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APR 30 2015



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MEMORANDUM

DATE: April 23, 2015
TO: Mayor Jay Tibshraeny and City Councilmembers
FROM: Marla Paddock, City Clerk
SUBJECT: Call of Special Election – City Charter Amendment

Background:

Resolution No. 4862 calls for a Special Election to be held on August 25, 2015, through a mail ballot election, for the purpose of submitting to the qualified electors of the city an amendment to the City Charter to formalize the August and November of even numbered years election cycle and January commencement dates for the office of Mayor and Councilmember in conformance with the timing of Chandler's candidate elections held since 2008 and recent changes in law.

In addition, the resolution authorizes the City Clerk to enter into an agreement with Maricopa County Elections Department to coordinate the administration of the election in regards to services and fees, and provide for the distribution of a publicity pamphlet as required by law.

PROPOSED MOTION:

Move to adopt Resolution No. 4862 calling a Special Election on August 25, 2015, and authorize the City Clerk to enter into agreements for election services.

Attachments: Res. 4862

RESOLUTION NO. 4862

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, COUNTY OF MARICOPA, STATE OF ARIZONA ORDERING THE SUBMISSION OF A PROPOSED AMENDMENT TO THE CITY CHARTER REGARDING THE PRIMARY AND REGULAR ELECTION DATES.

WHEREAS, it is the desire of the City Council to propose an amendment to the City Charter to formalize the August and November of even numbered years election cycle and January commencement dates for the office of Mayor and Councilmember in conformance with the timing of Chandler's candidate elections held since 2008 and recent changes in law; and

WHEREAS, it is the desire of the City Council to call a Special Election on August 25, 2015 for the purpose of submitting the City Charter amendment to the voters of the City of Chandler through the administration of a mail ballot election.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chandler, Arizona, as follows:

Section 1: That the proposed amendment to the City Charter for the City of Chandler, attached hereto as Exhibit "1" and by reference made a part hereof, be submitted to the vote of the qualified electors of the City of Chandler at a Special Election to be held on August 25, 2015.

Section 2. The last day to register to vote is July 27, 2015 to be eligible to vote in this Special Election

Section 3. The City Clerk is authorized to enter into an agreement with Maricopa County Elections Department for the administration of the election and payment for fees for services.

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this 30th day of April 2015.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 4862 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 30th day of April 2015, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY (*keb*)

Exhibit "1"

Article II

Section 2.01. - Composition, eligibility, terms and election.

- (a) *Composition.* There shall be a City Council consisting of a mayor and six councilmen elected from the city at large by the qualified electors of the city. The term councilman or councilmen shall include the mayor except where the mayor is specifically mentioned.
- (b) *Eligibility.* Only qualified electors of the city shall be eligible to hold the office of mayor or councilman. Each candidate must have been a resident of the city or an annexed area for at least two years immediately preceding his election.
- (c) *Term of Councilmembers.* The term of office of councilmembers shall commence at the first regular meeting of the City Council in ~~June~~January following their election and, except as otherwise provided herein, shall be for a period of four (4) years or until their successors are elected and qualified.
- (d) *Term of mayor.* The term of office of mayor shall commence at the first regular meeting of the City Council in ~~June~~January following their ~~if~~ mayor's election and shall be for a period of four (4) years or until their ~~if~~ mayor's successor is elected and qualified.
- (e) *Limitation of terms.* No person shall be eligible to be elected to the office of councilmember for more than two (2) consecutive terms, or to the office of mayor for more than two (2) consecutive terms or to more than a consecutive combination of same. A person elected to two (2) consecutive terms as a councilmember or two (2) consecutive terms as mayor or a combination of same as above set forth shall not be eligible to hold either office again until four (4) years have elapsed. Councilmembers or mayor[s] who resign shall not be eligible for re-election or appointment until the second succeeding City election following the date of tender of their written resignation, except as provided in subsection 2.06(c). For determining consecutive terms for an incumbent Mayor, if the incumbent Mayor has been elected to two (2) consecutive two-year terms as of November 6, 2012, those two (2) two-year terms shall be considered the equivalent of one (1) four-year term, for purposes of determining this section. All incumbent councilmembers and the Mayor holding office on May 19, 1997, shall be limited to the number of terms of office authorized on that date by this Charter, unless there is a Charter amendment approved setting forth that incumbent councilmembers and mayor are eligible for election to additional terms.
- (f) *Elections.* Elections for Mayor and Councilmen shall be held in each even-numbered years as provided in article VII of this Charter.
- (g) *Incumbents.* If additional terms for the office of mayor are approved by the voters, incumbent councilmembers and the mayor holding office on May 19, 1997 are eligible for election to such additional terms.

ARTICLE VII. -

Section 7.01. - City elections.

- (a) *Regular elections.* The regular City election shall be held on the ~~second-first~~ Tuesday after the first Monday in ~~May-November~~ of each even-numbered year. A primary election shall be held on the ~~sevt~~seventh Tuesday prior to the date of the regular election.
- (b) *Qualified electors.* All citizens qualified by the Constitution and laws of the State of Arizona to vote in the city and who satisfy the requirements for registration prescribed by law shall be qualified electors of the city within the meaning of this Charter.
- (c) *Conduct of elections.* Except as otherwise provided by this Charter, the provisions of the election laws of the State of Arizona shall apply to elections held under this Charter.

- (d) *Majority vote to elect.* At said primary election any candidate who shall receive a majority of all the votes cast at such election shall be declared elected to the office for which he is a candidate, and no further election shall be held as to said candidate; provided that if more candidates receive a majority than there are offices to be filled, then those equal in number to the offices to be filled, receiving the highest number of votes shall be declared elected. Nothing on the ballot shall indicate the affiliation of any candidate with any other person, party or group.
- (e) *Nomination for regular elections.* If at any primary election there be any office or offices to which no candidate therefor was elected, then said election shall be considered to be a primary election for the nomination of candidates for such office or offices and a second or regular election shall be held to vote for a candidate to fill such office or offices. The candidates not elected at such first election equal in number to twice the number to be elected to any given office, or less if so there be, and who received the highest number of votes for the respective offices at such first election, shall be the only candidates at such second election, provided that, if there be any person who under the provisions of this section would have been entitled to become a candidate for any office except for the fact that some other candidate received an equal number of votes therefor, then all such persons receiving said equal number of votes shall likewise become candidates for such office.
- (f) *Arrangements of names not to reveal source of candidacy or support of candidates.* The names of the candidates for each office shall be arranged as provided by law, and nothing on the ballot shall be indicative of the source of the candidacy or of the support of any candidate.