

Proposed by:	Civic Affairs Committee
First Reading:	10/21/2010
Second Reading:	11/04/2010
Vote: 5 Aye	0 Nay 1 Absent

MUNICIPALITY OF SKAGWAY, ALASKA
ORDINANCE NO. 10-15

AN ORDINANCE OF THE MUNICIPALITY OF SKAGWAY, ALASKA AMENDING SECTION 3.16 EDUCATION, TO CHANGE THE DATE FOR SUBMITTAL OF THE ANNUAL SCHOOL BUDGET TO THE BOROUGH ASSEMBLY AND ADDRESS THE CHANGE IN STATUS FROM CITY TO BOROUGH GOVERNMENT.

WHEREAS, the school budget is currently due to the assembly by April 15th of each year; and

WHEREAS, the borough assembly would like more time to review the school budget prior to its adoption; and

WHEREAS, an amendment is required to address the change in status from city to borough government;

BE IT ORDAINED AND ENACTED BY THE MUNICIPALITY OF SKAGWAY, ALASKA AS FOLLOWS:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Skagway Municipal Code.

Section 2. Purpose. To amend Section 3.16 Education to change the annual school budget submittal date from April 15 to February 15 or the first Monday following February 15, and to address the transition from city to borough government. The Skagway Municipal Code is hereby amended (~~strike through~~) indicates text to be deleted from and (**bold**) indicates text added to the current code as follows:

Section 3 Amendment of Section. SMC 3.16 Education, is amended to read:

Chapter 3.16
EDUCATION

Sections:

- 3.16.010 School district.**
- 3.16.020 School board.**

- 3.16.010 School district.**
 - A. Establishment. There is established in and for the ~~city~~ **Municipality** of Skagway, a school district, as provided by state law. All the land embraced within the exterior boundaries of the corporate limits of the ~~city~~ **borough** shall be, and the same hereby is, established as the Skagway School District, and said exterior boundary lines shall define the extent of the said Skagway School District.
 - B. Name of School District. The school district shall be known as the "Skagway School District."
 - C. Facilities and Buildings. There shall be public schools maintained in and for the Skagway School District in one (1) or more good substantial school buildings, as

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in the judgment of the ~~city council~~ **borough assembly** the public needs may require.

3.16.020 School board.

- A. Authority. The supervision and management and control of the Skagway School District and the Skagway public school system shall be in a school board.
- B. Board Membership and Term. The school board shall consist of five (5) members, each of whom shall serve for a three (3) year term. Board members shall be elected in accordance with the state and city election codes. The school board shall select from its members a president, a treasurer, and a secretary to serve for such terms such as the board shall from time to time determine. If a vacancy occurs on the school board, the remaining members shall, within thirty (30) days fill the vacancy, and the person selected shall serve until the next regular election, when a successor shall be elected to serve the balance of the term.
- C. Qualifications. In order to serve as a school board member or qualify as a candidate therefore, a person must be a qualified Skagway voter at the time of the election for membership. Before entering upon the duties of their respective offices, the school board members shall take an oath before some officer of the First Judicial District qualified to administer oaths, to support the Constitution of the United States, the laws of the state of Alaska, and the ordinances of the ~~city~~ **municipality**, and to honestly and faithfully discharge the duties of a school board member to the best of the members' ability.
- D. Duties. The school board has all the duties set forth for local school boards in Alaska Statutes Title 14, Chapter 14. In general, the school board is charged with the duty of supervision, management and control of the Skagway public school system, including the appointment, compensation and control of teachers, assistants and administrative officers of the school district.
 - 1. The school board shall have all expressed, implied, and inherent powers reasonably necessary to implement the duties with which it is charged. The board shall implement a policy of good faith and candid disclosure in executing those functions requiring the consideration and concurrence or approval of the ~~council~~ **assembly**.
 - 2. The ~~council~~ **assembly** shall determine the location of school buildings with due consideration of the recommendations of the school board.
 - 3. The school board is responsible for the design criteria for school buildings. To the maximum extent consistent with education needs design of school buildings shall provide for multiple use of the buildings for community purposes.
 - 4. The school board shall provide custodial services and routine maintenance for school buildings and shall appoint, compensate, and otherwise control personnel for these purposes.
- E. Budget. The school board shall submit the school budget for the following school year to the ~~council~~ **assembly** by ~~April 15th~~ **February 15th or the first Monday following February 15** for the approval of the total amount. Within ~~thirty (30)~~ **ninety (90)** days after receipt of the budget, the ~~council~~ **assembly** shall determine the total amount of money to be made available from local sources for school purposes and shall furnish the school board with a statement of the sum to be made available. If the ~~council~~ **assembly** does not within ~~thirty (30)~~ **ninety (90)** days furnish the school board with the statement of the sum to be available,

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the amount requested in the budget is automatically approved. By June 30th, the ~~council~~ **assembly** shall appropriate the amount to be made available from local sources from money available for the purpose.

