

AGENDA ITEM #: \_\_\_\_\_

DATE: October 5, 2020

CAR #: 2020-7062



## CITY COUNCIL ACTION REPORT

**SUBJECT:** Refer Charter Amendments to the Voters and Call of Election

**STAFF PRESENTER(S):** Julie Arendall, City Manager

**OTHER PRESENTER(S):** Darcie McCracken, City Clerk

**Summary:** Adopt a resolution to refer the Charter Amendments to the voters, call for a Special Election and provide notice of the Special Election to be held on March 9, 2021.

**Recommendation:**

ADOPT RESOLUTION NO. 2020-2106, ORDERING QUESTIONS BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY OF GOODYEAR WITH RESPECT TO AMENDMENTS TO THE GOODYEAR CITY CHARTER, SAID QUESTIONS TO BE SUBMITTED AT A CITY SPECIAL ELECTION TO BE HELD ON MARCH 9, 2021 AND PROVIDING DIRECTION AND AUTHORIZATION RELATED TO SUCH SPECIAL ELECTION.

**Fiscal Impact:** Costs for the March 9, 2021 Special Election are included in the FY2021 budget adopted by Council. The city contracts with Maricopa County Elections to provide election services at a rate of \$2.12 per voter. As of September 16, 2020, Goodyear had 53,347 voters bringing our estimate of costs to approximately \$114,000 for the Special Election.

### Background and Previous Actions

The Arizona Constitution grants specific authority for cities with a population of more than 3,500 to adopt a city charter. This State provision recognizes the authority of locally elected decision makers to make local decisions, and the ability of the level of government closest to the citizens to respond to specific needs in their communities. A City Charter serves as the foundational document for governance in the City. In essence, the City Charter serves as the “constitution” of the city.

The original City Charter was adopted in 1987. It has been amended several times, including most recently in 2019 to allow for consolidated elections. However, the last comprehensive review of the City Charter was in 2004. On January 27, 2020 City Council created the Ad-Hoc City Charter Review Committee (Committee) and directed the Committee to review the current City Charter. The Committee was charged with completing a comprehensive review to ensure consistency with language, best practices and policies. The Committee presented their recommendations to the Council on September 14, 2020.

The City Council reviewed and discussed the recommendation, and have provided guidance to staff to take the Charter Amendments to the electors of the city to vote on the changes. Recommended changes fall into two categories: major change or minor/administrative change. A major change is considered an important or significant policy change to the Charter. A minor/administrative change refers to various clean-up of outdated language, language that should reference Arizona State Statute (laws) or serves as administrative in nature.

One notable recommendation is to have the City Council consider the formation of a Charter Review Committee at least every ten years, so a comprehensive review of the City Charter may take place. Additionally, recommendations included removing the Electoral Districting provisions and references, providing language to fill vacancies on the Council, and to provide for removal of a Mayor or Councilmember for moral turpitude, misfeasance, malfeasance, and nonfeasance.

City Staff will pursue an Education Plan to inform the residents of the City about the election to include a dedicated website detailing the major and minor changes.

### **Staff Analysis**

Any proposed changes to the City Charter require approval by a vote of Goodyear citizens. If voters approve the amendments to the City Charter, the Governor is required to sign it and when that signature is affixed the Charter is then in effect.

### **Attachments**

Resolution 2020-2106