

SCOTTSDALE CITY COUNCIL
WORK STUDY MINUTES
TUESDAY, FEBRUARY 15, 2022



CITY HALL KIVA
3939 N. DRINKWATER BOULEVARD
SCOTTSDALE, AZ 85251

CALL TO ORDER

Mayor David D. Ortega called to order a Work Study Session of the Scottsdale City Council at 5:00 P.M. on Tuesday, February 15, 2022 in the City Hall Kiva Forum.

ROLL CALL

Present: Mayor David D. Ortega; Vice Mayor Tammy Caputi; and Councilmembers Tom Durham, Betty Janik (who participated electronically), Kathy Littlefield, Linda Milhaven and Solange Whitehead (who participated electronically)

Also Present: City Manager Jim Thompson, City Attorney Sherry Scott, City Treasurer Sonia Andrews, City Auditor Sharron Walker, and City Clerk Ben Lane

PUBLIC COMMENT

- Paul Simonson spoke in favor of the citizen's petition requesting the formation of three council districts with two councilmembers in each district.
- Daniel Ishac spoke in favor of retaining the current at-large voting system.
- Alex McLaren said that districting will create increased division within the city.
- John Faramelli expressed support for a charter amendment to create three districts with two representatives each.
- Paul Messinger spoke in support for the creation of three districts with two representatives each, based on population, and that any charter changes would not affect current councilmembers in office.

1. Possible Council Districting Process – Citizen Petition

Request: Presentation, discussion, and possible direction to staff regarding a citizen petition that was submitted at the January 31, 2022 City Council Meeting requesting the formation of three council districts with two councilmembers in each district.

Presenter(s): Ben Lane, City Clerk and Brent Stockwell, Assistant City Manager

Staff Contact(s): Ben Lane, City Clerk, 480-312-2411, blane@scottsdaleaz.gov

NOTE: MINUTES OF CITY COUNCIL MEETINGS AND WORK STUDY SESSIONS ARE PREPARED IN ACCORDANCE WITH THE PROVISIONS OF ARIZONA REVISED STATUTES. THESE MINUTES ARE INTENDED TO BE AN ACCURATE REFLECTION OF ACTION TAKEN AND DIRECTION GIVEN BY THE CITY COUNCIL AND ARE NOT VERBATIM TRANSCRIPTS. DIGITAL RECORDINGS AND CLOSED CAPTION TRANSCRIPTS OF SCOTTSDALE CITY COUNCIL MEETINGS ARE AVAILABLE ONLINE AND ARE ON FILE IN THE CITY CLERK'S OFFICE.

MOTION NO. 1 – ITEM 1

Councilmember Milhaven made a motion to direct staff to take no further action. Vice Mayor Caputi seconded the motion.

CALL THE QUESTION

Vice Mayor Caputi called the question. The motion to call the question failed 3/4, with Vice Mayor Caputi and Councilmembers Littlefield and Milhaven voting in the affirmative and Mayor Ortega and Councilmembers Durham, Janik, and Whitehead dissenting.

VOTE ON MOTION NO. 1 – ITEM 1

The Council vote on Councilmember Milhaven's motion to direct staff to take no further action failed 3/4, with Vice Mayor Caputi and Councilmembers Littlefield and Milhaven voting in the affirmative and Mayor Ortega and Councilmembers Durham, Janik, and Whitehead dissenting.

Assistant City Manager Brent Stockwell and City Clerk Ben Lane gave a PowerPoint presentation (attached) on the citizen petition requesting the formation of three council districts, history of previous actions, and the districting process.

MOTION NO. 2 – ITEM 1

Councilmember Durham made a motion to table the item. Councilmember Milhaven seconded the motion. After further discussion, Councilmember Durham withdrew his motion.

MOTION NO. 3 AND VOTE – ITEM 1

Councilmember Durham made a motion to direct staff to take no further action at this time. Councilwoman Littlefield seconded the motion, which carried 5/2, with Vice Mayor Caputi and Councilmembers Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative and Mayor Ortega and Councilwoman Janik dissenting.

ADJOURNMENT

MOTION AND VOTE – ADJOURNMENT

Councilwoman Littlefield made a motion to adjourn. Councilmember Durham seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

The Work Study Session adjourned at 6:32 P.M.

SUBMITTED BY:



Ben Lane, City Clerk

Officially approved by the City Council on March 29, 2022

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Work Study Session of the City Council of Scottsdale, Arizona held on the 15th day of February 2022.

I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 29th day of March 2022.



Ben Lane, City Clerk

Item 1

City Council Meeting – February 15, 2022

City Council District Petition

1

Jan. 31, 2022 Petition

The council shall consist of a mayor and six councilmembers to represent three districts of approximately equal population as follows:

- a) Three districts shall be configured in area as south, central and north
- b) Each district shall be represented by two councilmembers elected to fill staggered terms no earlier than the city's general election in November 2024 and no later than the city's general election in November 2026
- c) Open seat(s) in any District(s) which do not have a councilmember residing in said District(s) shall be filled first
- d) During the transition – In the event a district has two open seats in the same General Election, the highest vote recipient shall serve the four-year term and the second highest vote recipient a two-year term

2

History - Oct. 8, 2002 Petition

Started with Oct. 8, 2002 Citizen Petition

City Council discussed in Work Study Session on Nov. 5, 2002

14-member citizen committee appointed

Mission: "undertaking a balanced and informed investigation of the issue, including exploring various forms of the council district structure of government; examining other cities' experience with the district system; gaining public input; determining possible impact to Scottsdale; collecting relevant research and considering timing of a council district ballot measure."

3

2003 Task Force

The Task Force met nearly weekly between Feb. 4, 2003, and May 20, 2003, and held three public hearings.

Task Force gathered input from Glendale, Maricopa County, Mesa, Phoenix, Tempe and Tucson.

They studied and reported on four different types of districting systems:

1. three district blended system (three by district, three at large);
2. multi-member district system (three districts with two members each);
3. four district blended system (four by district, two at large);
4. six-district single-member district system, a.k.a. "straight six"

4

2003 Task Force

Task Force reported that moving to a district system would:

- Lead to greater local accountability,
- Lessen costs to run for a City Council position,
- Lessen the intimidation for citizens to run for City Council,
- Increase efficiencies in representing citizens, i.e., more time would be spent on representing one part of the community and less time in traveling from one part of the city to the other.

5

Trade-offs

	Residents per Council Member	Cost of Running for Office	Recall Signatures Required	Possibility of Un-contested Elections
District	Less	Less	Less	More
At Large	More	More	More	Less

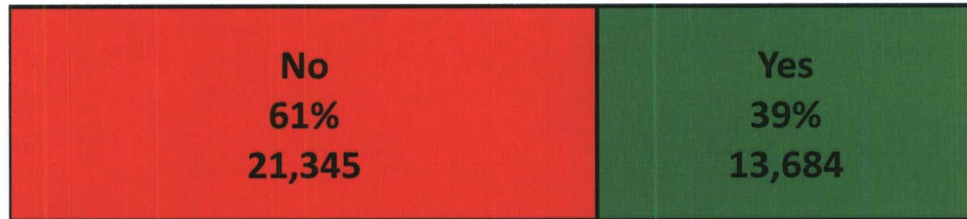
Source: 2003 Task Force Report

6

March 9, 2004 Election (Prop 100)

Six districts proposed with one member each (Straight Six)

Prop. 100 passed in 6 precincts and failed in 26 precincts



7

Charter Review Task Force (2009-10)

Seven-member task force met to review the City Charter overall

Multi-Member District Proposal (Three districts with two members each)
requested by a member

Task Force recommended 6-1 that the Council consider whether changed
circumstances warrant establishing a citizen committee to review the issues
of districts and related issues

At the May 18, 2010 City Council meeting, the recommendation was
presented by the Task Force Chair, but no action taken by the City Council

8

Jan. 31, 2022 Petition

The council shall consist of a mayor and six councilmembers to represent three districts of approximately equal population as follows:

- a) Three districts shall be configured in area as south, central and north
- b) Each district shall be represented by two councilmembers elected to fill staggered terms no earlier than the city's general election in November 2024 and no later than the city's general election in November 2026
- c) Open seat(s) in any District(s) which do not have a councilmember residing in said District(s) shall be filled first
- d) During the transition – In the event a District has two open seats in the same General Election, the highest vote recipient shall serve the four-year term and the second highest vote recipient a two-year term

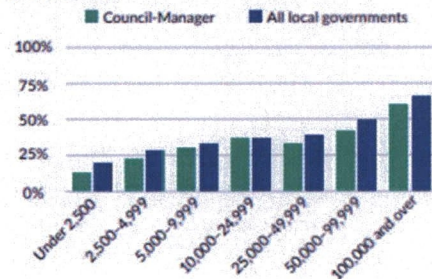
9

Use of Wards/Districts

32.0% of municipalities elect some or all of their council members by ward/district rather than at large, with council-manager governments doing so slightly less frequently. Larger municipalities are more likely to use wards to select council members.



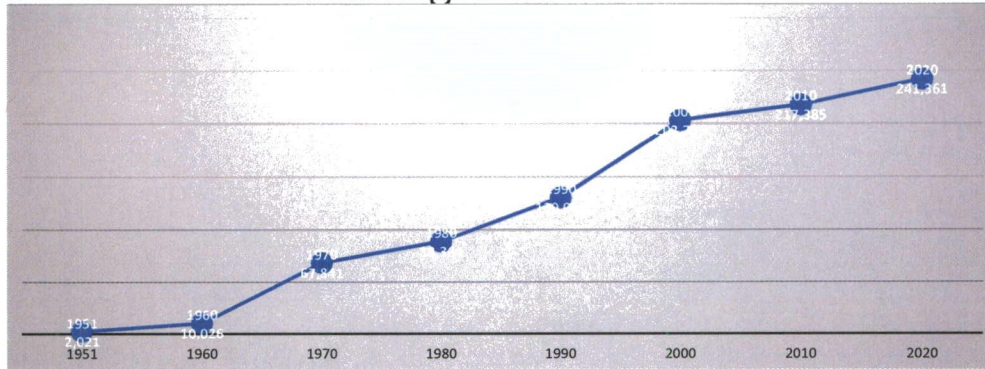
Percent of Municipalities with Council Wards/Districts by Population



Source: International City/County Management Association 2019

10

How has Scottsdale grown over time?



11

Large Arizona Cities with (6) & without (4) districts

City (Year Districts Added)	Population	Districts	Pop. per District
Phoenix (1983)	1,608,139	Eight districts; one member each	201,017
Tucson (1929)	542,629	Six wards; one member each. Ward-level partisan primary election, at-large partisan general election	90,438
Mesa (1998)	504,258	Six districts; one member each	84,043
Chandler	275,987	At Large	-
Gilbert (No Charter)	267,918	At Large	-
Glendale (1963)	248,325	Six districts; one member each	41,388
Scottsdale	241,361	At Large	-
- if three districts		Three districts; two members each	80,454
Peoria (1989)	190,985	Six districts; one member each	31,830
Tempe	180,587	At Large	-
Surprise (No Charter)	143,148	Six districts; one member each	23,858

Note: Bisbee (4,923) has had three wards with two members each since 1988

12

Other cities with multi-member districts

183 council-manager cities
from 100-300k in population

116 with Districts; 67 Elect
Council At-Large; 8 Multi-
Member Districts

City	Districts	Members
Overland Park, KS	6	2
Ann Arbor, MI	5	2
Lakewood, CO	5	2
Evansville, IN	4	2
Thornton, CO	4	2
Grand Rapids, MI	3	2
Hillsboro, OR	3	2
Newport News, VA	3	2

13

Jan. 31, 2022 Petition

The council shall consist of a mayor and six councilmembers to represent three districts of approximately equal population as follows:

- a) Three districts shall be configured in area as south, central and north
- b) Each district shall be represented by two councilmembers elected to fill staggered terms no earlier than the city's general election in November 2024 and no later than the city's general election in November 2026
- c) Open seat(s) in any District(s) which do not have a councilmember residing in said District(s) shall be filled first
- d) During the transition – In the event a district has two open seats in the same General Election, the highest vote recipient shall serve the four-year term and the second highest vote recipient a two-year term