F. Treasury and Accounting System.

1. All school money shall be deposited in a centralized treasury with other municipal general funds, and the city **borough** manager shall have the custody of, invest, and manage all money in the centralized treasury.
2. To the school board is delegated the responsibilities of the accounting system related to the school funds deposited in the centralized treasury. The school board is not authorized to expend for incidental and monthly current expenses for the maintenance of the public school system a sum greater than that fixed from time to time by resolution of the ~~city council~~ **borough assembly** for the period of time which it deems appropriate, but not exceeding three (3) months, and the school board treasurer is prohibited from paying on warrants a sum greater than the amount so established. A copy of the ~~council~~ **assembly** resolution establishing expenditure limitations within the stated period shall be delivered by the city **borough** clerk to the school board treasurer the day after passage of said resolution.
3. If at any time the school board deems it necessary or proper for the maintenance of the school system to expend a greater amount of money per quarter than that provided for under the preceding subsection, or deems it necessary to incur any indebtedness for building, altering or repairing school buildings or school property, or to furnish same with proper school furnishings, apparatus or appliances, or for any other extraordinary expenses of the school system, the members of the school board shall first submit a written statement containing the plans and specifications and a detailed description of the purposes for which said expenditures are desired to be made, to the ~~city council~~ **borough assembly** for its approval. If approved by the ~~city council~~ **borough assembly**, a copy of the said statement submitted by the school board, with the endorsement of the approval of the ~~city council~~ **borough assembly** thereon, showing the amount of money approved for such expenditures, shall be filed with the treasurer of the school board, and the amount thereof shall be paid out on warrants signed by the school board treasurer for the stated purposes.
4. Every claim payable out of the school fund shall be itemized. It shall be filed with the school board and approved in writing, endorsed on the claim, by a majority of the members of the board, including the endorsement of the school board president. All claims so approved must be delivered to the school board treasurer, whereupon the treasurer shall draw a warrant on the school board, as custodian of the delegated school funds, for the payment thereof. The warrant must be signed by the school board treasurer and countersigned by the school board president, and shall specify for what purpose it is drawn, with the date thereof. The treasurer shall pay said warrant from the school fund according to its tenor.

G. School Board Treasurer.

1. Before any person who is elected treasurer of the school board enters upon the duties of his office, in addition to the oath required of all new

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school board members, he shall give his bond to the Skagway School District, with sufficient sureties, in a sum to be fixed by the ~~city council~~ **borough assembly**, said sum to be not less than the amount that may come into the official custody of such person as treasurer but not to exceed fifty thousand dollars (\$50,000.00). Said bond shall be conditioned that said person will honestly and faithfully disburse and account for all money that may come into his hands as treasurer. The bond and the sureties thereon must be first approved by the ~~city council~~ **borough assembly** and said approval endorsed on the same before the treasurer shall enter upon the duties of his office.

2. On the first of each month, the school board treasurer shall make a full report in writing to the board and the ~~council~~ **assembly**, showing the amount and condition of the school treasurer's finances and all of his receipts and disbursements for the preceding month. Said report shall be filed with the ~~city~~ **borough** clerk.

H. School Board Secretary. The secretary of the school board shall assist the board treasurer by keeping all reports of the said school board and shall perform such other record keeping duties (including minutes of board meetings) as the board may require. The secretary shall file appropriate financial reports with the state of Alaska.

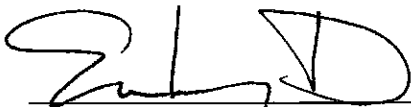
Section 4. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 5. Effective Date. This ordinance shall become effective immediately upon adoption.

PASSED AND APPROVED by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this 4th day of November, 2010.


Thomas D. Cochran, Mayor

ATTEST:


Emily A. Deach, Borough Clerk

(SEAL)

