

Introduced by: Mayor at request of  
E- 911 Board  
Date: 02/20/01  
Hearing: 04/03/01  
Action: Enacted  
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2001-04**

**AN ORDINANCE ENACTING KPB 2.60.040, ESTABLISHING AND  
APPROVING THE E-911 BOARD OF DIRECTORS AND AUTHORIZING  
THE MAYOR TO NEGOTIATE AND ENTER AN INTERAGENCY AGREEMENT  
REGARDING THE E-911 BOARD OF DIRECTORS**

**WHEREAS,** AS 29.35.130 authorizes municipalities to establish an emergency services communications center with one or more other municipalities and one or more state, federal, or private agencies that provide emergency service communications to the same geographic area, which may be governed by a board of directors; and

**WHEREAS,** KPB Chapter 2.60 authorizes the mayor to establish an emergency communication system throughout the borough outside of the cities to provide a 911-type communication system, and that the system shall also be provided to the residents of any city which relinquishes its emergency communication powers to the borough; and

**WHEREAS,** all first class and home rule cities within the borough have relinquished their power to operate the 9-1-1 emergency communications system to the borough, and Kachemak City, the only second class city within the borough, has not relinquished such powers; and

**WHEREAS,** AS 29.20.320 authorizes the governing body of a municipality to establish boards and commissions by ordinance, and provides that the members of these boards and commissions shall be appointed by the mayor and confirmed by the governing body; and

**WHEREAS,** in 1989 the current E 9-1-1 board was established, but its establishment was not codified, and codifying the board's establishment and functions would provide needed clarification; and

**WHEREAS,** in order to operate effectively in cooperation with all affected areas of the borough it is desirable to continue including on the board members of various affected agencies throughout the borough through an interagency agreement;

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

**SECTION 1.** That KPB 2.60.040 is enacted to read as follows:

**2.60.040. Emergency Services Communications Center Advisory Board.**

A. A nine-member 9-1-1 interagency advisory board is hereby established to govern the emergency services communication system including providing long-range planning for Enhanced 9-1-1 services. The board shall advise the borough assembly and administration regarding the level of service, training, new equipment, and budgeting needed to properly operate the Enhanced 911 emergency services communication centers. Subject to the provisions of this chapter and other applicable law, an interagency agreement may be entered between the borough and affected agencies within the borough which shall govern the membership and operation of this board.

B. Membership on the board shall include representatives from the Central Emergency Service Area, the Nikiski Fire Service Area, the City of Homer Police Department, the City of Seward Police Department, the City of Kenai Police Department, the City of Soldotna Police Department, the Alaska State Troopers, the Borough Office of Emergency Management and the 9-1-1 Dispatch Center located in the vicinity of Soldotna. The mayor shall appoint and the assembly shall confirm by motion or resolution individual appointments from the borough to this board, including those from the service areas and the 9-1-1 Dispatch Center. The mayor shall consider recommendations of the applicable service area boards when appointing representatives from service areas. City members shall be each city's Chief of Police, unless another member of each police department is appointed by each city's appointing authority in accordance with the law and any applicable interagency agreement. The Alaska State Trooper representative shall be the Commander of the Alaska State Troopers on the Kenai Peninsula or his designee, and in accordance with any applicable interagency agreement. One or more alternate members may also be appointed for each listed service area and agency in the same manner described above for each board member.

C. Appointments shall be for an indefinite term, provided that the appointing authority may terminate an appointment at any time, with or without cause, in the sole discretion of the appointing authority.

D. The board shall be governed by the most current version of Robert's Rules of Order and shall be responsible for annually electing a chair and vice-chair. Five members shall constitute a quorum; however, any action shall require the affirmative vote of five or more board members. Members may attend via teleconference in accordance with applicable provisions of law. The board may adopt by-laws governing its procedures consistent with the provisions of this chapter.

E. A vacancy shall occur if a board member:

1. Is removed from office by the appointing authority;
2. Is no longer employed by the agency, service area or department holding a seat on the board as described above;
3. Is physically or mentally unable to perform the duties of office;
4. Misses three consecutive regular board meetings unless excused;
5. Resigns and the resignation is accepted; or
6. Is convicted of a felony while a member of the board.

F. Vacancies in borough seats on the board shall be filled by mayoral appointment and confirmation of the assembly. Vacancies in non-borough seats shall be filled in the manner provided above for city and state members.

G. Board members shall serve without compensation but are entitled to per diem and travel expenses pursuant to Alaska Statutes from their respective employers.

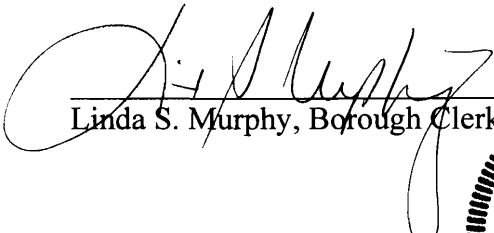
**SECTION 2.** That the mayor is authorized to negotiate and enter into an interagency cooperative agreement for the membership and operation of the E 9-1-1 advisory board, provided that nothing in the agreement may limit the existing borough authority to establish and operate an emergency communication system throughout the borough and to the residents of any city which has relinquished its emergency communications powers to the borough.

**SECTION 3.** That this ordinance shall take effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 3RD DAY OF APRIL, 2001.**

  
Timothy Navarre, Assembly President

ATTEST:

  
Linda S. Murphy, Borough Clerk

