

CITY OF DILLINGHAM, ALASKA

**ORDINANCE NO. 2026-12**

**AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AMENDING CHAPTER 2.21 OF THE DILLINGHAM MUNICIPAL CODE BY ADOPTING CHAPTER 2.21.075 TO ESTABLISH THE POSITION OF DEPUTY CITY MANAGER AND REVISE THE PROCEDURES FOR APPOINTMENT OF AN ACTING CITY MANAGER.**

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**WHEREAS**, the City Council finds that continuity of executive leadership is essential to the efficient administration of municipal government; and

**WHEREAS**, establishing the position of Deputy City Manager will provide continuity in the administration of municipal government during the temporary absence or inability of the City Manager to perform the duties of the office; and

**WHEREAS**, the Council finds that routine, temporary absences of the City Manager should be administered through delegation by the City Manager, while prolonged absences, suspension, disability, or a vacancy in the office warrant oversight by the City Council through the appointment of an Acting City Manager; and

**WHEREAS**, the Council desires to clarify the duties and authority of the Deputy City Manager, the City Manager, and the City Council with respect to temporary and prolonged absences from the office of the City Manager.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DILLINGHAM, ALASKA:

**Section 1. Classification.** This is a code ordinance.

**Section 2. Addition of DMC § 2.21.075.**

Dillingham Municipal Code Section 2.21.075 is added to read as follows: **[new language underlined and emboldened]**:

**§ 2.21.075 Deputy City Manager.**

- A. The position of Deputy City Manager is established to assist the City Manager in the administration of the affairs of the City and to ensure continuity of executive leadership during the City Manager's temporary absence or inability to perform the duties of the position.**
- B. The City Manager shall appoint the Deputy City Manager, which is subject to ratification by the Council within 60 days. If the Council fails to ratify or to reject the appointment within 60 days, then the Deputy City Manager's appointment is deemed approved. The Deputy City Manager shall serve at the pleasure of the City Manager.**

- C. The Deputy City Manager shall perform such duties and exercise such authority as assigned by the City Manager.
- D. This section shall be administered and applied in a manner consistent with applicable federal law, State of Alaska law, and the City's personnel policies. To the extent of any conflict, applicable law shall control.

### Section 3. Repeal and Reenactment of DMC § 2.21.080.

Dillingham Municipal Code Section 2.21.080 is hereby repealed and reenacted to read as follows: [new language underlined and emboldened] and ~~deleted text displayed in strike-out font~~:

#### **§ 2.21.080 Acting City Manager.**

~~If the manager is absent from the municipality or is unable to perform his or her duties, if the council suspends the manager, or if there is a vacancy in the office of the manager, the council may appoint an acting manager to serve until the manager returns, or until his or her disability or suspension ceases, or until another manager is appointed. The council shall replace the acting manager with a permanent manager within a reasonable time, and in no case may anyone serve as acting manager for more than one year. A council member may serve as acting manager but first must resign from council.~~

- A. During any temporary absence of the City Manager, the Deputy City Manager acts on behalf of the City Manager and is empowered to exercise all powers and duties of the City Manager, including executing documents requiring the signature of the city manager, unless otherwise directed by the City Manager. The Deputy City Manager shall continue to act on behalf of the City Manager until the City Manager returns or the Council appoints an Acting City Manager pursuant to subsection C, if applicable.
- B. If the Deputy City Manager is unavailable to act on behalf of the City Manager during a temporary absence of the City Manager, the City Manager may designate another employee to serve as Acting City Manager. The designation of an Acting City Manager is not subject to Council ratification pertaining to 2.21.080 (B).
- C. If the City Manager is unable to perform the duties of the office, for example, due to an extended absence, suspension, vacancy, or other circumstance, the Council may appoint an Acting City Manager. The Acting City Manager shall serve until the City Manager resumes the duties of the office or a permanent City Manager is appointed. The appointment of an Acting City Manager does not affect the employment status or rights of the City Manager unless expressly stated in a resolution adopted by the Council.
- D. The Council shall replace the Acting City Manager with a permanent City Manager within a reasonable time, and no person should serve as Acting City Manager for more than one year (unless action is taken by the council to extend the term). A Council member may serve as Acting City Manager but first must resign from the Council.
- E. This section shall be administered and applied in a manner consistent with applicable federal law, State of Alaska law, and the City's personnel policies. To the extent of any conflict, applicable law shall control.

#### **Section 4. Editorial Authority.**

In codifying this ordinance, the City Clerk is authorized to make non-substantive editorial revisions necessary to implement the amendments adopted by this ordinance, including corrections to grammar, punctuation, capitalization, numbering, cross-references, formatting, terminology, and internal references, provided such revisions do not alter the substantive meaning or legal effect of any provision.

#### **Section 5. Codification**

The amendments adopted by this ordinance shall be codified in Chapter 2.21 of the Dillingham Municipal Code. The City Clerk is authorized to assign section numbers, revise internal references, and make other non-substantive editorial revisions necessary to incorporate the amendments into the Code, provided such revisions do not alter the substantive meaning of any provision.

#### **Section 6. Effective Date.** This ordinance is effective upon adoption.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on \_\_\_\_\_, 2026.

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Alice Ruby, Mayor

ATTEST:

[SEAL]

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Abigail Flynn, City Clerk