



**CITY & BOROUGH OF WRANGELL  
PUBLIC HEARING AGENDA  
Tuesday, November 27, 2012  
6:30 p.m.**

1. Call to Order
2. Roll Call
3. Public Hearing Items:
4. PROPOSED ORDINANCE: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING TITLE 3, CHAPTER 3.32.030 (D) AND CHAPTER 3.32.090 AND ORDINANCE NO. 865 OF THE WRANGELL MUNICIPAL CODE RELATING TO THE WRANGELL MEDICAL CENTER AND LONG-TERM CARE FACILITY BOARD (second reading)
5. Written Testimony
6. Oral Testimony
7. Adjournment

**MEMORANDUM**

**TO: HONORABLE MAYOR AND MEMBERS OF THE ASSEMBLY  
CITY AND BOROUGH OF WRANGELL**

**FROM: TIMOTHY ROONEY  
BOROUGH MANAGER**

**SUBJECT: ORDINANCE NO. 866  
AMENDING ORDINANCE 865**

**DATE: November 20, 2012**

**BACKGROUND:**

In August of this year, the Borough Assembly unanimously passed and adopted Ordinance 865, which provided numerous changes to the Wrangell Municipal Code relating to the Wrangell Medical Center. At the time of adoption, it was both the position of staff and the Borough Assembly, that if the newly seated Wrangell Medical Center Board had concerns, both staff and Mr. Blasco would review those concerns and propose recommended changes to the Borough Assembly.

After the new Wrangell Medical Center Board was seated, Mr. Blasco met with the Wrangell Medical Center Board Chairman, Mr. Woody Wilson to discuss his concerns. There were three, what I would categorize as major concerns discussed at that meeting, and the proposed Ordinance No. 866 addresses two of those concerns. The two concerns it addresses is the participation of the Hospital Board Liaison and the Personnel Rules. The third concern centered on a misunderstanding of the Borough Attorney approval of the WMC Administrator contract and has been addressed through discussion.

Ordinance 866, attached for your information and review, provides for clarifying language relating to the Hospital Board Liaison. While the ordinance retains the requirement that the Hospital Board Liaison be permitted the absolute right and authority to participate in Executive Sessions of the Wrangell Medical Center Board, it would no longer allow for the Hospital Board Liaison to participate in any Executive Session that involves physician credentialing.

The second change addresses Personnel Rules and removes the requirement that the Wrangell Medical Center personnel policies be consistent with the personnel rules and regulations of the borough. It adds language the personnel policies shall be subject to annual review and modification by the Borough Assembly during May of each year or at other times during the year if changes are recommended by the Wrangell Medical Center Board.

Staff views Ordinance No. 866 as the first of several revisions that may be needed to Ordinance No. 865 over the coming year. That being said, we do want to implement these changes now so that we can address concerns as they arise, as was promised, when Ordinance No. 865 was adopted. The first reading of Ordinance 866 was unanimously approved by the Borough

Assembly at the October 30, 2012 meeting. The public hearing, followed by action for adoption of Ordinance No. 866 are included on the agendas for Tuesday, November 27, 2012.

**RECOMMENDATION:**

Staff recommends Borough Assembly approval of Ordinance No. 866 following the Public Hearing on November 27, 2012 at 6:30 PM.

**ATTACHMENTS:**

1. Proposed Ordinance No. 866

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING TITLE 3, CHAPTER 3.32.030 (D) AND CHAPTER 3.32.090 AND ORDINANCE NO. 865 OF THE WRANGELL MUNICIPAL CODE RELATING TO THE WRANGELL MEDICAL CENTER AND LONG-TERM CARE FACILITY BOARD

BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

SEC. 1. Action. The City and Borough of Wrangell Charter, Article III, Section 3-9, authorizes the Assembly to establish, by ordinance, a board for the borough-operated Wrangell Medical Center and Long-Term Care Facility. Title 3 of the Wrangell Municipal Code addresses Administration and Personnel of the City and Borough of Wrangell; Chapter 32 of that title sets out the Code provisions regarding the establishment, powers, authority and duties of the Wrangell Medical Center and Long-Term Care Facility board, and administration of the facility. Ordinance 865 clarified and amended Ch. 3.32.

The Assembly of the City and Borough of Wrangell declares that Title 3, Chapter 3.32.030(D) and Chapter 3.32.090 and Ordinance No. 865 of the Wrangell Municipal Code, shall be clarified and amended as follows:

Section 3.32.030.Hospital Board – General powers and duties.

