

Submitted by: Assembly Member Sulte
Assembly Member Myers
Assembly Member Littlefield
Reviewed by: Assembly Counsel's Office
For reading: December 3, 2024

ANCHORAGE, ALASKA
AO No. 2024-125

1 **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY TO SUBMIT**
2 **A BALLOT PROPOSITION AT THE APRIL 1, 2025 REGULAR ELECTION TO**
3 **QUALIFIED VOTERS OF THE MUNICIPALITY A CHARTER AMENDMENT TO**
4 **CHANGE THE TERM OF ELECTED OFFICIALS (ASSEMBLY, SCHOOL BOARD,**
5 **MAYOR, AND ELECTED SERVICE AREA SUPERVISORY BOARDS) TO FOUR-**
6 **YEARS AND THE QUESTION WHETHER TO HOLD REGULAR MUNICIPAL**
7 **ELECTIONS IN NOVEMBER IN EVEN YEARS ONLY TO ALIGN WITH STATE**
8 **AND FEDERAL GENERAL ELECTIONS BY AMENDING ANCHORAGE**
9 **MUNICIPAL CODE SECTION 28.20.010, AMENDING CERTAIN PROVISIONS OF**
10 **THE ANCHORAGE MUNICIPAL CODE TO CONFORM TO THIS CHANGE IF**
11 **APPROVED BY THE VOTERS, AND PROVIDING FOR TRANSITIONAL**
12 **MEASURES.**

13
14 **WHEREAS**, the financial cost of Vote By Mail Municipal Regular Elections in the
15 Municipality of Anchorage for 2018, 2019, 2020 and 2021 is \$857,688, \$659,857,
16 \$578,275 and \$601,005, respectively. (Source: Municipal Clerk's Office, Exhibit A,
17 attached); and

18
19 **WHEREAS**, the average cost for regular elections held between 2018 and 2021 is
20 \$647,206; and

21
22 **WHEREAS**, the cost of the 2024 Municipal Election was approximately \$1,333,244
23 with \$716,374 and \$391,964 attributed to the General Election and Mayoral runoff,
24 respectively. Approximately, \$224,907 in additional expenses was not classified to
25 either election; and

26
27 **WHEREAS**, passage of this ordinance has the potential to reduce Municipal election
28 cost by ~50% by adjusting to a two year cycle, aligned with State and Federal
29 elections, resulting in an estimated savings of \$341,319 per year or \$1,365,279 over
30 a four year period,

31
32 **WHEREAS**, this ordinance does not change from Vote By Mail elections,

33
34 **WHEREAS**, combining Municipal elections with Statewide and Federal elections on
35 a two-year cycle by altering future Assembly terms from three to four years and
36 extending the current and future Mayoral terms to four years to synchronize with a
37 two-year Municipal, State, and Federal election cycle has the potential to increase
38 Municipal voter turnout by ~24.19%, using historical averages; and

39
40 **WHEREAS**, adoption of this ordinance will not affect any current Assembly
41 Member's term, only subsequent terms beginning with those seated after
42 certification of the April 1, 2025 regular municipal election; and

1
2 **WHEREAS**, adoption of this ordinance will extend the current Mayoral term from
3 April of 2027 to November of 2028; and
4

5 **WHEREAS**, to realize the full benefit of improved voter turnout and reduced
6 Municipal election cost, elected service area board terms will also need to be
7 aligned, and accomplished through adoption of this ordinance; and
8

9 **WHEREAS**, to realize the full benefit of improved voter turnout and reduced cost
10 the Anchorage School Board terms will need to be aligned, but can only be effective
11 if state law is changed: requiring a modification at a minimum to either AS
12 14.12.050(a) (“The term of office of a member of a borough or city school board is
13 three years and until a successor takes office. ...”) or AS 14.12.100, that applies
14 this rule to home rule municipalities. This proposition authorizes the change to
15 school board terms effective when and if state statute is amended to allow school
16 boards of home rule municipalities to have terms other than three years; and
17

