

CLERK'S OFFICE
AMENDED AND APPROVED

Date: 10-11-05
NOTICE OF RECONSIDERATION

WAS GIVEN BY MR. COFFEY 10-12-05;
RECONSIDERED 10-18-05;
SEE AO 2005-138(S)

Submitted By: Assembly Chair Fairclough &
Assembly Vice-Chair Coffey
Co-Sponsored by: Assembly Members Bauer,
Birch, Stout, Sullivan and
Ossiander
Prepared By: Dept. of Law
For Reading: September 27, 2005

ANCHORAGE, ALASKA
No. AO 2005-138

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE BY
2 REPEALING CHAPTER 2.80, PERTAINING TO THE ASSEMBLY BUDGET AND
3 LEGISLATIVE SERVICES OFFICE, AND ENACTING A NEW SECTION 2.20.055,
4 PERTAINING TO THE MUNICIPAL CLERK'S OFFICE.

5

6 THE ANCHORAGE ASSEMBLY ORDAINS:

7

8 **Section 1.** In order to more efficiently and effectively manage the business of the
9 Anchorage Municipal Assembly, and to avoid waste and duplication of effort, Anchorage
10 Municipal Code chapter 2.80 is hereby repealed in its entirety.

11

12 **Section 2.** Anchorage Municipal Code chapter 2.20 is amended to add a new
13 section 2.20.055 (reenacting certain provisions from chapter 2.80, amending some of
14 those provisions and adding certain additional provisions) as follows:

15

16 **2.20.055** **Municipal Clerk's Office.**

17

18 A. **Organization.**

19

20 1. The Municipal Clerk's office is established by Charter
21 Sections 4.05 and 4.06. The Municipal Clerk's office shall consist
22 of the following divisions, with the duties and responsibilities as
23 set out hereinafter, in the Charter, and elsewhere in the Anchorage
24 Municipal Code, or as may be established by the Presiding Officer
25 of the Assembly:

26

27 a. *Municipal Clerk.* The duties of the Municipal Clerk are set
28 out in section 2.20.050.

29

30 b. *Deputy Clerk: Boards, Licensing & Administration.* The
31 general duties shall consist of agenda control, document
32 control, minutes, licensing and administration.

33

34 c. *Deputy Clerk: Elections and Budget.* The general duties
35 shall consist of conducting municipal elections, assisting in
36 municipal and utility budget review.

37

1 d. *Assembly Attorney.* The general duties shall consist of
2 providing legal advice to the Assembly, drafting
3 ordinances, resolutions and memoranda and other working
4 documents, conducting legal research and providing
5 opinions to the Assembly and assisting the Municipal Clerk
6 as directed by the Presiding Officer of the Assembly.
7

8 2. The Municipal Clerk and all staff members shall be classified as
9 executives under section 3.30.172.

10 3. Appointment of the Municipal Clerk shall be subject to the
11 approval of the Assembly, and the Municipal Clerk serves at the
12 pleasure of the Assembly, pursuant to Charter Section 4.05.
13

14 4. Notwithstanding section 3.30.172C., all staff members shall be
15 appointed by the ~~Presiding Officer~~ **Municipal Clerk**, in
16 consultation with the ~~Municipal Clerk~~ **Presiding Officer**, and shall
17 ~~serve at the pleasure of the Presiding Officer~~ **and shall serve at**
18 **the pleasure of the Clerk. Deputy Municipal Clerk(s) shall be**
19 **confirmed by the Assembly.**
20

21
22 B. *Duties and Responsibilities:*
23

24 1. To provide administrative and logistical support to the Assembly
25 and to its individual Members, the Municipal Clerk shall assign the
26 duties and responsibilities set forth below, as appropriate, in
27 consultation with the Presiding Officer, to staff members within
28 the four (4) divisions described above to best accomplish the tasks
29 assigned.
30

31 2. The duties and responsibilities of the four (4) divisions are
32 generally described as follows, but shall, in addition, consist of
33 those additional duties and responsibilities as may be assigned by
34 the Presiding Officer or as are set forth in other sections of the
35 Code.
36

