



City & Borough of Sitka  
**Municipal Clerk's Office**  
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## Memorandum

To: Mayor and Assembly

Thru: Municipal Administrator Mark Gorman

From: Municipal Clerk Colleen Ingman

Date: November 14, 2014

**Subject: Acting Administrator Assignment(s) Amendment**

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Historically, even though there are three people assigned to fill in as acting administrator there are times when none of the three are available - the most recent being the week of November 17<sup>th</sup> when Mark travels to AML. During that absence he has assigned Dave Miller to serve, Chief Miller has served in this capacity in the past.

His action and the upcoming annual acting administrator assignments prompted me to review and rewrite the existing code. A copy of that rewrite is attached as Ordinance 2014-39. Please see the purpose section for further explanation.

Attachment

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2014-39A

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, ALASKA AMENDING  
SITKA GENERAL CODE SECTION 2.08.015 SELECTION OF ACTING  
ADMINISTRATOR TO INCLUDE A PROCEDURE  
FOR UNFORESEEN APPOINTMENTS

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 thereof to any person or circumstance is held invalid, the remainder of this ordinance and application thereof to any person or circumstances shall not be affected thereby.

3. **PURPOSE.** There have been circumstances when none of the three persons listed to serve as acting administrator are available to serve. This ordinance amends the selection of acting administrator to address those times.

4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that Section 2.08.015 of Sitka General Code is amended to read as follows (underlined/bold new with old verbiage stricken):

**2.08.015 Selection of acting administrator.**

No later than January 15th of each calendar year, the administrator shall provide in writing to the assembly a list of at least three department heads from which the administrator can select a person to serve as acting administrator for a given period of time during the next twelve months. The administrator will select from that list, unless unforeseen circumstances require the administrator to select another person not on the list. If another person is selected, the assembly will be informed as soon as possible. The assembly by majority vote may direct the administrator to change the list or the selection.

~~No later than January 15th of each calendar year, the administrator shall provide in writing to the assembly a list of three individuals whom the administrator shall select from to serve as acting administrator during the next twelve months if an acting administrator is needed in the circumstances described in this section. The individuals shall be listed in rank order of selection to serve in that the first person shall be selected before the second person listed and the second person shall be selected before the third person listed. Unless the assembly by majority vote~~

41 ~~directs the administrator to change the list, the administrator shall select from that list provided to~~  
42 ~~the assembly an acting administrator to serve during a period when the administrator expects to~~  
43 ~~be absent from the city and borough, ill, or otherwise not performing the duties of the~~  
44 ~~administrator for a period of less than thirty days. The individuals listed shall be city and~~  
45 ~~borough department heads.~~

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47           5. **EFFECTIVE DATE.** This ordinance shall become effective on the day after  
48 the date of its passage.

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50           **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough  
51 of Sitka, Alaska this 23trd day of December, 2014.

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Mim McConnell, Mayor

**ATTEST:**

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Sara Peterson, CMC  
Acting Municipal Clerk

First Reading – 11/25  
Amended: 11-25  
First Reading as Amended – 12/9  
Second Reading – 12/23