



**APPROVED MINUTES  
CITY OF SCOTTSDALE  
CHARTER REVIEW TASK FORCE**

**MONDAY, APRIL 20, 2010**

**CITY HALL KIVA  
3939 N. DRINKWATER BOULEVARD  
SCOTTSDALE, ARIZONA 85351**

**PRESENT:** Steven J. Twist, Chair  
Susan Bitter Smith  
Jim Derouin  
Cindi Eberhardt  
Lisa Johnson Stone  
Alan Kaufman  
Charlie Smith

**STAFF:** Carolyn Jagger, City Clerk  
Sherry Scott, Deputy City Attorney  
Sharron Walker, City Auditor  
Brent Stockwell, Senior Advisor

**Call to Order/Roll Call**

Chairman Twist called the Charter Review Task Force regular meeting to order at 5:14 p.m. Roll call confirmed the presence of all Task Force members as noted.

**1. Approval of Minutes from the April 5, 2010 Meeting**

**MOTION AND VOTE**

**LISA JOHNSON STONE MOVED APPROVAL OF THE MINUTES OF THE APRIL 5, 2010 MEETING. CINDI EBERHARDT SECONDED THE MOTION, WHICH CARRIED BY A UNANIMOUS VOTE OF SEVEN (7) TO ZERO (0).**

Alan Kaufman complimented AVTranz on the excellent quality of the minutes. Chairman Twist echoed his comments.

## **2. Public Comment**

Mr. John Washington expressed appreciation for the important work the Task Force has done. He has encountered a situation where there has been some question about the roles and responsibilities of boards and commissions relative to City Council and the City Manager. The boards and commissions fall into a gray area in the chain of command. The intent of the Charter and the Ethics Ordinance was to keep boards and commissions in a similar status relative to the administration as City Council, i.e. they should not participate directly in or interfere with the administration of the City. In particular they should not interfere in the hiring and firing process, other than as prescribed in the Charter for the Charter officers.

He drew the attention of Task Force members to Article 2, Section 17, citing "Neither the Council nor its members shall direct or request ... or in any manner take part in the appointment or removal of officers, employees in the administrative service of the City."

The Ethics Ordinance No. 3675 Section 2-54 says that "administrative authority is vested solely in the City Manager," and that all City officials should respect the orderly lines of authority within City government.

Mr. Washington suggested some changes to these two items that would more clearly reflect the intent of the Ethics Task Force and of the authors of the Charter. He asked Task Force members to consider those, in order to remove this gray area.

He pointed out that the Tool Book given to members of boards and commissions clearly states that it is not the responsibility of board and commission members to decide or direct the priority of work for the department or the individual staff representative assigned to the board or commission. Although the Tool Book is not a governing document he believes it reflects the spirit of what he is trying to convey.

Chairman Twist thanked Mr. Washington and inquired whether he has seen the proposed amendments to Article 2 Section 17. Mr. Washington said he has not yet. Chairman Twist suggested that he review the document to see whether he has further follow-up comments based on the Task Force's proposal. Mr. Washington noted that the proposal addresses the role of Mayor and Council, but not appointees of the Council or individual Councilmembers. Since appointments to some boards and commissions are made by Council as a whole while others are made by individual Councilmembers, he argued that this should be included.

Chairman Twist said if a City officer has the authority to appoint a subordinate, the Task Force would not want to remove that authority. Jim Derouin said he has a proposal regarding Article 2 Section 17, by inserting language to include members of boards, commissions, and task forces.

Mr. Washington thanked the Task Force members for their consideration. Chairman Twist thanked him and assured him they will give serious consideration to this question.

## **3. Discussion and possible action on recommendations to the City Council regarding amendments to the Scottsdale City Charter**

Chairman Twist said after discussions with staff, he made the additions in red to mark areas that might need clarification.

**a. Question A1**

Chairman Twist recalled the Task Force had reached consensus that the term "narrowly tailored" would be preferable to "narrowly exercised." Alan Kaufman explained that the term "narrowly tailored" has been used in constitutional law for decades. Chairman Twist suggested taking a penultimate vote on each question as they worked through the document. He invited Task Force members to explain their votes on the record if they so wished.

