



MEMORANDUM

CC-26-048

Ordinance 26-16, an Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Title 4, Elections Sections 4.01.040 Date of election, 4.01.100 Expense, 4.10.010 Declaration of candidacy, 4.10.050 Prohibitions, 4.20.020 Voting procedure at the polls, 4.30.020 Eligibility, 4.30.060 Issuance of ballot by mail or in person, 4.35.010 Review of election documents by Canvass Board, and 4.40.020 Runoff election – date and notice.

Item Type: Backup Memorandum, Action Memorandum, or Informational Memorandum
Prepared For: Mayor Lord and Homer City Council
Date: January 29, 2026
From: Amy Woodruff, City Clerk
Through: Melissa Jacobsen, City Manager

SUMMARY:

This ordinance proposes changes to election code to align the City's election date with the Kenai Peninsula Borough (KPB) election date in November.

As written, the ordinance makes no change to how the City represents the calculation of a plurality of votes for City elections. This memo outlines options for changes to § **4.35.020 Votes required to be elected** and staff will present a substitution ordinance that makes changes to that section of code if directed to do so by Council. Additional edits to Title 4 of City Code not related to the election date are included for efficiency, and the reason for each change is summarized in a table below.

BACKGROUND:

During the October 7, 2025, Municipal Election, Borough voters approved KPB Citizen Initiative Proposition No. 5, which moved the Borough Election date from October to November to coincide with State elections. Approval of this Borough proposition does not affect the City of Homer election day. The City's election date is established in City code and must be amended by ordinance.

While the City could continue to hold elections in October, the cost to hold an election would increase significantly without the cost-savings associated with collaborating with the KPB on sharing election workers and election equipment. In a January 2026 letter terminating the existing Memorandum of Agreement (MOA) with the City, KPB clerk Michele Turner wrote "If the City of Homer ultimately does move its election date to November, the intent would be to explore entering into a new elections administration MOA with the City."

This ordinance makes the necessary changes to candidate filing deadlines, election dates, and runoff election dates in order to align our election date with the State and Borough elections in November. Staff also reviewed language in code related to requirements for postmarks on by-mail ballots and determined that current language is sufficient given that voters may request a manual postmark for their ballot at any post office.

Moving the election date back by one month will also effectively extend the terms of sitting councilmembers by one month. [HCC § 2.08.030 Composition of governing body – terms of office](#) specifies that councilmembers are elected “for three year terms and until a successor qualifies,” so councilmembers may continue to serve in their seats until the November Election or a December runoff when either they are reelected or a successor is elected for their seat.

Section	Change	Reason
4.01.040 Date of election.	Change “first Tuesday in October” to “first Tuesday after the first Monday in November”	Align with Borough and State election date.
4.01.100 Expenses.	Change minimum threshold for election worker rate of pay from “State” to “Kenai Peninsula Borough.”	We anticipate entering into a new MOU with the Kenai Peninsula Borough to share the cost of hiring election workers, and our rate of pay will therefore need to be equal to the Borough’s.
4.10.010 Declaration of candidacy.	Change filing period from August 1-15 to September 1-15.	Moving forward by one month corresponds with the change in election date. The change will allow additional time for candidates to file for office and aligns with ballot printing and booklet printing deadlines provided by the Borough.
4.10.050 Prohibitions.	Replace “member of the Library Advisory Board” with “Board Member.”	The City has more than one board among its advisory bodies.
4.30.020 Eligibility.	Remove conditions for absentee voting.	State elections are ‘no excuse’ absentee voting, which allows voters to vote an absentee ballot without restrictions. This aligns with State elections.
4.30.040 Absentee voter at polls.	Change “challenged” ballot to “questioned” ballot.	If there are concerns about a voter’s eligibility prior to providing them with a ballot, that is a ‘questioned’ ballot rather than a ‘challenged’ ballot.

4.30.060 Issuance of ballot by mail or in person.	Change “challenged” ballot to “questioned” ballot.	If there are concerns about a voter’s eligibility prior to providing them with a ballot, that is a ‘questioned’ ballot rather than a ‘challenged’ ballot.
4.35.010 Review of election documents by Canvass Board.	Change “questioned ballot” to “challenge.”	The term for raising concerns about an absentee ballot that has already been voted during the canvass process is to ‘challenge.’
4.40.020 Runoff election – Date and notice.	Change runoff date to the first Tuesday after the first Monday in December.	Moving the runoff election date forward by one month corresponds to the change in regular election date.

Request for Council Direction regarding § 4.35.020 Votes required to be elected

Current code requires that the percentage of votes to win an election is determined using the total votes cast in a race. Following the 2022 election, Councilmember Davis requested a calculation of the percentage of ballots cast and it was accommodated in the Clerk’s office by adding an extra column on the certificate of election listed as informational only. Clerk’s office staff would like direction from Council on reporting election results so that only one type of calculation is necessary on the final Certificate of Election.

HCC 4.35.020 requires that candidates receive a plurality of votes to be elected to a seat rather than a majority. This means that a candidate who receives the most votes in an election would not win that seat if they do not reach the plurality threshold specified in code. In that case, the City would hold a runoff election between the two candidates who received the highest number of votes.

