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**CITY OF HOMER
HOMER, ALASKA**

City Manager
Erickson/Davis

ORDINANCE 23-49(S)

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA AMENDING HOMER CITY CODE TITLE 2, CHAPTERS 2.32 DEPARTMENTS AND BOARDS, 2.44 DEPARTMENT OF ADMINISTRATION, 2.48 PUBLIC LIBRARY, AND ENACTING CHAPTERS 2.46 DEPARTMENT OF INFORMATION TECHNOLOGY AND 2.57 DEPARTMENT OF COMMUNITY DEVELOPMENT.

WHEREAS, The City's organizational design changes over time to meet the needs of the Council, the organization, and the administration; and

WHEREAS, The City Manager has identified a series of modifications to the current organizational design which would result in the creation of a Department of Information Technology, a Department of the Library, and a Department of Community Development.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code Title 2 is hereby amended to read as follows:

Title 2
ADMINISTRATION AND PERSONNEL

Chapters:

- 2.04 City Manager
- 2.08 Mayor and Council
- 2.12 City Clerk
- 2.16 City Attorney
- 2.20 City Treasurer
- 2.24 Health Officer
- 2.28 Public Officials and Employees
- 2.32 Departments and Boards
- 2.36 Department of Finance
- 2.40 Department of Port and Harbor
- 2.44 Department of Administration
- 2.46 Department of Information Technology**
- 2.48 Public Library
- 2.52 Police Department
- 2.53 Fire Department
- 2.56 Department of Public Works

Bold and underlined added. Deleted language stricken through]

- 44 **2.57 Department of Community Development**
- 45 2.58 Boards and Commissions
- 46 2.60 Parks, Art, Recreation, and Culture Advisory Commission
- 47 2.64 Port and Harbor Advisory Commission
- 48 2.68 *Repealed*
- 49 2.70 Americans with Disabilities Act Advisory Board
- 50 2.72 Planning Commission
- 51 2.76 Economic Development Advisory Commission
- 52 2.78 *Repealed*
- 53 2.80 *Repealed*
- 54 2.84 Public Release of Record
- 55 2.92 Public Records Management
- 56 2.96 *Repealed*

57

58 Section 2. Homer City Code Chapter 2.32 Departments and Boards is hereby amended
59 to read as follows:

60

61

Chapter 2.32

62

DEPARTMENTS AND BOARDS¹

63

Sections:

64

2.32.010 Departments – Directors.

65

2.32.020 *Repealed.*

66

2.32.030 Designation and function of departments.

67

2.32.040 Departmental administrative fee schedule.

68

Prior legislation: Ords. 1-100.4 and 73-8.

69

70

2.32.010 Departments – Directors.

71

There shall be principal subdivisions of the City government known as departments. Each department shall be headed by the City Manager until such time as the ~~Council~~ **City Manager**

72

shall approve the appointment of a “director” who shall then head the designated department.

73

The director shall be appointed by and be responsible to the City Manager. These departments

74

are the functional units under which all matters of an administrative, organizational or

75

utilitarian nature shall fall and shall be all-inclusive of every City function as defined in this

76

chapter. Each department may be further subdivided into divisions for operational purposes.

77

[Code 1967 § 3-400.1; Code 1981 § 1.40.010].

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2.32.020 Boards and commissions.

81

Repealed by Ord. 18-38(S). [Ord. 92-30(S)(A), 1992. Code 1967 § 3-400.2; Code 1981 § 1.40.020].

82

83

2.32.030 Designation and function of departments.

84

The City departments are designated in this section and their functions set forth:

Chapter 2.36 Department of Finance
HCC

Chapter 2.40 Department of Port and
HCC Harbor

Chapter 2.44 Department of
HCC Administration

Chapter 2.46 **Department of**
HCC **Information Technology**

Chapter 2.48 **Department of the**
HCC **Public Library**

Chapter 2.52 Police Department
HCC

Chapter 2.53 Fire Department
HCC

Chapter 2.56 Department of Public
HCC Works

Chapter 2.57 **Department of**
HCC **Community**
Development

85

86 [Amended by City in August 2017; Ord. 91-7 § 2, 1991; Ord. 85-35 § 2, 1985. Code 1981 §
87 1.40.030].

88

89 2.32.040 Departmental administrative fee schedule.

90 Unless established by ordinance or resolution of the City Council, the director of each
91 department of the City shall have the authority, subject to the approval of the City Manager
92 and ratification by the City Council, to promulgate and maintain an administrative fee
93 schedule for services provided by that department. Fees for identical services shall be uniform
94 throughout all departments. A current copy of the departmental administrative fee schedule
95 shall be available for inspection by any person at the front reception area of the department
96 and at the office of the City Clerk. Unless otherwise provided by ordinance or resolution, all
97 fees collected under this schedule shall be forwarded to the Finance Department for deposit
98 into the general fund. [Ord. 92-07(S)(A), 1992. Code 1981 § 1.40.040].

99

100 ¹ For Alaska Statute provisions authorizing municipalities to establish and prescribe the
101 functions of departments, officers and agencies, see AS 29.35.010.

