

Submitted By: Anna Fairclough,
Assembly Chair &
Dan Coffey,
Assembly Vice-Chair
Prepared By: Dept. of Law
For Reading: October 18, 2005

CLERK'S OFFICE
APPROVED
Date: 10-18-05

ANCHORAGE, ALASKA
No. AO 2005-138(S)

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10 Municipal Code chapter 2.80 is hereby repealed in its entirety.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. **All positions in [F] the Municipal Clerk's office [and all staff**
9 **members]** shall be classified as executives under section 3.30.172.
10
- 11 3. **Appointments.**
12
13 **a.** Appointment of the Municipal Clerk shall be subject to the
14 approval of the Assembly. ~~[, and t]~~ **The Municipal Clerk**
15 **serves at the pleasure of the Assembly, pursuant to Charter**
16 **Section 4.05.**
17
18 **b.** **The Assembly Attorney shall be selected by the**
19 **Presiding Officer, and confirmed by the Assembly.**
20
- 21 4. Notwithstanding section 3.30.172C.:
22
23 **a.** **The Municipal Clerk shall hire the Deputy Municipal**
24 **Clerks, in consultation with the Presiding Officer,**
25 **subject to confirmation by the Assembly;**
26
27 **b.** **Except for Deputy Municipal Clerks, the Municipal**
28 **Clerk may appoint assistants or other personnel**
29 **necessary to carry out the provisions of this chapter, in**
30 **consultation with the Presiding Officer, within the**
31 **Assembly-adopted budget for the Municipal Clerk's**
32 **office.**
33
34 **c.** **The Assembly Attorney may appoint an assistant or**
35 **other personnel necessary to carry out the provisions of**
36 **this chapter, in consultation with the Presiding Officer,**
37 **within the Assembly-adopted budget for the Municipal**
38 **Clerk's office.**
39
40 **d.** **Each quarter, the Municipal Clerk and Assembly**
41 **Attorney shall report the names and annual salary of**
42 **each executive, if any, hired in the previous quarter.**
43
44 ~~[, all staff members shall be appointed by the Presiding Officer, in~~
45 ~~consultation with the Municipal Clerk, and shall serve at the~~
46 ~~pleasure of the Presiding Officer.]~~

1
2 B. Duties and Responsibilities:
3

- 4 1. To provide administrative and logistical support to the Assembly
5 and to its individual Members, the Municipal Clerk shall assign the
6 duties and responsibilities set forth below, as appropriate, in
7 consultation with the Presiding Officer, to staff members within
8 the four (4) divisions described above to best accomplish the tasks
9 assigned.
10
11 2. The duties and responsibilities of the four (4) divisions are
12 generally described as follows, but shall, in addition, consist of
13 those additional duties and responsibilities as may be assigned by
14 the Presiding Officer or as are set forth in other sections of the
15 Code.
16
17 a. To prepare ordinances, resolutions, memoranda and other
18 working papers to support of the activities of the Assembly
19 and its individual Members equally without discrimination
20 among the Members; and
21
22 b. To work with the Presiding Officer in scheduling Assembly
23 meetings, work sessions and committee meetings; and
24
25 c. To attend Assembly meetings, Assembly work sessions and
26 standing and ad hoc committee meetings as required by the
27 Presiding Officer, and to maintain such records of such
28 proceedings as required by ordinance or as required by the
29 Presiding Officer; and
30
31 d. To work with the Presiding Officer in reviewing and
32 scheduling Assembly agenda items to determine
33 compliance with the requirements of the Charter, the Code,
34 and the adopted policies and procedures of the Assembly
35 and, further, to insure the Assembly timely and
36 appropriately deals with those matters coming before the
37 Assembly; and
38
39 e. To assist the Assembly in its analysis of the operating,
40 capital and utility budgets prepared and presented by the
41 Administration, as may be directed by the Presiding
42 Officer; and
43
44 f. To administer the contract for the annual Municipal
45 Independent Financial Audit and such other contracts as
46 may be assigned by ordinance; and

- g. To assist individual Assembly members with constituent inquiries, insuring all Assembly members are promptly and timely informed of constituent inquiries coming to the attention of any staff member; and
- h. To coordinate requests for information by individual Assembly members and by the various standing and ad hoc Committees of the Assembly to the Administration and to various municipal departments; and
- i. To prepare for and conduct the general and special elections of the Municipality; and
- j. To administer licensing functions assigned to the Municipal Clerk's office by ordinance.