The plurality threshold for a race with only one seat is defined as follows.

Races with only one seat (i.e. Mayor, a specific Council seat)	
Number of Candidates	Percentage Threshold
Fewer than five candidates	40% of votes cast
Five or more candidates	35% of votes cast

In races where there are two Council seats to fill with equivalent terms, voters may vote for up to two candidates. Calculating the plurality threshold for these races requires that City Clerk account for the two votes per voter that may be cast in that election. This has historically been represented in two different ways that are mathematically equivalent to each other.

Races with two seats (i.e. two vacant Council seats with the same term)		
Number of candidates	Original percentage thresholds	As amended by Ordinance 18-52
Fewer than five candidates	40% of (votes cast in the race ÷ 2)	20% of all votes cast in the race
Five or more candidates	35% of (votes cast in the race ÷ 2)	17.5% of all votes cast in the race

Option 1: Retain existing percentage thresholds specified in code where the percentages are calculated based on all votes cast in the race.

Option 2: Amend code to change the calculation to a percentage of votes cast in each race ÷ 2.

The vote totals from the October 2025 election will be used to illustrate how data would be represented under each option.

Option 1: Retain existing percentage thresholds specified in code where the percentages are calculated based on all votes cast in the race. For a race with only one seat available and fewer than 5 candidates, the threshold is 40%. For a race with two seats available and fewer than five candidates, the threshold is 20%.

Candidates – one to be selected City Council 1 Year Term	Homer No. 1 06-230	Homer No. 2 06-240	Absentee/ Questioned/ Special Needs	Total Votes	Percentage of Total Votes Cast (1304) 40% Required to be Elected HCC 4.35.020
PARSONS, Bradley	328	207	264	799	61%
JONES, Michael L.	168	191	136	495	38%
Write-in	4	2	4	10	1%
Total Votes Cast	500	400	404	1304	
Total Registered Voters	2967	2511			
Candidates – Two to be selected City Council 3 Year Term	Homer No. 1 06-230	Homer No. 2 06-240	Absentee/ Questioned/ Special Needs	Total Votes	Percentage of Total Votes Cast (2390) 20% Required to be Elected HCC 4.35.020
DAVIS, Jason	300	227	268	795	33%
HANSEN, Storm P.	259	192	230	681	28%
MINK, John	184	173	126	502	21%
GARVEY, Elias T.	151	150	99	400	17%
Write-in	5	2	5	12	1%
Total Votes Cast	899	744	728	2390	
Total Registered Voters	2967	2511			

Option 2: Amend code to change the calculation to a percentage of votes cast in each race ÷ 2.
 For a race with only one seat available and fewer than 5 candidates, the threshold is 40%. For a race with two seats available and fewer than five candidates, the threshold is 40% of (2390 ÷ 2).

Candidates – one to be selected City Council 1 Year Term	Homer No. 1 06-230	Homer No. 2 06-240	Absentee/ Questioned/ Special Needs	Total Votes	Percentage of Total Votes Cast (1304) 40% Required to be Elected HCC 4.35.020
PARSONS, Bradley	328	207	264	799	61%
JONES, Michael L.	168	191	136	495	38%
Write-in	4	2	4	10	1%
Total Votes Cast	500	400	404	1304	
Total Registered Voters	2967	2511			
Candidates – Two to be selected City Council 3 Year Term	Homer No. 1 06-230	Homer No. 2 06-240	Absentee/ Questioned/ Special Needs	Total Votes	Percentage of Total Votes Cast ÷ 2 (2390/2 = 1195) 40% Required to be Elected (Possible Edit to HCC)
DAVIS, Jason	300	227	268	795	67%
HANSEN, Storm P.	259	192	230	681	57%
MINK, John	184	173	126	502	42%
GARVEY, Elias T.	151	150	99	400	33%
Write-in	5	2	5	12	2%
Total Votes Cast	899	744	728	2390	
Total Registered Voters	2967	2511			

RECOMMENDATION:

Review the options for changes to § 4.35.020 Votes required to be elected. and provide recommendation to the City Manager. If a change is requested, Staff will have a substitute ordinance prepared for the next meeting with those changes.

ATTACHMENTS:

HCC 4.35.020 Votes required to be elected.

January 2, 2026 Press Release from the U.S. Postal Service regarding postmarks

January 26, 2026 Letter from the Kenai Peninsula Borough Clerk terminating the 2024 Revised Memorandum of Agreement for Administering Elections.

