

**PETERSBURG BOROUGH  
ORDINANCE #2013-21**

**AN ORDINANCE PROVIDING FOR CHAPTERS 3.48 (PARKS AND RECREATION  
DEPARTMENT) AND 3.49 (PARKS AND RECREATION ADVISORY BOARD) OF THE  
MUNICIPAL CODE, UPDATING CURRENT LANGUAGE TO REFLECT BOROUGH  
INCORPORATION; AND PROVIDING PROVISIONS FOR THE RETENTION OF A PARKS  
AND RECREATION ADVISORY BOARD FOR THE BOROUGH**

**Whereas**, on January 3, 2013 the Election Division for the State of Alaska, certified the election results of the December 18, 2012 incorporation election for the Petersburg Borough; and

**Whereas**, the certified election confirmed the incorporation of the Petersburg Borough and dissolved the City of Petersburg, and

**Whereas**, Borough Charter Section 19.08 subsection C reads "Except for those provided for by this Charter, all appointed and elected advisory boards, committees, and commissions in effect at the time of this Charter shall be dissolved one year after the effective date of this Charter unless specifically continued by ordinance", and

**Whereas**, at a regular assembly meeting held on October 21, 2013 the Borough Assembly determined that an elected Parks and Recreation Advisory Board should be retained for Borough government purposes.

**Therefore, the Petersburg Borough ordains**, the existing provisions for providing for a parks and recreation department and a parks and recreation advisory board of the dissolved City of Petersburg, Alaska, as noted with amendments below, are hereby approved and adopted as a borough ordinance to be administered on an areawide (borough-wide) basis.

**Section 1. Classification:** This ordinance is of a permanent nature and shall be codified in the Petersburg Borough Code.

**Section 2. Purpose:** The purpose of this ordinance is to provide for the administration, operation and maintenance of a borough parks and recreation department and to provide for the retention of an elected parks and recreation advisory board.

**Section 3. Substantive Provisions:** The provisions of the former City of Petersburg (Service Area 1) Municipal Code, Chapters 3.48 and 3.49 are hereby transferred and incorporated into this borough ordinance. Chapter and section numbers from the prior city code are retained for future referencing and codification of the Borough Code.

Chapters 3.48 and 3.49, of Title 3 (Administration and Personnel) of the Petersburg Borough Code shall read:

**Chapter 3.48 - PARKS AND RECREATION DEPARTMENT**

**Sections:**

3.48.010 - Department established.

3.48.020 - Parks and recreation director.

3.48.030 - Duties and responsibilities.

3.48.040 – Service areas

**3.48.010 - Department established.**

There is established a parks and recreation department which shall be responsible to plan, manage, operate and maintain park and recreation facilities and programs for the **city borough**.

**3.48.020 - Parks and recreation director.**

- A. The parks and recreation director shall be the head of the parks and recreation department and supervise a staff of departmental employees. The ~~parks and recreation~~ director is an administrative officer of the **city borough** appointed by the **city borough** manager, with the approval of the **city council borough assembly**, ~~to serve a term not to exceed five years with compensation to be determined from time to time by the city council borough assembly. An employment contract with an administrative officer may be terminated only for just cause. The director may be terminated by the manager only for just cause.~~
- B. The parks and recreation director shall carry out the duties and responsibilities of the department under the supervision and control of the **city borough** manager.
- C. The parks and recreation director may select personnel to serve as employees ~~in~~ of the department, but all such appointments and the number thereof, shall require prior approval of the **city borough** manager.
- D. The parks and recreation director may approve departmental expenditures ~~up to five thousand dollars~~ **in accordance with subsection 4.04.020A of this code. Expenditures exceeding five thousand dollars shall require prior approval of the city borough manager.**

**3.48.030 - Duties and responsibilities.**

The parks and recreation department, through the parks and recreation director, shall:

- A. Make recommendations with regard to the annual budget and capital improvement plan of the department;
- B. Administer departmental financial procedures, records and correspondence;
- C. Recommend rules and regulations as should be adopted to facilitate the planning, management, operation and maintenance of the **borough-city's** parks and recreation facilities and programs;
- D. Recruit and coordinate volunteers in organizing and executing community recreation programs;
- E. Maintain all parks and recreation facilities, equipment and athletic fields, **subject to budgetary appropriations;**
- F. Advise all parks and recreation facility user groups;
- G. Develop and execute programs of community beautification;
- H. Develop proposals for grants and user charges to support the cost of departmental improvements and operations; and

- I. Organize, publicize and execute a year-round recreation program for all age groups, including social and sports activities, outdoor recreation, arts, crafts and special programs.

### **3.48.040 – Service areas**

**Pursuant to Section 14.02A(7) of the borough charter, parks and recreation is a power to be exercised by the borough through service areas.**

## **Chapter 3.49 - PARKS AND RECREATION ADVISORY BOARD**

### **Sections:**

3.49.010 - Established.

