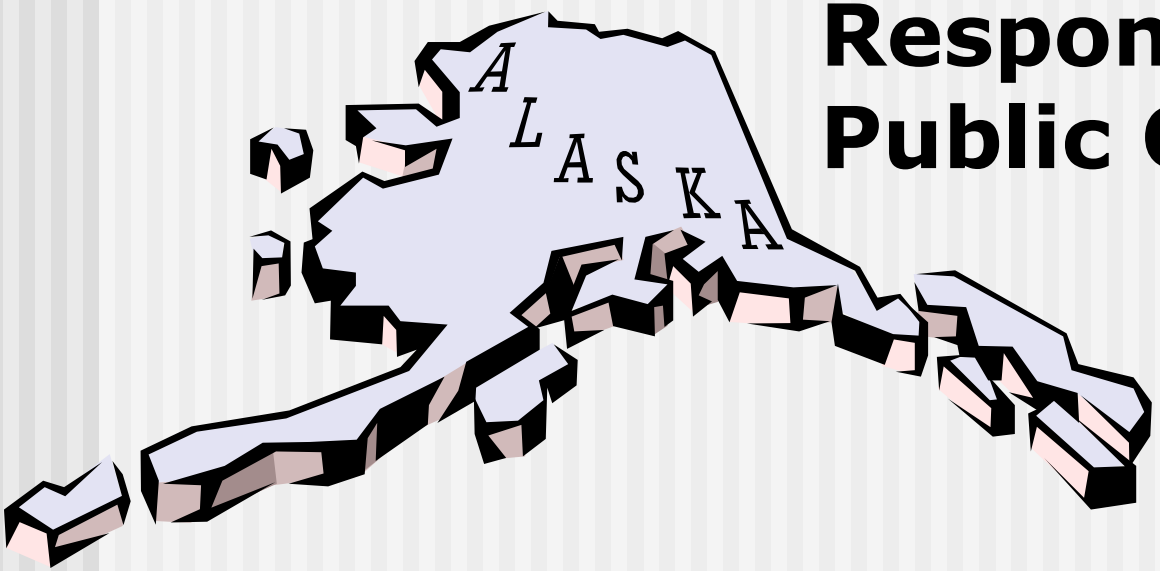
Alaska Statutes Title 29, Municipal Government

Roles and Responsibilities of Public Officials



LOOKING FOR GUIDANCE

- The Alaska Constitution establishes the policy of maximum self-government for the people.
- AS Title 29 governs organization and operations of local governments.
- Cities and Boroughs provide regulatory (police, zoning, animal control, etc.) and proprietary (water, sewer, airport, etc.) policy.

Types of Municipalities

- General Law
- Home Rule

General Law Municipalities

- Second Class Boroughs
- First Class Cities
- Second Class Cities

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 2935.250-260)
- Acquisition of Additional Powers (AS 29.35.300-340)

Home Rule Boroughs and Cities

- May exercise all legislative powers NOT prohibited by law or charter.
- The Charter – approved by voters
- 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 Const., Art. X, Sec. 6).
- There are some organized cities within the unorganized borough.
- REAA Elections

Who is a Public Official?

Mayor
City Council Members
Borough Assembly Members
Municipal Clerk
Municipal Manager
Municipal Attorney
Municipal Treasurer
School Board Members

Mayor

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

Governing Body

- Sets policy by:
  - Enacting Ordinance
  - 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 comunity

Governing Body

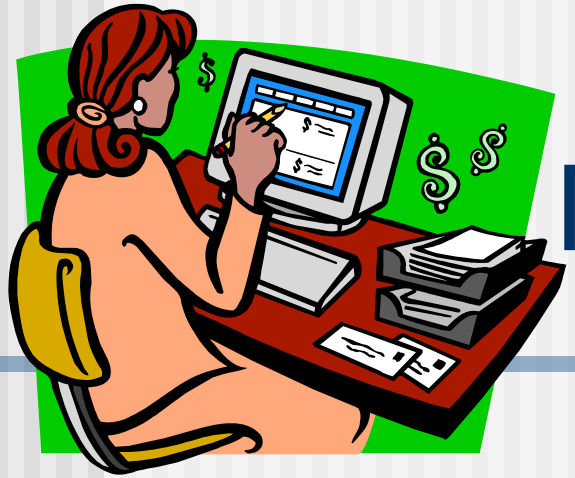
- Acts as a body, not individually
- Directs the work of officials appointed by the governing body
- Know your role with staff
- Do your homework
- Seek community input

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.
- Expected to act impartially and without favoritism.
- Expected to work in the best interest of the community.



Municipal Clerk

- Generally, appointed by the governing body.
- Serves as the liaison between the governing body and the administration.
- Serves as parliamentary advisor to the governing body.

Responsibilities

- Notices all meetings of the governing body and keeps a record of its proceedings.
- Publishes notices of ordinances adopted by and actions of the governing body.
- Maintains the Official Seal of the City or Borough.
- Conducts local elections.
- Administers oaths of office.
- Records Manager for municipality.
- Sometimes serves as Treasurer.

Municipal Manager or Administrator

- Includes municipal managers and city or borough administrators.
- Appointing authority – Governing Body or Mayor (in strong mayor government)
- Implements policy set by the governing body.
- Responsible for hiring most city/borough employees.

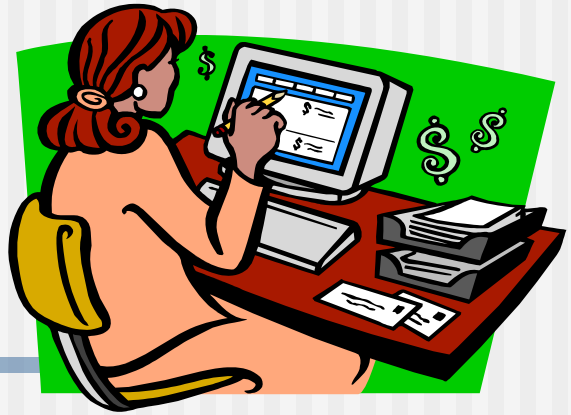
Municipal Attorney

- 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 other officers, department heads, managers of the municipality.
- Represents municipality in civil and criminal proceedings.

Duties May Include:

- Contracts/Leases
- Complicated Ordinances
- Bonding
- Lawsuits, both criminal and civil
- Wording for Ballot Propositions
- Legal advice

Treasurer



- May be combined with the Municipal Clerk's position.
- Responsible for matters pertaining to the maintenance of all of 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.

Thank you for your attention.

Questions?