

Introduced by:	Mayor
Date:	04/20/10
Hearing:	05/18/10
Action:	Enacted as Amended
Vote:	7 Yes, 2 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2010-20**

**AN ORDINANCE AMENDING KPB TITLE 2 AND KPB 5.28.020 TO ESTABLISH THE
GENERAL SERVICES DEPARTMENT, EMERGENCY MANAGEMENT
DEPARTMENT, CAPITAL PROJECTS DEPARTMENT, PURCHASING AND
CONTRACTING DEPARTMENT, AND THE RIVER CENTER DEPARTMENT**

WHEREAS, due to numerous changes made over time, inconsistencies exist in the names given to some departments, divisions, and position titles in the annual budget, the borough code, the assembly approved "Appendix A" schedule and the collective bargaining agreement; and

WHEREAS, the substantial increase in size and authority of the division known as the general services division warrants formally recognizing it as a separate department; and

WHEREAS, the office of emergency management, purchasing and contracting, and the river center all operate independently, perform discrete functions, and are appropriately recognized as individual departments; and

WHEREAS, when the public works department was created it included solid waste and maintenance, both of which are now separate departments, such that the only function now performed by the public works department are capital projects; and

WHEREAS, renaming the public works department and its director to reference capital projects more accurately describes the current practice; and

WHEREAS, the division known as the general services division should be recognized as a department as it includes numerous offices that have been added over the years to significantly expand the size of this division and warrant converting it into a department; and

WHEREAS, other amendments are needed to align the code with current practices;

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

SECTION 1. That KPB Chapter 2.26 is hereby enacted as follows:

CHAPTER 2.26. PURCHASING AND CONTRACTING DEPARTMENT

2.26.010. Established—Appointment and authority.

There is established a purchasing and contracting department in the executive branch of the Kenai Peninsula Borough. The principal executive of the department shall be the purchasing and contracting director who shall be subject to the direction and supervision of the mayor.

2.26.020. Powers and duties.

The department shall:

- A. Implement and perform all functions of borough procurement and purchasing as described in KPB Chapter 5.28.
- B. Implement and monitor borough policy and procedures for all procurement and material management activities. Ensure compliance with procurement directives and implements sound materials management practices. Ensure that the procurement process supports the operational functions of the departments.
- C. Be responsible for the implementation of borough purchasing policies as they relate to department personnel.

SECTION 2. That KPB Chapter 2.33 is hereby enacted as follows:

CHAPTER 2.33. GENERAL SERVICES DEPARTMENT.

2.33.010. Established—Director appointment and authority.

There is established a general services department in the executive branch of the Kenai Peninsula Borough. The principal executive of the department shall be the director of general services whose position shall be appointed by, and under the supervision of, the mayor.

2.33.020. Department—Powers and duties.

The general services department shall:

- A. Administer the office of human resources;
- B. Oversee the management information services division;
- C. Oversee the geographic information systems division;
- D. Manage the mail/print room;
- E. Administer custodial maintenance; and

F. Oversee the risk management office in accordance with KPB Chapter 2.34.

SECTION 3. That KPB 2.34.010 is hereby amended as follows:

2.34.010. Risk Management Office established—Administrator.

There is in the [MAYOR'S DEPARTMENT,] general services department [DIVISION], the office of risk management. The office of risk management shall be administered by the risk manager and a risk management committee consisting of the Kenai Peninsula Borough attorney, the Kenai Peninsula Borough finance officer and an employee of the Kenai Peninsula Borough School District who has significant responsibility for managing school district finances and is appointed by the Superintendent. The members of the risk management committee may each designate a person to act as a committee member in the event of absence of that committee member. Meetings of the risk management committee shall be held on a regular monthly basis, and are exempt from the Open Meetings Act as now enacted or as may be hereinafter amended.

