City of Scottsdale
Charter Review Advisory Commission
Historical Review

Table of Contents

Charter Review Advisory Commission Matrix

Charter Amendment Historic Notes

List of Attachments

List of Minutes

Charter Review Advisory Commission Matrix

Charter Change Effective Date	Committee or Commission	Final Report	Ordinance Creating Commission	Ballot and/or Ballot Language Ordinance	Questions Passed/Failed	Other Documents
1/17/1968	Yes	No	No	350/357 (Attachment 1)	6 Passed 0 Failed (Attachment 2)	
5/17/1973	No	N/A	N/A	709 (Attachment 3)	7 Passed 0 Failed (Attachment 4)	
2/16/1982	No	N/A	N/A	1431 (Attachment 7)	4 Passed 2 Failed (Attachment 8)	Two sets of Council minutes debating Charter changes (Attachment 5) (Attachment 6)
5/3/1988	Yes	Yes* (Attachment 11)	1906 (Attachment 9)	1984 (Attachment 12)	12 Passed 3 Failed (Attachment 13)	Commission Guidelines (Attachment 10) Two sets of Council minutes debating Charter changes (Attachment 10A) (Attachment 10B)
6/18/1996	Yes	Yes (Attachment 15)	2645 (Attachment 14)	2825 (Attachment 16)	12 Passed 0 Failed (Attachment 17)	
12/10/1998	Yes	Yes** (Attachment 18)	No	3183 (Attachment 19)	2 Passed 0 Failed (Attachment 20)	
7/12/1999	Yes	Yes** (Attachment 18)	No	3207 (Attachment 21)	6 Passed 0 Failed (Attachment 22)	
5/24/2000	Yes	No	No	3283 (Attachment 23)	1 Passed 0 Failed (Attachment 24)	
03/31/2010	Yes	Yes	Yes (Resolution 7940) (Attachment 28)	3874 (Attachment 25)	6 Passed 0 Failed (Attachment 26)	Mayor's Certification and Governor's Approval of Charter Amendments (Attachment 27)
11/02/2010	Yes	Yes	Yes (Resolution 7940) (Attachment 28)	3903 (Attachment 29)	6 Passed 1 Failed (Attachment 30)	Mayor's Certification and Governor's Approval of Charter Amendments (Attachment 31)
03/13/2012	Yes	Yes	Yes (Resolution 7940) (Attachment 28)	3904 (Attachment 32)	7 Passed 0 Failed (Attachment 33)	Mayor's Certification and Governor's Approval of Charter Amendments (Attachment 34)

* City Council Minutes of June 15 and June 29, 1987 are attached to the report.
** There is a single report (Attachment 18) that contains the recommendations for both the 1998 and 1999 changes.

CHARTER CHANGES/HISTORICAL NOTES

1968 CHARTER CHANGES (Election Date: November 7, 1967)

At a January 1966 Council meeting, one of the councilmembers referenced the Charter Review Committee. On March 1, 1966 Dr. Heinz Hink was appointed to the Committee. Other than these references, research did not turn up any other appointments or formal recommendations.

On September 19, 1967, the City Council adopted Ordinance 350 placing six questions to amend the City Charter on the November 7, 1967 Special Election ballot. **All six questions were approved by the voters.**

Question 1

Article 1: Incorporation, Form of Government, Powers and Boundaries

Introductory Paragraph – retain the opening sentence of the existing Section 3 as the introductory paragraph.

Section 3(A) – retain the existing second sentence of Section 3 regarding the City's rights to acquire property as Paragraph A.

Section 3(B) – add Paragraph B relating to flood control.

Section 3(C) – add Paragraph C relating to the right to create a General Plan including land use and development regulations.

Section 3(D) – add Paragraph D relating to levying and collecting assessments and filing liens on real property to collect amounts owed to the City for garbage collection, sewer rental charges, or blight abatement.

Section 3(E) – add Paragraph E relating to the publication of notices.

Section 3(F) – add Paragraph F relating to exclusive control and regulation by the City of the use and enjoyment of streets, alleys, and other City property.

Section 3 - amend to add closing paragraphs regarding powers, rights, privileges, etc., of the City not specifically named.

Section 3-1 – amend to add section 3-1 relating to Intergovernmental Relations by allowing the City to enter into intergovernmental agreements.

Article 12: Franchise and Public Utilities

Section 3 – add section relating to the Establishment of Classifications and Regulations of Rates of Public Utilities.

Question 2

Article 2: The Council

Section 3 – amend the section relating to Term of Mayor to change the term of the mayor from two to four years.

Section 4 – amend the section relating to Term of Councilmen to change the term of councilmembers from two to four years and creating the process of a staggered schedule to elect three councilmembers during an election cycle. Six councilmembers were elected in 1968 with the three receiving the greatest number of votes serving for four years; the other three members served for two years, thus setting up the staggered schedule. All councilmembers elected after 1968 were elected to a four-year term.

Section 11 – amend the section relating to vacancies in Council and Office of Mayor. A provision was added for vacancies, in either office, occurring less than 30 days prior to the deadline for filing nomination petitions, in which case the Mayor and Council would appoint a person to serve the remainder of the unexpired term. In the case of a vacancy in the Mayor's office occurring more than 30 days prior to the filing deadline, the vacancy would be filled at the next primary and general election for a four-year term. A Council vacancy would also be filled at the next Primary and General elections; however, it would be for the unexpired term.

Question 3

Article 2: The Council

Section 6 – amend the section relating to the Duties of the Mayor by dividing a single paragraph into two paragraphs, A and B, and adding paragraph C. These changes assign the Mayor the authority to govern the City by proclamation during times of riot, civil insurrection, etc.

Question 4

Article 4: Administrative Department Offices and Employees

Section 1 – amend the section relating to Administrative Departments and Offices to remove the requirement that all and employees be residents of the City or become residents within six months. The requirement for officers of the City to be residents remained.

Question 5

Article 7: Ordinances and Resolutions

Section 5 – amend the section relating to the Reading or Posting and Passage of Ordinances and Resolutions: Effective Date, by adding the provision that they must be posted 24 hours prior to the meeting, but removing the requirement to read the ordinance at the Council meeting.

Question 6

Article 9: Elections

Section 5 – amend the section relating to the Majority to Elect at the Primary by changing the wording from votes cast to ballots cast.

Attachment 1: *Ordinances 350/357 - placed six Charter questions on the November 7, 1967 ballot*
Attachment 2: *Resolution 603 - Election Canvass*

1973 CHARTER CHANGES (Election Date: April 10, 1973)

There was no Charter Review Committee for the 1973 Charter changes. There is no mention of proposed Charter changes in minutes leading up to the election.

On February 6, 1973, the City Council adopted Ordinance 709 placing seven questions to amend the City Charter on the April 10, 1973, Special Election ballot. **All seven questions were approved by the voters.**

Question 1

Article 1: Incorporation, Form of Government, Powers and Boundaries

Section 3(G) – add Paragraph G providing the City with the authority to collect development fees.

Question 2

Article 1: Incorporation, Form of Government, Powers and Boundaries

Section 3(H) – add Paragraph H providing the City with the power to require architectural and site plan review and approval prior to development, construction, etc.

Question 3

Article 1: Incorporation, Form of Government, Powers and Boundaries

Section 3(I) – add Paragraph I providing the City with the power to adopt specific land use plans for the purpose of refining the General Plan.

Question 4

Article 1: Incorporation, Form of Government, Powers and Boundaries

Section 3(J) – add Paragraph J providing the City with the power to remove all signs not conforming to the Zoning Ordinance.

Question 5

Article 6: Finance and Taxation

Section 15 – add section relating to Investment of Funds, providing the City Council with the authority to invest all funds available at the highest available interest rate.

Question 6

Article 8: Contracts

Section 2 – amend the section relating to City Improvements, changing the contract amount requiring Council authorization from $2,500 to $5,000.

Question 7

Article 8: Contracts

Section 3 – amend the section relating to Purchases, setting the range of $1000 to $5000 for purchases requiring three bids. Purchases below $1000 would not require any bids and amounts above $5000 would have to go through a formal bid process, finally going before Council for authorization.

***Attachment 3**: Ordinance 709 - placed seven Charter questions on the April 10, 1973 ballot*
***Attachment 4**: Resolution 1113 - Election Canvass*

1982 CHARTER CHANGES (Election Date: February 16, 1982)

There was no Charter Review Committee for the 1982 Charter changes. On May 19, 1981, Councilwoman Cusack moved to direct staff to prepare an ordinance of Charter amendments relating to problems associated with appropriations transfers and bidding requirements. The motion was seconded by Mr. Bruner, and passed unanimously.

In two separate Council meetings (November 16 and December 7, 1981) the Council appears to have served as their own Charter Review Committee. The minutes of those meetings contain lengthy discussions regarding the changes.

On December 7, 1981, the City Council adopted Ordinance 1431 placing six questions to amend the City Charter on the February 16, 1982, Primary Election ballot. **Four of the six questions were approved; questions 2 and 5 were not approved by the voters.**

Question 1

Article 1: Incorporation, Form of Government, Powers and Boundaries

Section 3(K) – add Paragraph K giving the City the power to provide solid waste collection service, levy and collect funds for that service, enter into related agreements, require licenses, etc.

Question 2 (not approved)

Article 6: Finance and Taxation

Section 11 – amend the section relating to the Transfer of Appropriations, to allow the City Manager, with Council approval, to transfer an appropriation or portion thereof between general classifications of expenditures within an office or department or from one to another at anytime during the fiscal year.

Question 3

Article 6: Finance and Taxation

Section 16 – add section relating to Capital Improvements Excluded from Expenditure Limitations, by giving the City the power to accumulate and expend local revenue for the purpose of purchasing land, etc.

Question 4

Article 8: Contracts

Section 2 – amend the section relating to Contracts for City Improvements by simplifying language regarding contracts which must be authorized by City Council and removing the specific dollar amount of $2500.

Question 5 (not approved)

Article 8: Contracts

Section 3 – amend the section relating to Purchases by expanding the range of purchases requiring three bids, raising the amount of purchases required to go to City Council for authorization from $2,500 to $15,000.

Question 6

Article 10: Initiative, Referendum and Recall

Section 1 – amend the section relating to Initiative, Referendum and Recall by adding a third paragraph providing the City Council with the power to refer an item to the voters on its own motion.