A. The hospital board shall review and make recommendations through the borough manger to the assembly on all hospital construction, consulting, engineering, and architectural services contracts before submitting such contracts to the assembly for approval. No such contracts shall be executed without review by the borough manager and the borough attorney, and such contracts in excess of \$25,000 shall be executed only after approval by the assembly. All contracts shall be executed in the name of the city and borough;

B. The board shall review and make recommendations through the borough manager to the assembly for review and approval by the assembly of proposals or plans for development of any new hospital construction and improvements;

C. The board shall have the authority to solicit grants and funds from any sources for the furtherance of the provision of medical care at the hospital. Any solicitations from federal or state agencies shall be subject to prior approval of the borough manager. The board shall keep the borough manager advised of grants and funds being sought by a written report from the board or hospital administrator;

D. The board shall adopt personnel policies for hospital employees, subject to annual review by the assembly during May of each year. The personnel policies shall be subject to



annual review by the assembly during May of each year. In addition, in the event the board adopts changes to the personnel policies at other times during the year, the board shall submit the personnel policy changes to the assembly for review. The personnel policies and any changes to the personnel policies shall be subject to modification by the assembly; The personnel policies shall be consistent with the personnel rules and regulations of the borough, and shall be subject to modification by the assembly;

E. The board shall employ a hospital administrator by contract, which contract shall be subject to review and approval by the borough manager. No administrator may be employed without a contract approved by the borough manager and the borough attorney. The administrator's contract may not be modified, amended or changed without approval of the borough manager and the borough attorney. The board shall only terminate or remove the administrator after consultation with the borough manager and the borough attorney and approval by the borough manager;

F. The board shall determine salaries and wages to be paid to each classification of labor employed at the hospital, except that the salary and any other wages or monies or benefits to be paid or provided to the hospital administrator shall be only as provided in the administrator's contract.

G. The board shall determine, charge and collect fees and charges for the services rendered and furnished by the hospital. The rates as determined by the board shall be in full compliance with federal and state laws. The rates as determined by the board shall be subject to modification by the borough assembly, which may change the rates at any time.

H. The board shall have authority to take all lawful action to collect all accounts owing to the hospital and the borough for services rendered or furnished by the hospital. No legal action shall be instituted unless reviewed and approved by the borough manager and borough attorney.

I. The board shall require that all persons admitted to the hospital be under the supervision and care of a licensed physician.

J. Subject to review and approval by the assembly, the board shall have the authority to make rules and regulations for the efficient and safe operation of the hospital, provided that any rules and regulations shall be consistent with federal and state law and the Wrangell Municipal Code and be in the best interests of the borough and in accordance with sound business practices. The board must submit the rules and regulations through the manager to the assembly for review and approval. The assembly may modify or amend any rules and regulations. [Ord. 263 § 6, 1971; prior code § 3.63.050.]

K. The board shall undertake the annual budget, annual audit, and annual reports for the hospital as required by 3.32.100. The board shall make no expenditure of funds or obligation of funds unless the expenditure or obligation is in conformance with the annual budget, or a budget amendment, that has been approved and adopted by the assembly.

Section 3.32.090—Hospital board liaison.

The borough assembly shall appoint from its membership a liaison to the Wrangell Medical Center and Long-Term Care Facility. The borough assembly liaison shall represent the assembly and attend and participate in all hospital board meetings and all executive sessions of the board with the exception of those involving physician credentialing and privileging. The board has no authority to exclude the assembly liaison from any executive session. The assembly liaison will not participate as a voting member of the board and the presence of the assembly liaison shall not be used to establish a quorum to convene a meeting of the board.

SEC. 2. Severability. If any portion of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

SEC. 3. Purpose. The purpose of this ordinance is to clarify and amend Wrangell Municipal Code Ch. 3.32 and Ordinance No. 865, consistent with the historical authority of the Borough Assembly, the Charter of the City and Borough of Wrangell, and Title 29 of the laws of the State of Alaska, and in the public interest and the best interests of the borough.

SEC. 4. Effective Date. This ordinance shall be effective upon adoption by the assembly.

PASSED IN FIRST READING: October 30, 2012.

PASSED IN SECOND READING: \_\_\_\_\_.

Attest: \_\_\_\_\_

Kim Flores  
Borough Clerk

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Donald McConachie  
Mayor