102

103 Section 3. Homer City Code Chapter 2.44 Department of Administration is hereby
104 amended to read as follows:

[Bold and underlined added. Deleted language stricken through]

105
106 The Department of Administration is created which shall be headed by the City Manager or his
107 designee. Within this Department will be the City Clerk and such other personnel as may be
108 necessary to provide such services as personnel administration; ~~City wide planning; zoning~~
109 ~~and platting; permitting and inspection; services such as parks, recreation, Community~~
110 ~~Recreation Program, and library programs;~~ administration of the Homer Advisory Planning
111 Commission, the Homer Advisory Parks, ~~Art,~~ and Recreation, ~~& Culture Advisory~~ Commission,
112 the City of Homer Port and Harbor Advisory Commission, **Americans With Disabilities Act**
113 **(ADA) Advisory Board** and the Library Advisory Board; major capital projects administration;
114 ~~economic development and City enhancement programs and such other services or programs~~
115 as designated by the City Manager or requested by the City Council. The Department may be
116 subdivided into divisions with their own supervisors as deemed necessary. [Ord. 10-16 § 1,
117 2010; Ord. 85-35 § 4, 1985. Code 1981 § 1.43.010].

118
119 Section 4. Homer City Code Chapter 2.46 Department of Information Technology is
120 hereby enacted to read as follows:

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Chapter 2.46

DEPARTMENT OF INFORMATION TECHNOLOGY

2.46.010 Department of Information Technology.

The Department of Information Technology is created which shall be headed by the Director of Information Technology, also known as the Chief Technical Officer of the City. The Director shall be appointed by the City Manager for an indefinite term and shall be removable by the City Manager. The Department may be subdivided into divisions with their own supervisors as deemed necessary.

Section 5. Homer City Code Chapter 2.48 Public Library is hereby amended to read as follows:

Chapter 2.48

Department of the PUBLIC LIBRARY¹

Sections:

2.48.005 Department of the Library

2.48.010 Library functions.

2.48.020 Library Director – Appointment.

2.48.030 Library Director – Duties.

2.48.040 Board – Creation and membership.

2.48.050 Library Advisory Board – Powers and duties.

2.48.060 Library Advisory Board – Vacancies.

2.48.070 Use of library.

2.48.005 Department of the Library.

Bold and underlined added. Deleted language stricken through]

148 **The Department of the Library is created which shall be headed by the Library Director.**
149 **The Director shall be appointed by the City Manager for an indefinite term and shall be**
150 **removed by the City Manager. The Department may be subdivided into divisions with**
151 **their own supervisors as deemed necessary.**

152
153 2.48.010 Library functions.

154 The major functions of the library are the operation of the Homer Library, including control
155 and supervision of library use, acquisition of library property and other related matters.
156 [Ord. 85-35 § 5, 1985; Ord. 80-2 § 1, 1980. Code 1981 § 1.48.010].

157
158 2.48.020 Library Director – Appointment.

159 The head of the Homer Library is the Library Director, who shall be appointed by the City
160 Manager. **The Library Director must hold a master’s degree in library or information**
161 **science, or other relevant credential, as required for library grant eligibility by the State**
162 **of Alaska** [Ord. 09-28(S) § 1, 2009; Ord. 85-35 § 5, 1985; Ord. 80-2 § 2, 1980. Code 1981
163 § 1.48.020].

164
165 2.48.030 Library Director – Duties.

166 The Library Director of the City shall be responsible for and shall have supervision and control
167 of the library and hold responsibilities as denoted in the job description for the position.
168 [Ord. 09-28(S) § 1, 2009; Ord. 85-35 § 5, 1985; Ord. 80-2 § 3, 1980. Code 1981 § 1.48.030].

169
170 2.48.040 Board – Creation and membership.

171 There is created the City of Homer Library Advisory Board, referred to in this chapter as the
172 Board, which shall act in an advisory capacity to the Library Director and the City. The Board
173 shall consist of seven members comprised as follows:

- 174 a. At least five members of the Board shall reside within the corporate limits of the City.
175 b. Members shall serve for three years with initial appointments to be made for staggered
176 terms as follows: Two one-year terms; two two-year terms; and three three-year terms.
177 c. Members shall serve without compensation. [Ord. 09-28(S) § 1, 2009; Ord. 98-7, 1998;
178 Ord. 95-5, 1995; Ord. 85-35 § 5, 1985; Ord. 80-2 § 4, 1980. Code 1981 § 1.48.040].

179
180 2.48.050 Library Advisory Board – Powers and duties.

181 The Library Advisory Board shall:

- 182 a. Establish operational policies for the library program, and submit same to the City Council
183 for approval. There shall be an annual review of policies and revisions may be recommended
184 by the Board.
185 b. Assist the Librarian in preparation and presentation of the annual budget request to the City
186 Council.
187 c. Adopt bylaws and regulations for internal operations governing the proper and orderly
188 discharge of its responsibilities.
189 d. Make recommendations through the City Manager to the Mayor and City Council concerning
190 the library and its programs.

[Bold and underlined added.] Deleted language stricken through

191 e. Solicit donations of money and/or property for the benefit of the library. Any money
192 donations shall be deposited to the City treasury in a reserve fund designated for public library
193 use. If property, it shall be accepted by deed or other conveyance subject to approval by the
194 City Council. Such property shall be held or disposed of for public library purposes as the
195 Council may direct. The Board may make recommendations for disposition of money or
196 property so received and such recommendations shall be considered and acted upon by the
197 Council. [Ord. 85-35 § 5, 1985; Ord. 80-2 § 5, 1980. Code 1981 § 1.48.050].

198

199 2.48.060 Library Advisory Board – Vacancies.

200 a. In the event of a vacancy on the Library Advisory Board, the Mayor shall appoint a person to
201 fill such vacancy for the unexpired term, subject to confirmation by the City Council.

