

Submitted by: Assembly Member Kendall

Prepared by: Department of Law

For reading: January 27, 1998

Failed 3-3-98

ANCHORAGE, ALASKA

AO NO. 98-4

AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE MUNICIPALITY OF ANCHORAGE A BALLOT PROPOSITION TO AMEND THE ANCHORAGE MUNICIPAL CHARTER SECTION 16.02 TO REQUIRE A MAJORITY VOTE OF THE ELECTORATE TO APPROVE THE SALE OF A MUNICIPAL UTILITY.

WHEREAS governance by the passage of laws, whether by the people or their representative legislative bodies, has historically been by a vote of the majority; and

WHEREAS Article X, Section 9 of the Alaska Constitution provides that all home rule charters and amendments to home rule charters shall become effective if approved by a simple majority of the qualified voters voting on the question and such has been confirmed by court opinion; now therefore

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1: A ballot proposition containing substantially the following language shall be submitted to the qualified voters of the Municipality of Anchorage at its next regular election on April 21, 1998:

Proposition

#### AMENDING ANCHORAGE MUNICIPAL CHARTER §16.02

Shall Anchorage Municipal Charter Section 16.02 be amended, effective on the day following certification of the April 21, 1998 municipal election, to read as follows:

(Note: Words added by this amendment are underlined and words deleted by this amendment are capitalized within brackets [ ].)

#### Section 16.02. Disposal of utilities.

The municipality may sell, lease, or otherwise dispose of a municipal utility only pursuant to an ordinance or initiative proposition approved by a majority [THREE-FIFTHS] of the qualified voters voting on the question. If the disposal of the utility is by ordinance, the municipality may dispose of a municipal utility only to the highest responsive bid received by the municipality from a responsible bidder to a competitive procurement. The assembly shall provide for such competitive bidding by ordinance, and shall provide a description of the factors that will be considered in evaluation of the bids, including the relative weight of price and other evaluation factors.

[ ] Yes

[ ] No

**Section 2.** This ordinance shall become effective immediately upon passage and approval by the Assembly and the Proposition contained in Section 1. shall become effective on the day following the certification of the April 21, 1998 election, if, but only if, said proposition is passed by the affirmative vote of a majority of the qualified municipal voters voting on the question.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_ day of \_\_\_\_\_ 1998.

\_\_\_\_\_  
Chair of the Assembly

ATTEST:

\_\_\_\_\_  
Municipal Clerk