

# CITY AND BOROUGH OF SITKA

## ORDINANCE NO. 2015-37A

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA (CBS), ALASKA AMENDING SECTION 2.12.010 CITY AND BOROUGH OF SITKA HOSPITAL BOARD AND SECTION 2.12.070 ORGANIZATION, FORMALLY DISSOLVING THE EXISTING SITKA COMMUNITY HOSPITAL BOARD (SCH) AND ITS FRAMEWORK AND RE-ESTABLISHING AND REORGANIZING MEMBERSHIP UNDER NEW CRITERIA BY DECREASING VOTING MEMBERSHIP FROM SEVEN TO FIVE WITH THE GOAL OF PROVIDING FINANCIAL WELFARE AND ECONOMIC FINANCIAL STABILITY TO SITKA COMMUNITY HOSPITAL. THE NEW MEMBERSHIP WILL INCLUDE ONE NON-VOTING, EX-OFFICIO CBS STANDING SEAT (AND ALTERNATE) APPOINTED BY THE MUNICIPAL ADMINISTRATOR.**

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code.

2. **SEVERABILITY.** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstances shall not be affected.

3. **PURPOSE.** The Assembly, through passage of this ordinance, has determined that Sitka Community Hospital will be better served by dissolving the existing board and its current membership structure and re-creating a new board structure that establishes new criteria and board membership. The new board will consist of five members, none of whom will be employees of SCH. The composition of the board is as follows:

- One non-voting, ex-officio CBS standing board member (senior staff) and an alternate will be appointed by the Municipal Administrator due to CBS's fiduciary responsibility for the Sitka Community Hospital finances. This position will be approved by the Assembly. This position will not hold any board office (e.g. chair, secretary), and will not be subject to term expiration.
- At least one additional board seat will be filled by a person with professional financial experience such as a certified public accountant, auditor, or financial analyst.
- One seat shall be filled by a person with professional healthcare experience such as a physician, nurse, physical therapist or close equivalent.
- The remaining three voting seats will be at-large.
- Membership will also include two ex-officio, non-voting seats consisting of a member of Sitka Community Hospital chief medical staff (elected by SCH medical staff in December of each year) and an Assembly Member who will serve as liaison.

All voting members will be approved by the City and Borough Assembly. In October of each year an assembly liaison will be appointed to serve as a conduit between the Sitka Community Hospital Board and CBS Assembly.

Additionally, this ordinance gives the required fifteen day notice to existing board members of their removal, which is appealable to the Assembly. All existing board members will have the opportunity to reapply for any seat in which they qualify.

4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that SGC Chapter 2.12 is amended (old language stricken, new language underlined) as follows:

**Chapter 2.12  
CITY AND BOROUGH OF SITKA HOSPITAL BOARD**

**Section 2.12.010 City and Borough of Sitka Hospital Board**

~~There shall be a board known as the city and borough of Sitka hospital board which shall consist of nine members: seven regular members, one of whom shall be a physician unless a physician does not apply within sixty days of a seat becoming open when no other physician is a regular member of the board, who shall serve three-year terms; and two nonvoting members who shall serve one-year terms. One ex-officio member shall be a member of the assembly and the other shall be a member of the medical staff. All members shall be approved by the assembly.~~

There shall be a board known as the City and Borough of Sitka Hospital Board which shall consist of five voting members none of whom will be employees of Sitka Community Hospital:

A. The City and Borough of Sitka Municipal Administrator will appoint a non-voting, ex-officio member of the CBS senior staff as well as an alternate. This position will be approved by the Assembly. This person will not hold any board office, such as chair or secretary. This term will not expire.

B. A person having professional financial experience such as a certified public accountant, auditor, or financial analyst. This is a three year term.

C. A person having professional healthcare experience, such as a physician, nurse, physical therapist or close equivalent. This is a three year term.

D. Three people from the community at-large. These are two year terms.

There shall also be two additional non-voting, ex-officio members:

A. A member of the Sitka Community Hospital chief medical staff will be elected each December by SCH medical staff.

B. An Assembly member who will serve as liaison. Appointed each October. All Sitka Community Hospital Board voting members will be approved by the Assembly.

\* \* \*

**Section 2.12.070 Organization**

The board shall organize itself by electing a chairman and secretary who shall hold their offices as provided by hospital board by-laws.

A. The board shall adopt by-laws for the conduct of its business; provided, that ~~four~~ three voting members of the board shall constitute a quorum for the transaction of business, and ~~four~~ three affirmative votes shall be necessary to carry any questions;

B. Board meetings shall be held in the city and borough at least once each month;

C. The board shall cause a record of proceedings to be kept. A copy of that record shall be delivered to the assembly in a timely manner;

D. All meetings are subject to the Alaska Open Meetings Act. All meetings shall be open to the public. No member of the Assembly, ~~or municipal administrator~~ wishing to attend shall be excluded from an executive session.


\* \* \*

5. **EFFECTIVE DATE.** Upon the dissolution of the current board, the SCH Hospital Administrator will appoint a "Responsible Individual," as allowed in the Medicare Conditions of Participation Regulations for Critical Access Hospital C-0240 §485.627(a), to carry out the requisite Governing Body (Hospital Board) functions. The Responsible Individual will serve in this role until the new Hospital Board has been seated by the Assembly. During this period of transition, the Sitka Community Hospital Administrator will report to the Municipal Administrator. Once the new Hospital Board is seated, the SCH Administrator will report to this body. This ordinance shall become effective on the day after the date of its passage.

**PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka, Alaska this 25<sup>th</sup> day of August, 2015.

  
Matthew Hunter, Deputy Mayor

**ATTEST:**

  
Sara Peterson, CMC  
Municipal Clerk

1<sup>st</sup> reading postponed 6/9/15  
1<sup>st</sup> reading 7/14/15  
2<sup>nd</sup> reading postponed 7/28/15  
2<sup>nd</sup> reading amended 8/11/15  
3<sup>rd</sup> reading 8/25/15