202 b. If any Library Board member is absent for three consecutive meetings (unless a majority of
203 the other members have previously granted a leave of absence, not to exceed six months), the
204 seat of that member shall be declared vacant and a new member appointed by the Mayor
205 subject to confirmation by the City Council. [Ord. 85-35 § 5, 1985; Ord. 80-2 § 6, 1980. Code 1981
206 § 1.48.060].

207

208

209 2.48.070 Use of library.

210 All persons shall be extended the use of library privileges subject to observing the rules and
211 regulations established for the use thereof. The Library Director may prohibit any person from
212 using the library who willfully or persistently violates any rule or regulation prescribed for the
213 operation of the library. No person shall fail or refuse to leave the library when ordered to do
214 so by the Library Director or other person in charge. [Ord. 09-28(S) § 1, 2009; Ord. 85-35 § 5,
215 1985; Ord. 80-2 § 7, 1980. Code 1981 § 1.48.070].

216

217 Section 6. Homer City Code Chapter 2.57 Department of Community Development is
218 hereby enacted to read as follows:

219

220

Chapter 2.57

221

DEPARTMENT OF COMMUNITY DEVELOPMENT

222

223 **2.57.010 Department of Community Development.**

224 **The Department of Community Development is created which shall be headed by the**
225 **Director of Community Development. The Director shall be appointed by the City**
226 **Manager for an indefinite term and shall be removable by the City Manager. Within this**
227 **Department will be the City Planner and such other personnel as may be necessary to**
228 **provide services such as city-wide planning; zoning and platting; permitting and**
229 **inspection; economic development; City enhancement programs and such other services**
230 **or programs as designated by the City Manager or requested by the City Council; services**
231 **such as parks, and community recreation. The Department may be subdivided into**
232 **divisions with their own supervisors as deemed necessary.**

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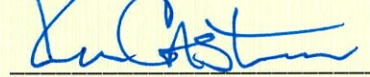
[Bold and underlined added. Deleted language stricken through]

234 Section 7. This Ordinance is of a permanent and general character. and shall be
235 included in the City Code.

236
237 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this 8 day of January, 2023.

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CITY OF HOMER



KEN CASTNER, MAYOR

245 ATTEST:

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247 _____
248 MELISSA JACOBSEN, MMC, CITY CLERK

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250 YES: 6

251 NO: 0

252 ABSTAIN: 0

253 ABSENT: 0

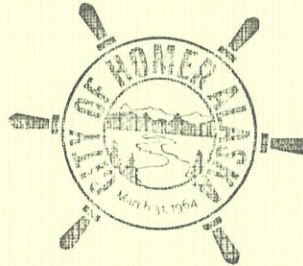
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255 First Reading: 8.14.23

256 Public Hearing: 10.9.23 + 1.8.24

257 Second Reading: 1.8.24

258 Effective Date: 1.9.24





MEMORANDUM

Ordinance 23-49, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Title 2, Chapters 2.32 Departments and Board, 2.44 Department of Administration, 2.48 Public Library, and Enacting Chapters 2.46 Department of Information Technology and 2.57 Department of Community Development. City Manager.

Item Type: Backup Memorandum
Prepared For: Mayor Castner and Homer City Council
Date: 18 July 2023
From: Rob Dumouchel, City Manager

Since arriving in Homer, I have been looking for opportunities to modify the organization in ways that would better integrate teams, better carry out the will of the Council, provide a more transparent view of City operations, and increase the organization's effectiveness at providing services to the City's residents, businesses, and visitors. Over the last three years I have observed how my staff interacts with each other, how our systems work (or don't work) well with each other, and the gaps between where we are as a City right now and where we're aspiring to be as we go through a phase of growth and transformation as a community. I previewed the general vision back in March 2022 at the Council Visioning work sessions, and I have been piloting the proposed changes in the meantime. There have been some changes over time as I tested out the different combinations of divisions and departments. This memo provides a high level overview of the multiple actions that I am proposing which will require Council approval due to their impact on Homer City Code.

As to why I'm bringing an employee organization issue to the Council, it's because a change in code is required to officially create a department. As City Manager I can hire/fire, move employees from one department to another, and create any number of different reporting hierarchies between employees. What I cannot do without Council is officially create a department, and all of our departments (Administration, Finance, Police, Volunteer Fire, Port & Harbor, and Public Works) are defined in Homer City Code. Regarding the creation of any other departments, at this time, I don't believe that any other present division(s) are ripe for elevation to department status. Therefore, I am bringing forward three departmental proposals: IT, Library, and Community Development.



1 - Proposed organizational structure – green denotes new department or proposed future division

Move #1: Creation of a Library Department and an IT Department

In early 2021, I combined the Library and IT Divisions under the leadership of the Library Director. This has been a very successful experiment. Originally I wanted to spin these Divisions out of the Administration Department and keep them together as a new department. That proposal created some controversy and resistance from the Library Advisory Board. In the time since it was introduced, we've had some significant changes in personnel and culture within the IT Division. At this time I am much more comfortable creating standalone departments for each Division. From a management perspective, I'm still going to keep these Departments closely aligned because of the benefits that can be generated when they work with each other.

Move #2: Creation of a Community Development Department

I believe that Homer is poised for significant growth, development, and redevelopment that will have impacts on daily life in Homer, and we need a future-focused department that can take on the challenges this transformative change will have on the community together.

