

Submitted by: Assembly Members Weddleton
and Kennedy
Prepared by: Assembly Counsel
For reading: January 19, 2022

**ANCHORAGE, ALASKA
AO No. 2022-20(S)**

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 deadline contained in Anchorage Municipal Code section 28.20.015A. is hereby waived for this ordinance.

Section 4[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(A)

Meeting Date: January 19, 2022

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

2
3 **Subject: AO 2022-20(S): AN ORDINANCE OF THE ANCHORAGE ASSEMBLY**
4 **SUBMITTING TO THE QUALIFIED VOTERS OF THE MUNICIPALITY OF**
5 **ANCHORAGE A BALLOT PROPOSITION AMENDING THE**
6 **ANCHORAGE MUNICIPAL CHARTER REGARDING FILLING**
7 **VACANCIES ON THE ASSEMBLY AND IN THE OFFICE OF THE MAYOR.**
8

9 The S-version of this ordinance adds a new Section 3 to the AO that waives the “70 days
10 prior to [the] election” deadline in AMC section 28,.20.015A. for final action by the
11 Assembly for placing ballot propositions on the April 5, 2022 ballot. The deadline falls on
12 January 25. Assembly action is anticipated at the special meeting set for January 19, for
13 a vote on the ordinance. But if there is a veto by the Mayor, which may be exercised
14 “within seven days of passage” of the ordinance per Charter § 5.02(c), it could occur on
15 January 26 at the latest, past this deadline. Under the same Charter provision, the
16 Assembly may vote whether to override a veto. The insertion of Section 3 is merely an
17 abundance of caution intended to protect the Assembly’s ability to conduct a vote whether
18 to override a veto, if necessary, and present this Charter amendment at the April election.
19
20

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

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

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