

Amendment #1 to AR 2018-180

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY DETERMINING THAT A VACANCY EXISTS ON THE ASSEMBLY, INITIATING THE PROCESS TO FILL THE VACANCY, AND CALLING FOR A SPECIAL ELECTION BY MAIL WITHIN 60 DAYS IN THE AFFECTED ASSEMBLY DISTRICT.

Submitted by: Assembly Member Croft

Cosponsors: Assembly Members Demboski and Constant

PROPOSED AMENDMENT

Purpose/Summary of amendments: The proposed AR elects not to appoint a qualified person to fill the vacancy on the Assembly, leaving it until filled by the special election. This amendment will exercise the Assembly's discretion to appoint a person to fill the vacancy in the interim until filled by the successful candidate at a special election. This amendment directs the Assembly actions necessary for that interim appointment process.

TEXT OF AMENDMENT

(All language is new, no legislative drafting markings applied)

Page 2, beginning at line 32: AR Section 3 is deleted and replaced in its entirety to read as follows:

Section 3. The Assembly shall fill the vacancy on the Assembly by appointment, and the person appointed shall serve from the date of appointment until certification of a duly conducted Special Election to identify a successor. In accordance with AMC section 2.70.020, the Assembly establishes the following:

1. The Municipal Clerk shall cause the notice of vacancy and invitation to apply for appointment to be published by posting electronic public notice on or before **June 14, 2018**, and in a newspaper of general circulation not less than three (3) times in the 10-day period beginning June 14, 2018.
2. Applications for appointment must be submitted to the Municipal Clerk's Office by **5:00 p.m. on June 25, 2018**. Applications shall be accepted **only** by hand-delivery or e-mail, *provided* the date of receipt by e-mail is the date and time received in the in-box of the Municipal elections e-mail address. Applications **shall not** be accepted by U.S. mail or facsimile. Late applications shall not be

accepted by the Municipal Clerk's Office and will not be considered by the Assembly.

3. The Municipal Clerk shall determine whether each applicant is qualified as provided by law. No later than four (4) business days after an application is filed, the Municipal Clerk shall notify the applicant if the declaration is deficient and return the declaration to the applicant with a statement why the declaration is deficient. A declaration found to be deficient may be refiled, with or without corrections, within the time for submitting applications for appointment, otherwise the applicant is disqualified.
4. An applicant who is disqualified may request a hearing before the Municipal Clerk under Chapter 3.60. In order for the request to be granted, the request must be submitted to the Municipal Clerk no later than three (3) business days after notification of disqualification. The hearing shall be held no later than five (5) days after the request is received.
5. Challenges by any person to the qualifications of an applicant accepted by the Municipal Clerk may be brought in accordance with AMC section 28.30.040.
6. All applicants who file timely and meet the qualifications prescribed by law shall be considered nominees for appointment. The Municipal Clerk shall forward qualified applications to the Assembly for consideration.
7. The Assembly will vote for the person to be appointed at a special meeting, hereby called for this purpose on **July 12, 2018**. The Assembly may, but is not required to, hold public hearing(s) at that meeting to interview applicants qualified for appointment, provided the public hearing is duly noticed. The Assembly's appointment may be subject to pending appeals or challenges, if any.

Will there be any public or private economic effect to the proposed amendment?

YES NO (check one) **If yes, please detail below.**

Advertising the notice of vacancy and invitation to apply, plus incidental and overhead costs, are estimated at approximately \$10,000.