

**Office of the City Clerk
City of Ketchikan, Alaska**

**Kim Stanker, City Clerk
Taylor Lee, Deputy City Clerk**

To: Mayor and City Council

From: Kim Stanker, City Clerk

Date: September 8, 2022

Subject: **Resolution No. 22-2858 – Opposing a State Constitutional Convention**

Attached is a resolution opposing a State Constitutional Convention on which the voters will be asked to vote on at the general election on November 2, 2022. Attached are the unapproved minutes from the September 1, 2022 Council meeting.

Recommended Motion:

I move the City Council approve Resolution No. 22-2853 opposing a State Constitutional Convention.

CITY OF KETCHIKAN, ALASKA

RESOLUTION NO. 22-2858

A RESOLUTION OF THE COUNCIL OF THE CITY OF KETCHIKAN, ALASKA OPPOSING A STATE CONSTITUTIONAL CONVENTION; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Ketchikan City Council believes in strengthening local governments, and principles which includes support and protection of the Alaska Constitution's mandate "to provide for maximum local self-government; and

WHEREAS, Alaska's Constitution contains numerous provisions that provide for and enhance maximum local self-government; and

WHEREAS, Art.XIII, sec. 3 of the Alaska Constitution provides that "if during any ten-year period a constitutional convention has not been held, the lieutenant governor shall place on the ballot for the next general election the question: "Shall there be a Constitutional Convention?"; and

WHEREAS, Alaska voters overwhelmingly rejected the call for a constitutional convention in 1972 and successive elections held in 1982, 1992, 2002, and 2012; and

WHEREAS, Alaska voters will be asked to vote on whether to convene a constitutional convention at the next general election on November 2, 2022; and

WHEREAS, the Alaska Constitution's system has been flexible, allowing cities and boroughs to merge when appropriate, and allowing for classes of municipalities, including home rule municipalities; and

WHEREAS, the Alaska Constitution commits the State to support public education, public health, public welfare, and the University system; and

WHEREAS, the Alaska Constitution provides a statewide court system that relieves local governments of the responsibility for operating county courts, and allows for local prosecutions and defenses when and if a local government chooses to support them; and

WHEREAS, during the more than 60 years since Statehood the Alaska Municipal League has supported Alaska local governments in thoughtfully choosing among the options that the Alaska Constitution has offered them, and in making sure that there is a revenue sharing from the State that will support the local governments that people choose to have; and

WHEREAS, where local government is concerned, the Alaska Constitution as written provides a necessary and empowering legal framework within which to exert local control and respond to resident priorities; and

WHEREAS, if voters were to authorize a convention, convention delegates elected at a subsequent election, would have plenary power to change any and all aspects of the constitution for submission to the voters; and

WHEREAS, there have been numerous proposals advanced over the years to shift public funding for education from the state to local governments, alter public retirement programs, modify the selection of judges, alter the taxing power of government and other similar proposals that could fundamentally harm Alaska's local governments.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Ketchikan, Alaska as follows:

Section 1: The Ketchikan City Council believes that a Constitutional Convention is unnecessary at this point as it may negatively impact local governments.

Section 2: The Ketchikan City Council expresses concern about any campaign for calling a Constitutional Convention, to which the Council would enjoin in opposition by educating voters on the value of the Constitution as currently written and the numerous options available to address perceived or real needs.

Section 3: The Ketchikan City Council encourages all local governments to work toward correcting any misinformation or misperception as may exist or that develops as part of the election cycle ahead.

Section 4: This resolution shall become effective immediately upon adoption.

PASSED AND APPROVED by a duly constituted quorum of the City Council for the City of Ketchikan on this 15th day of September 2022.

Dave Kiffer, Mayor

ATTEST:

Kim Stanker, City Clerk

Accepting the Annual Comprehensive Financial Report of the City of Ketchikan, Alaska and the Supplementary Compliance Report Section for the Year Ended December 31, 2021

Moved by Bradberry, seconded by Kistler the City Council accept the Annual Comprehensive Financial Report of the City of Ketchikan, Alaska and the supplementary Compliance Report Section for the year ended December 31, 2021.

Finance Direct Johansen informed all Councilmembers should have received the annual comprehensive financial report, and the booklet handed out tonight is the compliance report. She said the compliance report outlines all the grants the City has received. She thanked all the finance staff, and especially Controller Hart for all the extra hours they put in to complete this, and during budget deliberations. She stated there is a lot of good statistical data at the very end, and can be useful information.

Monica Gardner, Audit Partner of Teuscher Walpole, LLC presented the results of the 2021 annual financial and compliance audit to the City Council.

Motion passed with Flora, Mahtani, Gass, Gage, Zenge, Bradberry and Kistler voting yea.

FY 2024 Community Priority List, Initial City of Ketchikan Legislative Requests

Moved by Kistler, seconded by Bradberry the City Council approve the City of Ketchikan priorities for inclusion in the FY 2024 Community Priority List as detailed in the Acting City Manager's report dated August 25, 2022 and/or as modified by the City Council.

Councilmember Bradberry questioned if this list can also include policies.

Acting City Manager Simpson informed in the past it has included policies, but this year the list is primarily dedicated to capital improvement projects, but it can be both.

Motion passed with Gass, Kistler, Mahtani, Flora, Bradberry, Zenge and Gage voting yea.

Discussion – A Resolution of the City Council Opposing the “Constitutional Convention” – Councilmember Gage

Councilmember Gage said she was approached by folks to support a no vote on the constitutional convention for various reasons, which include protection of our natural resources as stakeholders, to our home rule filing on how our City is run and the Permanent Fund. She informed the State of Alaska has one of the best constitutions in the United States, and should be left alone.

Councilmember Kistler felt it was safer to amend our constitution rather than open it up.

Councilmember Gass said there were passionate arguments on both sides and felt we need to let the voter decide.

Mayor Kiffer asked for a show of hands to have staff bring back a resolution opposing the Constitutional Convention, and at least four hands were shown.

APPROVAL OF VOUCHERS - None