***Attachment 5**: November 16, 1981 City Council Minutes*
***Attachment 6**: December 7, 1981 City Council Minutes*
***Attachment 7**: Ordinance 1431- placed six Charter questions on the February 16, 1982 ballot*
***Attachment 8**: Resolution 2200 - Election Canvass*

1988 CHARTER CHANGES (Election Date: February 16, 1988)

On August 4, 1986, the Charter Review Advisory Commission was created by Ordinance 1906 and the Commission members were appointed. The ordinance establishes membership as follows: "The Commission shall be composed of fourteen (14) residents of the City, each of whom shall be selected by the City Council and each of whom shall maintain residency in the City of Scottsdale for the duration of the Commission's work." The following members were appointed at same meeting:

Charlie Smith (Chair)	Tim Bray	Betty Pichon
Carolyn Allen	Cyril Crane	Frank Sackton
John Berry	Richard Filler	Daniel Salcito
Susan Bitter Smith	Bill Jenkins	Jacque Schubert
Richard Bouckhout		

The Commission was provided with guidelines, which included topics requesting their consideration. The Commission conducted 24 meetings over an eight-month period. All meetings were public, with two meetings dedicated to soliciting public input on the first draft of the Commission's report. The Commission held two meetings to gain an understanding of the organization's needs; one with the Mayor and Council and one with the City Manager.

Two sets of commission minutes are on file in the City Clerk's Office.

The final report from the commission is included as Attachment 11. The report is comprised of three sections. Section One contains the revisions to the current Charter. Section Two contains recommendations to the City Council for which no Charter revision is needed or recommended. Section Three contains a list of significant issues which were discussed, but for which no charter changes were recommended.

The executive summary states that the Commission held 24 meetings over a period of eight months. All 24 meetings were public meetings, however, two meetings were specifically devoted accepting public testimony on the first draft of the Commission's report. One meeting was dedicated to discussion with the City Manger regarding the Scottsdale organization and its processes. Another meeting was specifically for discussion with the Mayor and Council, to gain a better understanding of the political perspective of the Scottsdale organization and Scottsdale Charter.

On June 29, 1987, Mayor Drinkwater suggested that all recommendations made by the Commission be put before the voters in February 1988.

On November 2, 1987, the City Council adopted Ordinance 1984 placing fifteen questions to amend the City Charter on the February 16, 1988, Primary Election ballot. **Twelve of the fifteen questions were approved by the voters; questions 7, 10, and 12 were not approved.**

Question 1

Article 1: Incorporation, Form of Government, Powers and Boundaries

Section 3(L) – add Paragraph L clarifying the City authority to act to preserve and enhance the environment by a specific expression of such authority as it may relate to the ecology.

Question 2

Article 1: Incorporation, Form of Government, Powers and Boundaries

Section 3(M) – add Paragraph M establishing the City's authority to take certain actions in respect to the City's water supply, including groundwater recharge.

Question 3

Article 1: Incorporation, Form of Government, Powers and Boundaries

Section 3(D) – amend Section D by inserting the phrase "water service and other utilities, city services rendered for special events." The amendment clarified and expanded the City's authority to file liens on real property to satisfy debts owed to the City for provision of certain services.

Question 4

Article 1: Incorporation, Form of Government, Powers and Boundaries

Section 4(N) – add Paragraph N relating to the collection and disposition of wastewater. The amendment clarified the City's authority to control and manage wastewater and effluent, and to enter into agreements with both private and other governmental entities to dispose of wastewater and effluent.

Question 5

Article 1: Incorporation, Form of Government, Powers and Boundaries

Section 4(K) – amend Paragraph K relating to the collection, transportation, disposition and regulation of garbage and all other solid waste and construct associated facilities. This amendment would provide the City with the authority to contract with a private entity, as well as a governmental entity, for the disposal of garbage and all other solid waste.

Question 6

Article 2: The Council

Section 19 – add section relating to Limitation of Terms by limiting the number of terms of mayor and council to three consecutive terms, with each office being considered as separate, beginning with the election of 1992 for the office of mayor and the election of 1990 for the office of councilman.

Question 7 (not approved)

Article 2: The Council

Section 5 – amend the section relating to Qualifications by removing real property ownership as a qualification for the offices of mayor and councilman. The commission recommended this because it was in conflict with the U.S. Constitution.

Question 8

Article 5: Appointive Boards and Commissions

Section 1 – amend the section relating to Appointment Boards and Commissions by adding a third paragraph specifying that no member of a board or commission shall serve for more than six consecutive years on that board or commission, beginning March 1, 1988.

Question 9

Article 6: Finance and Taxation

Section 11 – amend the section relating to the Transfer of Appropriations to remove the phrase "and within the last three months of the fiscal year." This amendment would permit the Council, at the request of the City Manager, to transfer unencumbered appropriations from one office, department or agency of the city to the other at any time.

Question 10 (not approved)

Article 8: Contracts

Section 1 – amend the section relating to Preparation by striking the phrase 'by the mayor, except as it may be otherwise provided either by this charter or by law, and must be countersigned by the city clerk who shall number and register the same in a book kept for that purpose."

Question 11

Article 8: Contracts

Sections 3 and 4 – repeal and replace sections relating to Purchases and Bids with a new Section 3. The amendment provides more flexibility, as it provides the Council the right to determine formal and informal bidding conditions and procedures through ordinance rather than charter.

Question 12 (not approved)

Article 9: Elections

Section 2 – amend the section relating to Qualifications of Electors and Resignation by removing the requirement to be a real property owner in the case of a question to issue bonds. This recommendation was made because the requirement was in conflict with the U.S. Constitution.

Question 13

Article 11: City Court

Section 2 – amend the section relating to City Judge by adding the provision that the City Council may appoint judges pro tempore as deemed necessary.

Question 14

Article 2: The Council

Section 20 – add section relating to Internal Auditor. This amendment gave the City Council the right to appoint an internal auditor to examine and verify such City affairs as the Council may direct. The auditor shall report directly to the Council.

