

**City of Palmer
Resolution No. 20-010**

Subject: Submitting the Question of Amending Charter Section 3.2: Terms of Office, to Limit Mayor and Councilmember Terms, to the City's Qualified Voters at the October 6, 2020, City of Palmer Election

Agenda of: March 10, 2020 – Committee of the Whole
 March 24, 2020 – Public Hearing (Postponed)
 May 12, 2020 – Public Hearing

Council Action: **Approved** **Amended: Changed the Council Member term to no more than three consecutive and no member of the Council to no more than six total consecutive terms**

Defeated




Originator Information:

Originator: City Council via Motion on 3/10/2020

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

Approved for Presentation By:

	Signature:	Remarks:
City Manager		_____
City Attorney		_____
City Clerk		_____

Certification of Funds:

Total amount of funds listed in this legislation: \$ _____

This legislation (√):

- Creates revenue in the amount of: \$ _____
- Creates expenditure in the amount of: \$ _____
- Creates a saving in the amount of: \$ _____
- Has no fiscal impact

Funds are (√):

- Budgeted Line item(s): _____
- Not budgeted

Director of Finance Signature: 

Attachment(s):

- Resolution No. 20-010
- Legal Opinion

Summary Statement/Background:

To discuss the possibility of limiting the council members to two consecutive three-year terms and the mayor to two additional consecutive three-year terms.

Matters of consideration could be:

- How Many Consecutive Years to Serve
- How Many Consecutive Years to Wait Before Serving Again
- Date Term Limits Become Effective

Palmer Charter 3.2. **Terms of Office** states the terms of two councilmen shall expire each year, except that in each third year, counting from 1963, the terms of the Mayor and of two Councilmen shall expire. When appointments are made to fill vacancies in the manner provided by Section 2.13(a) of this Charter, appointees shall qualify for and assume the duties of office within ten days after appointment, unless such time be extended for not more than sixty days by the Council.

Palmer Municipal Code Section 2.04.041. **Term of office** states the term of office of each council member shall be for three years and shall commence on the Monday following his or her election.

Palmer Municipal Code Section 2.05.030. **Term of office** states the term of office of the mayor shall be for three years and shall commence on the Monday next following his or her election.

The intent of term limits is for council members to serve no more than two consecutive terms without taking a one-year break. It is not the intent for a council member to have a break in service between serving as a council member and mayor. A member of the council whom is elected to serve as the mayor, may serve two additional terms, for a total of four, at which time a break in service is required.

**Please note with the amendment, the terms changing changes intent to be:

The intent of term limits is for council members to serve no more than ~~two~~ three consecutive terms without taking a one-year break. It is not the intent for a council member to have a break in service between serving as a council member and mayor. A member of the council whom is elected to serve as the mayor, may serve ~~two~~ three additional terms, for a total of ~~four~~ six years, at which time a break in service is required.

LEGISLATIVE HISTORY

Introduced by: City Council
Public Hearing Date: March 24, 2020
Public Hearing Date: May 12, 2020
Action: Approved
Vote: 5 Yes/2 No

Yes:	No:
Berberich	Best
Carrington	L. Combs
S. Combs	
DeVries	
Valerius	

CITY OF PALMER, ALASKA

Resolution No. 20-010

A Resolution of the Palmer City Council Submitting the Question of Amending Charter Section 3.2: Terms of Office, to Limit Mayor and Councilmember Terms, to the City’s Qualified Voters at the October 6, 2020, City of Palmer Election

WHEREAS, Section 14.2 of the Charter of the City of Palmer provides that the Charter may be amended by proceedings commenced by the vote of four members of the Council; and

WHEREAS, Section 14.3 of the Charter of the City of Palmer provides that when an amendment to the Charter is proposed by the Council, it shall be submitted to the qualified voters of the City at any election to be held in the City not less than 60 days after its proposal by the Council; and

WHEREAS, the language of Charter Section 3.2, if approved by the city’s qualified voters will limit the terms of Mayor and Councilmembers to three three-year terms and no more than six three-year terms if serving consecutively as a Council Member and Mayor applicable to the Mayor and Council members first elected in 2021 and elected thereafter; and

WHEREAS, at the October 1, 2019, City’s Regular Election, the city of Palmer Council sent an advisory vote to the electorate asking if term limits should be enacted; and

WHEREAS, the majority of the electorate voted in favor of the advisory vote requesting the City Council enact term limits.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALMER, ALASKA, that:

Section 1. At the City of Palmer election to be held on October 6, 2020, the following proposition shall be submitted to the qualified City of Palmer voters in substantially the following form:

PROPOSITION NO. XXXX

AMENDMENT OF THE PALMER CITY CHARTER, CHAPTER III,
SECTION 3.2 Terms of Office

Shall Chapter III, Section 3.2 of the Charter of the City of Palmer be amended to read as follows (new language is **underlined** and **bolded** and deleted language is ~~stricken~~ and [bracketed]):

Section 3.2 Terms of office.

The terms of two councilmen shall expire each year, except that in each third year, counting from 1963, the terms of the Mayor and of two Councilmen shall expire. When appointments are made to fill vacancies in the manner provided by Section 2.13(a) of this Charter, appointees shall qualify for and assume the duties of office within ten days after appointment, unless such time be extended for not more than sixty days by the Council.

A person serving as a council member may not serve for more than two consecutive, full terms without a break in service for at least one full year. No member of the council shall serve more than four consecutive terms, as the mayor and a council member, without a break in service for at least one full year. Years of service of an appointee filling a vacated seat does not count toward the total term limit.

PROPOSITION NO. Yes ()
 No ()

Section 2. This Resolution shall take effect immediately upon its adoption. The amendment set forth in Section 1 shall become effective for terms served after the 2021 City Regular Election upon its approval by a majority of the qualified voters voting on the question at the election of October 6, 2020.

Approved by the Palmer City Council this 12th day of May, 2020.

Edna B. DeVries, Mayor

Norma I. Alley, MMC, City Clerk