4.35.020 Votes required to be elected.

The number of candidates for an office equal to the number of vacancies to be filled who receive the highest number of votes for the office shall be elected; provided, that:

a. To be elected to the office of Mayor or to fill a specific vacant council seat, a candidate must receive at least the plurality of the votes cast for that seat. The plurality of the vote that is required for a candidate to be elected to the office of Mayor or to fill a specific vacant council seat shall be based on the number of qualified candidates who filed declarations of candidacy that remain in effect on the date of the election as follows:

Number of candidates	Percentage of vote
Less than five	40%
Five or more	35%

b. To be elected to the Council, a candidate must receive at least the plurality of the total votes cast for all candidates for Council. The plurality of the vote that is required for a candidate to be elected to the Council shall be based on the number of qualified candidates who filed declarations of candidacy that remain in effect on the date of the election as follows:

Number of candidates	Percentage of vote
Less than five	20%
Five or more	17.5%

c. When filling a vacancy under HCC [2.08.050](#) the following sections will apply:

1. For a single vacant Council seat or a vacancy in the office of Mayor, votes will be counted according to subsection (a) of this section;
2. For two vacant Council seats that are vacated with different terms, votes will be counted according to subsection (a) of this section;
3. For two vacant Council seats that are vacated with the same term, votes will be counted according to subsection (b) of this section.

Postmarking Myths and Facts - Statements - Newsroom - About.usps.com

MYTH: How the Postal Service applies postmarks is changing.

FACT: The Postal Service has not changed and is not changing our postmarking practices, which have been consistent since we began moving away from hand-canceling every item at Post Offices decades ago. Postmarks are generally applied by machines at our originating processing facilities and will continue to be applied at those facilities in the same manner and to the same extent as before. Postmarks applied at those facilities will continue to contain the name or location of the facility that applied the postmark and the date on which the first automated processing operation was performed on that mailpiece.

While we are not changing our postmarking practices, we have made adjustments to our transportation operations that will result in some mailpieces not arriving at our originating processing facilities on the same day that they are mailed. This means that the date on the postmarks applied at our processing facilities will not necessarily match the date on which the customer's mailpiece was collected by a letter carrier or dropped off at a retail location.

As before, a customer can ensure that a postmark is applied to his or her mailpiece, and that the date on the postmark matches the date of mailing, by visiting a Postal Service retail location and requesting a manual (local) postmark at the retail counter when tendering their mailpiece. Manual postmarks will be applied free of charge.

MYTH: The Postal Service has long offered the postmark as a way of proving when mail was sent.

FACT: Customers have used postmarking for their own purposes, but postmarking is not and has not been a service that the Postal Service has provided to the public for such purposes. The postmark has always fundamentally existed to perform functions (including cancelation of postage) internal to Postal Service operations.

Customers who wish to obtain a postmark aligning with the date of mailing may request a manual (local) postmark at a retail location. Customers who wish to retain a record or proof of the date on which the Postal Service first accepted possession of their mailpiece(s) may purchase a Certificate of Mailing. Registered Mail and Certified Mail services also provide mailing receipts for individual mailpieces.

MYTH: The Postal Service didn't notify the public about this update to its language.

FACT: The Postal Service engaged in discussions with customer groups, posted information on our [website](#), and initiated a public notice and comment period in the Federal Register in August 2025, which concluded when the Postal Service published its final notice on this topic, including responses to the comments received, in November 2025. [Federal Register :: Postmarks and Postal Possession](#). The filing also includes details about our efforts to communicate this information with the public and various interest groups. The updated Domestic Mail Manual (DMM) language clarifies our practices so that customers who need a postmark, including a postmark with a date that aligns with the date of mailing, can plan accordingly.

MYTH: Postmarks show when and where the Postal Service took possession of my mail.

FACT: A postmark date does not necessarily indicate the first day that the Postal Service took possession of the mailpiece. Rather, it confirms that the Postal Service accepted custody of a mailpiece, and that the mailpiece was in the possession of the Postal Service on the identified date. Also note that the absence of a postmark does not necessarily imply that the Postal Service did not accept custody of a mailpiece, because the Postal Service does not postmark all mail in the ordinary course of operations and because occasional circumstances may arise where a legible postmark is not applied.

Again, if a customer wants to ensure that their mailpiece receives a postmark, and that the date on the postmark aligns with the date of mailing, the customer may take the mailpiece to a Postal Service retail location and request a manual (local) postmark at the retail counter when tendering their mailpiece. The manual postmark will be applied free of charge.



January 26, 2026

Delivered via email: awoodruff@ci.homer.ak.us

Attention: Amy Woodruff, City Clerk

City of Homer

RE: 2024 Revised Memorandum of Agreement – Administration of Borough and City Elections

Dear City of Homer,

In accordance with Assembly Resolution 2025-045—"A Resolution Terminating the 2024 Revised Memorandum of Agreement Between the Kenai Peninsula Borough and the Cities of Homer, Kenai, Seldovia, Seward and Soldotna, for the Purpose of Intergovernmental Administration of Borough and City Elections"—adopted December 2, 2025, this letter is to provide formal **notice of withdrawal and termination of the 2024 Revised Memorandum of Agreement (MOA) between the KPB and the Cities referenced above. Per Section 5 of the MOA, this withdrawal is effective 4 months from the date of this notice.**

Our intent is to collaborate with all cities within the borough as they, respectively, work through their process for considering an election date that aligns with a November election date. If the City of Homer ultimately does move its election date to November, the intent would be to explore entering into a new elections administration MOA with the City.

Please don't hesitate to contact me if there are any questions.

Sincerely,

Michele Turner, CMC
Borough Clerk