14

Citizen Petition – Charter Revision

Article 2: The Council / Section 2 (Number; Selection)

Current Text (Proposed to Delete)	New Text (Proposed to Replace)
The Council shall consist of a mayor and six (6) councilmen elected from the city at large.	The Council shall consist of a mayor and six (06) councilmembers elected to represent three (3) Districts of approximately equal population as follows: (a) Three (3) Districts shall be configured . . . (b) Each District shall be represented by two (2) councilmembers . . . (c) Open seat(s) in any District(s) which do not have a councilmember . . . (d) Transition from At-large to full District implementation . . .

15

Citizen Petition – Charter Revision

The Council shall consist of a mayor and six (06) councilmembers elected to represent three (3) Districts of approximately equal population as follows:

- a) Three (3) Districts shall be configured in area as south, central, and north.

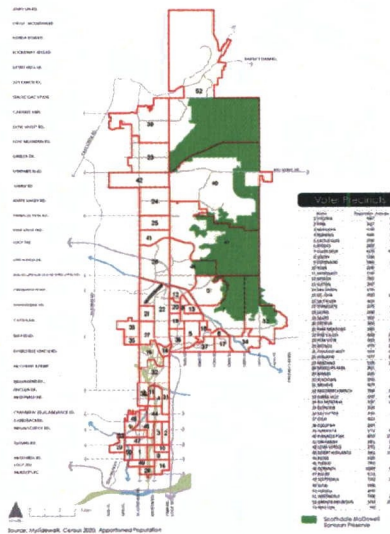
16

Core Principles of a Districting Effort

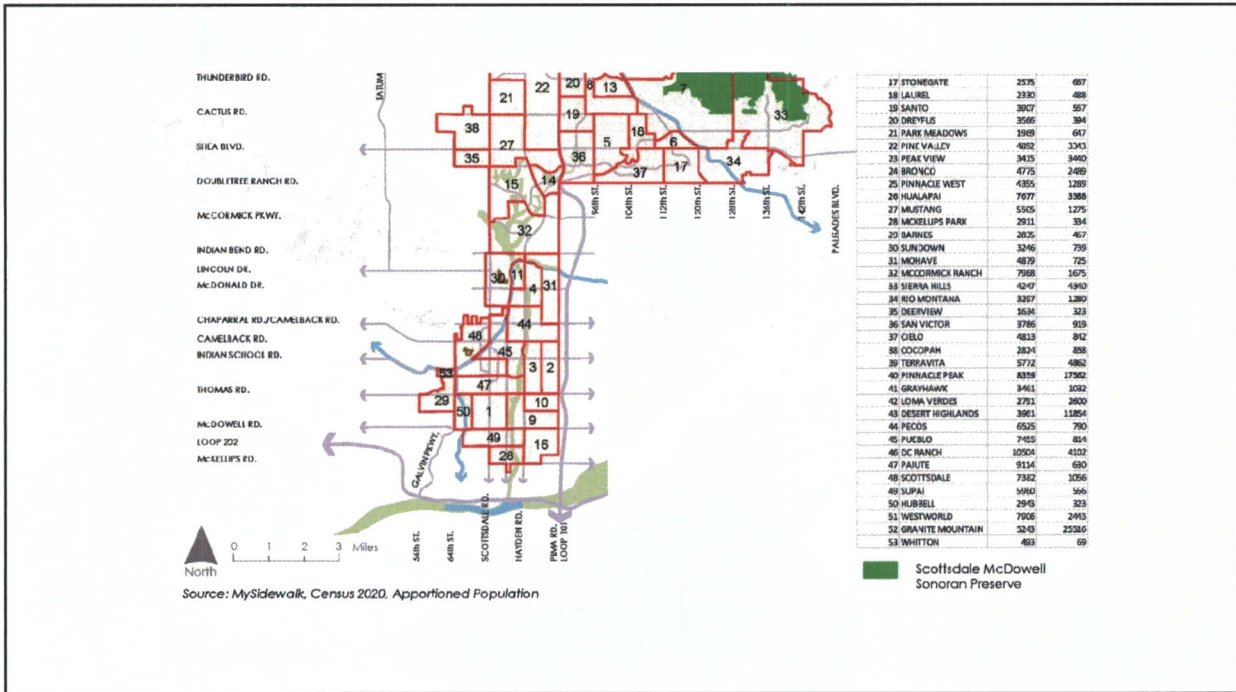
- Equal in Population
 - Every vote is equal
- Geographically compact with contiguous borders
 - Natural boundaries like mountains
 - Artificial boundaries like canals or county precincts
- Communities of Interest
 - Cohesive groups of people
 - Examples include communities with a stake in an asset such as park or school; groups with similar race or ethnicity; urban / rural areas
- Adherence to federal, state and local laws