Question 15

Article 1: Incorporation, Form of Government, Powers and Boundaries

Section 3(O) – add Paragraph O relating to the Powers of the City, authorizing the City to adopt ordinances relating to external maintenance of property and to levy and collect related assessments.

Attachment 9: *Ordinance 1906 - created the Charter Review Advisory Commission*
Attachment 10: *Commission Guidelines*
Attachment 10A: *October 12, 1987 City Council Minutes*
Attachment 10B: *November 2, 1987 City Council Minutes*
Attachment 11: *The Final Report of the Charter Review Advisory Commission*
Attachment 12: *Ordinance 1984 - placed 15 Charter questions on the February 16, 1988 ballot*
Attachment 13: *Resolution 3019 - Election Canvass*

1996 CHARTER CHANGES (Election Date: February 20, 1996)

On March 1, 1994, the Charter Review Advisory Commission was created by Ordinance 2645. At that meeting, Mayor Drinkwater asked that any citizens interested in serving on the Commission write a letter to any councilmember. On April 4, 1994, the following thirteen members were appointed to serve until December 31, 1994:

Tim Bray	Sandra Rembrandt	Diana Smith
Ben Benedict	Eileen Rogers	Bill Soderquist
Fred Davidson	Frank Sackton	Joyce Thatcher
Cynthia Lukas	Charlie Smith	Julie Wambach
Herb Kotzen		

Twenty-two sets of Commission minutes are on file in the City Clerk's Office.

All Commission recommendations were accepted by the City Council, placed on the ballot, and passed by the voters. In addition to the recommendations of the Commission, a question was put to the voters to amend Article 9, Sections 1, 4, 6, 7, and 8 to designate the City's "primary" election as a "general" election and designate the City's "general" election as a "run-off" election.

On September 16, 1995, the City Council adopted Ordinance 2825 placing fifteen questions to amend the City Charter on the February 20, 1996, Special Election ballot. **All twelve questions that were placed on the ballot were approved by the voters.**

Question 1

Article 1: Incorporation, Form of Government, Powers and Boundaries

Section 3(D) – amend Paragraph D to strengthen the City's ability to file liens against personal property for debts owed for the collection of solid waste, recyclable materials, storm water utilities, and false/invalid alarms.

Question 2

Article 1: Incorporation, Form of Government, Powers and Boundaries

Section 3(J) – repeal Paragraph J relating to the City's power to remove signs since it is in conflict with State Statutes.

Question 3

Article 1: Incorporation, Form of Government, Powers and Boundaries

Section 3(K) – amend Paragraph K relating to the City's power to manage solid waste and related issues to enhance the City's ability to respond to future challenges associated with transfers, separation, disposal, recycling, sale and tampering of solid waste.

Question 4

Article 2: The Council

Section 5 – amend the section relating to Qualifications by deleting the qualification requirement of real property owners for the positions of mayor and council. The Commission felt this provision was in conflict with the United States Constitution.

Question 5

Article 2: The Council

Section 5 – amend the section relating to Qualifications by removing obsolete language

Section 6 – create the section relating to Limitations Upon Filing for Election to clarify the language of limitations upon filing for elections and extend it to cover other local, state or federal offices.

Question 6

Article 6: Finance and Taxation

Section 13 – amend language in section relating to Use of the Money from the General Fund to include a provision to prevent the City from using private contributions or endowment funds to make payments of interest or principal on bonded indebtedness.

Question 7

Article 7: Ordinances and Resolutions

Section 6 – amend the section relating to Emergency Measures to include the phrase “required by law” to clarify the number of votes required for an emergency clause and makes it consistent with state law.

Question 8

Article 8: Contracts

Section 6 – amend the section relating to Personal Interest by replacing it with a new Section 6 related to Conflicts of Interests. Amending language regarding conflict of interest of elected and appointed officers to be more consistent with state statutes and include board and commission members.

Question 9

Article 8: Contracts

Sections 7 and 8 – combine sections relating to Lease and Sales of City Property into a new Section 7. Leasing transactions and real estate transactions would require a bidding process for each transaction.

Question 10

Article 9: Elections Qualifications of Electors; Registration

Section 2 – amend the section relating to the Qualifications of Electors by removing the requirement that electors be real property taxpayers in order to vote on the question of issuing bonds in addition to being qualified elector of the city. The provision was in conflict with the Constitution of the United States.

Question 11

Article 9: Elections

Section 1 – amend the section relating to Permitted Types of Elections to provide for general and run-off elections in place of primary and general elections.

Section 4 – amend the section relating to Time of Holding Primary Elections by changing the word primary to general and clarify that elections shall be held on the third Tuesday in February and every two years thereafter.

Section 5 – amend the section relating to Majority to Elect in Primary by changing the word primary to general.

Section 6 – amend the section relating to Nomination for General Election by changing the word primary to general; clarification of a run-off election; and removing obsolete language.

Section 7 – amend the section relating to Time of Holding General Election by changing the word general to run-off.

Section 8 – amend the section relating to Candidates Receiving Most Votes to be Elected by changing the word general to run-off.

Question 12

Article 12: Franchise and Public Utilities

Section 1 – amend the section relating to Franchises by changing the number of times a public utility franchise must be published prior to an election to determine whether or not it will be granted. The Commission felt the current provisions were in conflict with State Law.

***Attachment 14**: Ordinance 2645 - Created the Charter Review Advisory Commission*
***Attachment 15**: Final Report* of the Charter Review Advisory Commission
***Attachment 16**: Ordinance 2825 - placed 12 Charter questions on the February 20, 1996 ballot*
***Attachment 17**: Resolution 4462 - Election Canvass*

<u>1998, 1999, AND 2000 CHARTER CHANGES</u> (Election Dates: November 3, 1998, May 18, 1999, and March 14, 2000)

The same Commission served for the 1998, 1999, and 2000 Charter changes.