Creating a Community Development Department will bring together planning, economic development, building & code enforcement, and community recreation under one director. This will help focus development in Homer, while also ensuring quality of life programming is integrated into our community's growth. In anticipation of creating a Community Development Department, I created an Economic Development Division and designated an Economic Development Manager in March 2022. That move has been successful and well received by Council, staff, the Economic Development Commission, and external stakeholders. Some elements housed in the Parks Division related to tasks like park & trail planning, beautification, invasive species mitigation, and volunteer coordination have also transferred into Economic Development. We are beginning to lay the groundwork for the creation of a Building & Code Enforcement Division. The special projects team submitted a grant applications to support the adoption and implementation of a building code within the City and it has been selected for further review by FEMA. Community Recreation will benefit from having a dedicated director and additional staff support from the other divisions within Community Development.

Future consideration: Merge the Finance Department into Administration

The integration of Finance into an Administration Department is a common arrangement in cities across the country that have Administrative Services departments. I've been piloting a framework in which Administration and Finance are much more integrated. It has been successful in some ways and faced challenges in others. I want to continue to dial in that concept before I consider bringing an ordinance to Council that would merge the departments.

Fiscal Considerations: The re-organization plan, as proposed, is expected to create very little direct financial impact. The Human Resources Division, with help from the Finance Department, analyzed the changes and expects that we'll see an impact of approximately \$3500 per year between FY24 and FY25. Where the re-organization has more of a financial benefit is in that it makes each department's budget and spending more transparent while also giving the new department heads increased purchasing authority under the procurement manual which streamlines operations.

Staff Recommendation: Introduce/adopt ordinance creating Library, IT, and Community Development Departments.



AGENDA ITEM REPORT

Ordinance 23-49 Amending Title 2, Chapters 2.32 Departments and Boards, 2.44 Department of Administration, 2.48 Public Library, and Enacting Chapters 2.46 Department of Technology and 2.57 Department of Community Development. City Manager.

Item Type: Informational
Prepared For: Mayor Castner and Homer City Council
Meeting Date: 16 August 2023
Staff Contact: Dave Berry, Library Director
Through: Robert Dumouchel, City Manager

Summary Statement:

The Library Advisory Board reviewed and discussed Ordinance 23-49 at their regular meeting on August 15, 2023. They approved a motion expressing support for the creation of a Library Department unanimously.

Excerpt of Approved Minutes for August 15, 2023:

B. *Creation of a Library Department*

Memorandum LAB 23-011 from Library Director as backup

Chair Finn introduced the item and deferred to Library Director Berry.

Library Director Berry reviewed his memorandum and provided a synopsis of the actions taken at Council level noting there has been no opposition to creating a standalone IT or Library Department. There has been some discussion and questions regarding the Community Development Department. He was asking for a motion of support from the Board to create the Library Department. City Council introduced the ordinance and then postponed until September 25, 2023, there will be a worksession and all the chairs for the advisory bodies will be invited to participate in the discussion.

FAIR/CARSSOW MOVED THE LIBRARY ADVISORY BOARD SUPPORTS THE CREATION OF A STAND ALONE LIBRARY DEPARTMENT FOR THE CITY OF HOMER.

Discussion on the previous sentiment and opposition in the beginning of the Library Director taking on IT and hearing this is great news. Question was posed why the ordinance does not reflect the Library Department when all other departments are titled, such as Department of Information Technology, etc. The Board was informed of the previous historical actions of Council that changed the library from a department.

Boardmember Kuszmaul expressed that she would like it clarified as the Public Library throughout the ordinance since there are a number of different types of Libraries.

Library Director Berry responded that Public may be easy enough to amend, but does not recommend tinkering with the remaining document since there are so many details. He agreed that there is textual cleanup to remove contraindications required.

Boardmembers noted that while Library Department was not listed under the main listing Public Library was shown and then Library department was under the subheading 2.48.050

VOTE: YES. CARSSOW, BAILY, KUSZMAUL, FAIR, FINN

Motion carried.

Recommendation:

Approve Ordinance 23-49.

From: [Frank Griswold](#)
To: [Melissa Jacobsen](#)
Cc: [Renee Krause](#)
Subject: Proposed Ordinance 23-49
Date: Monday, October 9, 2023 10:20:27 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear City Council and Mayor,

Proposed Ordinance 23-49 states: “The Department of Community Development is created which shall be headed by the Director of Community Development. The Director shall be appointed by the City Manager for an indefinite term and shall be removable by the City Manager. Within this Department will be the City Planner and such other personnel as may be necessary to provide services such as city-wide planning; zoning and platting; etc.” This contemplates that the City of Homer would have both a City Planner and a Director of Community Development. One competent individual with the proper qualifications should be able to fulfill the duties of these two positions, especially since the City of Homer does not have planning or platting authority. The City of Homer has been delegated **zoning** powers by the Kenai Peninsula Borough but the city has never requested or been delegated planning powers or platting powers and therefore can only act in an advisory capacity regarding such matters. KPB 21.01.010(B) provides that the Borough Planning Commission shall exercise jurisdiction within the municipal districts, including the City of Homer, regarding planning and platting. KPB 21.01.020(A) states in relevant part as follows: "If a city by resolution of the council requests the assembly to delegate the power to provide zoning, planning, and platting regulation within the city, the assembly shall delegate the power. A city to which the authority is delegated may exercise all powers within the city to the extent that such powers have been granted to the borough by statute, except those powers reserved to the borough by Section 21.01.010." KPB 21.01.020(B) states: "A city that has been delegated any powers pursuant to subsection A of this section shall provide for an appeal from an administrative decision made in the enforcement, administration, or application of a regulation adopted pursuant to the delegated power." At line 70 the proposed ordinance states: “Each department shall be headed by the City Manager until such time as the City Manager shall approve the appointment of a “director” who shall then head the designated department. The director shall be appointed by and be responsible to the City Manager.” It makes no sense for the City Manager to approve his own appointments. The City

Council should retain the right to approve the City Manager's appointments of directors. The City Council should also retain the right to terminate those appointments for cause.

Frank Griswold

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

City Manager

3
4 **ORDINANCE 23-49**

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
7 AMENDING HOMER CITY CODE TITLE 2, CHAPTERS 2.32
8 DEPARTMENTS AND BOARDS, 2.44 DEPARTMENT OF
9 ADMINISTRATION, 2.48 PUBLIC LIBRARY, AND ENACTING
10 CHAPTERS 2.46 DEPARTMENT OF INFORMATION TECHNOLOGY
11 AND 2.57 DEPARTMENT OF COMMUNITY DEVELOPMENT.

12
13 WHEREAS, The City's organizational design changes over time to meet the needs of the
14 Council, the organization, and the administration; and

15
16 WHEREAS, The City Manager has identified a series of modifications to the current
17 organizational design which would result in the creation of a Department of Information
18 Technology, a Department of the Library, and a Department of Community Development.

19
20 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

21
22 Section 1. Homer City Code Title 2 is hereby amended to read as follows:

23
24 Title 2
25 ADMINISTRATION AND PERSONNEL

26 Chapters:

- 27 2.04 City Manager
28 2.08 Mayor and Council
29 2.12 City Clerk
30 2.16 City Attorney
31 2.20 City Treasurer
32 2.24 Health Officer
33 2.28 Public Officials and Employees
34 2.32 Departments and Boards
35 2.36 Department of Finance
36 2.40 Department of Port and Harbor
37 2.44 Department of Administration
38 **2.46 Department of Information Technology**
39 2.48 Public Library
40 2.52 Police Department
41 2.53 Fire Department
42 2.56 Department of Public Works
43 **2.57 Department of Community Development**

[**Bold and underlined added.** Deleted language stricken through]

- 44 2.58 Boards and Commissions
- 45 2.60 Parks, Art, Recreation, and Culture Advisory Commission
- 46 2.64 Port and Harbor Advisory Commission
- 47 2.68 *Repealed*
- 48 2.70 Americans with Disabilities Act Advisory Board
- 49 2.72 Planning Commission
- 50 2.76 Economic Development Advisory Commission
- 51 2.78 *Repealed*
- 52 2.80 *Repealed*
- 53 2.84 Public Release of Record
- 54 2.92 Public Records Management
- 55 2.96 *Repealed*

56

57 Section 2. Homer City Code Chapter 2.32 Departments and Boards is hereby amended
58 to read as follows:

59

60

Chapter 2.32

61

DEPARTMENTS AND BOARDS¹

62 Sections:

63 2.32.010 Departments – Directors.

64 2.32.020 *Repealed.*

65 2.32.030 Designation and function of departments.

66 2.32.040 Departmental administrative fee schedule.

67 Prior legislation: Ords. 1-100.4 and 73-8.

68

69 2.32.010 Departments – Directors.

70 There shall be principal subdivisions of the City government known as departments. Each
71 department shall be headed by the City Manager until such time as the ~~Council~~ **City Manager**
72 shall approve the appointment of a “director” who shall then head the designated department.
73 The director shall be appointed by and be responsible to the City Manager. These departments
74 are the functional units under which all matters of an administrative, organizational or
75 utilitarian nature shall fall and shall be all-inclusive of every City function as defined in this
76 chapter. Each department may be further subdivided into divisions for operational purposes.
77 [Code 1967 § 3-400.1; Code 1981 § 1.40.010].

78

79 2.32.020 Boards and commissions.

80 *Repealed by Ord. 18-38(S).* [Ord. 92-30(S)(A), 1992. Code 1967 § 3-400.2; Code 1981 § 1.40.020].

81

82 2.32.030 Designation and function of departments.

83 The City departments are designated in this section and their functions set forth:

Chapter 2.36 Department of Finance
HCC

Chapter 2.40 HCC	Department of Port and Harbor
Chapter 2.44 HCC	Department of Administration
<u>Chapter 2.46 HCC</u>	<u>Department of Information Technology</u>
Chapter 2.52 HCC	Police Department
Chapter 2.53 HCC	Fire Department
Chapter 2.56 HCC	Department of Public Works
<u>Chapter 2.57 HCC</u>	<u>Department of Community Development</u>

84
85 [Amended by City in August 2017; Ord. 91-7 § 2, 1991; Ord. 85-35 § 2, 1985. Code 1981 §
86 1.40.030].

87
88 2.32.040 Departmental administrative fee schedule.
89 Unless established by ordinance or resolution of the City Council, the director of each
90 department of the City shall have the authority, subject to the approval of the City Manager
91 and ratification by the City Council, to promulgate and maintain an administrative fee
92 schedule for services provided by that department. Fees for identical services shall be uniform
93 throughout all departments. A current copy of the departmental administrative fee schedule
94 shall be available for inspection by any person at the front reception area of the department
95 and at the office of the City Clerk. Unless otherwise provided by ordinance or resolution, all
96 fees collected under this schedule shall be forwarded to the Finance Department for deposit
97 into the general fund. [Ord. 92-07(S)(A), 1992. Code 1981 § 1.40.040].

98
99 ¹ For Alaska Statute provisions authorizing municipalities to establish and prescribe the
100 functions of departments, officers and agencies, see AS 29.35.010.