**ALAN KAUFMAN MOVED AND SUSAN BITTER SMITH SECONDED THE DELETION OF THE WORD "EXERCISED" AND THE INSERTION OF THE WORD "TAILORED" IN QUESTION A1. THE MOTION PASSED BY A UNANIMOUS VOTE OF SEVEN (7) TO ZERO (0).**

**SUSAN BITTER SMITH MADE A MOTION TO RECOMMEND THAT THE TASK FORCE RECOMMEND TO CITY COUNCIL THE AMENDMENTS SET FORTH IN QUESTION A1 RELATING TO CONDEMNATION. ALAN KAUFMAN SECONDED THE MOTION.**

Charlie Smith said this proposal limits the flexibility of City Council to a greater extent than is allowed by State law. He is not in favor of removing any authority from elected public officials, so will not support this motion.

**THE MOTION CARRIED BY A VOTE OF SIX (6) TO ONE (1). CHARLIE SMITH DISSENTED.**

**ALAN KAUFMAN MADE A MOTION TO RECOMMEND THAT THE AMENDMENTS SET FORTH IN QUESTION A2 RELATING TO WAIVERS BE FORWARDED TO THE CITY COUNCIL. CINDI EBERHARDT SECONDED THE MOTION, WHICH CARRIED BY A UNANIMOUS VOTE OF SEVEN (7) TO ZERO (0).**

Cindi Eberhardt recalled that she had requested that the Task Force reconsider Question A3. She is opposed to changing the Charter at this time because of the recent CityNorth decision.

**CINDI EBERHARDT MOVED THAT QUESTION A3 RELATING TO SUBSIDIES BE REMOVED AND NOT RECOMMENDED TO CITY COUNCIL. CHARLIE SMITH SECONDED THE MOTION.**

Charlie Smith said he was seconding the motion for the same reasons that he opposed recommending Question A1.

**THE MOTION FAILED BY A VOTE OF TWO (2) TO FIVE (5). CHAIRMAN TWIST, SUSAN BITTER SMITH, JIM DEROUIN, ALAN KAUFMAN, AND LISA JOHNSON STONE DISSENTED.**

**JIM DEROUIN MOVED THE ADOPTION OF THE AMENDMENTS SET FORTH IN QUESTION A3 RELATING TO SUBSIDIES BE FORWARDED TO THE CITY COUNCIL. ALAN KAUFMAN SECONDED THE MOTION.**

Saying that she respects the position of Cindi Eberhardt and Charlie Smith, Susan Bitter Smith stated she will support this motion because she believes it epitomizes the court decision. She is not uncomfortable that it does not allow elected officials the opportunity to make decisions that really relate to the true public function.

For the record, Chairman Twist said he agrees with Ms. Bitter Smith. Although Charlie Smith said he was opposed for the same reasons as he was opposed to recommending Question A1, Chairman Twist said that he believes that in Question A1 the power of the government to condemn property is an awesome power. Those who framed the U.S. Constitution wanted this power to be restrained. He believes that the language proposed by the Task Force is exactly consistent with how the people want to see this power of government controlled. He does not take the view that any power that currently exists is necessarily a good power that cannot be further refined to protect the interests of citizens.

Charlie Smith said if State law does not adequately cover this question he is not sure why they should further deprive the local government of rights that every other government has.

Jim Derouin said this is an area where the Task Force needs to exercise constraint. In the past, the City has given away taxpayer funds of between \$100 and \$200 million. The proposal would not be taking power from the City, but would be requiring it to comply with State law. Now that the State has decided what the gift clause means, he said the City should comply. Unless there is a direct public benefit equal to the amount of the subsidy given, he urged that this is a proper restriction on government.

**THE MOTION CARRIED BY A VOTE OF FIVE (5) TO TWO (2). CINDI EBERHARDT AND CHARLIE SMITH DISSENTED.**

**CINDI EBERHARDT MADE A MOTION THAT QUESTION A4 RELATING TO PETITIONS BE FORWARDED TO CITY COUNCIL, RECOMMENDING ITS ACCEPTANCE. ALAN KAUFMAN SECONDED THE MOTION, WHICH CARRIED BY A UNANIMOUS VOTE OF SEVEN (7) TO ZERO (0).**

Before the Task Force began discussing Question A5, Susan Bitter Smith stated that although she does not have a legal conflict of interest, to avoid any concern or the appearance of impropriety, she would abstain from voting on any motion.