There is no evidence of an ordinance creating the Commission for this charter review cycle.

On June 16, 1998, the following fourteen commission members, who appear to have been appointed Council nomination, were appointed:

Ben Benedict	David Gaddie	Sandra Rembrandt
Bob Berg	Carol Irvin	Joyce Thatcher
Dianne Brossart	Alan Kaufman	Coreen Young
David Carpenter	Alex Marusich	Terry Zajac
Carol Erickson	Marilyn Reinstein	

There are five sets of Commission minutes on file in the City Clerk's Office.

According to the final report, City staff provided the Commission with an overview regarding the limited amount of space that would be available on the November 1998 ballot, and sought the input of the commission. Staff shared the City Council's view that it was essential that only the most important and timely issues be sent to the voters. This made it necessary to delay placing proposed changes to Articles 2 and 9 before the voters until 1999.

The Commission turned its attention to the Preserve and Major Amendments to the General Plan. On July 30, 1998, the Commission unanimously agreed on new language pertaining to the Preserve and language requiring a 2/3 vote for Major Amendments to the General Plan.

On August 17, 1998, the City Council adopted Ordinance 3183 placing two questions to amend the City Charter on the November 3, 1998, Special Election ballot. **Both questions that were placed on the ballot were approved by the voters.**

All Commission recommendations were accepted by the City Council, placed on the ballot, and passed by the voters. The final report of the Commission is included at Attachment 18.

Due to space limitations, only those issues identified as the most important and timely were placed on the November 3, 1998 ballot. The Commission's other recommendations were delayed until the May 18, 1999 election.

On December 14, 1998, the City Council adopted Ordinance 3207 placing six questions to amend the City Charter on the May 18, 1999, Special Election ballot. **All six questions that were placed on the ballot were approved by the voters.**

At the December 6, 1999, City Council meeting, Mayor Campana suggested having the Charter Review Advisory Commission meet to discuss the issue of Mayor and Council compensation. The existing Charter Review Advisory met once, on December 10, 1999, to develop a recommendation, which Chair Ben Benedict presented to the Council on December 20, 1999.

The Charter Review Advisory met on December 10, 1999, to develop recommendations, and Chair Ben Benedict presented them to Council on December 20, 1999.

On December 20, 1999, the City Council adopted Ordinance 3283 placing one question to amend the City Charter on the March 14, 2000, Special Election ballot. **The question that was placed on the ballot was approved by the voters.**

NOVEMBER 3, 1998 BALLOT

Question 1

Article 7: Ordinances and Resolutions

Section 3 – amend the section relating to the Vote Required by the City Council to Enact Ordinances and Resolution to add a provision that requires a 2/3 vote of the Council for major amendments to the General Plan. This provision brought the charter into compliance with State Law.

Question 2

Article 8: Contracts

Section 8 – amend the section relating to Designation of Preserve Land to add sections 9, 10, and 11. The four sections established the ways in which preserve land may be designated, prohibited conveying ownership or interest in preserve land, and established limitations on the removal of the preserve land.

Section 9 – add section relating to Permanent Designation.

Section 10 – add section relating to Encumbrance of Preserve Land.

Section 11 – add section relating to Removal of Preserve Land Designation.

MAY 18, 1999 BALLOT

Question 1

Article 2: The Council

Sections 3 and 4 – repeal the sections relating to Term of Mayor and Councilmen with a new Section 3, renumbering the remainder of the article accordingly. This recommendation combines the terms of office sections for mayor and council and brings the language into conformance with the new consolidated election date requirement.

Question 2

Article 2: The Council

Section 6 - amend the section relating to Limitations on Filing for Election by replacing the word “primary” with the word “general” to bring it into conformance with the re-designated name.

Question 3

Article 2: The Council

Section 11 – repeal and replace the section relating to the Induction of Mayor and Council into Office with new language that clarifies the meeting at which newly elected officials will be inducted to be the first regularly scheduled meeting following the run-off election.

Question 4

Article 9: Elections

Sections 4 and 7 – repeal the sections relating to the Time of Holding General and Run-off Elections and replace them with a new Section 4. The language provides for use of the consolidated election dates as long as there is a law requiring the City to use those dates for its elections. If there is no such law or the law is optional, the City’s election dates would revert to the third Tuesday in February and the fourth Tuesday in March.

Question 5

Article 9: Elections

Section 5 – amend the section relating to Majority to Elect in General to exclude the phrase "effective as of the date of the general election."

Question 6

Article 9: Elections

Section 9 – amend the section relating to Special Elections by adding the phrase "Subject to the requirements of any state election laws that may apply."

MARCH 14, 2000 BALLOT

Question 1

Article 2: The Council

Section 8 – amend the section relating to the Salary of Mayor and Councilmembers to increase the monthly salary of the mayor from $2,300 to $3,000 and increase the monthly salary of the council from $1,150 to $1,500.

