

Introduced by: Mayor
Date: 03/01/22
Hearing: 04/05/22
Action: Enacted
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2022-05**

**AN ORDINANCE AMENDING KPB 2.34, RISK MANAGEMENT OFFICE, TO
CHANGE THE TITLE OF THE CLAIMS MANAGER TO RISK MANAGER AND
CLARIFY CURRENT OPERATIONS OF THE OFFICE OF RISK MANAGEMENT**

WHEREAS, amending the title of the Claims Manager to Risk Manager more accurately reflects the functions currently performed by the Risk Manager; and

WHEREAS, as part of a restructuring of the office of risk management, the Safety Manager, Environmental Compliance Manager, and Administrative Assistant will report to the Risk Manager rather than the Human Resources Director; and

WHEREAS, this ordinance serves to clarify and more accurately reflect the current operations of the risk management office;

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

SECTION 1. That KPB 2.34.010 is amended as follows:

2.34.010. Risk Management Office established—Administrator.

[THERE IS IN THE HUMAN RESOURCES DEPARTMENT, THE OFFICE OF RISK MANAGEMENT.] The office of risk management shall be administered by the [CLAIMS] risk manager and a risk management committee consisting of the Kenai Peninsula Borough attorney, the Kenai Peninsula Borough finance director and an employee of the Kenai Peninsula Borough School District who has significant responsibility for managing school district finances and/or human resources and is appointed by the Superintendent. The members of the risk management committee may each designate a person to act as a committee member in the event of absence of that committee member. Meetings of the risk management committee shall be held on a regular monthly basis, and are exempt from the Open Meetings Act as now enacted or as may be hereinafter amended.

SECTION 2. That KPB 2.34.040 is amended as follows:

2.34.040. [CLAIMS] Risk manager—Authority and duties.

The [CLAIMS] risk manager shall have authority, responsibility and duties for:

- A. Identification and prevention, to the extent possible, of all risks of accidental losses and/or claims;
- B. Selection of the appropriate risk management techniques, subject to approval of the risk management committee, for offsetting exposures to losses and/or claims through:
 - 1. risk reduction
 - 2. risk transfer
 - 3. risk retention
 - 4. risk assumption
 - 5. other appropriate methods, including the purchase of insurance.
- C. Further development and maintaining of an information system, in coordination with existing systems, for timely and accurate recording of losses and claims, insurance premiums and other risk related costs and information;
- D. Allocation of loss and claim payments and related costs within the deductible and self-insured retention levels, and all other risk management related costs and insurance premiums to the various budgetary units of the Kenai Peninsula Borough and School District;
- E. Prepare the agenda and chair the monthly meeting of the risk management committee.

SECTION 3. That KPB 2.34.070(A) is amended as follows:

2.34.070. Reserving and investing of the self-insurance fund.

- A. The [CLAIMS] risk manager with the concurrence of the risk management committee shall determine the amount of monies the Kenai Peninsula Borough requires to fund adequate reserves for present known losses and/or claims, estimated reserves for incurred but not reported losses and/or claims, estimated reserves for legal fees for defense of self-insured and uninsured losses and/or claims, estimated costs for purchase of required insurance and bonds and estimated costs for other risk management and insurance related contracts and services.

SECTION 4. That KPB 2.34.100 is amended as follows:

2.34.100. Payment of self-insured losses and/or claims.

Approval of the self-insurance program and risk retention per Section 2.34.050 shall constitute authority for the [CLAIMS] risk manager with the concurrence of the risk management committee, and where prudent, the Kenai Peninsula Borough mayor and/or the superintendent of the Kenai Peninsula Borough School District, to negotiate and settle or approve and authorize settlements of losses and/or claims within the limits of the deductibles, the self-insured retention level and for those losses and/or claims that are uninsured.

SECTION 5. That KPB 2.34.110 is amended as follows:

2.34.110. Procurement of insurance and services.

The procurement of all insurance and insurance related services and/or contracts for the Kenai Peninsula Borough and School District will be coordinated through the [CLAIMS] risk manager and the risk management committee. Insurance with limits equal to the maximum foreseeable losses and/or claims shall be purchased;

...

- D. The method utilized to procure insurance and/or insurance related services shall be in accordance with the Kenai Peninsula Borough Purchasing Code. The [CLAIMS] risk manager and risk management committee shall be responsible for the purchase and maintaining of insurance and insurance related services as best meets the needs, and cost within funding of the Kenai Peninsula Borough and School District, through methods including but not limited to, open competitive bidding, request for proposals, negotiation with brokers and/or companies, or designation of a broker-of-record to purchase necessary coverage and/or services.

SECTION 6. That KPB 2.34.115 is amended as follows:

2.34.115. Administration of health insurance.

Nothing in this chapter shall be construed to require the risk management office including the [CLAIMS] risk manager and the risk management committee to purchase or administer employee health insurance plans.


SECTION 7. That KP.B 2.34.170 is amended as follows:

2.34.170. Public official's and employee dishonesty bonds.

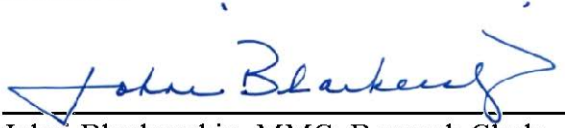
The [CLAIMS] risk manager shall be responsible for maintaining appropriate bonds for the Kenai Peninsula Borough finance director and other designated check signors, for the benefit of the Kenai Peninsula Borough, in the amount of one hundred thousand dollars (\$100,000.00) for each of the bonds required.

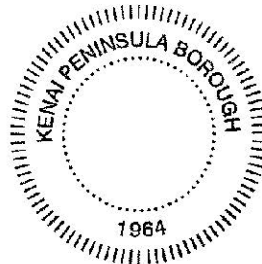
SECTION 8. That this ordinance is effective retroactively to January 15, 2022.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH DAY OF APRIL, 2022.


Brent Johnson, Assembly President

ATTEST:


John Blankenship, MMC, Borough Clerk



Yes: Bjorkman, Chesley, Cox, Derkevorkian, Ecklund, Elam, Hibbert, Tupper, Johnson
No: None
Absent: None