

KETCHIKAN CHARTER COMMISSION

AGENDA STATEMENT

NO. H-1
MEETING OF June 22, 2006

ITEM TITLE

**Suggested Charter changes from the LBC Staff
Section 6.04(e) and adding new sections, 6.08(e)
and 6.09(e). (Second Reading)**

SUBMITTED BY Glen Thompson

SUMMARY STATEMENT

After a technical review of the Ketchikan Charter Commission's Petition for Consolidation, the Local Boundary Staff made several suggestions for changes in the Charter's spelling, word usage and formatting that did not change the intent of the Sections of the Charter. They made suggestions for changes to Section 6: Initiative, Referendum and Recall that were considered substantive by the KCC and were voted on in first reading on May 31, 2006.

Specifically, Mr. Bockhorst of the LBC Staff indicated that the first thing that he was concerned about is the wording is vague in terms of what portion of the Municipality may be the subject of an initiative or referendum. Must it be a legally defined jurisdictional part of the Municipality, such as nonareawide or a service area, or could it be a single lot or parcel of land owned by an individual. He went on to say that the CBJ charter said as follows: "If the subject matter of the petition relates only to a service area, the petition shall be signed by a number of qualified voters residing within the service area equal to at least twenty-five percent of the votes cast in the service area at the preceding regular municipal election."

Secondly, Mr. Bockhorst said the second ambiguity regarding an initiative or referendum affecting a portion of the Municipality is who would be eligible to vote. He said that the Initiative and Referendum sections each have a section. 6:08 is who can vote on the Initiative and 6:09 is who can vote on a Referendum. He also suggested that language found in the City/Borough of Juneau's Charter could be added as new sub-sections to 6.08 and 6.09 respectively, with a little change in the wording of their Charter.

The changes to Section 6 and the motion for allowing those changes in second reading are reflected below.

Suggested Motion:

"I move to modify Section 6:04(e) of the Home Rule Charter of the Municipality of Ketchikan to state "If the ordinance or resolution that is the subject of an initiative or a referendum petition affects only a service area or a nonareawide portion of the Municipality..."; further to add a new section, Section 6.08(e) "If the subject matter of the proposed initiative measure relates only to a service area or nonareawide portion of the Municipality, the measure shall be submitted only to the electorate of that service area or nonareawide portion of the Municipality"; further to add a new section, Section 6.09(e) "If the subject matter of the proposed referendum relates only to a service area or nonareawide portion of the Municipality, the measure shall be submitted only to the electorate of that service area or nonareawide portion of the Municipality"; and notify Local Boundary Commission Staff of said changes for their input and approval in the second reading."