

**CITY OF CORDOVA, ALASKA  
RESOLUTION 05-23-16**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF CORDOVA, ALASKA PLACING A BALLOT PROPOSITION BEFORE THE VOTERS AT THE REGULAR ELECTION ON MARCH 5, 2024 AMENDING CITY CHARTER SECTIONS 2-1 ENTITLED “MAYOR AND CITY COUNCIL: NUMBER AND QUALIFICATIONS, DESIGNATED COUNCIL SEATS”; SECTION 10-2 ENTITLED “THREE-YEAR TERMS—ELECTION AT LARGE—NONPARTISAN ELECTIONS”; AND SECTION 10-4 ENTITLED “VOTING—WHO ELECTED” TO REMOVE DESIGNATED SEATS FOR CITY COUNCIL MEMBERS, TO CLARIFY THAT COUNCIL MEMBERS AND THE MAYOR SERVE THREE YEAR TERMS OF OFFICE, REMOVE 40% VOTE THRESHOLD FOR PREVAILING MAYORAL AND CITY COUNCIL CANDIDATES, AND REMOVE REQUIREMENTS REGARDING RUN-OFF ELECTIONS**

**WHEREAS**, Cordova Charter currently designates seats for members of Council and the Mayor and creates staggered terms for the Council member seats; and

**WHEREAS**, the proposed amendments to City Charter 2-1 and 10-2 eliminate such designated City Council seats while maintaining the Charter’s provisions for nonpartisan elections at large and for three-year terms for Council members; and

**WHEREAS**, the Cordova Charter contains specific directives regarding run-off elections and the 40% vote threshold that cannot be uniformly applied to candidates for mayor and Council where Council members are elected at large rather than elected to fill specific designated seats; and

**WHEREAS**, specific election procedures for run-off elections and the tabulation of votes is best governed by the Cordova Municipal Code, permitting City Council to revise and update election procedures to meet advancement in technology, changes in voter population or participation, and in response to changes in applicable federal and state laws; and

**WHEREAS**, City Council has determined that amendments to Charter Section 2-1, 10-2, and 10-4 are appropriately included in a single proposition because, as permitted in City Charter Section 13-1 these sections and the proposed amendments to them are “so interrelated that they should be approved or rejected together” since they all result in the repeal of seat designations for City Council or, in the case of Section 10-4, removing the 40% threshold for prevailing mayoral and council member candidates that could not be applied where voters are selecting more than one candidate to fill an equal number of undesignated seats,

**NOW, THEREFORE, BE IT RESOLVED** that:

Section 1. The City shall submit the following Proposition No. 1 amending City Charter Sections 2-1 and 10-2 to the qualified City voters at the March 5, 2024 regular City election. The proposition must receive an affirmative vote from a majority of the qualified voters voting on the question to be approved.

## Proposition No. 1

### **Amendment of City Charter Sections 2-1, 10-2, and 10-4 to Effectuate Non-Designated Council Seats for City Council Members, Clarify that Council Members and the Mayor Serve Three-Year Terms of Office, and Remove 40% Vote Threshold for Prevailing Mayoral and City Council Candidates**

Should Cordova City Charter Sections 2-1, 10-2, and 10-4 be amended to read as follows (deletions are ~~stricken through~~; new text is **bold and underlined**):

#### **Section 2-1.- Mayor and City Council: Number and qualifications, ~~designated~~ non-designated council seats.**

There shall be a city council of seven members, ~~each of whom shall be elected to a designated seat (Seats A through G).~~ There shall be a mayor, who shall not be a member of the council. Only qualified voters of the city who, at the time of their election or appointment to fill a vacancy, are at least eighteen years old and have resided within the city at least one year, shall be qualified for the offices of mayor and council member. During their terms of office, and for a period of one year thereafter, neither the mayor nor a council member may hold any compensated position in the city government, except that of volunteer fireman. The mayor or any council member who is no longer a resident of the city shall cease to hold office.

#### **Section 10-2.- Three-year terms—Election at large—Nonpartisan elections.**

~~At the regular election in 1995, a mayor and three council members (Seats A, B and C) shall be elected.~~

~~The person elected to Seat A in 1995 shall serve for a two year term. Other than the council member elected to Seat A in 1995, all council members shall be elected to serve three year terms. The mayor shall be elected to serve a two year term. At the regular election in 1996, and every three years thereafter, two council members will be elected (Seats D and E). At the regular election in 1997, and every three years thereafter, three council members (Seats F, G and A) will be elected.~~ **The term of each Council member shall be three years and shall continue until a successor has been elected and qualified. The term of the mayor shall be three years and shall continue until a successor has been elected and qualified.**

If there are any council member seats vacant after an election year (because of failure of candidates to file or qualify or for other cause), then a drawing shall be held at a council meeting under its direction to determine which of the ~~two or three~~ council members whose terms are about to expire shall continue to serve. If there is only one council member whose term is about to expire, and who has not been re-elected, that member shall continue to serve in such case.

The term of office for the mayor and council members shall begin on the first day after the council certifies the election results. If the mayor-elect or a council member-elect fails to qualify within 30 days after the beginning of a term of office, the election of the mayor or council member shall be void. No person who has been elected mayor or council member, as the case may be, for two consecutive terms shall again be eligible to hold that office, until the regular election in the year following the year in which that person's second consecutive term expired. A council member who has served two consecutive terms will not be placed on the ballot for ~~any~~ seat on the council until the regular election in the year following

the year in which their second term expires. ~~This limitation shall not apply to the mayor or council members in office at the time this charter is approved until after their current term of office has expired.~~

The mayor and council members shall be elected at large, by the greatest number of votes cast, ~~and not less than forty (40) percent of the votes, and~~ Votes shall be cast by secret ballot. The election shall be non-partisan, and no party designation or emblem shall be placed on the ballot.

**Section 10-4. - Voting—Who elected.**

~~Every qualified voter of the city shall be entitled to vote for one candidate for mayor and for one candidate for each council seat. On the ballots between the title of the office or council seat and the names of the candidates, shall be printed the instruction "Vote for one." A voter may also write in the name of, and vote for, a person whose name does not appear on the ballot. The candidate receiving the greatest number of votes cast, and not less than forty (40) percent of the total votes cast for the office of mayor or for a council seat, as the case may be, shall be elected. If no candidate for the office of mayor or for a council seat, as the case may be, receives the greatest number of votes cast, and not less than forty (40) percent of the votes cast for the office or seat, a runoff election shall be held within three weeks after the date of certification of the election for which the runoff election is required, and notice of the runoff election shall be published at least twenty (20) days before the runoff election date. The runoff election shall be between two candidates receiving the highest and next highest number of votes for the office or council seat, as the case may be. The candidate receiving the greatest number of votes in the runoff election shall be elected. In case of a tie, the election shall be determined fairly by a drawing from among the candidates tying, in a meeting of the council and under its direction.~~

Section 2. The proposition, both for paper ballots and machine ballots, shall be printed on a ballot and the following words shall be added as appropriate and next to a space provided for marking the ballot for voting by hand or machine:

Proposition No. 1

Yes   
No

Section 3. This Resolution shall become effective upon passage and approval. Proposition No. 1 shall become effective upon approval by the majority of qualified voters at a regular or special City election held not less than two months after passage of this resolution.

**PASSED AND APPROVED THIS 3<sup>rd</sup> DAY OF MAY 2023.**



  
David Allison, Mayor

ATTEST:

  
Susan Bourgeois, CMC, City Clerk