

Failed
7/26/21

**CITY OF HOMER
HOMER, ALASKA**

Evensen/Mayor

ORDINANCE 21-43

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
SUBMITTING A BALLOT QUESTION OF LIMITATION OF TERMS FOR
THE MAYOR AND CITY COUNCIL MEMBERS AT THE OCTOBER 5,
2021 REGULAR MUNICIPAL ELECTION.

WHEREAS, Currently the Mayor and City Council members can serve for an indefinite number of terms; and

WHEREAS, Pursuant to Alaska Statutes 29.20.140(d) states "Except by ordinance ratified by the voters, no limit may be placed on the total number of terms or number of consecutive terms a voter may serve on the governing body."

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council finds it is in the best interest of the community to ask the voters if they support term limits for the mayor and city council members.

Section 2. The City shall submit the following proposition to the qualified voters of the City at the October 5, 2021 regular election. The proposition must receive an affirmative vote from a majority of the qualified voters voting on the question to be approved.

PROPOSITION A.

Shall the term of offices of the Mayor and City Council members be limited to two consecutive full terms?

____ Yes ____ No

Section 3. Homer City Code 2.08.030 Composition of governing body – Terms of office 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. The full term of office for Council members is 3 years. Consistent with HCC 4.10.020 no person who has completed two full terms on the Council in a continuous period of

43 service may serve another term or portion of a term until a period of two years has
44 passed since the end of their second full term of office. A full term of office means the
45 regular term of office for Council and, except as provided in paragraph (c) of this
46 section, does not include portions of a term served by appointment or election to the
47 remainder of an unexpired term vacated by another person or to a less than 3 year
48 term resulting from Council redistricting.

49 c. In no event shall a Council member serve more than eight consecutive years without
50 a break in service of at least two years. For purposes of this section only, if a Council
51 member has served eight consecutive years or cannot serve another term without
52 exceeding the eight year limit, then the following shall apply:

53 1. For persons who have served one three-year term during their continuous
54 period of service, the longest term served of less than three years shall
55 constitute a full term, and other periods of service of less than three years shall
56 not be considered full terms.

57 2. For persons who have served no three-year terms during their continuous
58 period of service, then the two longest terms served shall both constitute full
59 terms, and other periods of service of less than three years shall not be
60 considered full terms.

61
62 bd. The Mayor shall be elected for a two-year term and until a successor qualifies. ~~The term~~
63 of office of the Mayor is 2 years. No person who has completed two consecutive full
64 terms as Mayor may serve another term or portion of a term until a period of two
65 years has passed since the end of their second consecutive full term of office. A full
66 term of office means the regular term of office for Mayor and does not include
67 portions of a term served by appointment or election to the remainder of an
68 unexpired term vacated by another person.

69
70 ee. A person so elected to office under this chapter shall take office at the first regular Council
71 meeting following the election, immediately after the final certification of that election,
72 except that when HCC 4.40.010(c)(3) applies, the person shall take office at the first
73 regular Council meeting following the runoff election, immediately after the certification
74 of that election.

75
76 Section 4. Homer City Code 4.10.020 Composition of governing body – Terms of office
77 is hereby amended as follows:

78
79 4.10.020 Candidate qualifications.

80
81 a. Must be a qualified voter as noted in HCC 4.05.010.

82 b. Must meet the eligibility requirement of HCC 2.08.020.

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

83
84 **a. A candidate for Mayor must be a qualified voter of the State of Alaska and a resident**
85 **of the City for one year immediately preceding filing for office. A person who has**
86 **served as Mayor for two consecutive full terms may not be reelected to that office**
87 **until two years has intervened.**

88
89 **b. A candidate for City Council must be a qualified voter of the State of Alaska and a**
90 **resident of the City for one year immediately preceding filing for office. As provided**
91 **in HCC 2.08.030 a person who has served on the Council for two consecutive full terms**
92 **may not be reelected to that office until two years have intervened. A full term of**
93 **office means the regular term of office for assembly and, except as provided in HCC**
94 **2.08.030(b), does not include portions of a term served by appointment or election to**
95 **the remainder of an unexpired term vacated by another person or to a less than 3-year**
96 **term resulting from redistricting.**

97
98 Section 5. Sections 3 and 4 of this ordinance are of permanent and general character and
99 shall be included in Homer City Code with the passage of ballot proposition A at the regularly
100 scheduled October 5, 2021 municipal election.

101
102 Section 6. If Ballot Proposition A passes at the regularly scheduled October 5, 2021
103 municipal election, this ordinance shall take effect January 1, 2022.

104
105 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ___ day of _____, 2021.

106
107 CITY OF HOMER

108
109
110 _____
111 KEN CASTNER, MAYOR

112
113 ATTEST:

114
115
116 _____
117 MELISSA JACOBSEN, MMC, CITY CLERK

118
119 YES:

120 NO:

121 ABSENT:

122 ABSTAIN:

123
124 First Reading:

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

- 125 Public Hearing:
- 126 Second Reading:
- 127 Effective Date:

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