

From: **Ryan M Wilson** ryan.wilson@alaska.gov
Subject: RE: Strong Mayor Form of Government
Date: Yesterday at 2:32 PM
To: **Mike Case** thecases@aptalaska.net

Mike,

Your reasoning is correct. Unless there is something within the city's Charter and or Municipal Code preventing the mayor from filling in and voting during the interim/absence of a manager, there is nothing preventing him/her from doing so in state statute. In fact, the existence of a manager form of government does not change the role of a mayor in the context of his/her elected position. The only change is the administrative functions of the mayor as spelled out by Alaska Statute 29.20.500. Powers and duties of a manager. In the absence of a manager, the city can revert back to the mayor functioning as the executive officer of the city. However, no matter what the city chooses this will not alter the mayors ability to vote in the case of a tie during assembly meetings.

One caveat to this, is the fact that Haines is a Home Rule Borough, in which case this may have been stipulated by charter and or ordinance; and in that case you will need to follow the letter of the law as stipulated by the previously mentioned documents (AS. 29.20.070 (e) (2). Assembly composition and form of representation.)

Another thing to consider is the fact that the assembly has the right to choose how it deals with the absence of a manager. If a manager plan has been adopted, the assembly shall designate by resolution a borough administrative official to act as manager during the managers absence (As 29.20.260. Executive absence.) The administrative functions of the borough do not necessarily fall on the mayor in the event that there is an absence of a manager. If the mayor is to assume the role of executive officer for the borough, that needs to be a deliberate action of the assembly through resolution.

I hope this helps. I do know a couple of candidates that may be a good fit for the borough manager position. I will let them know that the borough is currently looking for a good candidate. Is the borough advertising for the position yet? If so, I will pass along the link or any material you may be able to provide about the position and how to apply.

Thanks,

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From: Mike Case [<mailto:thecases@aptalaska.net>]
Sent: Monday, November 30, 2015 1:49 PM
To: Wilson, Ryan M (CED)
Subject: Strong Mayor Form of Government

Hi Ryan,

Thanks for taking the time to talk with me.

I am specifically interested in whether or not the mayor in a strong mayor form of government can vote to break ties.

Haines is a Home Rule Borough and has the manager form of government. Our manager is leaving and we are considering having the mayor fill in for a month or so until we can hire an intermediate manager. Some people have said the mayor could not manage and vote (to break ties) but if they can do it in a strong mayor form of government, it must be fundamentally ok.

I'd appreciate your thoughts on this.

And while I'm picking your brain, do you know of any good candidates for our borough manager position?

Thanks for your help.

**Mike Case
Member – Haines Borough Assembly
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