

\*\*\* DRAFT \*\*\*

**ANCHORAGE, ALASKA**  
**AO No. 2021-\_\_\_\_\_**

1 **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING**  
2 **ANCHORAGE MUNICIPAL CODE CHAPTER 2.70 TO PROVIDE FOR A**  
3 **TEMPORARY APPOINTMENT TO FILL THE ASSEMBLY CHAIR'S SEAT WHEN**  
4 **SERVING AS ACTING MAYOR.**  
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6  
7 **WHEREAS**, Section 7.02(c) of the Home Rule Charter of the Municipality of  
8 Anchorage states in pertinent part: "When a vacancy occurs in the office of mayor,  
9 the chair of the assembly shall serve as acting mayor until a successor is elected  
10 and takes office. The acting mayor has the veto power, but may not vote on  
11 assembly action."; and  
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13 **WHEREAS**, Anchorage Municipal Code section 3.20.030A. directs that a newly  
14 elected mayor "shall take office by taking and subscribing to the oath required  
15 by section 17.07 of the Charter on July 1, or as soon thereafter as practicable"; and  
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17 **WHEREAS**, currently, Acting Mayor Quinn-Davidson began this service on October  
18 23, 2020 and is expected to continue until July 1, 2021, a period of more than 8  
19 months; and  
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21 **WHEREAS**, historically there are other examples of the Chair serving as Acting  
22 Mayor for an extended period, such as in 2009 Assembly Chair Matt Claman served  
23 as Acting Mayor from January 3 to July 1, a period of almost 6 months; and  
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25 **WHEREAS**, during service as Acting Mayor, the Assembly Chair is unavailable to  
26 participate in action or decisions as an Assembly Member and the commitment to  
27 mayoral duties precludes ongoing constituent relations, advocacy and services with  
28 the residents of the Chair's district. These incidents occur from time to time, and  
29 reactions from the community councils, voters and residents within the Chair's  
30 district have been consistent in decrying the length of time their elected official is  
31 unavailable; and  
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33 **WHEREAS**, during the time the Chair serves as Acting Mayor, the Assembly has  
34 10 votes on all action, and a 5-5 tie results in failure of any motion which may have  
35 passed if there were 11 votes; and  
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37 **WHEREAS**, the temporary absence of the Assembly Chair while serving as Acting  
38 Mayor is not one of the circumstances in the closed definition of "vacancy" in Charter  
39 7.01(a), which is an exclusive list that legally disallows any other circumstances not  
40 listed to determine an elective office becomes vacant; and  
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42 **WHEREAS**, there is no Charter or Code provision for temporarily filling the  
43 Assembly Chair's District seat during the unavailability due to the period of service  
44 as acting mayor, and no legal basis or authority to do so; and

1  
2 **WHEREAS**, the Anchorage Assembly desires to utilize the process for an  
3 appointment during a vacancy on the Assembly to fill the Assembly Chair's District  
4 seat during a period of service as Acting Mayor, providing the residents of the  
5 affected District the full representation, services, and advocacy they deserve; now,  
6 therefore,  
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8 **THE ANCHORAGE ASSEMBLY ORDAINS:**  
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10 **Section 1.** Anchorage Municipal Code chapter 2.70, Vacancies in Elected Office,  
11 is hereby amended to add a new section to read as follows:  
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13 **2.70.025 Appointment during Chair's service as Acting Mayor.**  
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15 When the chair of the assembly serves as acting mayor in accordance with  
16 Charter 7.02, the assembly may determine to appoint a qualified person to  
17 fill the chair's assembly district seat during the period of service as acting  
18 mayor. The appointee shall not be entitled to hold the position of acting chair  
19 or acting vice chair, but has all other powers, duties and obligations of the  
20 assembly seat. The assembly shall make the appointment following the  
21 process in subsection 2.70.020B., except the assembly meeting for voting on  
22 the appointment is not required to take place within 30 days of the assembly  
23 chair beginning service as acting mayor.  
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25 **Section 2.** This ordinance shall be effective immediately upon passage and  
26 approval by the Assembly.  
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28 PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day  
29 of \_\_\_\_\_, 2021.  
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33  
34 Chair \_\_\_\_\_

35 ATTEST:  
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38 \_\_\_\_\_  
39 Municipal Clerk  
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