3.49.020 - Board composition and terms ~~transition~~.

3.49.030 - Board member qualifications.

**~~3.49.040 – Reserved.~~**

~~3.49.0450 - Board structure.~~

~~3.49.0560 - Meetings.~~

### **3.49.010 - Established.**

There is created a parks and recreation advisory board which shall review, investigate and make recommendations on any matter referred by the ~~city council~~ borough assembly or the ~~city~~ borough manager. **The board may also, at the request and discretion of the parks and recreation director, be advisory to the director in the duties and responsibilities listed in Section 3.48.030, Duties and responsibilities.**

### **3.49.020 – Board composition and terms transition.**

- A. The parks and recreation advisory board shall consist of five members elected at **large** at a regular municipal election to staggered three-year terms and shall serve until their successors have taken an oath of office. **Vacancies on the board shall be filled in the same manner as vacancies on other elected borough boards, as set out in Section 3.04.060(A) of this code.**
- ~~B. All members serving on the board prior to the adoption of this section shall continue to serve out their elected or appointed terms. After the original board attritions to five members, new terms and vacancies shall be filled as prescribed in subsection A of this section.~~
- ~~C. Until the board attritions to five members, four members will constitute a quorum.~~
- ~~D. The conflict of interest provisions of Section 6.3 of the Municipal Charter, insofar as they may apply, are binding on members of the board.~~

### **3.49.030 - Board member qualifications.**

A member of the parks and recreation advisory board must be a qualified voter of the ~~city~~ borough and have resided within the ~~city~~ borough for a period of one year immediately preceding election or appointment to office.

### **3.49.040 – Reserved.**

### **3.49.0450 - Board structure.**

- A. At the first meeting held after the annual municipal election of each year, the board shall, by majority vote, elect from its members a chairperson and a vice-chairperson ~~and a secretary.~~
  - 1. The chairperson shall preside at board meetings, set meeting agendas, and attest to approved minutes, ~~and meet with the mayor and city manager on at least a quarterly basis to discuss matters pertinent to the board.~~ The chairperson shall vote in the same manner and with the same restrictions as other board members and shall be counted for quorum purposes.
  - 2. In the absence of the chairperson, the vice-chairperson shall assume the chairperson's duties.
  - 3. ~~The secretary shall cause the preparation of meeting minutes and upon approval of each meeting's minutes, assure delivery of the minutes to the city clerk.~~
- B. The parks and recreation director, or the director's designee, shall give notice of board meetings to each board member and to the general public; attend board meetings; assure minutes of the meetings are taken; and serve as staff resource to the board. The parks and recreation director shall not vote on any matter before the board.

### **3.49.0560 – Meetings.**

- A. The board shall meet at the call of the chairperson, or any three board members, on an as needed basis and meetings shall be given public notice as required in Section 3.10.020(B) of this code.
- B. "Robert's Rules of Order," current edition, shall govern the parliamentary proceedings of the board to the extent not in conflict with city borough charter and code provisions. The board may adopt written procedural rules it finds necessary and appropriate to conduct business. The rules shall be reviewed and revised as necessary.
- C. Three members shall constitute a quorum. At least three affirmative votes shall be necessary to carry any question.
- D. The board shall designate a public meeting area where meetings will be held. All meetings shall be held in accordance with Alaska's Open Meetings Law and in a facility that is accessible to persons with disabilities.
- E. Meetings shall be open to the public and the meeting agenda shall afford an opportunity for the public to address the board.
  - 1. Each person addressing the board shall give their name and address. All remarks shall be addressed to the board as a body and not to any individual board member. No person shall be permitted to enter into any discussion without the permission of the chairperson.
  - 2. When a group of people wish to address the board on the same subject, the chairperson may request a spokesperson be chosen by the group to address the board.
  - 3. Any person making personal, impertinent or slanderous remarks, or who becomes boisterous while addressing the board, may be barred from further attendance at the meeting by the chairperson unless permission to continue is granted by a majority vote of the board.
  - 4. Unless further time is granted by the board, a person's or group's comments shall be limited to five minutes.

**Section 4. Initial Transition Terms.** Members of the parks and recreation advisory board in office on the effective date of this ordinance shall continue to serve until the first regular borough election to be held in

October 2014. At that election, two board members will be elected for a term of three years; two elected for a term of two years and one elected for a term of one year. The initial terms will be assigned to the members by lot.

Section 5. Severability: If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

Section 6. Effective Date: This Ordinance shall become effective areawide immediately upon final passage.

Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this \_\_\_\_\_day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mark Jensen, Mayor

ATTEST:

\_\_\_\_\_  
Kathy O'Rear, Clerk

Adopted:  
Published:  
Effective: