

Submitted by: Assembly Members Weddleton
and Kennedy
Prepared by: Assembly Counsel
For reading: January 11, 2022

**ANCHORAGE, ALASKA
AO No. 2022-20**

1 **AN ORDINANCE OF THE ANCHORAGE ASSEMBLY SUBMITTING TO THE**
2 **QUALIFIED VOTERS OF THE MUNICIPALITY OF ANCHORAGE A BALLOT**
3 **PROPOSITION AMENDING THE ANCHORAGE MUNICIPAL CHARTER**
4 **REGARDING FILLING VACANCIES ON THE ASSEMBLY AND IN THE OFFICE**
5 **OF THE MAYOR.**
6

7
8 **THE ANCHORAGE ASSEMBLY ORDAINS:**
9

10 **Section 1.** Pursuant to state law and the Anchorage Municipal Charter, a ballot
11 proposition in substantially the form and substance as set forth in Section 2 below
12 with proposed amendments to the Charter shall be submitted to the qualified voters
13 of the Municipality at the next regular election to be held April 5, 2022.
14

15 **Section 2.** The following proposition shall be presented to the voters:
16

17 **PROPOSITION NO. ___**
18

19 This proposition will amend the Anchorage Municipal Charter regarding filling
20 vacancies on the Assembly and in the office of Mayor. It will (1) change the
21 period for holding a special election to fill a vacancy on the Assembly from
22 “not more than 60 days” after the occurrence of the vacancy to not more than
23 90 days, and (2) revise the requirements for electing a successor when there
24 is a vacancy in the office of the mayor.
25

26 The proposition would amend the Anchorage Municipal Charter by amending
27 Anchorage Municipal Charter Section 7.02 as follows (additions shown in
28 **underline and bold**, deletions indicated by ~~[brackets, strikethrough, and~~
29 **bold**]; current text of the Charter omitted indicated by ***):
30

31 **Section 7.02. - Filling vacancies in elective office.**
32

33 (b) If a vacancy occurs on the assembly, the remaining members
34 may appoint a qualified person to fill the vacancy within 30 days. The
35 person appointed shall serve until the next regular or special election,
36 at which time a successor shall be elected to serve the balance of
37 the term. If the vacancy occurs more than six months before the next
38 regular election, the assembly shall provide for a special election to
39 fill the vacancy not more than **90 [60]** days after the occurrence of
40 the vacancy. If less than 30 days remain in a term when a vacancy
41 occurs, the vacancy shall not be filled. However, if at any time, the
42 membership is reduced to **less [fewer]** than a quorum, the remaining

members, within seven days, shall appoint a number of qualified persons sufficient to constitute a quorum.

(c) ~~[A vacancy in the office of mayor shall be filled at a regular or special election held not less than 90 days from the time the vacancy occurs. If less than 90 days remain in the term when the vacancy occurs, the vacancy shall not be filled. When]~~ If a vacancy occurs in the office of mayor, the chair of the assembly shall serve as acting mayor until a successor is elected and takes office. The acting mayor has the veto power, but may not vote on assembly action. The assembly by ordinance shall provide for further succession to the office of acting mayor. **An elected successor shall serve the balance of the term and shall take office 30 days after certification of the election. A vacancy in the office of mayor shall be filled through a special election held no sooner than 90 days but not more than 120 days after the occurrence of the vacancy, except:**

(1) If it is the final year of the mayor’s term of office when the vacancy occurs and less than 120 days remain until the next regular election, the vacancy shall not be filled and the acting mayor shall serve until the person elected mayor to a new term takes office.

(2) If the vacancy occurs 90 days or more but less than 120 days before the next regular election, a successor may be elected through the regular election.

Shall the Anchorage Municipal Charter be amended as set forth above?

Yes [] No []

Section 3. The amendments to the Charter shall be effective 30 days after certification of the election, subject to approval of the proposition contained in Section 2 of this ordinance. The remainder of this ordinance shall be effective immediately upon passage and approval of the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2022.

Chair

ATTEST:

Municipal Clerk



MUNICIPALITY OF ANCHORAGE

Assembly Memorandum

No. AM 41-2022

Meeting Date: January 11, 2022

1 **From: ASSEMBLY MEMBERS WEDDLETON and KENNEDY**

2
3 **Subject: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY SUBMITTING TO THE**
4 **QUALIFIED VOTERS OF THE MUNICIPALITY OF ANCHORAGE A BALLOT**
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7 **OFFICE OF THE MAYOR.**
8

9 It is important that Anchorage's Charter be clear, reasonable, and easily implemented
10 with regards to filling vacancies in elected office. It is important that our Charter be
11 internally consistent.
12

13 It is also important that the duration of an acting-mayor be as short as possible.
14

15 After Mayor Berkowitz's resignation in 2020, plans for filling the vacancy looked to the
16 Charter which offers the Assembly a choice between filling the vacancy through a
17 regular or a special election. With a regular election for mayor impending, a special
18 election would have overlapped causing challenges for running the election and
19 possible confusion among the electorate. In a split vote, the choice was made to wait
20 until the regular election.
21

22 Many in the community find the Charter unclear and feel that a special election was
23 required. The proposed change to the Charter makes more clear the choices in the
24 case of a vacancy in the office of mayor.
25

26 The current wording of the Charter allows substantial power to the Assembly to delay
27 replacing the mayor. This could force the Chair of the Assembly into the role of acting-
28 mayor for a long duration leaving their district slighted on representation and requiring
29 the acting-mayor to perform the role without the democratic authority arising from being
30 elected to the position. The proposed change to the Charter shortens the time
31 Anchorage would be without an elected mayor.
32

33 Regarding filling a vacancy in the office of mayor:
34

- 35 1) When a vacancy occurs in the office of mayor, the default routine is to have a
36 special election no sooner than 90 days and no later than 120 days. This retains
37 the Charter's provision that the special election not be too hasty while adding a
38 limit to the amount of time that can pass before a special election is held.
39
40 2) The one exception to this default routine is in the last year of a term when a
41 mayoral election is already brewing. If the vacancy occurs less than 120 days

1 before the regular mayoral election, there would be no special election. The
2 Chair of the assembly will fill the role as acting-mayor until a mayor is elected.
3

4 3) In all cases when there is a vacancy in the office of mayor, the person elected to
5 the office through a regular or special election will take office 30 days after
6 certification of the election results. While this is six to ten weeks faster than the
7 standard timing for a transition, it helps meet the goal of minimizing the time
8 Anchorage is without an elected mayor.
9

10 4) The Charter provides for a runoff election for mayor after both regular and special
11 elections.
12

13 Regarding filling a vacancy on the assembly:
14

15 1) The proposed Charter amendment increases by 30 days the time allowed for an
16 election to fill a vacancy on the assembly. The 90 days provided would allow a
17 more careful election which is important to all.
18

19 There are no economic effects from this ordinance, so a summary is not provided.
20

21 **We urge your support for putting this ballot measure before the voters.**
22

23 Respectfully submitted: John Weddleton, Assembly Member
24 District 6 – South Anchorage, Girdwood, and Turnagain Arm
25

26 Crystal Kennedy, Assembly Member
27 District 2 – Eagle River, Chugiak, Eklutna and JBER
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