18 **WHEREAS**, coordination with State elections is allowed under AMC section
19 28.10.050, “notwithstanding other provisions of this title, the municipal clerk may
20 enter into agreements to place municipal election matters on a state ballot or allow
21 the state to conduct elections on municipal election issues concurrently with state
22 elections. The municipal clerk may contract with the state to conduct an election
23 which includes municipal election issues under the laws and guidelines governing
24 state elections. The municipal clerk shall ensure, however, that the laws and
25 guidelines to be applied to the municipal election issue will provide protections
26 substantially similar to those provided under municipal law.”; now therefore,
27

28 **Section 1.** Pursuant to state law and the Anchorage Municipal Charter, a ballot
29 proposition in substantially the same form as appears in Section 2 below shall be
30 placed on the ballot and submitted to the qualified voters of the Municipality at the
31 regular municipal election held on April 1, 2025.
32

33 **Section 2.** The Municipal Clerk shall prepare the ballot proposition to be
34 submitted to the voters as provided by this ordinance and the Anchorage Municipal
35 Code and shall perform all reasonable and necessary steps in accordance with law
36 to place this proposition before the voters at the election. The ballot proposition
37 shall be presented in substantially the following form:
38

39 PROPOSITION NO. _____
40

41 **NOVEMBER REGULAR ELECTIONS IN EVEN YEARS,**
42 **AND FOUR-YEAR TERMS FOR ALL ELECTED OFFICIALS**
43

44 If approved, the Anchorage Municipal Charter Sections 4.02(a) and
45 5.01(a) will be amended to read as follows, effective for this election:
46

47 Section 4.02(a) The term of an assembly member is **four**
48 **[three]** years.
49

50 Section 5.01(a) The executive and administrative power of

Anchorage is vested in the mayor. The mayor is elected at-large for a **four-year** [~~three-year~~] term.

If approved, the Anchorage Municipal Charter Section 6.02(a) below will be amended to read as follows, effective when state law is modified to allow it:

Section 6.02(a) A candidate for school board shall be a qualified municipal voter. A school board member shall serve a **four-year** [~~three-year~~] term and shall remain a resident of Anchorage while in office.

If approved, sections of Anchorage Ordinance No. 2024-___ will also become effective and change the terms of elected service area board seats to four years, change the date of the regular municipal election to be held only in even numbered years on the first Tuesday after the first Monday in November beginning in 2028, and provide transitional measures to the terms of elected officials.

Shall the Charter be amended as shown above, and the regular municipal election be held on the same day as regular state and federal general elections as described in AO 2024-___?

YES NO

Section 3. Transitional measures. The term of incumbent elected office holders shall not change until the appropriate election cycle. To implement and give effect to the change to four-year terms and a November regular municipal election date as directed in this ordinance and the Charter amendments approved by the voters, the terms of elected officials shall be modified as follows, effective if and only if the proposition in Section 2 of this ordinance is approved by the voters:

1. The term for Assembly seats on the ballot of the April 1, 2025 regular election and commencing upon the Member taking office shall end upon certification of the November 7, 2028 regular election.
2. The term for Assembly seats on the ballot of the April 7, 2026 regular election and commencing upon the Member taking office shall end for a four-year term expiring upon certification of the November 5, 2030 election.
3. The regular four-year term for the Mayor shall apply to the currently seated mayor's term, extending the term for one and a half additional years, which shall end upon certification of the November 7, 2028 regular election or if a successor is elected then when the successor qualifies and takes office in accordance with AMC section 3.20.030 as amended.
4. The regular term for school board seats shall be determined by ordinance after the condition of state law modification is met in order for their seats

1 to have four-year terms.

- 2
- 3 5. The regular term for the seats of elected members to a service area
- 4 supervisory board that commence upon:
- 5 i. certification of the April 1, 2025 regular election shall end upon
- 6 certification of the regular election held on November 7, 2028.
- 7 ii. certification of the April 7, 2026 regular election shall end upon
- 8 certification of the regular election held on November 5, 2030; and
- 9 iii. certification of the April 6, 2027 regular or special election: half the
- 10 seats shall have their terms end upon certification of the regular
- 11 election held on November 5, 2030, and the other half shall have their
- 12 terms end upon certification of the regular election held on November
- 13 2, 2032. The assembly may determine by ordinance which terms are
- 14 to be allocated to which seats.
- 15
- 16 6. Subsequent to implementation and application of the transitional
- 17 measures herein, regular terms for all elected officials of the municipality
- 18 shall be four years or as otherwise directed by ordinance or Charter.
- 19

