

# Municipality of Anchorage

**Filing for Anchorage Assembly Interim  
Appointment 2018**

**Appointment Period: December 20, 2018 to April 16, 2019**



Office of the Municipal Clerk  
632 West 6<sup>th</sup> Avenue, Suite 250, Anchorage, Alaska 99501

Clerk's Office Telephone: 907-343-4311  
Voter Hotline: 907-243-VOTE(8683)

District 2 - Seat A – Eagle River/Chugiak – Term end April 16, 2019

# Municipality of Anchorage

## Office of the Clerk

### Instructions for Assembly Interim Appointment Candidates

Filing period opens December 5, 2018 at 8:00 a.m. and closes December 14, 2018 at 5:00 p.m.

The following two forms must be completed and filed with the Office of the Municipal Clerk at City Hall, 632 West 6<sup>th</sup> Avenue, Suite 250, Anchorage or via email at [elections@muni.org](mailto:elections@muni.org).

<b>Declaration of Candidacy</b> This form must be notarized.	<ul style="list-style-type: none"><li>• If you have questions about the form, call the Clerk's Office at 907-343-4311 or the Voter Hotline at 907-243-VOTE(8683).</li><li>• Notary service is available at the Municipal Clerk's Office.</li></ul>
<b>Disclosure of Economic Interest in a Municipal Contract or Business by a Public Servant (formerly, Municipal Financial Disclosure Form)</b>	Please note: If elected or appointed, within 30 days of commencement of service, you will be required to file a written disclosure of whether or not the elected official or a member of the person's immediate family or household has an economic interest in a municipal contract or in an entity engaging in business with the municipality. AMC 1.15.100, see AO 2017-042, As Amended.

**It is optional for Applicants to provide a resume for the Assembly's review and information.**

If a candidate wishes to withdraw, the following withdrawal request must be completed and submitted to the Municipal Clerk's Office.

<b>Candidate Withdrawal Request</b> Deadline: December 14, 2018 at 5:00 p.m. This form must be notarized.	<ul style="list-style-type: none"><li>• Submit the Candidate Withdrawal Request to the Municipal Clerk's Office.</li><li>• Notary service is available at the Municipal Clerk's Office.</li></ul>
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The following documents are included in this packet for your information:

- Declaration of Candidacy
- Candidate Withdrawal Request
- Excerpts from the Anchorage Charter
- Excerpts from the Anchorage Municipal Code
- Assembly Interim Appointment Calendar

# Municipality of Anchorage

## Declaration of Candidate for Interim Assembly Appointment

District 2 - Seat A – Eagle River/Chugiak

Term ends April 16, 2019

I hereby declare my candidacy for an interim appointment to the Assembly for the Municipality of Anchorage, and agree to serve, if appointed, until certification of the April 2019 Regular Municipal Election. I do hereby swear (affirm) that:

- (1) I am a qualified voter of Anchorage, and
- (2) I have been a resident of **Assembly District 2** for at least one year, and
- (3) I am committed to remain a resident of **Assembly District 2** while in office.

It is further understood that I may request to withdraw my candidacy no later than 5:00 p.m. on December 14, 2018 by submitting a written notice of withdrawal to the Municipal Clerk in accordance with AMC 28.30.030D.

**The following information may also appear on the Municipal election website.**

\_\_\_\_\_  
Candidate Name

\_\_\_\_\_  
**Name as it should appear in front of Assembly**

\_\_\_\_\_  
Residence Address, City, State, and Zip Code

\_\_\_\_\_  
Mailing Address, City, State, and Zip Code

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Office Phone Number & Fax Number

\_\_\_\_\_  
Email Address

\_\_\_\_\_  
Website Address

I hereby swear (or affirm) that the above declaration and all statements contained therein are true and correct.

\_\_\_\_\_ DATED THIS \_\_\_\_ day of \_\_\_\_\_, 2018

**Signature of Candidate**

DATED THIS \_\_\_\_ day of \_\_\_\_\_, 2018

State of Alaska            )  
                                      )SS  
Third Judicial District    )

THIS IS TO CERTIFY that on this \_\_\_\_ day of \_\_\_\_\_, 2018, before me the undersigned, a Notary Public in and for the State of Alaska, personally appeared \_\_\_\_\_ known to me and known to be the individual named in and who executed the foregoing instrument and he/she acknowledged to me that he/she signed the same freely and voluntarily for the uses and purposes therein stated.

WITNESS my hand and official seal the day and year last written above.

