

**CITY OF CORDOVA, ALASKA
ORDINANCE 1149**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA
CREATING A NEW CORDOVA MUNICIPAL CODE TITLE 15 TO RESTRUCTURE THE
CORDOVA COMMUNITY MEDICAL CENTER, REPEALING THE EXISTING TITLE 15**

WHEREAS, it is in the best interest of the City of Cordova to establish an autonomous governance of the Cordova Community Medical Center with its own board of directors and the powers and duties more particularly set for in Title 15.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Cordova, Alaska, that:

Section 1. Cordova Municipal Code Title 15 is adopted to read as follows:

Title 15 - CORDOVA COMMUNITY MEDICAL CENTER AUTHORITY

Sections:

15.10.001	Established; termination
15.10.005	Definition Cordova Community Medical Center
15.20.010	Board of Directors
15.30.020	Administration
15.40.040	Reports and Recommendations
15.50.040	Legal Counsel
15.60.050	Powers
15.70.060	Fiscal Management
15.70.061	Exemptions from Taxes
15.70.062	Annual Budget
15.70.063	Annual Audit

15.10.001 Established; termination.

A. The Cordova Community Medical Center Authority shall be established as a public corporate authority of the City of Cordova (“City”), for the purposes of managing the operations of the Cordova Community Medical Center (“CCMC”). This authority is an instrument of the City, but exists independently of and separately from the City, with powers authorized under Section 1-4. The authority shall continue to exist until terminated by ordinance. When the Authority’s existence is terminated, all of its rights, and control of assets and properties shall pass to the City.

15.10.005 Definition of Cordova Community Medical Center or CCMC.

Cordova Community Medical Center or CCMC shall mean the group of facilities consisting of an acute care hospital, long term care facility and clinic, and all other health care facilities owned and/or operated by the City.

15.20.010 Board of Directors.

A. The Authority shall be governed by a Board of Directors consisting of five members, elected by the voters of Cordova, Alaska. Board members shall be qualified electors of the City of Cordova.

- B. No member of the Board shall be an employee, or immediate family member (as defined in 42 CFR 1001.1001(a)(2)) or member of the household of an employee of CCMC or other medical provider in Cordova either now or any time in the past twelve months; a tenant of the facility either now or any time in the past twelve months; a board member or director of a medical provider other than CCMC either now or any time in the past twelve months; a contractor that provides medical or other services to the facility either now or any time in the past twelve months; an employee of any such tenant or contractor either now or any time in the past twelve months; an individual, an immediate family member (as defined in 42 CFR 1001.1001(a)(2)) or a member of the household of an individual, or a managing employee of an entity, that has been excluded from participation in Medicare, Medicaid or any other Federal health care program as listed on the United States Department of Health & Human Services, Office of Inspector General's List of Excluded Individuals/Entities.
- C. No member, or former member, of the Board shall be eligible for employment or contracting to provide services to CCMC until at least twelve months have elapsed since they last served on the Board.
- D. Members shall be elected by the voters to three year, staggered terms. In the first election, the highest vote getter will serve a three year term, the next two highest vote getters will serve two year terms and the next two highest vote getters will serve one year terms. Thereafter, the members elected will serve three year terms.
- E. Vacancies on the Board shall be filled by the Board until the next regular election, when a member shall be elected to serve the rest of the unexpired term in the same manner that a mayor is now or may hereafter be elected to serve the rest of an unexpired term.
- F. In the event that there are not enough members elected to fully seat a five-member board at the first election, the Cordova City Council shall select enough members to fill the vacancies. This section shall only apply to the first election, all other vacancies thereafter shall be filled in accordance with Section E above.
- G. The Board shall meet at least monthly, at a time and place to be designated by the Board. Notice and agenda of all regularly scheduled meetings shall be posted at a public location in the CCMC, and at Cordova City Hall. Any two members of the Board may schedule a special meeting at any time when they determine such a meeting is necessary and all special meetings shall be posted with a minimum of 24 hours' notice. All meetings of the Board shall be open to the public, except that the board may meet in executive session, in accordance with Alaska Statute 44.62.310, the Alaska Open Meetings Act.
- H. The Board may maintain membership in any local, state, or national group or association organized and operated for the promotion of the public health and welfare or the advancement of the efficiency of medical center and community health facilities administration, and in connection therewith, pay dues and fees thereto.

