

KENAI PENINSULA BOROUGH

Kenai Peninsula Borough Assembly

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Gary Knopp, Assembly President
Charlie Pierce, Vice President

MEMORANDUM

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

FROM: Linda Murphy, Assembly Member *B. for L.M.*

DATE: April 3, 2012

RE: Ordinance 2012-07, amending KPB code to provide for appointed service area boards as opposed to elected

This amendment provides for the Kenai Peninsula Borough service areas to recommend preferred applicants for respective service area board vacancies to the mayor prior to appointment. This will allow service area board input into the process of appointments and to share its experience for the benefit of the selection process.

- Amend KPB 16.04.065 in section 8 as shown in bold below:

16.04.065. [ELECTION] Appointment of board members.

Vacancies for service area boards [REQUIRING ELECTED BOARDS] shall be filled by [THE CANDIDATE] applicants appointed by the mayor and confirmed by the assembly. Prior to appointing an applicant the mayor shall solicit applicant recommendations from the service area board. [RECEIVING THE HIGHEST NUMBER OF THE VOTES CAST FOR THAT SEAT. IN THE EVENT THAT NO CANDIDATE FILES FOR ELECTION TO A SEAT WHICH IS TO BE FILLED AT SAID ELECTION, THEN NO ELECTION SHALL BE CONDUCTED FOR THAT PARTICULAR SEAT, AND THE SEAT SHALL BE FILLED BY A MAJORITY VOTE OF THE REMAINING BOARD FOLLOWING CERTIFICATION OF THE ELECTION.]

- Amend KPB 16.08.020 in section 10 as shown in bold below:

16.08.020. Board—Established—[NOMINATION AND ELECTION] Appointment.

There is established a board of directors for the Central Kenai Peninsula Hospital Service Area composed of 7 members who shall be appointed by the borough mayor and

confirmed by the borough assembly. **Prior to appointing an applicant the mayor shall solicit applicant recommendations from the service area board.** [NOMINATED AND ELECTED BY THE QUALIFIED VOTERS OF THE SERVICE AREA AS PROVIDED IN THE BOROUGH ELECTIONS CODE AND KPB 16.04.065.]

- Amend KPB 16.12.020 in section 11 as shown in bold below:

16.12.020. Board—Established—Appointment [ELECTION].

There is established a board of directors for the Nikiski Fire Service Area composed of seven (7) members who shall be appointed by the borough mayor and confirmed by the borough assembly. **Prior to appointing an applicant the mayor shall solicit applicant recommendations from the service area board.** [ELECTED BY THE QUALIFIED VOTERS OF THE SERVICE AREA AS DESIGNATED IN THE BOROUGH ELECTIONS CODE.]

- Amend KPB 16.16.020 in section 12 as shown in bold below:

16.16.020. Board—Established—[NOMINATION AND ELECTION] appointment of members.

There is established a board of directors for the North Peninsula Recreation Service Area composed of 5 members who shall be appointed by the borough mayor and confirmed by the borough assembly. **Prior to appointing an applicant the mayor shall solicit applicant recommendations from the service area board.** [NOMINATED AND ELECTED BY THE QUALIFIED VOTERS OF THE SERVICE AREA AS PROVIDED IN SECTIONS 4.08.020 (D) AND 16.04.065 OF THIS CODE.] Board members shall be appointed based on their familiarity with the functions of the service area and financial and budgetary management capabilities.

- Amend KPB 16.20.030 in section 13 as shown in bold below:

16.20.030. Board of directors.

There is established a board of directors for oversight of the operations of the Kachemak Emergency Service Area composed of five members who[, EXCEPT AS PROVIDED BELOW,] shall be appointed by the borough mayor and confirmed by the borough assembly. **Prior to appointing an applicant the mayor shall solicit applicant recommendations from the service area board.** [ELECTED BY THE QUALIFIED VOTERS OF THE SERVICE AREA IN THE MANNER PROVIDED IN THE BOROUGH ELECTION CODE AND KPB 16.04.065 AS NOW ENACTED OR MAY BE HEREINAFTER AMENDED. NOTWITHSTANDING THE PROVISIONS OF KPB 16.04.060, THE FIRST BOARD SHALL BE APPOINTED BY THE MAYOR AND CONFIRMED BY THE ASSEMBLY FOR ONE YEAR TERMS.]

- Amend KPB 16.24.020 in section 14 as shown in bold below:

16.24.020. Board—Established— Appointment [NOMINATION AND ELECTION].

There is established a board of directors for the South Kenai Peninsula hospital service area composed of 9 members who shall be appointed by the borough mayor and confirmed by the borough assembly. Prior to appointing an applicant the mayor shall solicit applicant recommendations from the service area board. [NOMINATED AND ELECTED BY THE QUALIFIED VOTERS OF THE SERVICE AREA AS PROVIDED IN SECTIONS 4.08.020(D) AND 16.04.065 OF THIS CODE.]

- Amend KPB 16.28.020 in section 15 as shown in bold below:

16.28.020. Board—Established—Appointment [NOMINATION AND ELECTION] of members.

There is established a board of directors for the Bear Creek Fire Service Area composed of 5 members who shall be appointed by the borough mayor and confirmed by the borough assembly. Prior to appointing an applicant the mayor shall solicit applicant recommendations from the service area board. [NOMINATED AND ELECTED BY THE QUALIFIED VOTERS OF THE SERVICE AREA AS PROVIDED IN SECTIONS 4.08.020(D) AND 16.04.065 OF THIS CODE.]

- Amend KPB 16.30.030 in section 16 as shown in bold below:

16.30.030. Joint operations board.

There is established a joint operations board of directors for oversight of the joint operations of the Central Emergency Service Area with the Central Peninsula Emergency Medical Service Area, to be composed of five members who shall be appointed by the borough mayor and confirmed by the borough assembly. Prior to appointing an applicant the mayor shall solicit applicant recommendations from the service area board. [NOMINATED AND ELECTED BY THE QUALIFIED VOTERS RESIDING WITHIN THE TWO SERVICE AREAS AS PROVIDED IN SECS. 4.10.020(C) AND 16.04.065 OF THIS CODE.]

- Amend KPB 16.40.030 in section 17 as shown in bold below:

16.40.030. Joint operations board.

There is established a joint operations board of directors for oversight of the joint operations of the Central Emergency Service Area with the Central Peninsula Emergency Medical Service, to be composed of five members who shall be appointed by the borough mayor and confirmed by the borough assembly. Prior to appointing an applicant the mayor shall solicit applicant recommendations from the service area board. [NOMINATED AND ELECTED BY THE QUALIFIED VOTERS OF THE TWO SERVICE AREAS AS PROVIDED IN

SECS. 4.10.020(C) AND 16.04.065 OF THIS CODE.] All procedures and authorities of the joint operations board are set out through the express terms and conditions of KPB Chapter 16.30.

- Amend KPB 16.50.030 in section 18 as shown in bold below:

16.50.030. Board of directors.

There is established a board of directors for oversight of the operations of the Seward-Bear Creek Flood Service Area composed of seven members who shall be appointed by the borough mayor and confirmed by the borough assembly. Prior to appointing an applicant the mayor shall solicit applicant recommendations from the service area board. [ELECTED BY THE QUALIFIED VOTERS OF THE SERVICE AREA IN THE MANNER PROVIDED IN THE BOROUGH ELECTION CODE AND KPB 16.04.065 AS NOW ENACTED OR MAY BE HEREINAFTER AMENDED. BOARD SEATS TO BE FILLED AT THE FIRST ELECTION OF BOARD MEMBERS SHALL BE STAGGERED AS FOLLOWS: SEATS A AND D FOR ONE YEAR; SEATS B AND E FOR TWO YEARS; AND SEATS C, F, AND G FOR THREE YEARS.] Seats A, B, C, and F shall be filled by residents of the City of Seward, and Seats D, E, and G shall be filled by residents of the area outside the city limits of the City of Seward and inside the service area boundaries. [NOTWITHSTANDING PROVISIONS OF KPB 16.04.060, THE FIRST BOARD SHALL BE APPOINTED BY THE MAYOR AND CONFIRMED BY THE ASSEMBLY FOR ONE-YEAR TERMS.]

- Amend KPB 16.55.030 in section 19 as shown in bold below:

16.55.030. Board of directors.

There is established a board of directors for oversight of the operations of the Seldovia Recreational Service Area composed of five members who, except as provided below, shall be appointed by the borough mayor and confirmed by the borough assembly. Prior to appointing an applicant the mayor shall solicit applicant recommendations from the service area board. [ELECTED BY THE QUALIFIED VOTERS OF THE SERVICE AREA IN THE MANNER PROVIDED IN THE BOROUGH ELECTION CODE AND KPB 16.04.065 AS NOW ENACTED OR MAY BE HEREINAFTER AMENDED.] Notwithstanding the provisions of KPB 16.04.060, the first board shall be appointed by the mayor and confirmed by the assembly for terms expiring upon certification of the regular election held in October 2012. Board seats to be filled at the first appointment [ELECTION] of board members shall be staggered as follows: Seats A and D for one year; seats B and E for two years; and seat C for three years.

- Amend KPB 16.60.020(a) in section 20 as shown in bold below:

16.60.020. Board of directors.

(a) There is established a board of directors for the Anchor Point Fire and Emergency Medical Service Area composed of 5 members who shall be appointed by the borough mayor and confirmed by the borough assembly. Prior to appointing an applicant the mayor shall solicit applicant recommendations from the service area board. [NOMINATED AND ELECTED BY THE QUALIFIED VOTERS OF THE SERVICE AREA IN THE MANNER PROVIDED FOR CANDIDATES FOR THE ASSEMBLY IN THIS CODE, EXCEPT THAT M]Members of the board shall be residents of the borough within the service area.

(b) The board shall meet periodically at regular and special meetings called by the board. All meetings shall be open to the public as provided by law.

- Amend KPB 16.70.030 in section 21 as shown in bold below:

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 appointed by the borough mayor and confirmed by the borough assembly. Prior to appointing an applicant the mayor shall solicit applicant recommendations from the service area board. [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.