20 **Section 4.** Anchorage Municipal Code section 3.20.030 is hereby amended to

21 read as follows, effective if and only if the proposition in Section 2 of this ordinance

22 is approved by the voters (*the remainder of the section is not affected and therefore*

23 *not set out*):

24

25 **3.20.030 - Qualifying of mayor; transition period for mayor-elect.**

26

- 27 A. The mayor shall be deemed qualified and shall take office by taking
- 28 and subscribing to the oath required by section 17.07 of the Charter
- 29 on January 2 [JULY 1], or as soon thereafter as practicable, following
- 30 [HIS] certification as mayor-elect at a regular municipal election or a
- 31 runoff election held in accordance with the Charter and
- 32 section 28.20.010. The mayor shall continue to serve and to exercise
- 33 all powers of [HIS] office until the mayor's [HIS] successor qualifies
- 34 and takes office in accordance with this section.
- 35

36 *** **

37 (AO No. 78-45; AO No. 79-27; AO No. 93-137, § 1, 9-21-93)

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39

40 **Section 5.** Anchorage Municipal Code section 28.20.010 is hereby amended to

41 read as follows, effective if and only if the proposition in Section 2 of this ordinance

42 is approved by the voters (*the remainder of the section is not affected and therefore*

43 *not set out*):

44

45 **28.20.10 Time and method for elections.**

46

- 47 A. Beginning in 2028, a [A] regular election shall be held bi-annually
- 48 [ANNUALLY] on the first Tuesday after the first Monday in November
- 49 [IN APRIL] of even numbered years. The intent of this subsection A.
- 50 is to hold regular municipal elections on the same date as state and

federal general elections.

*** *** ***

(GAAB 7.05.040.A; AO No. 85-75; AO No. 88-129(S-1); AO No. 91-50; AO
No. 99-113, § 1, 8-10-99; AO No. 2000-167, § 1, 1-9-01)

Section 6. Anchorage Municipal Code section 27.20.030 is hereby amended to
read as follows, effective if and only if the proposition in Section 2 of this ordinance
is approved by the voters:

27.20.030 - Term of office.

The term of each member of a supervisory board established under this
chapter shall be four [THREE] years, provided however, the mayor may
continue the service of members for up to and including 120 days after
expiration of their term to avoid a vacancy until new members are elected or
appointed and confirmed. The terms of members initially appointed or elected
to boards established under this chapter shall be staggered so that as nearly
as possible a pro rata number of members shall be appointed or elected for
each year during the regular term of office established for the members of
the board.

(CAC 2.64.040—2.64.050; AO No. 2001-105, § 2, 6-19-01)

Section 7. The Charter amendments set forth in the proposition in Section 2 and
the transitional measures and Code amendments set forth in Sections 3 through 6
of this ordinance shall become effective upon certification of the election results, if
and only if, said proposition is approved by a majority of the qualified voters of the
Municipality voting on the proposition during the regular Anchorage Municipal
election held on April 1, 2025. The remainder of this ordinance shall be effective
upon passage and approval.

PASSED AND APPROVED by the Anchorage Assembly this _____ day
of _____, 20__.

Chair

ATTEST:

Municipal Clerk

MUNICIPALITY OF ANCHORAGE



ASSEMBLY MEMORANDUM

No. AM 965-2024

Meeting Date: December 3, 2024

1 **From: Assembly Member Randy Sulte**

2
3 **Subject: AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY**
4 **TO SUBMIT A BALLOT PROPOSITION AT THE APRIL 1, 2025, REGULAR**
5 **ELECTION TO QUALIFIED VOTERS OF THE MUNICIPALITY A CHARTER**
6 **AMENDMENT TO CHANGE THE TERM OF ELECTED OFFICIALS (ASSEMBLY,**
7 **SCHOOL BOARD, MAYOR, AND ELECTED SERVICE AREA SUPERVISORY**
8 **BOARDS) TO FOUR-YEARS AND THE QUESTION WHETHER TO HOLD**
9 **REGULAR MUNICIPAL ELECTIONS IN NOVEMBER IN EVEN YEARS ONLY TO**
10 **ALIGN WITH STATE AND FEDERAL GENERAL ELECTIONS BY AMENDING**
11 **ANCHORAGE MUNICIPAL CODE SECTION 28.20.010, AMENDING CERTAIN**
12 **PROVISIONS OF THE ANCHORAGE MUNICIPAL CODE TO CONFORM TO**
13 **THIS CHANGE IF APPROVED BY THE VOTERS, AND PROVIDING FOR**
14 **TRANSITIONAL MEASURES.**

