

Introduced by:	Mayor
Date:	04/03/20
Hearing:	04/03/20
Action:	Enacted
Vote:	9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH  
EMERGENCY ORDINANCE 2020-13**

**AN ORDINANCE PROVIDING FOR AN EXCEPTION TO THE OPERATING  
AGREEMENT BETWEEN THE KENAI PENINSULA BOROUGH AND SOUTH  
PENINSULA HOSPITAL, INC. TO ALLOW CASH IN EXCESS OF 90 DAYS TO BE  
RETAINED BY SOUTH PENINSULA HOSPITAL, INC. AS OF MARCH 31, 2020 AND  
ALLOW THE MAYOR TO PROVIDE FOR CERTAIN ADDITIONAL EXCEPTIONS  
TO THE OPERATING AGREEMENT DURING THE COVID-19 PANDEMIC**

- WHEREAS,** the borough mayor issued a Disaster Emergency Declaration on March 16, 2020, due to the current and imminent impacts of the COVID-19 pandemic in the areas of the borough outside of the cities; and
- WHEREAS,** the assembly finds an emergency disaster exists as the number of COVID-19 cases are increasing and local, national and worldwide efforts are underway to control its spread, identify and implement treatments and potential vaccines; and
- WHEREAS,** these efforts have included the closure of numerous businesses and quarantine of many people; and
- WHEREAS,** the assembly adopted Resolution 2020-026 on March 17, 2020 extending the disaster emergency for 90 days; and
- WHEREAS,** on March 20, 2020, the Borough Administration received a request from South Peninsula Hospital, Inc. (“SPHI”) to allow a temporary deviation from the current operating agreement, to allow South Peninsula Hospital Inc. to retain cash in excess of 90 days operating cash on hand for the March 31, 2020 quarter end to support anticipated cash outflow that the Hospital anticipates experiencing during the next three months; and
- WHEREAS,** SPHI estimates there will be four days’ cash in excess of 90 days as of March 31, 2020; and
- WHEREAS,** the current operating agreement between the borough and South Peninsula Hospital Inc., requires cash in excess of 90 days operating cash on hand be transferred to the borough for deposit into the South Peninsula Hospital Plant Replacement and Expansion Fund; and

**WHEREAS,** given the current COVID-19 situation the Administration proposes that South Peninsula Hospital, Inc. be allowed to retain the cash in excess of 90 days operating cash on hand on March 31, 2020 and that the Mayor may approve similar requests after thorough review while the COVID-19 pandemic remains in effect;

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


**SECTION 1.** That South Peninsula Hospital, Inc. be allowed to retain the cash in excess of 90 days operating cash on hand on March 31, 2020.


**SECTION 2.** The Mayor may approve similar requests to allow South Peninsula Hospital Inc. to retain cash in excess of 90 days operating cash, after thorough review while the COVID-19 pandemic remains in effect.

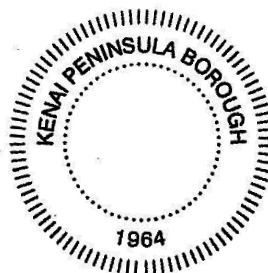
**SECTION 3.** That this ordinance takes effect retroactively on March 31, 2020.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 3RD DAY OF APRIL, 2020.**

ATTEST:

  
Johni Blankenship, MMC, Borough Clerk

  
Kelly Cooper, Assembly President



Yes: Bjorkman, Blakeley, Carpenter, Cox, Dunne, Hibbert, Johnson, Smalley, Cooper  
No: None  
Absent: None