**JIM DEROUIN MADE A MOTION RECOMMENDING THAT THE AMENDMENTS SET FORTH IN QUESTION A5 RELATING TO PUBLIC UTILITIES AND EMINENT DOMAIN BE FORWARDED TO THE CITY COUNCIL. LISA JOHNSON STONE SECONDED.**

Charlie Smith stated that he would vote against the motion for the same reasons he had discussed previously, saying that he feels even more passionately about this.

**THE MOTION CARRIED BY A VOTE OF FIVE (5) TO ONE (1). CHARLIE SMITH DISSENTED. SUSAN BITTER SMITH ABSTAINED FROM VOTING.**

**LISA JOHNSON STONE MOVED RECOMMENDING THAT THE AMENDMENTS SET FORTH IN QUESTION B1 RELATING TO COMBINING CHARTER OFFICER AMENDMENTS BE FORWARDED TO THE CITY COUNCIL, AS SHOWN IN THE WRITTEN MATERIALS. JIM DEROUIN SECONDED THE MOTION.**

Chairman Twist explained that he struck the language on page 7 because it seemed unnecessary and confusing to him. He does not understand what "accepted practice" is. He said that "absent from the City" is an uncertain standard. He proposed replacing it with "if the Officer is unable to perform the duties of the office," for whatever reason. He recommended striking some redundant language which repeats statements on page 6.

Cindi Eberhardt said the discussion began with the proposed change to the role of the City Manager, which she believes should be put to the voters. She reviewed the history of the City Manager's role and noted that the present Acting Treasurer, who reports directly to City Council, was appointed by a change to the ordinance, not the Charter. This demonstrates the flexibility of the Charter. The elected body has the flexibility to make changes. She does not see a reason to make changes to the Charter in this regard. The Charter should remain a big-picture document providing guidance and policy direction to Council. Therefore she would not vote in favor of the motion.

Jim Derouin argued that these amendments should be adopted. He recalled debate about whether the City Attorney was a City officer. In executive session with a verbal opinion by a subordinate of the City Attorney, Council decided that the City Attorney was not a City officer. Mr. Derouin said he is in favor of the City Manager form of government. Since the Charter was passed in 1963, Scottsdale has always had a City Treasurer. He does not feel that the role of City Treasurer can be filled by the City Manager. He believes that the City Treasurer should report directly to City Council. These changes make that clear and he believes the Task Force should seize this opportunity to make this change to the Charter.

Susan Bitter Smith recalled that the Acting City Treasurer recommended making some changes to the Charter. Her personal recommendation to Council would be to limit the questions on the ballot to Tier A.

Cindi Eberhardt said she is not in favor of recommending to City Council that they change the City Manager form of government with the Acting City Treasurer. Her point is that the City was able to evolve without this level of change. It is unnecessary and could be very confusing to the voters.

Charlie Smith said Council has redefined the role of the City Treasurer, making the Treasurer the Chief Financial Officer. The Treasurer always reported to City Council; if Council chose not to take control of the Treasurer that is Council's problem. The result if the current recommendation is adopted will be that the City Auditor and the entire finance department report to City Council. This is a unique structure of city government. The city manager form of government was a reform movement. He pointed out that Councilmembers may not have financial or public administration experience. He believes there should be a trial period of six to twelve months before asking the voters to decide.

Jim Derouin said that Scottsdale is a unique city. The fact that many people have expressed interest in the City Manager position shows that they are willing to work under the new management structure. He recalled a lack of candor about the cost of retirement packages for staff, which he attributed to the fact that the Chief Financial Officer at that point reported to the City Manager. He noted that Council, the elected officials, are the only ones who represent the people of Scottsdale. Nobody can guarantee that the proposed new system will always work. He does not believe that this will undercut the reform movement.

Chairman Twist concurred with Cindi Eberhardt that it is important that the voters not misunderstand what they are doing. He reminded everyone that Article 2 section 20 of the current Charter provides that the City Auditor reports directly to the Council. The Charter currently provides that Council shall appoint the City Treasurer and makes it clear that the Treasurer is first and foremost bound by the laws of Arizona and the City, not directed by the City Manager. The proposed language is very similar to the existing Charter language. He noted that there was little discussion about the need for transparency. Comparing the proposed

structure to the private sector, Chairman Twist said there are reasons to create a system of checks and balances. In his analysis the only offending words appear to be the term "Chief Financial Officer."