\_\_\_\_\_  
Notary Public in and for Alaska

My Commission expires: \_\_\_\_\_

# Municipality of Anchorage

## Declaration of Candidate for Interim Assembly Appointment

District 2 - Seat A – Eagle River/Chugiak  
Term ends April 16, 2019

Candidates, please provide your identifier to verify your status as a registered voter. This information will remain confidential.

Applicant's Name: \_\_\_\_\_

Applicant's Identifier (Birth date, voter number, or last four of Social Security): \_\_\_\_\_

# Municipality of Anchorage Candidate Withdrawal Request



I \_\_\_\_\_, hereby request to withdraw my candidacy for  
\_\_\_\_\_ from consideration by the Anchorage Assembly.

\_\_\_\_\_

Applicant Signature

State of Alaska        )  
                                  )SS  
Third Judicial District    )

THIS IS TO CERTIFY that on the \_\_\_\_\_ day of \_\_\_\_\_, 2018, before me, the undersigned Notary Public in and for the State of Alaska, duly sworn and commissioned as such, personally appeared \_\_\_\_\_ known to me and known to be the individual who executed the foregoing instrument, and he/she acknowledged to me that he/she signed the same freely and voluntarily for the uses and purposes therein contained.

WITNESS my hand and official seal the day and year last written above.

\_\_\_\_\_  
Notary Public in and for Alaska  
My Commission expires: \_\_\_\_\_

# Anchorage Municipal Charter

## ARTICLE IV. - THE ASSEMBLY

### Section 4.01. - Power, composition and apportionment.

The legislative power of Anchorage is vested in an assembly of 11 members. Election districts, if established, shall be formed of compact and contiguous territory containing as nearly as practicable a relatively integrated socioeconomic area. The assembly shall be reapportioned whenever it becomes malapportioned. The assembly shall determine and declare by resolution whether or not it is malapportioned within two months from:

(1) Adoption of a final state redistricting plan under art. VI, sec. 10, Constitution of the State of Alaska; If the assembly determines that it is malapportioned, it shall, within six months of the determination, reapportion itself in the manner provided by law.

(AO No. 2006-154, prop. 10, 4-17-07)

### Section 4.02. - Term, membership and qualifications.

(a) The term of an assembly member is three years.

(b) A candidate for the office of assembly member:

(1) Shall be a qualified voter of Anchorage; and

(2) Shall be a resident of the district from which the candidate seeks election for at least one year immediately preceding the election.

(c) An assembly member shall remain a resident of Anchorage and of the district from which elected while in office.

(d) The assembly shall be the judge of the election and qualification of its members. A qualified voter may appeal to superior court for review of a decision of the assembly under this section.

(e) A person who has served on the assembly for three consecutive terms may not be reelected to the assembly until one full term has intervened.

(AO No. 90-86, prop. 3, 10-2-90; AO No. 90-94, prop. 4, 10-2-90; AO No. 2012-119(S), prop. 6, 4-2-13; AO No. 2013-93, prop. 8, 4-1-14)

### Section 4.03. - Compensation.

The compensation of assembly members shall be fixed by the commission on salaries and emoluments.

(AO No. 2013-93, prop. 8, 4-1-14)

# Anchorage Municipal Charter (continued)

## Section 4.04. - Presiding officer, meetings and procedures.

(a) The assembly shall elect annually from its membership a presiding officer known as "chair." The chair serves at the pleasure of the assembly.

(b) The assembly shall meet in regular session at least twice each month. The mayor, the chair of the assembly, or five assembly members may call special meetings.

(c) The assembly by ordinance shall determine its own rules and order of business, including provisions for reasonable notice to the public and to all assembly members of regular and special meetings. The assembly shall maintain a journal of its proceedings as a public record.

(d) Voting shall be by roll call, electronic device or other public method as defined by assembly rule. The votes of all assembly members shall be recorded.

(e) Six members of the assembly shall constitute a quorum; however, a smaller number may recess from time to time and compel the attendance of absent members as prescribed by assembly rule.

(AO No. 79-140, prop. 10, 10-2-79; AO No. 2013-93, prop. 8, 4-1-14)

## Section 4.05. - Clerk.

The assembly shall appoint a municipal clerk and prescribe the duties of that office. The clerk serves at the pleasure of the assembly.

## Section 4.06. - Staff.

Pursuant to ordinance, the assembly may engage such legal counsel, other professional advisors and staff as it requires in the execution of its legislative functions.

## Section 4.07. - Ombudsman.

There is established in the legislative branch of the municipality the office of ombudsman. The ombudsman is appointed by the assembly and serves at the pleasure of the assembly. The term of office, powers and duties of the ombudsman shall be prescribed by ordinance. The jurisdiction, power and duties of the ombudsman include acts and omissions of employees and agents of the school district, as well as employees and agents of the municipality.