101
102 Section 3. Homer City Code Chapter 2.44 Department of Administration is hereby
103 amended to read as follows:

104
105 The Department of Administration is created which shall be headed by the City Manager or his
106 designee. Within this Department will be the City Clerk and such other personnel as may be
107 necessary to provide such services as personnel administration; ~~City wide planning; zoning~~
108 ~~and platting; permitting and inspection; services such as parks, recreation, Community~~

[Bold and underlined added. Deleted language stricken through]

109 ~~Recreation Program, and library programs;~~ administration of the Homer Advisory Planning
110 Commission, the Homer Advisory Parks, ~~Art, and Recreation,~~ **& Culture Advisory** Commission,
111 the City of Homer Port and Harbor Advisory Commission, **Americans With Disabilities Act**
112 **(ADA) Advisory Board** and the Library Advisory Board; major capital projects administration;
113 ~~economic development~~ and City enhancement programs and such other services or programs
114 as designated by the City Manager or requested by the City Council. The Department may be
115 subdivided into divisions with their own supervisors as deemed necessary. [Ord. 10-16 § 1,
116 2010; Ord. 85-35 § 4, 1985. Code 1981 § 1.43.010].

117

118 Section 4. Homer City Code Chapter 2.46 Department of Information Technology is
119 hereby enacted to read as follows:

120

121

Chapter 2.46

122

DEPARTMENT OF INFORMATION TECHNOLOGY

123

2.46.010 Department of Information Technology.

124

125

The Department of Information Technology is created which shall be headed by the
126 **Director of Information Technology, also known as the Chief Technical Officer of the City.**
127 **The Director shall be appointed by the City Manager for an indefinite term and shall be**
128 **removable by the City Manager. The Department may be subdivided into divisions with**
129 **their own supervisors as deemed necessary.**

130

131 Section 5. Homer City Code Chapter 2.48 Public Library is hereby amended to read as
132 follows:

133

134 Chapter 2.48

135 PUBLIC LIBRARY¹

136 Sections:

2.48.005 Department of the Library

138

2.48.010 Library functions.

139

2.48.020 Library Director – Appointment.

140

2.48.030 Library Director – Duties.

141

2.48.040 Board – Creation and membership.

142

2.48.050 Library Advisory Board – Powers and duties.

143

2.48.060 Library Advisory Board – Vacancies.

144

2.48.070 Use of library.

145

2.48.005 Department of the Library.

147

The Department of the Library is created which shall be headed by the Library Director.

148

The Director shall be appointed by the City Manager for an indefinite term and shall be

149

removed by the City Manager. The Department may be subdivided into divisions with

150

their own supervisors as deemed necessary.

151

152 2.48.010 Library functions.

153 The major functions of the library are the operation of the Homer Library, including control
154 and supervision of library use, acquisition of library property and other related matters.
155 [Ord. 85-35 § 5, 1985; Ord. 80-2 § 1, 1980. Code 1981 § 1.48.010].

156

157 2.48.020 Library Director – Appointment.

158 The head of the Homer Library is the Library Director, who shall be appointed by the City
159 Manager. **The Library Director must hold a master’s degree in library or information**
160 **science, or other relevant credential, as required for library grant eligibility by the State**
161 **of Alaska** [Ord. 09-28(S) § 1, 2009; Ord. 85-35 § 5, 1985; Ord. 80-2 § 2, 1980. Code 1981
162 § 1.48.020].

163

164 2.48.030 Library Director – Duties.

165 The Library Director of the City shall be responsible for and shall have supervision and control
166 of the library and hold responsibilities as denoted in the job description for the position.
167 [Ord. 09-28(S) § 1, 2009; Ord. 85-35 § 5, 1985; Ord. 80-2 § 3, 1980. Code 1981 § 1.48.030].

168

169 2.48.040 Board – Creation and membership.

170 There is created the City of Homer Library Advisory Board, referred to in this chapter as the
171 Board, which shall act in an advisory capacity to the Library Director and the City. The Board
172 shall consist of seven members comprised as follows:

- 173 a. At least five members of the Board shall reside within the corporate limits of the City.
174 b. Members shall serve for three years with initial appointments to be made for staggered
175 terms as follows: Two one-year terms; two two-year terms; and three three-year terms.
176 c. Members shall serve without compensation. [Ord. 09-28(S) § 1, 2009; Ord. 98-7, 1998;
177 Ord. 95-5, 1995; Ord. 85-35 § 5, 1985; Ord. 80-2 § 4, 1980. Code 1981 § 1.48.040].

178

179 2.48.050 Library Advisory Board – Powers and duties.

180 The Library Advisory Board shall:

- 181 a. Establish operational policies for the library program, and submit same to the City Council
182 for approval. There shall be an annual review of policies and revisions may be recommended
183 by the Board.
184 b. Assist the Librarian in preparation and presentation of the annual budget request to the City
185 Council.
186 c. Adopt bylaws and regulations for internal operations governing the proper and orderly
187 discharge of its responsibilities.
188 d. Make recommendations through the City Manager to the Mayor and City Council concerning
189 the library and its programs.
190 e. Solicit donations of money and/or property for the benefit of the library. Any money
191 donations shall be deposited to the City treasury in a reserve fund designated for public library
192 use. If property, it shall be accepted by deed or other conveyance subject to approval by the
193 City Council. Such property shall be held or disposed of for public library purposes as the
194 Council may direct. The Board may make recommendations for disposition of money or

Added language Deleted language ~~stricken through~~

195 property so received and such recommendations shall be considered and acted upon by the
196 Council. [Ord. 85-35 § 5, 1985; Ord. 80-2 § 5, 1980. Code 1981 § 1.48.050].

