaving the corporate boundary of the City of Kenai along the section line between Sections 30 and 31, and 29 and 32 to the section corner common to Sections 28, 29, 32 and 33, T6N, R10W, S.M. Thence southerly along the section line between Sections 32 and 33 to the SE corner of Section 32. Thence easterly along the township line between T5N and T6N, R10W, S.M. to the SE corner of T6N, R10W. Thence northerly along the rangeline between R9W and R10W to the NW corner of T8N, R9W, S.M., the true point of beginning and including the area within City of Soldotna.

Section 16.40.020. Mill Levy. No mill levy in excess of one mill shall be levied on behalf of the service area unless an increase is approved by a majority vote of the voters at an election within the service area.

Section 16.40.030. Board--Established--Nomination and Election of Members. There is established a board of directors for the Central Peninsula Emergency Medical Service and Ambulance Service Area composed of 5 members who shall be nominated and elected by the qualified voters of the service area in the same manner as provided for candidates in the Kenai Peninsula Borough Code of ordinances, Title 4, Elections.

Section 16.40.040. Board--Meetings--Quorum. The board shall meet periodically at a regularly scheduled time and place designated by the board. Special meetings of the board may be called by the chairman of the board or by any 2 members upon 1 day's notice thereof published in a newspaper or via radio having general distribution within the service area. The notice shall set forth the time and place of the meeting and shall be mailed or telephoned to each board member. All meetings are open to the public as provided in AS 29.23.580 and AS 44.62.310 and in accordance with the policies set forth in AS 44.62.312. Three board members shall constitute a quorum; however, an action shall require the affirmative vote of 3 board members.

Section 16.40.050. Board--Election of Officers. At the first regular meeting following certification of the election by the Assembly, and annually thereafter, the board shall elect by majority vote of the board members and from the board members a chairman and such other officers as the board shall determine to be desirable who shall hold office until successors are elected.

Section 16.40.060. Board--Terms of Office. A member of the board of directors shall be elected for a term of 3 years and shall serve thereafter until his successor has been elected, qualified and sworn to assume the duties of the office, except that the first board shall contain members elected for lesser periods as designated in the documents setting up the election to provide for staggered terms.

Section 16.40.070. Board--Vacancies--Created When. Vacancies on the board are created upon declaration of vacancy by the board if a member:

- A. Fails to qualify or take office within 30 days after his election or appointment;
- B. Is physically absent from the service area for a 90 day period, unless excused by the board;
- C. Resigns and his resignation is accepted;
- D. Is physically or mentally unable to perform the duties of his office;
- F. Misses 3 consecutive regular meetings unless excused; or
- G. Is convicted of a felony or of an offense involving a violation of his oath of office.

Section 16.40.080. Board--Vacancies--Filling.
Vacancies on the board shall be filled by majority vote of the remaining board until the next general election of the Borough at which a new member shall be elected to fill the unexpired term or for a 3 year term if no unexpired term remains.

Section 16.40.090. Board--Powers and Duties.
Pursuant to the provisions of AS 29.63.090 the board of directors of the service area, subject to Assembly approval and appropriation of funds, shall have the power to provide for the establishment and maintenance of emergency medical service and ambulance service within the service area and shall promptly furnish accurate and complete copies of minutes of all board meetings to the Mayor and Assembly.

Section 16.40.100. Personnel System--Rules and Regulations. Unless specifically provided otherwise, the Borough personnel system and Title 3 of the Kenai Peninsula Borough Code of ordinances applies to the personnel employed by the emergency medical service and ambulance service area.

Section 16.40.110. Employee Conduct Requirements. Employees of the emergency medical service and ambulance service area are employees of the Borough, and as such employees are required at all times to conduct themselves in an exemplary manner befitting the public service in which they are employed.

Section 16.40.120. Budget and Fiscal Control.
The formulation of a budget and fiscal control of

expenditures of public monies of the emergency medical service and ambulance service area are under the supervision and direction of the Mayor and the Assembly. The Finance Director of the Borough shall provide the service area board with the rules and regulations governing the appropriation of funds, the budgeting of funds, the authorization of expenditures, and any and all rules and regulations of the Borough fiscal policy to which the service area is subject. The service area board shall arrange for the preparation of a budget and capital program which shall be submitted to the Mayor for approval. The budget and capital expenditure proposals shall be subject to the procedures for adopting the Borough budget and capital expenditures program and its consideration by the Borough Assembly. Such public hearings as are necessary shall be a part of the budgetary procedures before the service area board and the Borough Assembly.

Section 16.40.130. Officers--Appointment, Qualifications and Removal. The emergency medical service and ambulance service area board, with the concurrence of the Mayor, may appoint or elect such administrative officers as the board and the Mayor may deem necessary. The tenure of these officers shall be based upon good and faithful performance of the required duties assigned to these positions, subject to removal by the Mayor on or upon the recommendation of the Service Area board as provided for partially exempt personnel in Title 3 of the Kenai Peninsula Borough Code of ordinances. The administrative officer shall administer policy as set by the service area board.

Section 16.40.140. Emergency Medical Services Director--Accountability. The emergency medical services director and other administrative officers shall be held accountable to the Mayor and the service area board only, and they shall make written and verbal reports to the Mayor and the service area board as required by the Mayor and the service area board. All other service area employees below the staff level shall be accountable to the emergency medical services

director only or to such administrative officers as are designated by the Mayor and the service area board.

Section 16.40.150. Policies--Formulation and Authority--Approval Required. The service area board, or its designee, shall formulate policies to govern the operation of the service area departments, and shall be responsible to the Mayor for the personnel, morale, and general efficiency of the department. Such policies shall be approved by the Borough Assembly by resolution.

Section 16.40.160. Service Board--Reports Required--Annual. The service area board shall make a complete annual report to the Mayor within one month after the close of the fiscal year, such report to include the information specified by the rules and regulations of the Borough, together with comparative data for previous years and recommendations for improving the service to the service area.

Section 16.40.170. Procedure--Conduct of Affairs--Meetings. The service area board shall adopt bylaws or regulations governing the conduct of its affairs so long as such bylaws are procedural in nature and do not conflict with the substantive rules and regulations governing the service area board in its delegated powers. The service area board shall adopt rules of procedure for the conduct of its meetings so long as such rules of procedure are not in conflict with rules and regulations governing the operations of the service area board.

Section 16.40.180. Purchasing--Agent. The purchasing agent for the service area is the Borough Director of Finance. All purchases of supplies, materials, equipment, and contractual services shall be made in accordance with the rules and regulations adopted by the Borough Assembly.

Section 16.40.190. Accounts--Vouchers--Accounting. All accounting functions for the service area shall be under the supervision of the Director of Finance of the Borough who shall provide rules and regulations and procedures

governing the issuance of vouchers, the payment of vouchers, the issuance of checks, and the payment of checks, the use of the central treasury of the Borough, and the manner in which all bonds, contracts, leases or other obligations requiring the payment of funds from the appropriations in the service area budget are to be processed and administered.

Section 16.40.200. Fiscal Procedures. A. All contracts for capital improvements and maintenance performed in connection with the service area shall be bid and administered by the Borough Department of Public Works in accordance with the Department's normal procedure for the letting of contracts.

B. The service area shall abide by the fiscal policies and procedures applicable to the Borough general government budget.

Section 2. That this ordinance shall take effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 2nd DAY OF February, 1981.


John C. Davis, Assembly President

ATTEST:


Borough Clerk