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**CITY OF HOMER
HOMER, ALASKA**

Failed
6-14-21

Smith/
Hansen-Cavasos

ORDINANCE 21-29

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA AMENDING HCC 2.08.030 TO DESIGNATE SEATS FOR COUNCIL MEMBERS ELECTED AT LARGE FROM WITHIN THE BOUNDARIES OF THE CITY; AND HCC 4.35.020 VOTES REQUIRED TO BE ELECTED TO AMEND THE PERCENTAGE OF VOTES REQUIRED TO BE ELECTED.

WHEREAS, Elections are the bedrock of our Representative Republic; and

WHEREAS, Recent efforts by the State of Alaska, the Kenai Peninsula Borough and the City of Homer have been made to improve elections; and

WHEREAS, The election process should promote that the electorate cast every vote afforded them; and

WHEREAS, Each vote cast at the ballot should count the same in respect to the seat it is cast to fill; and

Whereas, By providing more choice to Homer residents there may be more interest in seeking public office.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 2.08.030 is hereby amended as follows:

2.08.030 Composition of governing body – Terms of office.

a. The governing body of the City of Homer shall consist of six Council members, two of whom are elected at large each year for three-year terms and until a successor qualifies.

b. Each council seat shall be a specifically designated seat, i.e., A, B, C, D, E and F. Initially, designated seats shall be assigned by means of a drawing to be held following the adoption of this section.

c. Thereafter, each candidate for the office of council member shall file for, and if elected, occupy a specifically designated seat as listed in subsection B of this section.

Strike-out is deleted language, bold underline is new language

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~~b~~ **d.** The Mayor shall be elected for a two-year term and until a successor qualifies.

~~c~~ **e.** A person so elected to office under this chapter shall take office at the first regular Council meeting following the election, immediately after the final certification of that election, except that when HCC 4.40.010(c)(3) applies, the person shall take office at the first regular Council meeting following the runoff election, immediately after the certification of that election. [Ord. 16-01(A)(S) § 1, 2016; Ord. 90-22, 1990. Code 1981 § 1.24.030].

Section 2. Homer City Code 4.35.020 is hereby amended as follows:

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~~ **and** 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:

<u>Number of Mayoral or Council candidates</u>	Percentage of vote
Less than five	40%
Five or more	35%

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~~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:~~

<u>Number of candidates</u>	Percentage of vote
Less than five	20%
Five or more	17.5%

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~~Strike out~~ is deleted language, **bold underline** is new language

74 c. When filling a vacancy under HCC 2.08.050 the following sections will apply:

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76 1. For a single vacant Council seat or a vacancy in the office of Mayor, votes will be
77 counted according to subsection (a) of this section;

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79 2. For two vacant Council seats that are vacated with different terms, votes will be
80 counted according to subsection (a) of this section.

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82 ~~3. For two vacant Council seats that are vacated with the same term, votes will be~~
83 ~~counted according to subsection (b) of this section.~~

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85 Section 3. This Ordinance is of a permanent and general character and shall be included
86 in the City Code.

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88 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 14th day of June, 2021.

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90 CITY OF HOMER

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KEN CASTNER, MAYOR

94 ATTEST:

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97 _____
MELISSA JACOBSEN, MMC, CITY CLERK

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99 YES:

100 NO:

101 ABSTAIN:

102 ABSENT:

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104 First Reading:

105 Public Hearing:

106 Second Reading:

107 Effective Date: