

Introduced by: Mayor
Date: 06/05/12
Hearing: 07/03/12
Action: Enacted
Vote: 7 Yes, 0 No, 2 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2012-22**

**AN ORDINANCE AMENDING KPB 16.04.080 ADMINISTRATIVE EMPLOYEES—
APPOINTMENT, QUALIFICATIONS, AND REMOVAL TO CLARIFY THAT ALL
SERVICE AREA DIRECTORS INCLUDING FIRE CHIEFS, WHETHER EMPLOYEES
OR VOLUNTEERS, ARE APPOINTED BY THE MAYOR**

WHEREAS, KPB 16.04.080 currently provides in relevant part that except as may otherwise be provided for a specific service area, the director of a service area shall be appointed by the mayor from a list of recommended names from the service area board; and

WHEREAS, as referenced in KPB 16.04.080, pursuant to KPB 3.04.070 a director is defined as a full-time paid staff; and

WHEREAS, KPB code is silent as to the appointment of other administrative heads of service areas that are not full-time paid staff; and

WHEREAS, at least one service area, Bear Creek Fire Service Area, does not currently have a paid director or fire chief; and

WHEREAS, amending KPB 16.04.080 to provide for mayoral appointment for the heads of service areas, whether paid or volunteer, provides for uniformity amongst the service areas and enables the mayor to exercise his responsibilities;

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

SECTION 1. KPB 16.04.080 is amended as follows:

16.04.080. Administrative employees—Appointment, qualifications, and removal.

- A. Service area directors. Except as may otherwise be provided for a specific service area, the director of a service area, whether a paid employee or volunteer [AS DETERMINED NECESSARY BY THE ASSEMBLY AND AS DEFINED BY KPB 3.04.070] shall be appointed by the mayor from a list of recommended names from the service area board. Except for the road service area director, whose board consists of appointed members, and as otherwise provided below, all other service area directors

may be removed by the mayor with a concurrent recommendation from the applicable board. Such action by the service area board shall require a majority vote of the board membership. In the event that the service area board and the mayor are unable to agree within 30 days of the date the action is recommended, then the mayor and the service area board shall communicate to attempt to resolve the impasse. Such communication shall occur no more than 60 days after the date of the initial recommendation for removal. Following such communication, the mayor shall have the final authority to determine whether or not to remove the director.

- B. Other administrative employees. Other administrative employees serve at the pleasure of the mayor who may suspend or discharge such employees in his or her sole discretion. The service area board may independently make a recommendation to the mayor regarding the suspension or discharge of other administrative employees; however, such suspension or discharge remains within the sole discretion of the mayor.
- C. Definition of service area director. For purposes of this section “service area director” means the appointed administrative director or chief of a service area.

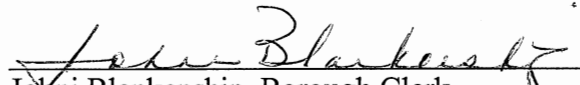
SECTION 2. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 3RD DAY OF JULY, 2012.

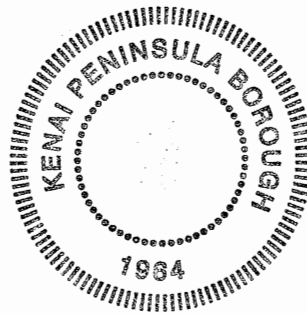


Gary Knopp, Assembly President

ATTEST:



John Blankenship, Borough Clerk



Yes: Haggerty, McClure, Murphy, Pierce, Smalley, Smith, Knopp
No: None
Absent: Johnson, Tauriainen