Charlie Smith pointed out that the former definition of the City Treasurer did not include the role of Chief Financial Officer. He argued that this is a huge change. The Chief Financial Officer reported to the City Manager and was not a Charter officer. Also the Treasurer was not responsible for preparing the financial records. This change effectively moves the entire finance department to the control of City Council.

Chairman Twist noted that in Section 2, the City Manager retains authority to prepare the annual budget and be responsible for its administration after it has been adopted. He believes that checks and balances on the management of taxpayer funds are appropriate.

Susan Bitter Smith suggested that the phrase "Chief Financial Officer" is potentially confusing.

Chairman Twist called for the question.

**THE MOTION PASSED BY A VOTE OF FIVE (5) TO TWO (2). CINDI EBERHARDT AND CHARLIE SMITH DISSENTED.**

Susan Bitter Smith said she hoped the Task Force would not change the priority assigned to this question.

Chairman Twist reminded the meeting that Question B2 includes the section that Mr. Washington had spoken about earlier this evening. Jim Derouin said he had a suggestion.

**JIM DEROUIN MOVED RECOMMENDING THAT QUESTION B2 RELATING TO ADMINISTRATIVE INTERFERENCE BE AMENDED TO CLARIFY THAT THIS SECTION ALL APPLIES TO MEMBERS OF APPOINTED PUBLIC BODIES. CHARLIE SMITH SECONDED THE MOTION.**

Jim Derouin said that his proposed amendment deals with keeping Councilmembers out of the affairs of the City Manager. He elaborated that the issue that concerns Mr. Washington is that prohibition against interference in the administrative authority of the City Manager is limited to Councilmembers and does not apply to members of boards, commissions, or task forces. Some of these people feel they are not bound by that prohibition. He is suggesting replacing "neither the Council nor any of its members" with "neither the Council, any of its members, nor any member of a City board, commission, or task force shall direct, control, or demand the appointment or removal of any City employee subject to the direction and supervision of any officer of the City."

Chairman Twist said this makes sense for paragraph A. For paragraph B, the first sentence establishes what Councilmembers may do, so the second sentence should be revised. Jim Derouin agreed. Brent Stockwell read Paragraph B as follows: "The Council and its members and any member of a City board, commission, or task force, may interact with such employees for the purpose of inquiries. However, neither the Council, any member, nor any member of a City board, commission, or task force, shall give orders to any such employees, either publicly or privately."

City Clerk Ms. Carolyn Jagger suggested using the phrase "an appointed public body," rather than the formula "City board, commission, or task force," because Council often uses phrases like committee or subcommittee.

Jim Derouin opined that they should reserve the right of inquiry to Councilmembers. He would not add any new language to the first sentence of Paragraph B.

In response to a question from Charlie Smith, Jim Derouin said the situation Mr. Washington is seeking to address is a member of an appointed public body trying to fire a staff person.

Susan Bitter Smith asked Jim Derouin whether the Ethics Ordinance covers this situation. Mr. Derouin said the Ethics Code mimics the current Ordinance and Charter. The prohibition against interference only applies to Council and Councilmembers. If the proposed change is passed by voters, the Ethics Ordinance would have to be amended. He commented that they cannot regulate the conduct of members of an appointed body towards each other.

Cindi Eberhardt appreciated that Mr. Washington had come to the meeting. She asked staff whether the Charter deals with appointed bodies elsewhere. She wondered whether this could be rectified without putting it into the Charter.

Ms. Sherry Scott of the City Attorney's Office said the Task Force could recommend that Council include this type of provision in the Ordinance or add it to the Ethics Code. It would not have to be in the Charter. However if they chose they could recommend putting it into the Charter. This is a policy decision for the Task Force.

In a discussion of the wording, Jim Derouin suggested that the first line in Paragraph A should read "Neither the Council, any of its members, nor any member of an appointed public body ...". The sentence starting "However" should be edited in the same way. He summarized that Council could do this by ordinance. He believes that the concept is important. People on any appointed body should be held to the same standards as Council.