37 a. To prepare ordinances, resolutions, memoranda and other
38 working papers to support of the activities of the Assembly
39 and its individual Members equally without discrimination
40 among the Members; and
41

42 b. To work with the Presiding Officer in scheduling Assembly
43 meetings, work sessions and committee meetings; and
44

45 c. To attend Assembly meetings, Assembly work sessions and
46 standing and ad hoc committee meetings as required by the

1 Presiding Officer, and to maintain such records of such
2 proceedings as required by ordinance or as required by the
3 Presiding Officer; and
4

5 d. To work with the Presiding Officer in reviewing and
6 scheduling Assembly agenda items to determine
7 compliance with the requirements of the Charter, the Code,
8 and the adopted policies and procedures of the Assembly
9 and, further, to insure the Assembly timely and
10 appropriately deals with those matters coming before the
11 Assembly; and
12

13 e. To assist the Assembly in its analysis of the operating,
14 capital and utility budgets prepared and presented by the
15 Administration, as may be directed by the Presiding
16 Officer; and
17

18 f. To administer the contract for the annual Municipal
19 Independent Financial Audit and such other contracts as
20 may be assigned by ordinance; and
21

22 g. To assist individual Assembly members with constituent
23 inquiries, insuring all Assembly members are promptly and
24 timely informed of constituent inquiries coming to the
25 attention of any staff member; and
26

27 h. To coordinate requests for information by individual
28 Assembly members and by the various standing and ad hoc
29 Committees of the Assembly to the Administration and to
30 various municipal departments; and
31

32 i. To prepare for and conduct the general and special
33 elections of the Municipality; and
34

35 j. To administer licensing functions assigned to the Municipal
36 Clerk's office by ordinance.
37

38 *(Editors note: Formerly codified in part as subsections 2.80.080A., C., D.,*
39 *E., G., H., J., K., L., M., and N.)*
40

41 C. Access to municipal information.
42

43 1. In the performance of duties under subsection B. above, the
44 Municipal Clerk's office and its staff shall have full, free and
45 unrestricted access to:
46

- 1 a. All public records, as defined in section 3.90.020;
- 2
- 3 b. All activities of the municipal government and its various
- 4 departments;
- 5
- 6 c. All municipal property;
- 7
- 8 d. All municipal personnel; and
- 9
- 10 e. All policies, plans and procedures, and records pertaining
- 11 to financial expenditures by municipal funds.
- 12

- 13 2. This subsection C. does not authorize public disclosure of
- 14 confidential or privileged material under federal, state or local law,
- 15 or of material, the public disclosure of which constitutes an
- 16 unwarranted invasion of personal privacy.
- 17

18 D. Political activities by staff. It is imperative the staff of the Municipal

19 Clerk's office serve all of the citizens of the Municipality in a fair, equal

20 and nonpartisan manner. Therefore, the staff of the Municipal Clerk's

21 office, including the Municipal Clerk, shall not engage in partisan politics

22 in any manner, as further described as follows:

23

- 24 1. The staff shall not participate in any capacity, whether paid or
- 25 unpaid, nor make any political contributions of any nature, cash or
- 26 in kind, in any municipal election campaign including elections for
- 27 Mayor, for members of the Assembly, for members of the School
- 28 Board, or for any office on any Service Area Board or Commission
- 29 in which the staff person does not personally reside. Staff shall not
- 30 participate in any local ballot initiative, bond proposal, proposed
- 31 charter amendment or other matter put before the voters of the
- 32 Municipality or any service area of the Municipality.
- 33
- 34 2. Nothing set forth above shall prohibit staff from expressing private
- 35 political opinions, so long as such expression does not interfere in
- 36 any manner with or occur during the business operation of the
- 37 Municipal Clerk's office.
- 38

39 (*Editors note:* Formerly codified in part as section 2.80.050C.)