15
16 This proposition, if approved, has the potential to reduce election cost by
17 approximately 50% and increase voter turnout by over 90% as well. It is built around
18 the simple premise, based on historical data, that if Municipal Elections for
19 Assembly, Mayor, Services Areas and School Board are aligned with State and
20 Federal general elections in November we could see a 50% reduction in cost and
21 an over 90% improvement in voter turnout based on historical State and Federal
22 results within the Municipality and the simple fact that elections occur only every two
23 years. The proposed ballot proposition would amend the Charter to change to four-
24 year terms for the elected positions in the Municipality so elections can be held in
25 even numbered years only. Establishing the election date is accomplished by
26 amendment to Anchorage Municipal Code section 28.20.010, which is effective only
27 if the proposition and Charter amendments are approved by the voters.

28
29 The table below, with data obtained from the Municipal Clerk's Office, shows an
30 average municipal election cost of \$682,640 and a 2024 cost of \$716,374, which
31 does not include costs that were shared by the regular and runoff election for 2024.
32 A bi-annual election, theoretically, would reduce this cost in half providing a
33 ~\$341,319 annual savings.

34
35

Municipal Election Cost and voter turnout data:

Year	Registered Voters	Voter Turnout	Turnout (%)	Cost (\$)	Cost per Voter (Turnout)	Cost per registered voters	
2014	210,150	42,344	20.15%	\$ 465,231	\$ 10.99	\$ 2.21	In-Person Voting
2015	206,033	57,606	27.96%	\$ 591,418	\$ 10.27	\$ 2.87	
2016	209,909	51,999	24.77%	\$ 576,120	\$ 11.08	\$ 2.74	
2017	212,782	49,370	23.20%	\$ 454,049	\$ 9.20	\$ 2.13	
Average	209,719	50,330	24.02%	\$ 521,705	\$ 10.38	\$ 2.49	
2018*	218,388	79,295	36.31%	\$ 857,688	\$ 10.82	\$ 3.93	Vote by Mail
2019	227,210	65,100	28.65%	\$ 659,857	\$ 10.14	\$ 2.90	
2020	232,009	71,382	30.77%	\$ 578,275	\$ 8.10	\$ 2.49	
2021*	236,619	75,441	31.88%	\$ 601,005	\$ 7.97	\$ 2.54	
2022	235,882	70,639	29.95%				
2023	235,546	65,853	27.96%				
2024*	237,360	72,250	30.44%	\$ 716,374	\$ 9.92	\$ 3.02	
Average	231,859	71,423	30.85%	\$ 682,640	\$ 9.39	\$ 2.98	

* Denotes Mayoral election \$ 341,320 estimated annual cost savings by moving to November ballot.

The table below shows average Municipal, State and Federal voter turnout data. Municipal elections average 27.43% voter turnout, while SOA and Federal elections average 52.45% voter turnout. An increase of 25.02% points or over ~90% in turnout; 27.43% to 52.45%. If only the change from Municipal to State elections is considered, the potential increase is 19.51% points or over a ~70% increase: 27.43% to 46.94%.

