



Alaska Municipal Government

ROLES AND RESPONSIBILITIES OF PUBLIC OFFICIALS

Maximum Self-Government

▶ **Alaska Constitution – Article X**

▶ The Alaska Constitution establishes the policy of maximum self-government for the people.

▶ **Alaska Statutes – Title 29**

▶ AS Title 29 governs organization and operations of local governments

Types of Municipalities

▶ Home Rule

- ▶ AS 29.04.010. A home rule municipality is a municipal corporation and political subdivision. It is a city or a borough that has adopted a home rule charter, or it is a unified municipality. A home rule municipality has all legislative powers not prohibited by law or charter.

▶ General Law

- ▶ AS 29.04.020. A general law municipality is a municipal corporation and political subdivision and is an unchartered borough or city. It has legislative powers conferred by law.

General Law Municipalities

- ▶ Second Class Boroughs (must gain voter approval for authority to exercise non-area wide powers)
- ▶ First Class Cities (400+ permanent residents)
- ▶ Second Class Cities (25+ permanent residents)

General Law Municipalities

- ▶ Title 29 – Governing Authority
- ▶ General Powers (AS 29.35.010)
- ▶ Borough Mandatory Powers (AS 29.35.150-180)
- ▶ Additional Borough Powers (AS 29.35.200-220)
- ▶ City Powers (AS 29.35.250-260)
- ▶ Acquisition of Additional Powers (AS 29.35.300-340)

Home Rule Boroughs & Cities

- ▶ May exercise all legislative powers NOT prohibited by law or charter
- ▶ Ruled by Charter – approved by voters
- ▶ Governs through local ordinances
- ▶ AS 29.10.200 lists limitations on powers of Home Rule Municipalities

The Unorganized Borough

- ▶ All areas of the state outside of organized boroughs (AS 29.03.010)
- ▶ State Legislature is the governing body (AK Constitution Article X. Section 6)
- ▶ There are some organized cities within the unorganized borough.

Who is a Public Official?

Mayor

City Council Members

Borough Assembly
Members

School Board Members

Municipal Attorney

Municipal Clerk

Municipal Treasurer

Municipal Manager or
Administrator

Alaska Statutes 29.20

Mayor (AS 29.20.220-280)

- ▶ The executive power of a Municipality is vested in the mayor.
- ▶ Specific powers of the mayor vary depending on form of government or by municipal charter.
- ▶ The mayor may have veto power.

Governing Body

- ▶ Sets policy by:
 - ▶ Enacting Ordinances
 - ▶ Adopting the annual budget
- ▶ May serve as an appeal board
- ▶ May serve as liaison to various community and/or state organizations
- ▶ Acts as a lobbyist for the community

Members of the Governing Body

- ▶ Act as a body, not individually
- ▶ Direct the work of officials appointed by the governing body
 - ▶ It is key to understand your role with staff!
- ▶ Do your homework
- ▶ Seek community input

Members of the Governing Body

- ▶ Educate yourself on issues and opinions of those you represent
- ▶ REMEMBER – You represent the entire community and not just those who voted for you!

Ethical Responsibility

- ▶ Public Officials must not act outside the law or beyond their authority
- ▶ You are expected to act impartially and without favoritism
- ▶ You are expected to work in the best interest of the community
- ▶ Follow the Conflict of Interest rules and other rules of procedure

Staff Roles & Responsibilities

- ▶ Municipal Attorney
 - ▶ Appointed by Mayor, Manager, or governing body (May be a contract attorney)
 - ▶ Legal advisor to the council or assembly
 - ▶ Legal advisor to the School Board
 - ▶ Legal advisor to Manager, department heads, or empowered entities
 - ▶ Represents the municipality in civil and criminal proceedings

Staff Roles & Responsibilities

- ▶ Municipal Clerk
 - ▶ Generally appointed by the governing body (but not always)
 - ▶ Serves as the liaison between the governing body, staff, and the public
 - ▶ Serves as the parliamentary advisor to the governing body
 - ▶ Administers appeals

Staff Roles & Responsibilities

Municipal Clerk, Responsibilities include...

- ▶ Provides notice of all public meetings and keeps a record of its proceedings
- ▶ Publishes notice of ordinances adopted by and actions of the governing body
- ▶ Conducts local elections
- ▶ Maintains the seal of the City or Borough
- ▶ Serves as the Records Manager for the Municipality
- ▶ Serves as Public Information Officer
- ▶ In some communities, serves as the Treasurer

Staff Roles & Responsibilities

Municipal Manager versus Administrator

- ▶ Role varies substantially between Strong Mayor and Manager forms of government: Under a Manager plan, the Manager leads with direction from the governing body.
- ▶ In a “strong mayor” municipality, the administrator supports and takes direction from the mayor
- ▶ Appointing authority – Managers are appointed by the governing body but administrators are appointed by the mayor
- ▶ Managers are responsible for hiring most municipal employees
- ▶ Managers are responsible for submitting annual budget to the governing body
- ▶ Managers exercise custody over all real and personal property owned by the municipality

Staff Roles & Responsibilities

- ▶ Municipal Treasurer
 - ▶ May be combined with the Municipal Clerk's position
 - ▶ Responsible for matters pertaining to the maintenance of all the accounts of the municipality
 - ▶ Assists in preparing annual budget and monthly financial reports

Summary

- ▶ We are all in this together and must work together to provide services to the communities we represent
- ▶ Know your role, know what is expected of you, and know how your position relates to others within your city or borough

A photograph of a snowy mountain range under a dark night sky. The sky is filled with a vibrant green aurora borealis, with several bright, vertical streaks of light. The mountains are covered in snow and have some dark patches of vegetation. The overall scene is serene and majestic.

QUESTIONS?

A photograph of a mountain range at night, illuminated by the green light of the aurora borealis. The sky is dark with stars, and a red rectangular shape is visible in the top right corner.

THANK YOU!

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Additional Resources:

- ▶ Alaska Municipal League (Local Govt. Primer)
<https://www.akml.org/about/documents/>
- ▶ State of Alaska – Dept. of Commerce, Community & Economic Development: Division of Community & Regional Affairs
<https://www.commerce.alaska.gov/web/dcra/>
- ▶ Alaska Association of Municipal Clerks
<https://www.alaskaclerks.org/>