Chairman Twist determined that the exact wording of the changes could be handled by the staff team. He called for the question.

**THE MOTION CARRIED BY A UNANIMOUS VOTE OF SEVEN (7) TO ZERO (0).**

**JIM DEROUIN MOVED RECOMMENDING THAT THE AMENDMENTS SET FORTH IN QUESTION B2 RELATING TO ADMINISTRATIVE INTERFERENCE BE FORWARDED TO THE CITY COUNCIL AS AMENDED AT THE MEETING. CHARLIE SMITH SECONDED THE MOTION.**

Susan Bitter Smith asked Jim Derouin if this makes it clear that members of an appointed public body do not have the right to hire or fire staff. Mr. Derouin confirmed that this is the intent.

**THE MOTION CARRIED BY A UNANIMOUS VOTE OF SEVEN (7) TO ZERO (0).**

Chairman Twist said the intention of the changes to B3 was to compress the overlap in sections 1 and 7. The highlighted language in Section 3 is a note to members. It gives some examples of when a larger majority is required by Charter, Ordinance or State or Federal law. He thanked Ms. Scott for her work.

**CINDI EBERHARDT MOVED RECOMMENDING THAT QUESTION B3 RELATING TO THE ABILITY OF COUNCIL TO ACT BY MOTION BE FORWARDED TO THE CITY COUNCIL AS AMENDED AT THE MEETING. LISA JOHNSON STONE SECONDED THE MOTION.**

Charlie Smith said he will support this motion, however this is on his list of items to get rid of should the list become too long.

Susan Bitter Smith inquired whether the intent is to prioritize the B questions. Chairman Twist said the questions in each tier follow sequentially through the Charter and are not in order of priority. He asked Ms. Jagger whether it would be practicable for the Task Force to prioritize the questions. Ms. Jagger said a lot of thought went into the order. If Council decides to send multiple tiered items to the ballot, staff will resequence them to make sense to the voters. Susan Bitter Smith said that the Task Force members' comments as to which of the B questions are more important could serve as an indication to Council.

Charlie Smith said it would be awkward to ask if he supports Tier A when he voted against three of its components. Chairman Twist said that was why they are going through this question by question. He called for the question.

**THE MOTION CARRIED BY A UNANIMOUS VOTE OF SEVEN (7) TO ZERO (0).**

**CHARLIE SMITH MOVED RECOMMENDING THAT QUESTION B4 RELATING TO THE CITY COURT BE FORWARDED TO THE CITY COUNCIL. CINDI EBERHARDT SECONDED THE MOTION, WHICH CARRIED BY A UNANIMOUS VOTE OF SEVEN (7) TO ZERO (0).**

Introducing Tier C, Chairman Twist said the staff team thought that the addition of specific character and community area plans was overly specific for the Charter. Some of the changes reflect this. There are no substantive changes; the changes are mostly cleanups.

**CHARLIE SMITH MADE A MOTION RECOMMENDING THAT EVERYTHING IN TIER C NOT BE PLACED ON THE BALLOT. CINDI EBERHARDT SECONDED THE MOTION.**

Chairman Twist asked if the recommendation is that these items never be placed on the ballot. Charlie Smith agreed that he was not making a substantive argument against the changes, just against cluttering the ballot. Chairman Twist suggested that staff made these recommendations in good faith. He asked Mr. Smith if he would consider a motion that Tier C amendments are presented for future consideration. Mr. Smith agreed. Chairman Twist said that the City Auditor urged the adoption of the changes proposed on page 19 on more than one occasion.

City Auditor Sharron Walker said that the independent financial audit of the City is done by an outside CPA firm. These changes were intended to clarify and update the language. The City Auditor's office would not be affected if this was not on the ballot.

Saying he understands where Charlie Smith is coming from, Jim Derouin said the Task Force could approve the recommendations in Tier C with a recommendation that they not necessarily be placed on the ballot. However, this section cures anachronisms in the current Charter. He enumerated a number of these. Although he is aware of the issue of cluttering the ballot, at the same time he is loath to recommend to Council not to place them on the ballot. The cleanup items need to be taken care of.