***Attachment 18**: Final Report of the* Charter *Review Advisory Commission*
***Attachment 19**: Ordinance 3183 - placed two Charter questions on the November 3, 1998 ballot*
***Attachment 20**: Resolution 5197 - Election Canvass*
***Attachment 21**: Ordinance 3207 - placed six Charter questions on the May 18, 1999 ballot*
***Attachment 22**: Resolution 5303 - Election Canvass*
***Attachment 23**: Ordinance 3283 - placed one Charter question on the March 14, 2000 ballot*
***Attachment 24**: Resolution 5512 - Election Canvass*

2010 AND 2012 CHARTER CHANGES (Election Dates: March 9, 2010, November 2, 2010, and March 13, 2012)

On April 21, 2009, the Charter Review Task Force was created by Resolution 7940. On June 2, 2009, each Council member appointed one member of the Charter Review Task Force. Mayor Lane appointed the Chair.

Steve Twist (Chair) - Appointed by Mayor Lane
Susan Bitter Smith - Appointed by Councilman Ecton

James Derouin - Appointed by Councilman Littlefield
Cindi Eberhart - Appointed by Councilwoman Klapp

Lisa Johnson Stone - Appointed by Councilwoman Borowsky
Alan Kaufman - Appointed by Councilman Nelssen
Charlie Smith – Appointed by Vice Mayor McCullagh

17 sets of Commission minutes are on file in the City Clerk's Office.

On November 3, 2009, the City Council adopted Ordinance 3874 placing five questions to amend the City Charter on the March 9, 2010, Special Election ballot. **All five questions were approved by the voters.**

On July 6, 2010, the City Council adopted Ordinance 3903 placing seven questions to amend the City Charter on the November 2, 2010, Special Election ballot. **All six of the seven questions were approved by the voters. Question 3 was not approved by the voters.**

On July 6, 2010, the City Council adopted Ordinance 3904 placing seven questions to amend the City Charter on the March 13, 2012, Special Election ballot. **All seven questions were approved by the voters.**

MARCH 9, 2010 BALLOT

Question 1

Article 9: Elections

Section 5 – amend the section relating to Majority to Elect in General to establish the method for calculating the majority of votes needed for a candidate to be elected at Scottsdale's first election, currently referred to as the City's General Election, shall be based on legal votes actually cast in that candidate's race.

Question 2

Article 9: Elections

Section 1 – amend the section relating to Permitted Types of Election to forgo the first election, currently referred to as the City's General Election, for a particular office if no more than two candidates the office(s) shall be filled at the City's second election, currently referred to as the City's run-off election.

Question 3

Article 9: Elections

Section 1 – amend the section relating to Permitted Types of Elections by changing the word general with primary and the word run-off with general.

Section 4 – amend the section relating to Time of Holding General Elections by changing the word general with primary.

Section 5 – amend the section relating to Majority to Elect in General by changing the word general with primary.

Section 6 – amend the section relating to Run-off Election by changing the word run-off with general.

Section 7 – amend the section relating to Candidates Receiving Most Votes to be Elected by changing the word run-off with general.

Question 4

Article 9: Elections

Section 8 – amend the section relating to Special Elections to specify that the method for providing notice of a special election shall be as required by state law or ordinance.

Question 5

Article 10: Initiative, Referendum, and Recall

Section 1 – amend the section relating to Initiative, Referendum, and Recall to clarify that an initiative measure in conflict with the City Charter shall not be operative without a corresponding charter amendment.

NOVEMBER 2, 2010 BALLOT

Question 1

Article 1: Incorporation, Form of Government, Powers and Boundaries

Section 3 – amend the section relating to Powers of the City to limit the circumstances under which the City may exercise condemnation.

Question 2

Article 1: Incorporation, Form of Government, Powers and Boundaries

Section 3 – amend the section relating to Powers of the City to limit the use of City funds for subsidizing any individual, association, or corporation, except where there is a clearly identified public purpose and the City either receives direct consideration substantially equal to its expenditure or provides direct assistance to those in need.

Question 3 (not approved)

Article 2: The Council

Section 16 – amend the section relating to Consideration of Petitions to provide for a public comment period at regular Council meetings; remove the requirement that petitions be acted upon within thirty (30) days; and allow the Council to request staff to review any matter brought to its attention, ask that the matter be placed on a future agenda for a vote, or take no action.

Question 4

Article 2: The Council

Section 20 – repeal the section relating to Internal Auditor.

Article 3: Officers of the City

Section 1 – create the section relating to General Provisions.

Section 2 – replace the section relating to the City Manager.

Section 3 – move from Article 4 and replace the section relating to City Clerk.

Section 4 – move from Article 4 and replace the section relating to City Treasurer.

Section 5 – move from Article 4 and replace the section relating to City Attorney.

Section 6 – move from Article 2 and replace the section relating to City Auditor.

Article 4: Administrative Department Offices and Employees

Section 1 – amend the section relating to Administrative Departments and Offices to: (1) to remove the Council's express authority to combine, by ordinance, the duties of two or more charter offices; (2) designate the City Treasurer as the Chief Financial Officer of the City; (3) identify the duties and responsibilities of the officers of the city and place them in the same article; and (4) delete redundant language.

Sections 2, 3, 4 – repeal the sections relating to the positions of the City Clerk, City Treasurer, and City Attorney.

Question 5

Article 2: The Council

Section 17 – amend the section relating to Appointments, Removals, and Interactions With City Employees to clarify that members of the Council, or any member of an appointed public body, shall not control or demand the appointment or removal of City employees subject to the direction and supervision of any officer of the City, with the exception of City employees whose primary duties are to directly serve the Mayor or members of the Council.

Question 6

Article 7: Ordinances and Resolutions

Section 1 – amend the section relating to Council to Act by Resolution to clarify that the Council shall act by motion, in addition to resolution and ordinance.

Section 2 – amend the section relating to Ayes and Nays to be recorded to change the word journal to record.