197

198 2.48.060 Library Advisory Board – Vacancies.

199 a. In the event of a vacancy on the Library Advisory Board, the Mayor shall appoint a person to
200 fill such vacancy for the unexpired term, subject to confirmation by the City Council.

201 b. If any Library Board member is absent for three consecutive meetings (unless a majority of
202 the other members have previously granted a leave of absence, not to exceed six months), the
203 seat of that member shall be declared vacant and a new member appointed by the Mayor
204 subject to confirmation by the City Council. [Ord. 85-35 § 5, 1985; Ord. 80-2 § 6, 1980. Code 1981
205 § 1.48.060].

206

207

208 2.48.070 Use of library.

209 All persons shall be extended the use of library privileges subject to observing the rules and
210 regulations established for the use thereof. The Library Director may prohibit any person from
211 using the library who willfully or persistently violates any rule or regulation prescribed for the
212 operation of the library. No person shall fail or refuse to leave the library when ordered to do
213 so by the Library Director or other person in charge. [Ord. 09-28(S) § 1, 2009; Ord. 85-35 § 5,
214 1985; Ord. 80-2 § 7, 1980. Code 1981 § 1.48.070].

215

216 Section 6. Homer City Code Chapter 2.57 Department of Community Development is
217 hereby enacted to read as follows:

218

219

Chapter 2.57

220

DEPARTMENT OF COMMUNITY DEVELOPMENT

221

222 **2.57.010 Department of Community Development.**

223 **The Department of Community Development is created which shall be headed by the**
224 **Director of Community Development. The Director shall be appointed by the City**
225 **Manager for an indefinite term and shall be removable by the City Manager. Within this**
226 **Department will be the City Planner and such other personnel as may be necessary to**
227 **provide services such as city-wide planning; zoning and platting; permitting and**
228 **inspection; economic development; City enhancement programs and such other services**
229 **or programs as designated by the City Manager or requested by the City Council; services**
230 **such as parks, and community recreation. The Department may be subdivided into**
231 **divisions with their own supervisors as deemed necessary.**

232

233 Section 7. This Ordinance is of a permanent and general character. and shall be
234 included in the City Code.

235

236 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this ____ day of _____, 2023.

237

[**Bold and underlined added.** Deleted language stricken through]

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ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

CITY OF HOMER

KEN CASTNER, MAYOR



MEMORANDUM

Ordinance 23-49(S), An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Title 2, Chapters 2.32 Departments and Board, 2.44 Department of Administration, 2.48 Public Library, and Enacting Chapters 2.46 Department of Information Technology and 2.57 Department of Community Development. City Manager.

Item Type: Backup Memorandum
Prepared For: Mayor Castner and Homer City Council
Date: December 20, 2023
From: Council Members Erickson and Davis

The City Manager's proposed re-organization plan and the ordinance implementing it has been repeatedly deferred, seemingly because there have not been enough votes at council to pass it in its current form.

The major sticking point has seemed to be the proposal to combine Parks (currently located in Public Works) and Recreation (currently reporting directly to the City Manager), and to put them in a new Department of Community Development that would also include the Planning Department and future zoning staff.

This proposal has been a concern to many in the community, who desire to see a Department of Parks and Recreation that would more closely reflect the importance our community attaches to this aspect of city governance.

There are some fairly compelling arguments against creating a Department of Parks and Recreation now, including the small size of current staff and budget.

This substitute ordinance would address both concerns by adopting most aspects of the proposed reorganization, with the exception of Parks and Recreation, which would be kept in their current status for the interim (until staff size and budget are sufficient to justify a new department).

Recommendation: Substitute and adopt Ordinance 23-49(S)



MEMORANDUM

Ordinance 23-49, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Title 2, Chapters 2.32 Departments and Boards, 2.44 Department of Administration, 2.48 Public Library, and Enacting Chapters 2.46 Department of Information Technology and 2.57 Department of Community Development. City Manager.

Item Type: Informational Memorandum
Prepared For: Mayor Castner and Homer City Council
Thru: Robert Dumouchel, City Manager
Date: November 20, 2023
From: Parks, Art, Recreation & Culture Advisory Commission

Background Information:

At the August 14, 2023 city council meeting, City Manager Dumouchel introduced *Ordinance 23-49* to the City Council that would modify city code to create three new departments: Department of Public Library, Department of Information Technology and a Department of Community Development.

The proposed creation of a Community Development Department would combine the Planning division, the Economic Development division, the Community Recreation division and a soon to be created Code Enforcement Division.

After much written and public testimony relating to the creation of a Community Development Department specifically addressing the concerns of the impacts of combining the Community Recreation division within this proposed new department, the City Council opted to postpone this ordinance until the January 8th City Council meeting to allow for additional review and consideration related to *Resolution 23-047(s)* Establishing Parks and Recreation as a Priority/10 Year Plan.

With the City Manager's approval, Parks, Arts, Recreation and Parks Advisory Commission was requested to review specifically the proposed Community Development Department proposal and provide advisement to the city council regarding this topic.