SECTION 4. That KPB Chapter 2.38 is hereby enacted as follows:

CHAPTER 2.38. RIVER CENTER DEPARTMENT

2.38.010. Established—Appointment and authority.

There is established a river center department in the executive branch of the Kenai Peninsula Borough. The principal executive of the department shall be the river center director who shall be subject to the direction and supervision of the mayor.

2.38.020. Powers and duties.

The department shall:

- A. Implement and perform all functions as described in KPB Chapter 5.14, Habitat Protection Tax Credit;
- B. Implement and perform all functions as described in KPB Chapter 21.06, Floodplain Management;
- C. Implement and perform all functions as described in KPB Chapter 21.18, Anadromous Streams Habitat Protection; and
- D. Implement and perform all functions of the borough Coastal Management Plan.

SECTION 5. That the title of Chapter 2.45 is hereby amended as follows:

**CHAPTER 2.45. EMERGENCY MANAGEMENT DEPARTMENT
[AGENCY]**

SECTION 6. That KPB 2.45.010 is hereby amended as follows:

2.45.010. Established.

There is established an [E]emergency [M]management department [ORGANIZATION] in the executive branch of the Kenai Peninsula Borough [AS AN AGENCY WITHIN THE OFFICE OF THE BOROUGH MAYOR, TO BE COMPOSED OF THE BOROUGH MAYOR AND SUCH OTHER PERSONS AS HE MAY APPOINT FROM TIME TO TIME TO BE CONFIRMED BY THE BOROUGH ASSEMBLY]. The department [AGENCY] shall be responsible for development of borough and inter-jurisdictional disaster response and recovery plans, and for coordination of disaster management between the borough, the State of Alaska, and other municipalities and response and recovery organizations.

SECTION 7. That KPB 2.45.030 is hereby amended as follows:

2.45.030. Hazardous materials response team administration.

The [BOROUGH] emergency management department [OFFICE] shall coordinate and assist in the administration of the KPB hazardous materials response team, including:

- A. Preparation, presentation and administration of the budget.
- B. Assistance in coordination of training, record keeping and other administrative matters as requested.

SECTION 8. That the title of KPB Chapter 2.48 is hereby amended as follows:

CHAPTER 2.48. CAPITAL PROJECTS DEPARTMENT [OF PUBLIC WORKS]

SECTION 9. That KPB 2.48.010 is hereby amended as follows:

2.48.010. Established.

There is established a capital projects department [OF PUBLIC WORKS] in the executive branch of the Kenai Peninsula Borough. The principal executive of the capital projects department [OF PUBLIC WORKS] shall be the capital projects director [OF PUBLIC WORKS] appointed by and under the supervision of the mayor.

SECTION 10. That KPB 5.28.020 (M) is hereby amended as follows:

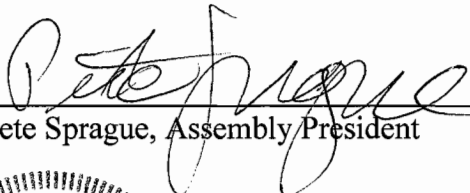
5.28.020. Definitions.

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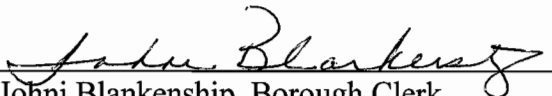
M. "Purchasing officer" means the purchasing and contracting [FINANCE] director of the borough or the mayor's designee.

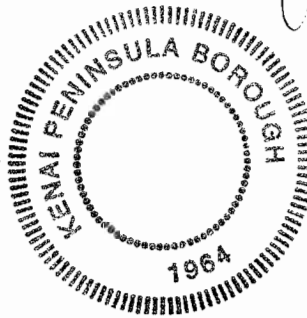
SECTION 11. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 18TH DAY OF MAY, 2010.


Pete Sprague, Assembly President

ATTEST:


John Blankenship, Borough Clerk



Yes: Haggerty, Knopp, McClure, Pierce, Smalley, Smith, Sprague
No: Fischer, Superman
Absent: None