Section 3 – amend the section relating to When Majority 2/3 Vote Required to clarify when a majority or larger than a majority vote is required.

Section 5 – amend the section relating to Reading or Posting and Passage of Ordinances and Resolutions; Effective Date to clarify that ordinances or any other referable actions without the emergency clause shall take effect and become operative thirty (30) days after the date of their passage.

Section 8 – amend the section relating to Publication of Ordinances and Resolutions to clarify that measures having the effect of law shall be published as required by state law or ordinance.

Section 9 – amend the section relating to How Ordinances and Resolutions are to be Revised; Reenacted and Amended to remove obsolete language.

Section 10 – amend the section relating to How Ordinances or Resolutions are to be Repealed or Suspended to remove obsolete language.

Section 12 – amend the section relating to Procedure for Adoption by Reference to clarify procedures for adopting provisions of a code or public record by reference.

Section 13 – amend the section relating to Codification of Ordinances to reduce, from three to one, the number of copies of the City Code that must be kept on file in the City Clerk's Office and to clarify that codified ordinances shall be repealed as of the date of the code amendments.

Question 7

Article 11: City Court

Section 2 – amend the section relating to City Judge to clarify that the initial term of a Presiding Judge shall be for two (2) years, and that subsequent reappointments of the Presiding Judge shall be for terms to be determined by ordinance, but in any event for not less than two years; and to specify that additional City judges and judges pro tempore may be appointed to the City Court in a manner provided by ordinance.

Section 3 – amend the section relating to Ordinance to Give Effect to specify that the City Council shall determine the compensation to be paid to all City judges, including the Presiding Judge, and may remove them for cause.

MARCH 13, 2012 BALLOT

Question 1

Article 1: Incorporation, Form of Government, Powers and Boundaries

Section 3(D) – amend the section relating to Powers of City to add a provision allowing the City to levy and collect assessments and file liens on real property to collect amounts owed to the City for restoration of natural area open space.

Section 3(E) – amend the section relating to Powers of City to prescribe the place and manner a notice is to be published.

Section 3(G) – amend the section relating to Powers of City to require all persons, firms, or corporations responsible for new physical development within the city, to the extent allowed by Arizona and/or federal law, to provide for or furnish, or, where allowed by City ordinance, to pay a fee in lieu of providing for or furnishing parking.

Sections 3(B)(C)(I)(K) – amend the section relating to Powers of City to make minor clarifying changes.

Question 2

Article 2: The Council

Section 4 – amend the section relating to Qualifications to combine the existing language in Section 9 with Section 4.

Section 6 – amend the section relating to Duties of the Mayor to enumerate the duties performed by the Mayor to include attending and presiding at meetings of the Council; representing and appointing members of the Council to represent the Council in intergovernmental relationships; presenting an annual state of the City

message; appointing the members of Council committees, subject to the approval of the Council; assigning agenda items to committees; and performing other duties specified by the Council and allowed by law.

Section 7 – amend the section relating to Mayor Pro Tempore to the title of Mayor Pro Tempore to Vice Mayor.

Section 12 – amend the section relating to Council Meetings; Open to the Public to clarify that meetings of the Council shall be open to the public in a manner that is consistent with state law.

Section 14 – amend the section relating to Rules of Procedure; Journal by changing the word journal to record.

Section 15 – amend the section relating to Quorum; Ayes and Nays by changing the word journal to record.

Section 19 – amend the section relating to Limitation of Terms by repealing obsolete language regarding the effective date of Council term limitations.

Question 3

Article 4: Administrative Department Offices and Employees

Section 5 – repeal the section relating to Civil Service System to be Established.

Article 5: Appointive Boards and Commissions

Section 1 – amend the section relating to Appointive Boards and Commission

Section 2 – repeal the section relating to Mayor and City Manager Ex Officio Members and add a new Section 2 related to Civil Service Board for the purposes of placing all of the sections of the charter related to appointed boards and commissions in the same article; and providing for a civil service board consisting of three qualified electors of the city to be appointed by the city council for six (6) year terms, and specifying that the board shall prescribe, amend and enforce rules for personnel hearings as provided by city ordinance.

Question 4

Article 6: Finance and Taxation

Section 3 – amend the section relating to Submission of Recommendations and Estimates to Council to specify that the City Manager shall consult with the other city officers before submitting such budget recommendations and estimates to the Council.

Section 4 – amend the section relating to Preparation and Tentative Adoption of Budget; Publication of Budget and Notice of Meeting to Fix Tax Levies to specify that the method for providing notice of tax levies shall be as required by state law or ordinance.

Section 5 – amend the section relating to Public Hearing and Adoption of Budget to repeal obsolete language that is superseded by state law.

Section 6 – amend the section relating to Exceeding Adopted Budget to clarify that the Council may exceed the adopted budget for emergency or unanticipated municipal expenditures, but only as provided by state law.

Section 12 – amend the section relating to Claims or Demands Against the City to clarify that claims against the City shall be as set forth in state law.

Section 14 – amend the section relating to Independent Annual Audit to specify that audits of the City's annual financial statements shall be performed in accordance with generally accepted government auditing standards, and that the certified public accountants shall be independent of the City government, having no personal interest, direct or indirect, in the fiscal affairs of City government or any of its officers.

Question 5

Article 8: Contracts

Section 1 – amend the section relating to Preparation to clarify that exceptions to the method for executing a contract shall be charter, law, or by ordinance or resolution of the City Council.

