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City Manager
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Dillingham City Council
Triston Chaney
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Steven Carriere
Curt Armstrong
Kaleb Westfall
Kevin McCambly

MEMORANDUM TO COUNCIL

To: Code Committee
From: Abigail Flynn, City Clerk's Department
Through: Jack Savo Jr, City Manager
Date: July 20, 2026
Re: Ordinance 2026-10 – Election Code Modernization-Ch 3.50

SUMMARY:

Staff requests that the Code Committee recommend Ordinance No. 2026-10 to the City Council on August 6th.

Time-Sensitive Consideration

Adoption of this ordinance before **September 21, 2026**, is important because absentee voting through a personal representative begins on that date. Under the current code, election officials may not issue a ballot through a personal representative unless the voter provides a physician's letter or a statement signed by two qualified voters. Staff believes this requirement is obsolete, inconsistent with current election administration practices, and creates an unnecessary barrier for voters with disabilities. If the ordinance is not adopted before absentee voting begins, election officials will be required to enforce the existing Code until it is amended.

The proposed ordinance adopts Exhibit A, a legislative redline updating Chapters 3.50 of the Dillingham Municipal Code governing municipal elections.

The proposed amendments modernize election administration, remove obsolete requirements, improve accessibility, update terminology, and align portions of the Code with current election administration practices while preserving existing election integrity and Council authority over municipal elections.

Most amendments are non-substantive editorial revisions. The ordinance also includes several substantive amendments intended to improve administration of municipal elections. Council action is required to amend the Municipal Code.

PREVIOUS COUNCIL ACTION:

Most of the code for this section was adopted in 1986. Some was adopted in 2009.

BACKGROUND:

Much of the City's election code was originally adopted in 1986 and has been amended at various times since then. The City Council has not yet taken formal action on the proposed comprehensive election code modernization ordinance.

During recent municipal elections, staff identified numerous provisions that:

- rely on obsolete election terminology;
- reference outdated voting equipment and administrative practices;
- duplicate procedures that are more appropriately established administratively;
- contain gender-specific or outdated language;
- create unnecessary barriers for absentee voters; or
- do not reflect current Alaska election administration practices.

The proposed ordinance modernizes the Code while preserving ballot security, voter privacy, election integrity, and the Council's policy-making authority under AS 29.26.010.

To simplify review, the ordinance adopts a legislative redline as **Exhibit A**, allowing the Council to review every proposed amendment while keeping the ordinance itself concise.

DISCUSSION:

1. Modernization of Existing Code

Most revisions update terminology, improve readability, modernize references, improve accessibility, and remove obsolete language without changing the legal effect of the Code.

Examples include:

- gender-neutral language;
- person-first disability terminology;
- updated election terminology;
- modernization of references to voting equipment; and
- clarification of administrative responsibilities.

2. Administrative Flexibility

The ordinance authorizes the City Clerk to prescribe election forms, manuals, checklists, and administrative procedures consistent with state law while preserving the Council's authority to establish election policy.

This approach allows administrative documents to evolve with changes in election practices without requiring repeated amendments to the Municipal Code.

3. Absentee Voting Modernization

The ordinance updates absentee voting procedures by:

- removing obsolete physician certification requirements;
- removing outdated witness requirements that no longer reflect current practices;
- modernizing absentee ballot forms and administrative procedures;
- clarifying voting through a personal representative; and
- improving administrative documentation and chain-of-custody procedures.

These changes are intended to improve accessibility while maintaining election security.

4. Election Administration Improvements

The ordinance also:

- modernizes provisions governing election officials;
- clarifies several election administration procedures.

5. Legislative Redline

Rather than reproducing every amended code section within the ordinance itself, the ordinance adopts a legislative redline as Exhibit A.

This allows the Council and the public to review every proposed amendment in context while keeping the adopting ordinance concise and easier to read.

SUBSTANTIVE AMENDMENTS

Section	Summary
§3.50.040	Authorizes administrative absentee voting forms
§3.50.060	Modernizes voting through a personal representative
§3.50.070	Modernizes absentee voting by mail

ALTERNATIVES:

- Recommend approval of Ordinance No. 2026-10.
- Recommend approval with amendments.
- Decline to recommend the ordinance.

FINANCIAL IMPLICATIONS:

There are no anticipated significant financial impacts associated with the proposed resolution unless it ends up helping the City avoid a costly lawsuit.

The amendments primarily modernize existing procedures and improve administrative efficiency. Existing election administration will continue to be conducted using current staff and available resources.

LEGAL:

The ordinance is authorized by AS 29.26.010, which requires the governing body to prescribe the rules governing municipal elections. Our Legal team and DCRA have reviewed.

The ordinance modernizes the Municipal Code while preserving existing election integrity safeguards and maintaining consistency with applicable Alaska law.

STAFF RECOMMENDATION:

Staff recommends forwarding Ordinance No. 2026-10 to the City Council for introduction. DCRA recommended the section for absentee by personal representative be updated immediately as it is the most problematic section in our code.

PROPOSED MOTION:

"I move to recommend Ordinance No. 2026-10, adopting Exhibit A amending Chapter 3.50 of the Dillingham Municipal Code relating to municipal elections, to the City Council for introduction and set the public hearing date for the next regular council meeting."

ATTACHMENTS:

- Exhibit A – Legislative Redline Amending Chapter 3.50 of the Dillingham Municipal Code

Attachment B

Summary of Substantive Changes

Ordinance No. 2026-10

Election Code Modernisation (DMC Ch. 3.50)

DMC 3.50.040 – Absentee Ballot Forms and Materials

Removes detailed ballot form requirements from the Municipal Code and authorizes the City Clerk to prescribe absentee voting forms and related administrative materials.

Purpose:

- Allows election forms to be updated without requiring future ordinance amendments.
 - Ensures forms remain consistent with current law and election practices.
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DMC 3.50.060 – Absentee Voting Through a Personal Representative

Modernizes procedures governing absentee voting through a personal representative.

The amendment:

- removes obsolete physician certification requirements;
- removes the requirement for statements from two qualified voters;
- clarifies responsibilities of the voter and personal representative;
- establishes administrative documentation requirements; and
- strengthens chain-of-custody procedures.

Purpose:

- Improves accessibility for voters.
 - Removes outdated barriers to voting.
 - Preserves ballot security and accountability.
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DMC 3.50.070 – Absentee Voting by Mail

Updates absentee voting by mail to reflect current election administration practices.

The amendment:

- authorizes electronic absentee ballot applications when permitted by law;
- updates ballot delivery methods;
- modernizes absentee voting procedures;
- updates ballot return provisions; and
- authorizes administrative election forms.

Purpose:

- Improves efficiency.
 - Reflects current mailing and election practices.
 - Maintains existing election security safeguards.
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Overall Effect

The ordinance modernizes the City's election code while preserving ballot security, voter privacy, election integrity, and the City Council's authority over municipal election policy.