

AGENDA ITEM SUMMARY

City Council



STAFF

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SUBJECT

Potential Charter Amendments.

EXECUTIVE SUMMARY

The purpose of this item is to present potential Charter amendments to the following Articles:

1. Article VIII – Elections
2. Article IX – Recall
3. Article X – Initiative and Referendum

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

1. What Charter amendments do committee members want to present to Council for placement on the November ballot?

BACKGROUND / DISCUSSION

At the March Election Code Committee meeting, members planned to focus on Charter amendments as its first item of business to ensure the amendments are ready for the November ballot.

Timing

For ballot questions to be prepared for the September 6 deadline, the committee will discuss potential Charter amendments on April 24 and May 29 (tentatively) to be presented for first reading on June 18, 2024 and second reading on July 2. This timing provides a buffer should the committee or Council need additional discussion or have unanticipated delays.

Article VIII. Elections

- Section 3 – Time frame for circulation and submittal of nominating petitions shall not be changed within 180 days.
- Section 4 – Sufficiency of petition notification within 5 working days.
- Section 7 – Timing relating to certification of election results.

Article IX. Recall

- Section 1(b) – Specify timeframe Clerk will send affidavit to affected officer; increase time to file statement in defense of charges from 5 to 10 days; revise language related to timing to file petition.
- Section 1(c) – Update various timing requirements to call election.
- Section 2(b) – Move section portion of section 2(f) to new section 2(b)(3) to designate the number of petition representatives allowed.
- Section 2(e)(1) – Remove holdover language from when we had multiple seats elected in the same race.
- Section 2(f) – Update timing to file petitions.
- Section 2(g) & (h) – This paragraph is broken up into subsections and new subsection relating to Protest added.
- Section 2(i) – Naming the section Certification and presentation to Council and adding special meetings as possibility for certification.
- Change name of Section 3 to Recall Elections from Elections.
- Section 3(e) – Clarify the newly elected candidate will take office at the next regular meeting after the election is certified; candidate qualification within 30 days of certification.

Article X. Initiative and Referendum

- Section 1(d) – Update timing to file prior to next election.
- Section 1(e) – Paragraph broken into subsection areas; various timing and language updates
- Section 2(b) – Clarification of timing.
- Section 2(d) – Update timing to circulate to 21 calendar days.
- Section 2(e)(2) – Clarifying language relating to Action by Council after petition certification.
- Section 3 – Revision to language relating to referring an ordinance or resolution to the voters.
- Section 5(b)(2)(b) – Updates relating to general statement of purpose on initiative petition.
- Section 5(b)(2)(c) – Add language to not include exhibits over a certain number of pages with the ordinance to be referred and include a statement from the Clerk where said exhibit may be found. Also, consideration of ordinances themselves over a certain number of pages.
- Section 5(d)(1) – Clarifying language relating to the required information on the circulator affidavit.
- Section 5(f)(1) – Revise the number of days the Clerk has to examine the petition to 15 calendar days.
- Section 5(f)(2)(i)(B) – Revise number of days the Clerk has to examine an amended initiative petition to 10 days.
- Section 5(f)(2)(ii)(B) – Update time to certify amended referendum petition to 10 days.
- Section 5(f)(3)(i) – Revise the number of days to file a protest to 5 business days of preliminary determination of sufficiency.

- Section 5(f)(3)(ii) – Revise language relating to the protest hearing and the time frame to hold the protest hearing.
- Section 5(f)(3) – Revise language and timing relating to the notice of protest hearing.
- Section 6(c)(2) – Additional language relating to a portion of an ordinance being referred rather than the entire ordinance.

ATTACHMENTS

1. Article VIII (redlined)
2. Article IX (redlined)
3. Article X (redlined)
4. Presentation