15.30.020 Administration

- A. The Board of Directors of the Authority shall select the Chief Executive Officer ("CEO") of the CCMC. The CEO shall serve at the pleasure of the Board. The CEO shall establish and direct all operations of CCMC activities, both internal and external.
- B. The authority and duties of the CEO are as follows:
 - a. The CEO shall be responsible for the overall supervision and direction of the affairs and activities of CCMC. The CEO shall have such authority and duties as may be assigned and directed by the Board and those generally incumbent with CEOs at other hospitals.
 - b. Be responsible for carrying out all applicable federal and state laws, City code, and CCMC rules and regulations. Insure compliance of CCMC with national, state and

- local standards and accreditation agencies.
- c. Establishes policies pertaining to total patient care, personnel, medical staff, financial status, public relations, maintenance of building and grounds, all other policies needed for the operation of CCMC under broad directives from the Board. Reviews compliance with established policies by personnel and medical staff. Periodically reviews policies and makes changes as found necessary.
 - d. Establishes departmental staffing patterns. Evaluates job performance, prepares job descriptions, establishes job classifications and sets wage and salary schedules. Hires and discharges employees at CCMC in a manner consistent with federal and state laws and in accordance with the personnel policies of CCMC. Evaluates competence of the work force.
 - e. Work with the professional staff and those concerned with the delivery of quality professional services at the hospital to insure that the best possible care may be rendered to all patients.
 - f. Regularly checks financial status of CCMC and maintains an efficient accounting system to meet the needs of the facility. Develops budget forecasting model, prepares changes to the fee schedules to insure coverage of cost of operations.
 - g. Attends all meetings of the CCMC Boards and all committee meetings of the Board.
 - h. Prepares such reports as may be required on any phase of hospital activity by the Board.
 - i. Represents CCMC in dealings with outside agencies, including governmental and third party payors. Represents CCMC at top level meetings, etc. and participates in such.
 - j. Perform other duties that may be in the best interests of CCMC.

15.40.040 Reports and Recommendations.

The Authority shall file with the City Manager and the City Council an annual report, and schedule an annual work session of its activities and shall make recommendations for legislative or other actions it considers necessary to carry out its corporate purposes. The annual report shall include an annual audit, including income, expenditures, investments and inventory.

15.50.040 Legal Counsel.

The City Attorney shall advise and assist the Authority in general legal matters. The Authority shall also have the power to retain independent and/or specialized counsel in matters affecting the Authority.

15.60.050 Powers.

In furtherance of its corporate powers, the Authority has the following powers:

1. To sue and be sued. To have a seal and alter it at pleasure.
2. To adopt, amend, and repeal bylaws for its organization and internal management, however, bylaws regarding notice of meetings shall be adopted consistent with 3.14.020.
3. To operate and manage the City land and facilities in Authority inventory.
4. To design, construct, improve, alter, or repair the City land and facilities in the Authority's inventory, subject to budgetary approval.
5. Subject to 3.10.020, to accept gifts, grants, or loans, and enter into contracts, partnerships, joint ventures, and similar agreements, or other transactions with any governmental or private agency or entity as the Authority considers appropriate.
6. To deposit or invest its funds.

15.70.060 Fiscal Management.

Finances of the Authority and CCMC shall be managed in accordance with City, State and Federal

laws and regulations, those regulations generally prescribed by any accrediting associations as may apply, and as the Board determines to accept.

15.70.061 Exemptions from Taxes.

The real and personal property of the Authority and its assets, income and receipts are declared to be the property of a political subdivision of the state, and together with any City land or facilities in the Authority's inventory devoted to an essential public and governmental function and purpose, and the property assets, income, receipts and facilities, shall be exempt from all City taxes.

15.70.062 Annual Budget.

The Authority shall have a budget, separate from the Annual City Budget and shall prepare and submit for review an annual budget to the City Manager and City Council prior to approval of the City's Annual Budget in accordance with Section 5.2 of the City of Cordova Charter.

15.70.063 Annual Audit.

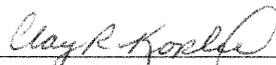
The Authority shall be subject to the audit requirements of Government Auditing Standards, in addition to any applicable requirements of the State of Alaska, Department of Health and Social Services, or the Centers for Medicare and Medicaid Services, or any other grantor or funding source.

Section 2. This ordinance shall be effective thirty (30) days after its passage and publication. This ordinance shall be enacted in accordance with Section 2.13 of the Charter of the City of Cordova, Alaska, and published within ten (10) days after its passage.

1st reading:	December 7, 2016
2nd reading and public hearing:	December 21, 2016

PASSED AND APPROVED THIS 21st DAY OF DECEMBER, 2016.





Clay R. Koplín, Mayor

ATTEST:



Susan Bourgeois, CMC, City Clerk