Susan Bitter Smith reiterated her concern that the ballot will be excessively long. Alan Kaufman noted that the Task Force was asked to go through the entire Charter and come up with changes. The Tier C changes are ministerial, clerical, and not controversial. If on the ballot, the chances are they would be overwhelmingly approved. Charlie Smith said it is important to pass these recommendations on to Council. Mr. Kaufman suggested that the motion should reflect that the Task Force is concerned about the length of the ballot, but that these recommendations are nonetheless important.

Cindi Eberhardt recalled that the mandate of the Task Force was to clarify, remove, or update obsolete language. Staff have given a tremendous amount of input that should be respected. However the Task Force was told to make recommendations.

Jim Derouin proposed a possible alternative motion to the effect that the Task Force recommends Questions C1 through C7. If however, the Council concludes that space on the fall ballot prevents inclusion of these questions, the Task Force recommends that they be considered for submission to the public on a future ballot.

**CHARLIE SMITH WITHDREW HIS MOTION AND CINDI EBERHARDT WITHDREW HER SECOND.**

**JIM DEROUIN MOVED THAT THE TASK FORCE RECOMMEND THAT THE PROPOSALS IN QUESTIONS C1 THROUGH C7 AS AMENDED BE ADOPTED. IF THE COUNCIL CONCLUDES, HOWEVER, THAT SPACE ON THE FALL BALLOT PREVENTS INCLUSION OF THESE QUESTIONS, THE TASK FORCE RECOMMENDS THAT COUNCIL CONSIDER SUBMISSION TO THE VOTERS ON A FUTURE BALLOT. ALAN KAUFMAN SECONDED THE MOTION.**

Jim Derouin asked Ms. Jagger about language in C3, Section 8 relating to the publication of ordinances. Ms. Jagger believed it had been moved. He requested clarification as Robert Leger had raised the issue that it could be interpreted as meaning that Scottsdale could adopt by ordinance notice provisions that were not in conformance with State law. Mr. Derouin takes the position that what the language means is that if the City by ordinance decides to do something that is more restrictive than State law, it can do so. It cannot adopt less restrictive notice provisions not in conformance with State law. Sherry Scott confirmed that this is the position of the City Attorney's Office.

**THE MOTION CARRIED BY A UNANIMOUS VOTE OF SEVEN (7) TO ZERO (0).**

Alan Kaufman proposed an amendment to the responsibilities of the Treasurer. A new State law requires that an internet website be set up for each and every State agency and department. A bill is pending approval by the State Senate that would extend those requirements from the State to cities, counties, and towns. Mr. Kaufman stated that the Treasurer is the logical person to be responsible for this site.

Brent Stockwell confirmed that HB 2282 was passed by the Senate and will become law once the House approves the amendments and the Governor signs it. He clarified that the requirement to provide a searchable database will go into effect January 1, 2013. The bill will require that the database be updated at least every three months. Mr. Kaufman's proposed language provides for weekly updates to the database. The State bill includes only amounts over \$5,000, whereas Mr. Kaufman's proposal has no minimum dollar amount. Mr. Kaufman explained that the weekly update is an amendment to HB 2282.

Susan Bitter Smith said although it seems likely that this bill will go into effect, it might be better dealt with by ordinance, given the very specific timetables. A note to that effect could go into the report. Alan Kaufman said a City ordinance would be satisfactory, especially given the concerns about complexity in the Charter. Chairman Twist said the language establishes an appropriate policy for the City to have more transparency. Mr. Kaufman said he was willing to withdraw his request in light of the additional information staff gave tonight.

#### **4. Discussion and possible action regarding the content and presentation of Task Force recommendations and final report to the City Council.**

Chairman Twist said they should consider whether to take an overall vote on the proposal or whether they are satisfied with the individual question votes. Charlie Smith said if they were to vote on the entire package in one vote, he would have to vote no because of his no vote on individual items.

Chairman Twist enumerated the options:

- An up or down vote
- A vote allowing a Task Force member who dissents from one or more provisions of the proposal to note that dissent in the record

Brent Stockwell suggested that they could also vote on the report, which reflects all the votes.

Jim Derouin said the third option seems preferable. He pointed out that Susan Bitter Smith abstained from one vote. If they vote by tiers, she would have to abstain from voting for the entirety of Tier A. Chairman Twist said he did not want anyone to feel they were being coerced to vote in any particular way. Ms. Bitter Smith said she is concerned about Tier B and whether it should be prioritized. This could be dealt with in the discussion of the report. Chairman Twist said he is not aware of any legal reason for an overall tier vote or an overall proposal vote. The record speaks for itself.

