Alaska Municipal Government

ROLES AND RESPONSIBILITIES OF PUBLIC OFFICIALS

1

Maximum Self-Government

- ► Alaska Constitution Article X
 - ► The Alaska Constitution establishes the policy of maximum self-government for the people.

► Alaska Statutes – Title 29

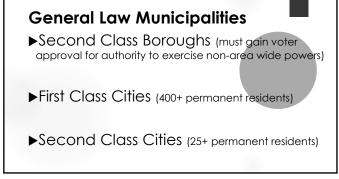
►AS Title 29 governs organization and operations of local governments

2

Types of Municipalities ►Home Rule ►AS 29.04.010. A home rule municipality is a corporation and political subdivision. It is a

- ► 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.

3



General Law Municipalities

- ►Title 29 Governing Authority
- ► General Powers (AS29.35.010)
- ▶ 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)

5

4

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.

7

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

8

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

10

Members of the Governing Body

- ► Act as a body, not individually
- Directs the work of officials appointed by the governing body

►It is key to understand your role with staff!

- Do your homework
- Seek community input

11

Members of the Governing Body

- Educated 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

13

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

14

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
- Conducts local elections
 Maintains the soal of the City
- Maintains the seal of the City or Borough
 Serves as the Records Manager for the Municipality
- Serves as the Records manager for it
 Serves as Public Information Officer
- In some communities, serves as the Treasurer

16

Staff Roles & Responsibilities Municipal Manager or Administrator

- Includes Municipal Manager and City or Borough Administrators
- Appointing authority Governing Body (or Mayor in a strong Mayor form of government)
- Implements policy set by the governing body
- Responsible for hiring most city/borough employees
- Responsible for submitting annual budget to the governing body
- Exercises custody over all real and personal property owned by the municipality

17

Staff Roles & Responsibilities

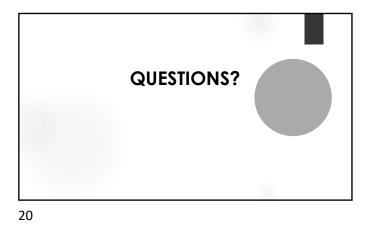
- Municipal Treasurer
 - May be combined with the Municipal Clerk's position
 - Responsible for matters pertaining to the maintenance of all the accounts of the municipality
 - Assists in preparing annual budget and monthly financial reports

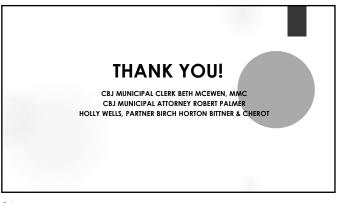


Summary

- 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

19





Additional Resources:

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