

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2019-39

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING TITLE 2 "ADMINISTRATION" OF THE SITKA GENERAL CODE BY MODIFYING CHAPTER 2.38 "GARY PAXTON INDUSTRIAL PARK" AT SECTION 2.38.110 "GARY PAXTON INDUSTRIAL PARK DIRECTOR DESIGNATED APPOINTMENT"

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

3. PURPOSE. The purpose of this ordinance is to modify Section 2.38.110(B) of the "Gary Paxton Industrial Park" code, which provides that the assembly may enter into a services contract with another entity to perform all the duties of the director described in code, such that the assembly may enter into a services contract with another entity to perform only some of the duties of the director described in code, leaving the municipal administrator responsible of any duties not covered by the services contract. This modification formalizes past practices necessitated by insufficient funding and staffing for the Gary Paxton industrial park.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the Sitka General Code Title 2, entitled "Administration" be amended by modifying chapter 2, entitled "Gary Paxton Industrial Park", at section 2.38.110, entitled "Gary Paxton Industrial Park Director Designated Appointment", to read as follows (deleted language stricken, new language underlined):

Title 2 ADMINISTRATION

Chapter: 2.38 Gary Paxton Industrial Park

Chapter 2.38 GARY PAXTON INDUSTRIAL PARK

- Sections: 2.38.010 Designation. 2.38.020 Gary Paxton industrial park board of directors. 2.38.030 Board of directors organization. 2.38.040 Vacancies. 2.38.050 Meetings. 2.38.060 Coordination. 2.38.070 Membership in associations.

- 53 2.38.080 General powers.
- 54 2.38.090 Leasing powers.
- 55 2.38.100 Adoption of regulations.
- 56 2.38.110 Gary Paxton industrial park director designated appointment.
- 57 2.38.120 Director duties and responsibilities.
- 58 2.38.130 Schedule of fees and charges.
- 59 2.38.140 Industrial park fees.
- 60 2.38.150 Preparation and submission of a budget.
- 61 2.38.160 Other fiscal matters.
- 62 2.38.170 Employee relations.
- 63 2.38.180 Definitions.

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67 **2.38.110 Gary Paxton industrial park director designated appointment.**

68 A. The director of the Gary Paxton industrial park shall be the director appointed by the
69 assembly upon the affirmative recommendation of a majority of the entire board. The board
70 shall interview and recommend candidates to assembly for final approval. The director serves at
71 the pleasure of the board. For purposes of Title 2, the director shall have the status of a
72 department head as defined in Chapter 2.08. The assembly shall establish the compensation
73 and benefits to be provided to the director.

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75 B. The assembly may alternatively elect to enter into a services contract with another entity to
76 perform all-certain specified duties and functions of the director of the Gary Paxton industrial
77 park as from those described in Section 2.38.120. Any duties and functions described in Section
78 2.38.120 not provided for in the services contract shall be the responsibility of the municipal
79 administrator or his or her designee.

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

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86 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of
87 Sitka, Alaska, this 26th day of November, 2019.

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90 _____
91 Gary L. Paxton, Mayor

92 ATTEST:

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95 _____
96 Sara Peterson, MMC
97 Municipal Clerk

98 1st reading 11/12/19
99 2nd reading 11/26/19