




**MUNICIPALITY OF ANCHORAGE**  
**MAYOR DAVE BRONSON**

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**OFFICE OF THE MAYOR**

**Date:** November 16, 2021  
**To:** Anchorage Assembly  
**From:** Mayor Dave Bronson   
**Subject:** Veto of Ordinance No. AO 2021-113(S)

Pursuant to Section 2.30.100 of the Anchorage Municipal Code (AMC) and Section 5.02 of the Municipal Charter (Charter), I hereby veto AO 2021-113(S) passed at the Assembly's regular meeting of November 10, 2021.

I have reviewed the ordinance, heard the Assembly's justifications for and against the ordinance, and understand the sentiments expressed during public testimony. AO 2021-113(S) represents an attempt by the Assembly to: (1) unilaterally grant itself the ability to exercise custody of real and personal property owned by municipal government; and (2) direct executive branch personnel. Such actions run afoul of the Charter, Alaska law, and the doctrine of separation of powers.

The Municipality of Anchorage is a unified home rule municipality with a strong-mayor form of government.<sup>1</sup> Anchorage's executive and administrative power is vested in its mayor and includes, among others, the power "to exercise custody over all real and personal property of the municipality, except the school district."<sup>2</sup> The executive branch of municipal government is also responsible for the overall conduct of the administrative functions of the municipality.<sup>3</sup> The legislative powers of Anchorage's Municipal government are vested in the Assembly.<sup>4</sup>

While the Assembly has the power to determine rules and the order of business for meetings, it cannot create for itself the ability to manage, or otherwise exercise custody of, real or personal property. Likewise, the Assembly cannot simply create for itself a power to unilaterally direct executive branch employees.

This ordinance is an obvious attempt by the Assembly to interfere with and encroach upon clear and expressed powers of the executive branch of municipal government in Charter and Alaska law.

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<sup>1</sup> Charter, art. III, § 3.01; *see also Area G Home & Landowners Org., Inc. (HALO) v. Anchorage*, 927 P.2d 728, 729 (Alaska 1996).

<sup>2</sup> Charter, art. V; AS § 29.20.220, .250, and .500.

<sup>3</sup> Charter, art. V.

<sup>4</sup> Alaska Const., art X, § 4; Charter art. IV, § 4.01.