



## City of Goodyear

### Meeting Minutes

#### City Council Work Session

Meeting Location:  
Goodyear Justice Center  
14455 W. Van Buren St.,  
Suite B101  
Goodyear, AZ 85338

Mayor Georgia Lord  
Vice Mayor Wally Campbell  
Councilmember Joanne Osborne  
Councilmember Joe Pizzillo  
Councilmember Sheri Lauritano  
Councilmember Bill Stipp  
Councilmember Brannon Hampton

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Monday, August 21, 2017

5:00 PM

Goodyear Justice Center

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#### 1 CALL TO ORDER

Mayor Lord called the Work Session to order at 5:00 p.m.

#### 2. ROLL CALL

**Present** 7 - Mayor Lord, Vice Mayor Campbell, Councilmember Osborne, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Stipp, and Councilmember Hampton

Staff Present: City Manager Brian Dalke, City Attorney Roric Massey, and City Clerk Darcie McCracken

#### 3. AGENDA ITEMS FOR DISCUSSION:

- 3.1 [17-6117ws](#) Staff will present information to Council regarding the determination of a majority vote for elections and consolidated elections. No Council action is required at this time.

City Clerk Darcie McCracken and City Attorney Roric Massey presented.

##### Majority Vote:

McCracken reviewed the Majority Vote concept and explained how under votes, over votes and unqualified write-ins are calculated.

Under votes are those races where either nothing has been marked, or less than the allowable selections have been marked. Only those selections marked are counted.

Over votes are when more than the allowable selections have been marked. In this case, every selection is considered invalid and all selections for this race - are considered an over vote. This is because there would be no way to determine which selection (or selections) were the intended ones.

An unqualified write-in is when someone inserts a name when the person selected has not filed

the appropriate paperwork with the clerk's office.

Ten benchmark cities were contacted to learn how other communities determined votes; two include the over votes, under votes and unqualified write-in votes. Seven of the cities base the count on votes for candidates, although the specific language used may be different. One city determines the majority vote based on the votes for candidates for Mayor in the election. Of the ten cities, eight are charter cities. Peoria calculates the majority using over votes, under votes, and unqualified write-ins. When challenged, Peoria prevailed when taken to court based on the ruling that allows charter cities to govern themselves.

The state and county were not used as comparisons as they use the primary election to determine who goes to the general election for parties, and the general election to determine between parties. Therefore, under votes, over votes and unqualified write-in votes are not a consideration.

It is staff's recommendation to clarify the current city code by proposing the following language to clarify the majority vote:

"Any candidate who shall receive at the primary election a majority of all the votes cast shall be declared to be elected to the office for which he or she is a candidate effective as of the date of the general election, and no further election shall be held as to said candidate; provided that if more candidates receive a majority than there are offices to be filled, then those equal in number to the offices to be filled receiving the highest number of votes shall be declared elected."

The suggested language states - For the purposes of this Section, "votes cast" shall mean a legal vote actually cast in that candidate's race for a legally eligible candidate and excludes ballots and other votes that were not actually cast in that race including "over votes" and "under votes".

If Council determines this is the route they would like to pursue, the ordinance drafted by the city attorney would return to Council for a formal vote at a future Regular Meeting.

#### **Council Discussion:**

>**It seems like common sense to clarify the language as proposed.** Massey stated that we are just clarifying the process to be used.

>**How was the current method arrived at?** McCracken reported that results were reviewed going back to 2001, and there wasn't a consistent method used during that period of time. It seemed to go back and forth. This is why staff is now asking for clarification and direction for consistency moving forward.

>**Clarified that we are not eliminating a run-off if not enough candidates receive a majority vote.** Massey confirmed that there will still be a run-off in that situation.

>**We should make this change because it's the right thing to do.**

>**This would simplify the election process and save money from not having to have unnecessary elections.**

>**This has caused confusion in the past and agree that this needs to be clarified.**

**>If there were a qualified write-in candidate, how would that come in to play in this scenario?** McCracken explained that a qualified candidate must file paperwork. They would be listed at the polling place, and a paper would be mailed with the early ballots listing the name of who submitted paperwork to become a write-in candidate.

**Consolidated Elections:**

Currently, elections are set for March and May of odd-numbered years. Goodyear has all-mail elections, meaning there are no polling places on Election Day and all registered voters receive a ballot automatically in the mail. State law was changed in 2012 when the legislature required all elections to be in the fall of even-numbered years (consolidated elections). Several charter cities challenged the law and prevailed, which resulted in charter cities being exempt from changing to consolidated elections based on their charter.

The city has the ability to determine if they wish to change to the consolidated election dates currently in August and November of even years.

**Reasons to move to a consolidated election date:**

>Saving money by splitting election costs with the county (.50 per ballot compared to \$2.12 per ballot)

**Reasons to stay with the spring of odd years:**

>Allows the city to remain with an all-mail election making it more convenient for voters to participate

>Allows voters not here in July/August to participate

>If we are consolidated, the positioning on the ballot means that city candidates in the middle of the ballot and questions would be at the end of the ballot - any questions on the general ballot would be a tag line only - a tag line is where it says what a yes or no vote will do

>Higher turnout equates to higher signature requirements on initiative, referendum, recall and candidate petitions

>Faster results from the county for all-mail ballots - a couple of days as opposed to over two weeks for consolidated elections

>City Hall may or may not be a polling place - the county decides where the polling places will be

>More political signs during an election

>Primary ballots are distributed based on party affiliation, which means that independent voters on the Permanent Early Voter List (PEVL) would have to take an extra step to get their ballot by mail

McCracken reviewed Goodyear active voters, and voters on the PEVL. Over 30% of the Independent voters are on the PEVL, which would require them to request a party specific ballot during consolidated elections.

If Council opts to move toward Consolidated Elections, the Charter would need to be changed and would require an election and approval by voters. Terms for existing Councilmembers would need to be adjusted to allow for the change in the timing of the election (more or less time in office).

If Council should decide to refer the question to the voters to change the charter, a possible next step would be to establish a charter review committee to review the Charter as a whole for any other changes needed.

**Council Discussion:**

- >We are a non-partisan body, and would hate for the current partisan atmosphere to spill into our elections.**
- >Not in favor of a change to the Charter.**
- >Our Charter is our foundation document - our Constitution. This is more than just saving some dollars.**
- >A change would disenfranchise almost one-third of our resident's voters who are registered as Independent voters.**
- >Was not happy with the way the County ran the last election. People were leaving the voting lines because they were too long.**
- >Since we are non-partisan, our issues are often resolved in the Primary Election.**
- >Likes the way the system is set up now.**
- >We haven't heard that the citizens disagree with the current process. Until that occurs, is in favor of staying with the current process.**
- >Since ballots are not forwarded, changing the process would adversely affect the large number of snowbirds that live in Goodyear.**

**4. INFORMATION ITEMS**

None.

**5. ADJOURNMENT**

There being no further business to discuss, Mayor Lord adjourned the Work Session at 5:35 p.m.

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Darcie McCracken, City Clerk

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Georgia Lord, Mayor

Date: \_\_\_\_\_