Municipal, State and Federal voter turnout data:

Year	Muni	SOA	Federal	SOA & Federal	Race
2014	20.15%	56%		56%	Governor
2016	24.77%		61%	61%	President
2018*	36.31%	40%		40%	Governor
2020	29.95%		61%	61%	President
2022	25.98%	44%		44%	Governor
2024	30.44%				President

Average	<u>27.43%</u>	<u>46.94%</u>	<u>60.72%</u>	<u>52.45%</u>
Delta		<u>19.51%</u>	<u>33.29%</u>	<u>25.02%</u>
Potential Increase		71%	121%	91%

The challenge, which is almost a matter of preference, is how best to adjust the three-year terms of elected officials of the Municipality to coincide with even election cycles. This ordinance proposes changing them all to four-year terms. It brings up the question whether immediate implementation is desired to change existing terms- which also brings into question ethics issues with members voting on current terms- or to follow a longer process to adjust terms for future elections. The latter negates any ethics question or any appearance of guaranteeing a benefit to currently seated Assembly Members, and is the path in the proposition. This is the same approach mandated by the Charter § 5.08(c) when the Commission on Salaries and Emoluments makes a decision to adjust the compensation of elected officials: such adjustment “shall not affect seated elected officials, but shall affect those elected officials seated after the election following approval of the decision.” While this

1 avoids the issue, Assembly Counsel has advised that the Ethics Code allows for
2 Members to vote on election matters that affect themselves per AMC section
3 1.15.060E.4., *Rule of Necessity*, or subsection .060E.6., *Certification of Election*,
4 which provides that even if an Assembly Member is a candidate in an upcoming
5 municipal election, the Member is “not preclude[d from] ... participation in
6 certification of the municipal election *or other matters relating to conducting a regular
7 or special election...*” (emphasis added). It is therefore permissible to lengthen
8 terms as a temporary means to readjust legislative representation on the body,
9 when done in reasonable manner. The proposed ordinance lengthens terms in the
10 most reasonable way to transition to four-year terms with elections in even
11 numbered years only, this way:

- 12 • Assembly seats elected April 1, 2025 will have terms of 3.5 years, next
13 elected in November 2028.
- 14 • Assembly seats elected April 7, 2026 will have terms of 4.5 years, next
15 elected in November 2030.
- 16 • The Mayor’s current term that was elected April 2, 2024 and began July 1,
17 2024 will have a term of 4.5 years, next elected in November 2028 and
18 eligible to take office January 2, 2029.
- 19 • School Board seats cannot be adjusted until there is a state law change to
20 its current three-year term requirement. This will be noted in Code so it will
21 not be overlooked.
- 22 • Service Area board seats would also be extended to 3.5 years for those
23 elected in April of 2025 and half of those in 2027, to 4.5 years for those
24 elected in April 2026 and half of those in 2027, to maintain a proportionate
25 number of staggered terms. However, service area board elections may be
26 changed by a simple ordinance only, and it may be more reasonable and
27 efficient to handle their elections differently and separately. This should be
28 part of the discussion on this proposed ordinance. .

29
30 School Board terms are unique: three-year terms are mandated by State statute AS
31 14.12.050(a), and all municipalities are preempted from enacting different terms. In
32 order for this proposed modification to four years to take place, State statute would
33 need to be modified or no longer apply to Home Rule Charters by modifying AS
34 14.12.100 removing the applicability of AS 14.12.050(a) to home rule municipalities.
35 Should this proposition pass the voters, I believe it is prudent to ensure the question
36 to adjust School Board seats is also asked and approved as a proactive measure.
37 A note can be included in Charter section 6.02 indicating the change effective upon
38 the condition that state law is changed. The State has a similar practice in codifying
39 state law changes that are effective only upon satisfaction of a condition.

40
41 Again, the prize is the ability to nearly double voter turnout and reduce future cost
42 by approximately 50% saving election funds that are desperately needed in other
43 areas.

44
45 The path I have proposed is to adjust future Assembly terms, extend the current
46 Mayoral term, proactively authorize modifying School Board terms when State
47 Statute allows for terms to be other than three years or the statute does not apply
48 to home rule municipalities, and to adjust Service Area terms through a companion
49 AO should the proposition be approved by voters in April of 2025.

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Another side benefit, and one I am personally looking forward to, is we will not be in a continual state of election or campaigning leading to voter fatigue. Commercials, signage, fundraisers, and events ideally would subside to a single period every two years. To me this is worth the alignment alone.

I encourage you to review the proposition and provide your support to allow the voters the opportunity to increase voter turnout by nearly 100% and reduce election costs in half.

I request your support for the ordinance.

Reviewed by: Assembly Counsel's Office

Respectfully submitted: Randy Sulte, Assembly Member
District 6, South Anchorage