Brent Stockwell outlined the Report to City Council, which was displayed. He paid particular attention to the changes made by the Task Force this evening. He added that the cost of adding these items to the November 2 ballot would be minimal, but staff time would be needed to prepare the ballot language and publicity materials, and there would be printing costs. He noted that while this is agendaized for Council discussion and possible direction to staff on May 11, additional discussion could take place at the May 25 Council meeting.

Chairman Twist proposed that it would be highly appropriate for the Task Force to report to City Council that Carolyn Jagger, Sherry Scott, and Brent Stockwell provided excellent, professional, thorough service to the Task Force throughout its deliberations, and to thank them very much for their service. All Task Force members concurred.

Chairman Twist said that the minutes of Task Force meetings will be available to City Councilmembers with the report. He inquired whether anyone felt strongly that they wanted their particular point of view contained in the report. He asked whether the report should show how each Task Force member voted on each question and motion. Task Force members agreed that this was not necessary.

Brent Stockwell said Chairman Twist can present the report to City Council. The Mayor would ask each Task Force member if there was anything they wished to add to the recommendations. At the request of Chairman Twist, Mr. Stockwell outlined the process. On May 11, Chairman Twist would make a formal presentation to Council at a study session and provide the opportunity for any Task Force members who want to add any comments. Councilmembers can question the Chair and other Task Force members. Council can then provide direction to staff on what to bring back for action at a future meeting.

Susan Bitter Smith noted that in Tiers A and B the items have not been prioritized and the report does not spell this out. She believed that the Task Force should prioritize them to help Councilmembers decide which questions should go on the ballot. Alternatively the report could state that the tiers have not been prioritized. Charlie Smith commented that Tiers A and B combined contain only nine items, which should comfortably fit on the ballot.

Sherry Scott added that the Task Force can give direction to staff on the report and requested that they make a motion agreeing that the Chair should sign the report and make the verbal presentation to City Council.

Charlie Smith said the minutes document the reasons for dissenting votes. Jim Derouin suggested cross-referencing the dates when meetings were held and providing links to the online minutes. There would be no need to add the minutes as attachments. Brent Stockwell offered to prepare a summary document showing the dates when various subjects were discussed, with links to the minutes. It would be a challenge to summarize how items developed, he pointed out, because many of them developed over a series of meetings. Mr. Derouin agreed that this would be helpful.

**CHARLIE SMITH MOVED THAT THE TASK FORCE ADOPT THE REPORT AS PREPARED WITH CHANGES MADE AT THE MEETING TONIGHT, AND AUTHORIZE THE CHAIR TO SIGN THE REPORT ON BEHALF OF THE TASK FORCE, AND PRESENT THE REPORT TO THE CITY COUNCIL WHEN REQUESTED. JIM DEROUIN SECONDED THE MOTION.**

Chairman Twist thanked the Task Force members for their hard work, collegiality, and dedication over an extended period.

On behalf of the Task Force, Susan Bitter Smith thanked Chairman Twist for his leadership and indulgence of people's schedules in moving the Task Force through a very complicated process.

**THE MOTION CARRIED BY A UNANIMOUS VOTE OF SEVEN (7) TO ZERO (0).**

Brent Stockwell said the minutes from tonight's meeting will be circulated to Task Force members and if there are no objections, Chairman Twist will be authorized to approve them. Chairman Twist noted that there will be no need for further meetings.

On behalf of the Task Force, Jim Derouin thanked staff and the Charter Officers who attended meetings. The Task Force could not have done its work without their exemplary assistance throughout all the meetings.

On behalf of staff, Brent Stockwell recognized Brian Hancock for working in the booth and displaying materials as necessary, and City Cable staff for ensuring that meetings were broadcast.

**Adjournment**

With no further business to discuss, the meeting adjourned at approximately 7:34 p.m.

Respectfully submitted,  
A/V Tronics, Inc. DBA AVTranz.

Reviewed by  
Brent Stockwell, Senior Advisor

Officially approved by the Charter Review Task Force on May 17, 2010.