Question 6

Article 12: Franchise and Public Utilities

Section 1 – amend the section relating to Franchises to clarify that the method for publishing a franchise agreement prior to a franchise election shall be as required by state law or ordinance.

Question 7

Article 13: General Provisions

Section 1 – amend the section relating to Publicity of Records to clarify that all records of every office, department or agency of the City shall be open for inspection pursuant to all applicable laws.

***Attachment 25**: Ordinance 3874 - placed five Charter questions on the March 9, 2010 ballot*
***Attachment 26**: Resolution 7940 - March 9, 2010 Election Canvass*
***Attachment 27**: Mayor's Certification and Governor's Approval of Charter Amendments of the March 9, 2010 Charter Amendments*
***Attachment 29**: Ordinance 3903 - placed seven Charter questions on the November 2, 2010 ballot*
***Attachment 30**: Resolution 8517 - November 2, 2010 Election Canvass*
***Attachment 31**: Mayor's Certification and Governor's Approval of Charter Amendments of the November 2, 2010 Charter Amendments*
***Attachment 32**: Ordinance 3904 - placed five Charter questions on the March 9, 2010 ballot*
***Attachment 33**: Resolution 9000 - March 13, 2012 Election Canvass*
***Attachment 34**: Mayor's Certification and Governor's Approval of Charter Amendments*

A list of attachments and related links follow.

Attachment List	
1968 Charter Changes	
Attachment 1	Ordinances 350 and 357 Placing six Charter questions on the November 7, 1967 ballot
Attachment 2	Resolution 603 November 7, 1967 Election Canvass
1973 Charter Changes	
Attachment 3	Ordinance 709 Placing seven Charter questions on the April 10, 1973 ballot
Attachment 4	Resolution 1113 April 10, 1973 Election Canvass
1982 Charter Changes	
Attachment 5	November 16, 1981 City Council Minutes
Attachment 6	December 7, 1981 City Council Minutes
Attachment 7	Ordinance 1431 Placing six Charter questions on the February 16, 1982 ballot
Attachment 8	Resolution 2200 February 16, 1982 Election Canvass
1988 Charter Changes	
Attachment 9	Ordinance 1906 Creating the Commission
Attachment 10	Commission Guidelines
Attachment 10A	October 12, 1987 City Council Minutes
Attachment 10B	November 2, 1987 City Council Minutes
Attachment 11	Final Report of the Commission
Attachment 12	Ordinance 1984 Placing fifteen Charter questions on the February 16, 1988 ballot
Attachment 13	Resolution 3019 February 16, 1988 Election Canvass
1996 Charter Changes	
Attachment 14	Ordinance 2645 Creating the Commission
Attachment 15	Final Report of the Commission
Attachment 16	Ordinance 2825 Placing twelve Charter questions on the February 20, 1996 ballot
Attachment 17	Resolution 4462 February 20, 1996 Election Canvass
1998, 1999, 2000 Charter Changes	
Attachment 18	Final Report of the Commission
Attachment 19	Ordinance 3183 Placing two Charter questions on the November 3, 1998 ballot
Attachment 20	Resolution 5197 November 3, 1998 Election Canvass
Attachment 21	Ordinance 3207 Placing six Charter questions on the May 18, 1999 ballot
Attachment 22	Resolution 5303 May 18, 1999 Election Canvass
Attachment 23	Ordinance 3283 Placing one Charter question on the March 14, 2000 ballot
Attachment 24	Resolution 5512 March 14, 2000 Election Canvass

2010 Charter Changes	
Attachment 25	Ordinance 3874 Placing six Charter questions on the March 9, 2010 ballot
Attachment 26	Resolution 8240 March 9, 2010 Election Canvass
Attachment 27	Mayor's Certification and Governor's Approval of Charter Amendments
Attachment 28	Resolution 7940 Creating Charter Review Task Force
Attachment 29	Ordinance 3903 Placing seven Charter questions on the November 2, 2010 ballot
Attachment 30	Resolution 8517 November 2, 2010 Election Canvass
Attachment 31	Mayor's Certification and Governor's Approval of Charter Amendments
2012 Charter Changes	
Attachment 32	Ordinance 3904 Placing seven Charter questions on the March 13, 2012 ballot
Attachment 33	Resolution 9000 March 13, 2012 Election Canvass
Attachment 34	Mayor's Certification and Governor's Approval of Charter Amendments

List of Charter Review Advisory Commission Minutes

(includes all commission minutes on file in the City Clerk's Office)

From Commission appointed on August 4, 1986

May 13, 1987
May 20, 1987

From the Commission appointed on March 20, 1994

April 27, 1994
May 10, 1994
May 17, 1994
June 7, 1994
June 28, 1994
July 19, 1994
August 2, 1994
August 16, 1994
September 8, 1994
September 22, 1994
October 27, 1994
November 10, 1994
December 8, 1994
January 12, 1995
January 26, 1995
February 9, 1995
February 23, 1995
March 9, 1995
March 23, 1995
March 28, 1995
March 30, 1995
April 13, 1995

From the Commission appointed on June 16, 1998

June 19, 1998
July 2, 1998
July 9, 1998
July 16, 1998
July 30, 1998

From the Task Force appointed on June 2, 2009

August 31, 2009
September 14, 2009
September 28, 2009
October 5, 2009
October 26, 2009
November 2, 2009
November 16, 2009
November 30, 2009
December 7, 2009
December 14, 2009
January 11, 2010
February 1, 2010
February 22, 2010
March 15, 2010
April 5, 2010
April 20, 1010
May 16, 2010 (Draft)