At the November 16, 2023 Parks, Arts, Recreation and Parks Advisory Commission regular meeting, the Commission unanimously supported creation of the Library and Information Technology departments but for the following reasons does not fully support including Community Recreation within the proposed Community Development department because:

1. The benefits are not clearly defined.

2. The organizational chart does not facilitate the elevation of Community Recreation's function, as it would no longer directly report to the City Manager.
3. There is no connection to the Planning, Building or Code Enforcement Divisions and limited connection to Economic Development Division under the Community Development Department.
4. Support the creation of a Parks and Recreation department to bring forward the importance and value of Community Recreation as expressed by the strong community support.

Recommendation: Amend and Adopt Ordinance creating Library, IT, Community Development Departments (without Community Recreation) and consider creating and passing ordinance to create a Parks and Recreation Department.

City to start parks & rec. department

by Sarah Sanders
Tribune staff reporter

It looks like a go for the city to implement a parks and recreation department come the new calendar year 1999.

According to City Manager Val Koeberlein, the City of Homer's 1999 budget includes a full-time parks and recreation position, as well as temporary summer positions.

Koeberlein said that in the past, the city had a parks department under the Public Works Department that was responsible for the beautification of Pioneer Avenue and maintenance at the Hornaday Park and campground.

"We're starting out very small. We're taking one person, and making that into a full-time job. It will still be under the Public Works Department," he said.

Now, with the city's acquisition of the old Homer Intermediate School, and subsequent plans on the school's future use being discussed as a recreation facility.

See CITY, page 5

'Chalky' halibut cause

ity, it seemed a good time for the city to look into resurrecting the department. "Now that the old Homer school has been deemed over to us, that opened up a facility that could be used as some type of community center, a recreation facility, and we're still trying to determine that," said Koeberlein. "So, along with that, the council has decided that it would be a good time to start a parks and recreation department."

While Koeberlein said that the city is still developing a job description, some duties of the new department will include overseeing both campground facilities in Homer - located above Hornaday Park and on the Homer Spit, and operating the Intermediate School.

In the past, the job was bid out to private collectors. "That (campground facilities) would help fund some of this additional personnel for the increased activity and again, the reason for putting one of the part-time persons, full time, was to be able to operate the old Homer school there - the gym for some activities," said Koeberlein.

While the new department is slated to oversee the operations and activities of the Intermediate School, according to Koeberlein it might be only a temporary plan. "That's the initial plan, and that could even change somewhat as we go along," he said.

As for the new department's future home, Koeberlein

said it will be housed at Homer Public Works for now, but could move to a new home at the old Intermediate School in the future. For now, the new department will also be under the public works department until it gets up and going, said Koeberlein.

The new department should have an impact on citizens as it aims to further meet the needs of the community. "It's going to provide another city service to the Homer citizens and surrounding area. Again, I want to emphasize, this is a start," said Koeberlein. "We're trying to minimize the financial impact on the city and as the need - as we generate more revenues - I can see it growing, because it's obvious that there's great demand for that."



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To: [Ken Castner](#); [Donna Aderhold](#); [Rachel Lord](#); [Caroline Venuti](#); [Storm Hansen-Cavasos](#); [Shelly Erickson](#); [Jason Davis](#); [Department Clerk](#)
Cc: [Eric Tutt](#); [Paul Allan](#); [Kathy Vogl](#); [Shan Burson](#); [Holly Van Pelt](#); [Christopher Mullikin](#)
Subject: City Ordinance 43-9
Date: Monday, January 8, 2024 1:27:06 PM

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To Mayor Castner and Members of the City Council

I'm writing in support of the substitute Ordinance 43-9(S) which is up for a Public Hearing tonight.

This substitute, offered by Council members Shelly Erickson and Jason Davis will delete Community Recreation from the new Community Development Department proposed by the Administration.

Members of the Community and PARCAC have voiced support for the creation of a separate Parks & Community Recreation department going back to the now 8 year-old 2015 PARCAC Needs Assessment which recommended the City should: *Consider a centralized City Parks and Recreation Department with additional City of Homer recreation staff (existing staff are currently at capacity, and the City could potentially leverage increased community involvement toward providing services and completing park improvement projects with additional staff.)*

As I've stated in previous testimony, over 60% of Alaskan communities have taken steps to combine parks and community recreation into one department - communities like Soldotna, Seward, Kenai, Kodiak, Wrangell, Bethel, Wasilla, Anchorage, Fairbanks, and Juneau. Why can't we? There continues to be strong support to create a stand-alone Department of Parks & Community Recreation and opposition to merging it into a department which, in my opinion, it becomes lost.

Excerpt from the November 20, 2023 Memorandum from PARCAC to the City Manager:

PARCAC unanimously supported the creation of the Library and Information Technology departments but for the following reasons does not fully support including Community Recreation within the proposed Community Development department because:

1. the benefits were not clearly defined,

2. the organizational chart does not facilitate the elevation of Community Recreation's function as it would no longer directly report to the City Manager,
3. there is no connection to the Planning, Building or Code Enforcement Divisions and limited connection to Economic Development Division under the Community Development Department

PARCAC stated support for the creation of a Parks & Community Recreation Department to bring forward the importance and value of Community Recreation as expressed by the strong community support. Their recommendation was to amend and adopt the Ordinance creating Library, IT, Community Development Departments without Community Recreation and consider creating and passing an ordinance to create a Parks and Recreation Department.

I support 43-9(S) and the position/recommendation forwarded to the Council by PARCAC.

By supporting Ordinance 43-9(S), the Council will send a clear message to the Administration and have more time to thoroughly consider all aspects of creating this new stand-alone department.

Thank you for your time,

Janie Leask
Homer Resident
USA Pickleball Ambassador for Homer
President, Homer Pickleball Club