(AO No. 90-87, prop. 5, 10-2-90) **State Law reference**— Ombudsman, AS 24.55.320, 24.55.330.

(Accessed 11/28/2016)

# Anchorage Municipal Code

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## **Section 7.01. – Determining vacancies.**

(a) An elective office becomes vacant if the incumbent:

- (1) Ceases to meet the qualifications prescribed for the office by this Charter;
- (2) Resigns;
- (3) Dies;
- (4) Is judicially determined to be incompetent;
- (5) Is convicted of a felony;
- (6) Is removed from office for breach of the public trust.

## **Section 7.02. – Filling vacancies in elective office.**

(a) If a vacancy occurs on the school board, the remaining members shall appoint a qualified person to fill the vacancy within 30 days. The person appointed shall serve until the next regular election, at which time a successor shall be elected to serve the balance of the term. If less than 30 days remain in a term when a vacancy occurs, the vacancy shall not be filled. However, if at any time, the membership is reduced to fewer than a quorum, the remaining members, within seven days, shall appoint a number of qualified persons sufficient to constitute a quorum.

(b) If a vacancy occurs on the assembly, the remaining members may appoint a qualified person to fill the vacancy within 30 days. The person appointed shall serve until the next regular or special election, at which time a successor shall be elected to serve the balance of the term. If the vacancy occurs more than six months before the next regular election, the assembly shall provide for a special election to fill the vacancy not more than 60 days after the occurrence of the vacancy. If less than 30 days remain in a term when a vacancy occurs, the vacancy shall not be filled. However, if at any time, the membership is reduced to fewer than a quorum, the remaining members, within seven days, shall appoint a number of qualified persons sufficient to constitute a quorum.



## Chapter 2.70 Filling vacancies

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Whenever a vacancy on the assembly which may be filled by appointment occurs, the following procedure shall be utilized:

1. At or before the next regular assembly meeting after a vacancy on the assembly is determined to exist, the assembly shall meet and decide if it will fill the vacancy and whether the vacancy will be filled by special election or by assembly appointment. If the assembly determines it will fill the vacancy by special election, it shall do so by calling a special election.

2. If the assembly decides it will fill the vacancy by appointment, it shall do so by setting a deadline for submission of applications for appointment to fill the vacancy and designating the assembly meeting at which assembly voting will occur.

a. After the assembly decides to appoint, the municipal clerk shall immediately publish notice of the vacancy and invite any qualified person to submit an application for appointment prior to the stated deadline. The notice of vacancy, invitation to apply for appointment and the deadline for submission of applications, shall be published for the first ten days after the assembly decides to appoint.

b. Applications for appointment shall contain a declaration of candidacy as required for election to the assembly and such other information relevant to the applicant's qualifications to serve as the applicant may desire. The municipal clerk shall process all applications in accordance with the provisions of sections 28.30.030.E. and [28.30.040](#). An applicant may withdraw his or her application at any time prior to appointment. All applicants meeting the qualifications of the vacant office prescribed by law shall be considered nominees for appointment to the office.

c. The assembly may hold public hearings to interview all applicants qualified for appointment.

d. Except as otherwise provided in this section, voting by the assembly shall comply with all voting rules of the assembly and the assembly shall appoint a qualified applicant to fill the vacancy by a majority vote at any regular or special meeting within 30 days after the vacancy occurs. Successive votes of the assembly shall be taken until a qualified applicant is chosen to fill the vacancy. Votes of the assembly shall commence immediately upon passage of a motion for the previous question in accordance with its rules of procedure. Thereafter only privileged and incidental motions, motions for the previous question and motions to reject all applications shall be in order or permitted and the assembly shall conduct no other business at any meeting until an applicant is appointed or, upon passage of a motion duly made and seconded, all applicants are rejected by the assembly. After

each vote is taken and its results announced, additional discussion and debate may resume until terminated by passage of a motion for the previous question in accordance with the assembly's rules of procedure.

e. Each vote on an appointment subject to this section shall be by separate, individual ballot for each assembly member present. Each individual ballot shall be voted for only one applicant at a time by inserting the applicant's name on the ballot. Each ballot shall be numbered in the order voted and shall be signed by the assembly member voting the ballot. The municipal clerk shall retain all ballots as public records.

(AO No. 87-139; AO No. 95-148, § 1, 7-25-95; AO No. 2009-134, § 1, 1-12-10)

**Charter reference**— Filling vacancies in elective office, [§ 7.02](#).

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# Anchorage Municipal Code

## Chapter 28.30 - QUALIFICATIONS

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28.30.010 - Voter qualifications.

