

Introduced by: Brown
Date: 1/19/93
Hearing: 2/16/93
Amended: 2/16/93
Action: Enacted
Vote: Unanimous
Approved by Voters 10/05/93

**KENAI PENINSULA BOROUGH
ORDINANCE 93-05**

AN ORDINANCE ESTABLISHING A NIKISKI SENIOR SERVICE AREA

WHEREAS, the Alaska Older Alaskans Commission will not sponsor new senior citizens groups for purposes of operations funding; and

WHEREAS, residents of Nikiski desire to establish a Nikiski senior citizens organization to provide services to senior citizens who reside in the Nikiski area; and

WHEREAS, the assembly finds that due to different boundaries of areas to be served and the distance from cities the proposed services cannot be provided by an existing service area or by annexation to a city;

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

SECTION 1. That the KPB Code of Ordinances is amended by adding a new chapter to read as follows:

Chapter 16.70

NIKISKI SENIOR SERVICE AREA

Sections:

- 16.70.010. Established - Boundaries.
- 16.70.020. Mill levy.
- 16.70.030. Board - Established - Membership.
- 16.70.040. Board - Meetings - Quorum - Conduct of affairs.
- 16.70.050. Board - Election of officers.
- 16.70.060. Board - Term of office.
- 16.70.070. Board - Vacancies created when - Filling vacancies.
- 16.70.080. Board - Powers and duties.
- 16.70.090. Employees.
- 16.70.100. Director - Appointment.

- 16.70.110. Budget and fiscal control.
- 16.70.120. Purchasing - Agent.
- 16.70.130. Accounting.

16.70.010. Established - Boundaries.

A. A service area is established within the borough designated as the "Nikiski Senior Service Area" including that portion of the borough described as follows:

Commencing at the township line between T5N and T6N, R17W, S.M., and the mean high water line on the westerly shore of Cook Inlet;

Thence westerly along the township line between T5N and T6N to the westerly boundary of the Kenai Peninsula Borough;

Thence northerly and easterly along the boundary of the Kenai Peninsula Borough through Cook Inlet to the protracted northeast corner of T11N, R5W in Turnagain Arm;

Thence southeasterly to the intersection of the southerly mean high water line of Turnagain Arm and the 150th meridian west of Greenwich within T10N, R4W, S.M.;

Thence southerly along the 150th meridian to the township line between T8N and T9N, R4W;

Thence westerly along the township line between T8N and T9N to the northwest corner of T8N, R9W, S.M.;

Thence southerly along the range line between R9W and R10W to the southwest corner of T6N, R10W, S.M.;

Thence westerly along the township line between T5N and T6N to the southeast corner of Section 32, T6N, R10W;

Thence northerly along the section line between Sections 32 and 33 to the northeast corner of Section 32;

Thence westerly along the section line to the northwest corner of Section 31, T6N, R10W on the corporate boundary of the city of Kenai;

Thence northerly and westerly along the corporate boundary of the city of Kenai to the intersection with the mean low water line of Cook Inlet and the section line between Sections 23 and 26, T6N, R12W S.M.;

Thence westerly along the section line extended three miles into Cook Inlet;

Thence southwesterly to the protracted southeast corner of T6N, R14W in Cook Inlet;

Thence westerly along the protracted township line between T5N and T6N to the mean high water line on the westerly shore of Cook Inlet the true point of beginning.

Excepting therefrom all of T6N, Ranges 10, 11 and 12W.

16.70.020. Mill levy.

A mill rate may be levied on taxable property in the service area to fund the services provided by the service area. No mill levy in excess of 0.2 mills shall be levied on behalf of the service area unless an increase is approved by a majority of the voters at an election within the service area.

16.70.030. Board - Established - Membership.

There is established a board of directors for the Nikiski Senior Service Area composed of five

members who are elected by the voters in the service area in the manner set out in the borough elections code. Board members shall be qualified voters of the borough and residents of the Nikiski Senior Service Area.

16.70.040. Board - Meetings - Quorum - Conduct of affairs.

A. The board shall meet at a regularly scheduled time and place designated by the board. Special meetings of the board may be called by the board chair or any two board members upon public notice thereof. The notice shall set forth the time and place of the meeting and shall be mailed or telephoned to each board member. The attendance of a board member at a meeting constitutes a waiver of notice of the meeting. All meetings are open to the public as provided by state law and borough ordinances.

B. Three board members shall constitute a quorum; however, any action shall require the affirmative vote of three board members.

C. The board may adopt bylaws, rules or regulations governing the conduct of its affairs, including rules of procedure for the conduct of board meetings, so long as such bylaws are procedural in nature and do not conflict with borough ordinances and resolutions.

16.70.050. 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 a chair and such other officers as the board shall determine to be desirable who shall hold office until successors are elected.

16.70.060. Board - Term of office.

Board of directors members shall be elected for a term of three years and shall serve thereafter until a successor has been elected, qualified and sworn to assume the duties of office; except that the first board shall contain members elected for less periods to provide for staggered terms. Candidates shall file for election to Seats A through E for staggered terms of three years.

16.70.070. Board - Vacancies created when - Filling vacancies.

- A. Vacancies on the board are created upon declaration of vacancy by the board:
1. If no candidate files for election to a seat which is to be filled at said election; or if a successful candidate fails to qualify or take office within 30 days after his/her election or appointment;
 2. If a member is physically absent from the service area for a 90-day period, unless excused by the board;
 3. If a member changes his or her residency for a period longer than 60 days to a location outside the service area;
 4. If a member resigns, and his/her resignation is accepted;
 5. If a member is physically or mentally unable to perform the duties of office;
 6. If a member misses three consecutive regular meetings unless excused; or
 7. If a member is convicted of a felony or of an offense involving a violation of his or her oath of office.

16.70.080. Board - Powers and duties.

Pursuant to the provisions of Alaska statute, the board of directors of the service area, subject to assembly approval and appropriation of funds, shall have the power to provide for services and programs for senior citizens within the service area. The board shall promptly furnish accurate and complete copies of minutes of all board meetings to the mayor and the assembly.

16.70.090. Employees.

Unless specifically provided otherwise, the borough personnel system and ordinances apply to personnel employed by the service area.

16.70.100. Director - Appointment.

A director of the service area may be appointed, according to the borough personnel system and ordinances.

16.70.110. Budget and fiscal control.

The formulation of a budget and fiscal control of expenditures of public moneys of the service area are under the supervision and direction of the mayor and 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 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 comply with 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 board and the borough assembly.

16.70.120. Purchasing - Agent.

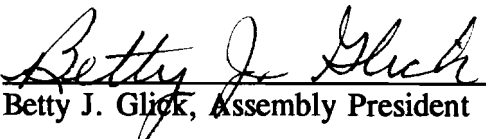
The purchasing agent for the service area is the borough finance director. All purchases of supplies, materials, equipment and contractual services shall be made in accordance with the rules and regulations adopted by the borough assembly. All contracts for capital improvements and maintenance performed in connection with the service area shall be bid and administered by the borough public works department in accordance with the procedures established for letting of contracts.

16.70.130. Accounting.

All accounting functions for the service area shall be under the supervision of the borough finance director who shall provide rules, regulations and procedures governing the issuance and payment of vouchers, the issuance and 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 2. That this ordinance takes effect July 1, 1994, after approval by service area voters at the regular borough election held in October 1993. Board seats shall be staggered as follows: Seat A for 1 year, seats B and C for two years, and seats D and E for three years.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS
16th DAY OF FEBRUARY, 1993.**


Betty J. Glick, Assembly President

ATTEST:


Gaye J. Vaughan, Borough Clerk