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

C. Access to municipal information.

- 1. In the performance of duties under subsection B. above, all divisions of the Municipal Clerk's office and its staff shall have full, free and unrestricted access to:
 - a. All public records, as defined in section 3.90.020;
 - b. All activities of the municipal government and its various departments;
 - c. All municipal property;
 - d. All municipal personnel; and
 - e. All policies, plans and procedures, and records pertaining to financial expenditures by municipal funds.
- 2. This subsection C. does not authorize public disclosure of confidential or privileged material under federal, state or local law, or of material, the public disclosure of which constitutes an unwarranted invasion of personal privacy.

D. Political activities by staff. It is imperative the staff of **all divisions of the Municipal Clerk's office** serve all of the citizens of the Municipality in a fair, equal and nonpartisan manner. Therefore, the staff of **all divisions of**

1 the Municipal Clerk's office, including the Municipal Clerk, shall not
2 engage in partisan politics in any manner, as further described as follows:
3

- 4 1. The staff shall not participate in any capacity, whether paid or
5 unpaid, nor make any political contributions of any nature, cash or
6 in kind, in any municipal election campaign including elections for
7 Mayor, for members of the Assembly, for members of the School
8 Board, or for any office on any Service Area Board or Commission
9 in which the staff person does not personally reside. Staff shall not
10 participate in any local ballot initiative, bond proposal, proposed
11 charter amendment or other matter put before the voters of the
12 Municipality or any service area of the Municipality.
13
- 14 2. Nothing set forth above shall prohibit staff from expressing private
15 political opinions, so long as such expression does not interfere in
16 any manner with or occur during the business operation of the
17 Municipal Clerk's office.
18

19 *(Editors note: Formerly codified in part as section 2.80.050C.)*
20

21 E. Annual Budget and Administrative Procedure.
22

- 23 1. The Municipal Clerk's office shall annually prepare a budget
24 proposal for submission to the Assembly. Copies shall be
25 provided in a timely manner to the mayor for informational
26 purposes to assist in the preparation of the municipal budget.
27
- 28 2. The Municipal Clerk's office shall comply with those
29 administrative procedures prescribed by ordinance except as
30 otherwise provided in this section. Requests for approval of
31 various administrative matters shall be submitted to the
32 Administration in proper form. In order to ensure the
33 independence and objectivity of the Municipal Clerk's office, the
34 Administration's discretionary administrative decisions shall be
35 considered advisory.
36
- 37 3. The Administration shall retain the authority to deny any request
38 contrary to ordinance or exceeding the assembly-adopted budget.
39
- 40 4. Any disputes arising between the Administration and the
41 Municipal Clerk regarding administrative matters shall be resolved
42 by the Presiding Officer and the Mayor.
43

44 *(Editors note: Formerly codified in part as subsections 2.80.070B. and C.)*
45

(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 18th day of
October, 2005.

Anna J. Fairclough
Chair

ATTEST

Anton S. Drent
Municipal Clerk

Municipality of Anchorage
MUNICIPAL CLERK'S OFFICE
Agenda Document Control Sheet

AO 2005-138(S)

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

1	SUBJECT OF AGENDA DOCUMENT	DATE PREPARED			
	AMENDING AMC 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	10/18/05			
		<input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input type="checkbox"/> AM <input type="checkbox"/> AIM			
2	DEPARTMENT NAME	DIRECTOR'S NAME			
	Assembly	Anna Fairclough, Chair			
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY	HIS/HER PHONE NUMBER			
4	COORDINATED WITH AND REVIEWED BY	INITIALS	DATE		
	Mayor				
	Heritage Land Bank				
	Merrill Field Airport				
	Municipal Light & Power				
	Port of Anchorage				
	Solid Waste Services				
	Water & Wastewater Utility				
	Municipal Manager				
	Cultural & Recreational Services				
	Employee Relations				
	Finance, Chief Fiscal Officer				
	Fire				
	Health & Human Services				
	Office of Management and Budget				
	Management Information Services				
	Police				
	Planning, Development & Public Works				
	Development Services				
	Facility Management				
	Planning				
	Project Management & Engineering				
	Street Maintenance				
	Traffic				
	Public Transportation Department				
	Purchasing				
	Municipal Attorney				
	Municipal Clerk				
	Other				
5	Special Instructions/Comments				
	LAID ON THE TABLE ITEM - OLD BUSINESS, 11.B.2.				
6	ASSEMBLY HEARING DATE REQUESTED	10/18/05	7	PUBLIC HEARING DATE REQUESTED	10/18/05

MOA
 2008 OCT 18 AM 10:55
 CLERK'S OFFICE