28.30.020 - Qualifications of candidates for service area board of supervisors; declaration of candidacy required.

28.30.030 - Declaration of candidacy.

28.30.040 - Review and challenge of candidate qualifications.

28.30.050 - Prohibitions.

### **28.30.010 - Voter qualifications.**

A. To vote in any municipal election, a person must be:

1. A qualified voter of the state;
2. A resident of the municipality for 30 days immediately preceding the election; and
3. Registered to vote in state elections at a residence address within the municipality at least 30 days before the municipal election at which the person seeks to vote.

B. In order to cast a valid vote for a candidate or a ballot measure relating to a specific local election district or service area, the voter shall be registered 30 days before the municipal election at a residence address within the boundaries of that district or service area.

(GAAB 7.05.030; CAC 2.68.100; AO No. 80-101; AO No. 85-75; AO No. 90-69; AO No. 2004-176, § 2, 6-1-05; AO No. 2013-130(S-1), § 3, 1-14-14)

**State Law reference**— Qualifications of electors, AS 29.26.050.

### **28.30.020 - Qualifications of candidates for service area board of supervisors; declaration of candidacy required.**

A. A candidate for a service area board of supervisors shall be:

1. A qualified voter of the municipality; and
2. A resident of the service area for at least 90 days immediately preceding the election.

B. A person who has not filed a declaration of candidacy for a seat on a service area board of supervisors, including as a write-in candidate, in accordance with this section, is disqualified.

C. For write-in candidates for a seat on a service area board of supervisors, declarations of candidacy shall be filed with the municipal clerk no earlier than 67 days and at least 5 days before a regular election, and no earlier than 35 days and at least 5 days before a special election.

(CAC 2.68.420; AO No. 80-50; AO No. 85-75; AO No. 86-105; AO No. 91-20; AO No. 2013-130(S-1), § 3, 1-14-14; AO No. 2016-12, § 1, 1-26-16.) **Charter reference**— Candidate qualifications for assembly, § 4.02, candidate qualifications for mayor, § 5.01; candidate qualifications for school board, § 6.02.

# Anchorage Municipal Code (continued)

## 28.30.030 - Declaration of candidacy.

A. *Declarations of candidacy.* A candidate for municipal office executes a declaration of candidacy under oath and files it with the municipal clerk in accordance with this section.

B. *Form and contents.* A declaration of candidacy shall be in a form provided by the municipal clerk and shall state the following:

1. The full name of the candidate, and the manner in which the candidate wishes the candidate's name to appear on the ballot;
2. The full residence and mailing addresses of the candidate;
3. The office for which the candidate declares;
4. That the candidate is qualified for the office as provided by law; and
5. Any other information that the municipal clerk reasonably requires to determine whether the candidate is qualified for the office as provided by law.

C. *Time of filing.* Declarations of candidacy shall be filed with the municipal clerk no earlier than 74 days and no later than 60 days before a regular election, and no earlier than 42 days and no later than 35 days before a special election.

D. *Withdrawal.* A candidate may withdraw his or her declaration of candidacy by filing with the municipal clerk a statement under oath containing the name of the candidate, the office for which the candidate declared, and that the candidate is withdrawing his or her candidacy for that office.

1. If the withdrawal is filed no later than 56 days before a regular election and 35 days before a special election, the municipal clerk shall not publish the candidate's name on any subsequent notice or ballot.
2. If the request is filed after the deadline in subsection 1., the municipal clerk has the sole discretion to remove the candidate's name from subsequent notices and the ballot.

E. *Notification of deficiency.* No later than four days after a declaration of candidacy has been filed, the municipal clerk shall notify the candidate that the declaration is in proper form, or return the declaration to the candidate with a statement why it is deficient. A declaration found to be deficient may be refiled, with or without corrections, within the time for filing declarations of candidacy.

(GAAB Ord. No. 75-82; AO No. 80-101; AO No. 85-75; AO No. 89-80; AO No. 91-50; AO No. 2007-172, § 1, 12-10-08; AO No. 2013-130(S-1), § 3, 1-14-14; [AO No. 2016-12, § 2, 1-26-16](#); AO No. [2017-29\(S\)](#), § 7, 6-1-17)

# Anchorage Municipal Code (continued)

## 28.30.040 - Review and challenge of candidate qualifications.

A. The municipal clerk shall determine whether each candidate for municipal office is qualified as provided by law. At any time before the election the municipal clerk may disqualify any candidate whom the municipal clerk finds is not qualified. A candidate who is disqualified may request a hearing before the municipal clerk under chapter 3.60. The hearing shall be held no later than five days after the request unless the candidate agrees in writing to a later date.

