

Proposed Charter Amendments

2024 General Election Ballot

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Charter City Authority

- **Constitutional Authority for City Charter – Arizona Constitution**
- **91 Cities & Towns in Arizona – 20 Charter Cities**
- **Mesa City Charter**
 - **Original Adoption August 18, 1967**

Charter Amendments

- **Amendment Process: Section 903**
 - **Proposal Process**
 - **Submission to Electors**
 - **Adoption**
- **Amendments Approved at 14 Elections**
- **Recommendation: No more than two Charter Amendments be proposed to the voters per election year.**

Why are Charter Amendments Recommended?



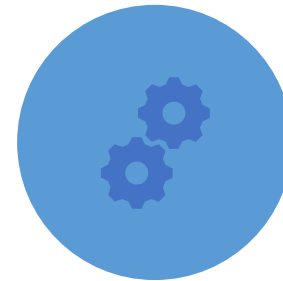
To align with state law.



To align with Maricopa County Elections procedures.



To support cost savings.



Process improvement.

Amendments to Consider

Section 201(A)(5):
Council Districts
(Redistricting)

Section 201(F):
City Council
(Primary Elections)

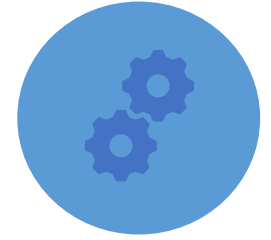
Section 209(A):
City Council Meetings

Section 211(B)(1):
Ordinance Posting
Requirements

Section 703:
Ballots for Ordinances
and Charter
Amendments

Section 903(A)(3):
Charter Amendments

Charter Section 201(A)(5) Council Districts (Redistricting)



Current Language –

(A) Composition. There shall be a City Council consisting of a Mayor and six (6) other district Councilmembers elected by the qualified electors of the City as follows:

(5) ...The redrawing of district boundaries shall not remove the residence of an incumbent Councilmember from the district he was elected to represent during his term in that office...

Amendment to Consider –

- *Modify the requirement to add an exception.... if an incumbent Councilmember is serving the last year of an expired term, then their residence need not be considered.*
- Councilmember would remain in office until the expiration of their term.

Charter Section 201(F) City Council (Primary Elections)



Current Language –

(F) ELECTIONS

*(1) ...Any candidate for the office of district Councilmember who shall receive at the **primary election** the number of votes constituting a majority of all of the valid ballots cast for the office of Councilmember in that district shall be declared elected...*

(2) A general election shall be held for those seats where no candidate was elected at the primary election... **(Proposal Failed at 2012 Election)**

Amendment to Consider –

- Modify to forego the primary election and only have a general election for Councilmember seats and Mayor if no more than two candidates are running for each seat.
- Cost of Primary Election has ranged from \$72,000 to \$142,000 in the past ten years.

Charter Section 209(A) Frequency of City Council Meetings



Current Language –

(A) MEETINGS. The Council shall hold a regular meeting at least twice in every month at such times and place as the Council may prescribe by ordinance.

Amendment to Consider –

- Modify the requirement that two meetings be held per month.
- Propose two meetings per month, except two months out of the year hold one or as otherwise determined by Council.

Charter Section 211(B)(1) Ordinance Posting Requirements



Current Language –

(1) Upon introduction of any ordinance...the Clerk shall file copies in his office to be made available to the public, shall post a copy in each of the three (3) public places designated for the posting of public meeting notices and agendas, and shall publish at least one (1) time a summary of the ordinance, together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council.

Amendment to Consider –

- Modify ordinance posting requirement to one location, plus website.
- Mirror A.R.S. § 9-813 which allows for ordinances with a penalty to be posted in one public place & city website.

Every ordinance imposing a penalty, fine, forfeiture or other punishment...shall be published after its enactment by posting at city or town hall or in one public place, within the city or town, on the city's or town's website and any additional public notice as is reasonable and practicable and shall be in force from and after the date of posting.

Charter Section 703

Form of Ballots for Ordinances & Charter Amendments



Current Language –

An ordinance or Charter amendment requiring a vote of the electors shall be presented for voting by ballot title. The ballot title of a measure may differ from its legal title and shall be a clear, concise statement describing the substance of the measure without argument or prejudice. Below the ballot title shall appear the following question: "Shall the above-described (ordinance) (amendment) be adopted?" Immediately below such question shall appear the words "yes" and "no" and a square by each in which by making a cross (x) the elector may cast his vote...

Amendments to Consider –

- Modify to make consistent with current election practice. The City now consolidates with the County elections and follows the ballot standards as required by the County.
- Example: Squares are no longer used on ballots.

Charter Section 903(A)(3)

Charter Amendments – Withdrawal of a Petition Signature



Current Language –

(A) PROPOSAL OF AMENDMENTS. Amendments to this Charter may be framed and proposed:

(3) By the electors using the initiative procedure as provided in this Charter or by ordinance or by law...The petitioners may withdraw the petition before the fifteenth (15th) day prior to the date scheduled for the City vote on the amendment.

Amendments to Consider –

- Modify to bring in line with state law that signatures can be withdrawn by the individual (not petitioner) pursuant to state law (A.R.S. § 19-113 and 19-205.04).
- Supported by AZ Supreme Court case of *Powers v. Carpenter*: “Absent contrary statutory provisions, the right to sign a petition is a personal privilege, and the right to withdraw a signature from a petition can be exercised only by the person directly concerned.”

Next Steps

- Council direction on the inclusion of one or more Charter Amendments to propose to Mesa voters at the 2024 General Election.
- April - Ordinance(s) drafted by City Clerk & City Attorney.
- May 6 – Introduction of Ordinance(s).
- May 20 – Adoption of Ordinance(s).
- June 3 – Adopt Call of Election.

Other 2024 General Election City Ballot Measures

- Permanent Base Adjustment
- General Plan
- General Obligation (GO) Bonds

2024 General Election Ballot Measures

- Initiative Measures
 - More than 12 statewide initiatives filed; signatures due July 3, 2024
 - Examples: Raise the Wage AZ, Arizona Works Together, New Day in Politics, Abortion Access Act, Make Elections Fair Act
- 2024 session, lawmakers have referred 2 ballot measures
 - HCR 2023 Property tax; refund nuisance enforcement
 - SCR 1021 Sex trafficking; child; natural life

(Lawmakers introduced more than 80 ballot measures this legislative session, with several still moving through the legislative process that have the potential to be added to the 2024 statewide ballot.)
- 2023 session, lawmakers referred 4 ballot measures; required 1 additional county-only measure
 - HCR 2033 primary elections; eligible candidates
 - HCR 2039 Governor; emergency powers
 - SCR 1006 death benefit; assault; first responders
 - SCR 1015 initiative; referendum; signatures; legislative districts
 - SB 1102 transportation sales tax; Maricopa county *(Prop 479 - Maricopa County voters only)*

Questions?



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