40

41 E. Annual Budget and Administrative Procedure.

42

- 43 1. The Municipal Clerk's office shall annually prepare a budget
- 44 proposal for submission to the Assembly. Copies shall be
- 45 provided in a timely manner to the mayor for informational
- 46 purposes to assist in the preparation of the municipal budget.

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2. The Municipal Clerk's office shall comply with those administrative procedures prescribed by ordinance except as otherwise provided in this section. Requests for approval of various administrative matters shall be submitted to the Administration in proper form. In order to ensure the independence and objectivity of the Municipal Clerk's office, the Administration's discretionary administrative decisions shall be considered advisory.

3. The Administration shall retain the authority to deny any request contrary to ordinance or exceeding the assembly-adopted budget.

4. Any disputes arising between the Administration and the Municipal Clerk regarding administrative matters shall be resolved by the Presiding Officer and the Mayor.

(Editors note: Formerly codified in part as subsections 2.80.070B. and C.)

(AO No. 84-230(S); AO No. 92-157(S-3); AO No. 98-72(S), § 1, 5-5-98; AO No. 2002-130, § 1, 9-10-02)

Section 3. This ordinance shall become effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this ____ day of _____, 2005.

Chair

ATTEST

Municipal Clerk

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 702-2005

Meeting Date: September 27, 2005

1 **From:** Assembly Chair Fairclough and Assembly Vice-Chair Coffey
2

3 **Subject:** AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE BY
4 REPEALING CHAPTER 2.80, PERTAINING TO THE ASSEMBLY BUDGET AND
5 LEGISLATIVE SERVICES OFFICE, AND ENACTING A NEW SECTION 2.20.055,
6 PERTAINING TO THE MUNICIPAL CLERK'S OFFICE.
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8 This ordinance is the first step in the reorganization process which began with the Assembly's work
9 session last spring. Once passed, this ordinance will result in at least two (2) fewer positions in the
10 Assembly Department. Further, the Assembly Department will be under the direction and control of the
11 Municipal Clerk, the most common, most cost effective and most appropriate method of organization in
12 local government. This reorganization saves money, reduces duplication of effort and increases
13 efficiency in the Department.
14

15 This ordinance also makes it clear the staff of Assembly Department and the Municipal Clerk's office
16 serves all of Anchorage's citizens in a nonpartisan manner. The ordinance clearly and unequivocally
17 prohibits any employee from be engaged in any local municipal campaigns. This provision is intended
18 to help insure a nonpartisan Assembly.
19

20 Finally, as the Assembly resolves occupancy issues with the Administration and decides the question of
21 having an Assembly Attorney or contracting for an Assembly Attorney with the Department of Law,
22 other cost savings in the Assembly Department are likely.
23

24 The estimated savings from this reorganization range from \$150,000.00 to \$200,000.00 per year.
25
26

27 Prepared and submitted by:
28
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30
31

32 Dan Coffey,
33 Assembly Vice-Chair

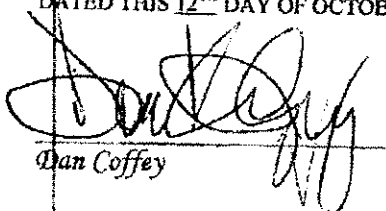
NOTICE OF RECONSIDERATION

I hereby give Notice of Reconsideration on the following:

Ordinance No. AO 2005-138, an ordinance amending Anchorage Municipal Code by repealing Chapter 2.80, pertaining to the Assembly Budget and Legislative Services Office, and enacting a new Section 2.20.055, pertaining to the **Municipal Clerk's Office**.
(AMENDED AND APPROVED 10-11-05)

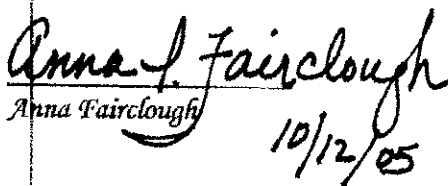
I voted on the prevailing side.

DATED THIS 12TH DAY OF OCTOBER, 2005



Dan Coffey

Seconded by:



Anna Fairclough
10/12/05

M.O.A
2005 OCT 12 PM 4:37
CLERKS OFFICE