B. In addition to the process described in subsection A., any person may question the eligibility of a candidate who has filed a declaration of candidacy or nominating petition, by filing a complaint with the municipal clerk. A complaint regarding the eligibility of a candidate must be received by the municipal clerk not later than the close of business on the 10th day after the filing deadline for the office for which the candidate seeks election.

1. The complaint must be in writing and include the name, mailing address, contact phone number, and signature of the person making the complaint, and a statement in 200 words or less of the grounds, described in particular, on which the candidate's eligibility is being questioned.
2. The municipal clerk will review only those issues in the complaint related to candidate qualifications established by the United States Constitution, the Alaska Constitution, Alaska Statutes, or municipal law. Grounds cited in the complaint other than those related to candidate qualifications established by law or grounds related to issues under the authority of the Alaska Public Offices Commission under AS 15.13 will not be considered by the municipal clerk.
3. Upon receipt of a complaint, the municipal clerk will review any evidence relevant to the issues identified in the complaint which is in the custody of the municipal clerk's office including the candidate's declaration of candidacy, or nominating petition, and, in the discretion of the municipal clerk, any other public record. Based on the review of the public documents, the municipal clerk will determine whether a preponderance of evidence supports or does not support the eligibility of the candidate.
4. The municipal clerk will send notification in writing to the candidate whose eligibility is being questioned that a complaint has been received. The notification will include a copy of the complaint, and, based on the municipal clerk's review of the public documents, a statement as to whether a preponderance of evidence supports or does not support the eligibility of the candidate.
5. If the municipal clerk determines that a preponderance of evidence supports the eligibility of the candidate, the municipal clerk will issue a final determination upholding the candidate's eligibility.

# Anchorage Municipal Code (continued)

6. If the municipal clerk determines that a preponderance of evidence does not support the eligibility of the candidate, notice to the candidate will identify any additional information or evidence that must be provided by the candidate in support of his or her eligibility, and the date by which the requested information must be received by the municipal clerk. The municipal clerk will consider any additional information provided by the candidate in issuing a final determination as to the candidate's eligibility.

7. If the information requested by the municipal clerk under H. of this section is not received from the candidate by the specified deadline, the municipal clerk will issue a final determination regarding the candidate's eligibility based on the public records initially reviewed.

8. Upon issuing a final determination as to the candidate's eligibility, the municipal clerk will send notice of the determination in writing to the person making the complaint and to the candidate. The determination of the municipal clerk is final.

(GAAB Ord. No. 75-82; AO No. 80-101; AO No. 85-75; AO No. 2013-130(S-1), § 3, 1-14-14)

## **28.30.050 - Prohibitions.**

A. A person may not serve simultaneously as mayor and as a member of the assembly, as mayor and a member of the school board, or as a member of the assembly and member of the school board. In any one election, a person may only file a declaration of candidacy for one office identified in this section. A person must withdraw a declaration of candidacy for an office in this section before filing for another office.

B. A person serving as mayor or as a member of the school board shall not hold any other compensated municipal office or municipal employment, or elected position in the state or federal government, while in office.

C. A person serving as a member of the assembly shall not hold any other compensated municipal office or municipal employment, or elected position in the state or federal government, while in office, except:

1. As provided by state law under AS 29.20.630, employment by the Anchorage School District is not municipal employment prohibited by this subsection.

D. A person serving as mayor, or as a member of the assembly, or on the school board, shall not serve as a member of a service area board. A service area board member's term shall end immediately upon assuming one of these offices.

E. A candidate for office in an election may not act as an election official in that election.

F. Violation of this section may result in a fine under Title 14 and may constitute grounds for recall.

(GAAB Ord. No. 75-82; AO No. 80-101; AO No. 85-75; AO No. 2007-110, § 2, 8-28-07; AO No. 2013-130(S-1), § 3, 1-14-14; AO No. [2018-4\(S\)](#), § 3, 2-13-18) **Editor's note**— See also additional prohibitions in [section 28.50.010](#).

*Accessed June 12, 2018*

# Assembly Interim Appointment **December 2018**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 • 12:00 p.m. – Amy Demboski Resignation.	4 • Regular Assembly Meeting – AR 2018-380 re Initiating the process to fill the vacancy.	5 • Filing for Assembly Interim Appointment Candidacy opens.	6	7	8
9	10	11	12	13	14 • Filing for Assembly Interim Appointment Candidacy closes. • Withdrawal closes.	15
16	17	18	19	20 • Special Assembly Meeting regarding Assembly Interim Appointment. • Assembly Interim Member will term out upon certification of the 2019 Regular Municipal Election.	21	22
23	24	25	26	27	28	29
30	31					