

HILLSIDE COMMUNITY COUNCIL
BOARD OF DIRECTORS
A LETTER OF SUPPORT FOR
THE COOPERATIVE, BUT SEPARATE GOVERNANCE OF THE MUNICIPALITY OF
ANCHORAGE

WHEREAS the Anchorage Municipal Charter (“the Charter”) specifically delineates the Executive Branch (the Office of the Mayor) and the Legislative Branch (the Assembly) as two separate and distinct branches of government; and

WHEREAS the separation of powers in the United States is enacted at federal, state and local levels to create a system of checks and balances; and

WHEREAS the Charter establishes a separation of powers in the Municipality of Anchorage, between the distinct branches, to prevent a concentration of power in any one branch, and to limit one branch from assuming the core functions of the other; and

WHEREAS Article IV of the Charter establishes the Assembly, which vests the legislative power of Anchorage in an assembly of twelve (12) duly elected members; and Article V of the Charter establishes the Office of the Mayor, which vests the executive and administrative power of Anchorage in the duly elected Mayor; and

WHEREAS Articles IV and V clearly divide the Municipal government into two branches, each with their own separate, independent powers and authority; and

WHEREAS a proposed Assembly Ordinance (“AO”) 2022-60 and an accompanying Assembly Memorandum (“AM”) 278-2022 were introduced at a meeting of the Anchorage Assembly on May 10, 2022 with stated purposes to include amending the Charter to grant powers of authority to the Assembly over elected officials, including the Mayor of Anchorage; and

WHEREAS AO2022-60 stated purpose is, in part “to fulfill the requirement of Anchorage Municipal Charter Section 7.02(b) that the Assembly by ordinance must establish specific procedures for removal of an elected official for breach of the public trust”; and

WHEREAS the Charter already contains specific, actionable procedures for the removal of an elected official. Part I, Article II, Section 1 of the Charter guarantees “rights to the people of Anchorage, that are granted in addition to the rights guaranteed by the Constitution of the United States of America and the Constitution of the State of Alaska, including the right of initiative; the right of referendum; and **the right to recall public officers**” (emphasis added); and

WHEREAS Part I, Article III, Section 3.03 provides that, “an elected official may be recalled by the voters in the manner as provided by law. A petition to place the recall of an elected official before the voters shall be signed by a number of qualified voters as required by law”.

BE IT RESOLVED that AO2022-60 will erode the separation of powers and the critical checks and balances established in the Charter by granting the Legislative branch an unequal concentration of power over the Executive branch.

BE IT FURTHER RESOLVED that the Hillside Community Council Board of Directors does not support AO2022-60, and respectfully encourages the Municipal Assembly to preserve the separation of powers provided in the Charter.

FINALLY, BE IT RESOLVED that the Hillside Community Council Board of Directors strongly supports and encourages the cooperative governance of our municipality by both branches of government, acting within their own separate capacities, working in unity for the betterment and future of the Municipality of Anchorage.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C Warfield', with a large, sweeping flourish extending from the end of the signature.

Carmela Warfield, President
Hillside Community Council Board of Directors
May 31, 2022