17

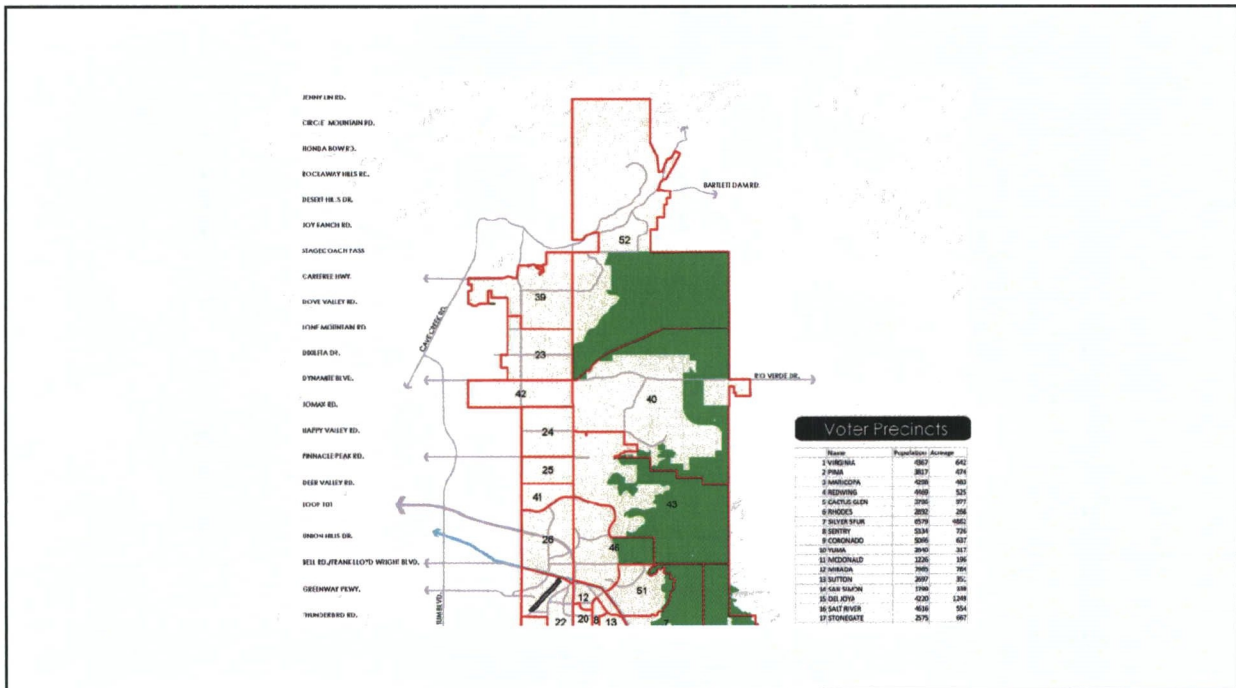
Current Precinct Map



18

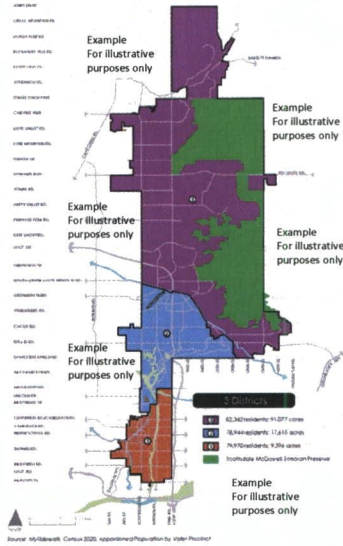


19

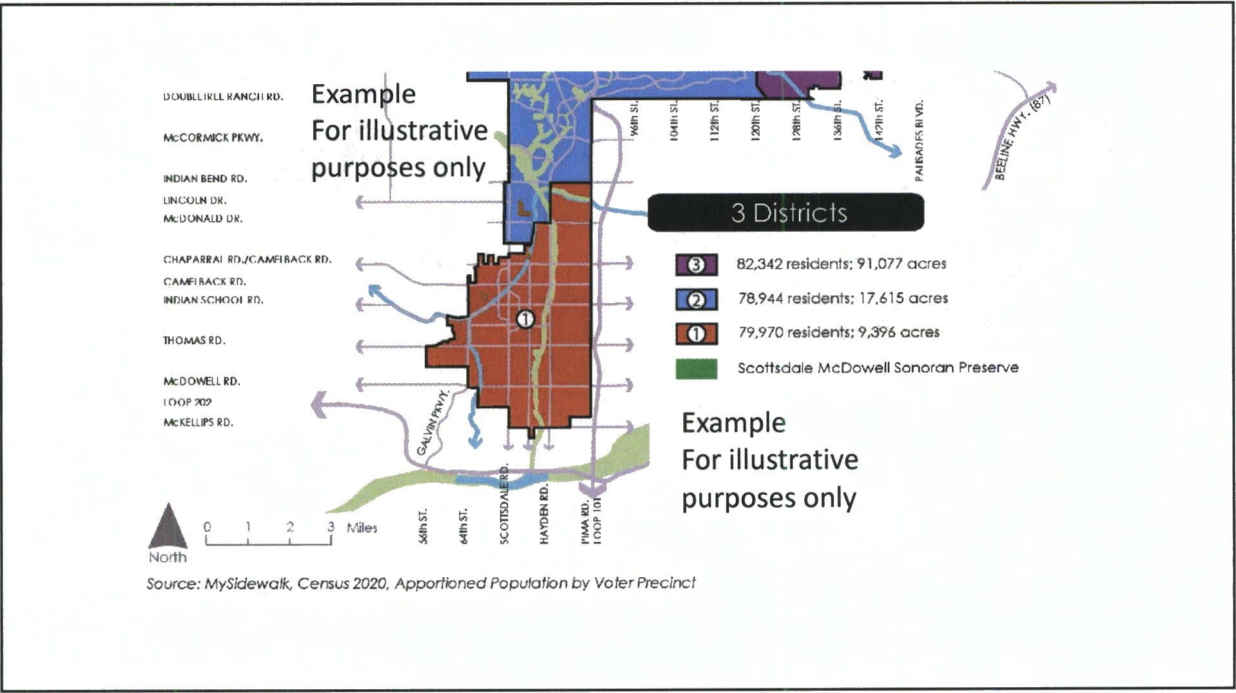


20

Three District Example for illustrative purposes only



21



22

Citizen Petition – Charter Revision

The Council shall consist of a mayor and six (06) councilmembers elected to represent three (3) Districts of approximately equal population as follows:

- b) Each District shall be represented by two (2) councilmembers elected to fill staggered terms no earlier than the City's General Election in November 2024 and no later than the City's General Election in November 2026.

25

Considerations Related to a Candidate Election

- Citizen Petition requests Council place item on Nov. 2022 ballot
- Possible steps for implementation (if item referred and passed)
 - Onboard district consultant
 - Seek resident feedback
 - Create maps created for Council consideration
 - Approval of final map by Council
 - Send approved map to Maricopa County and AZ Secretary of State
- Boundaries should be set before candidates circulate petitions

26

Citizen Petition – Charter Revision

The Council shall consist of a mayor and six (06) councilmembers elected to represent three (3) Districts of approximately equal population as follows:

- c) Open seat(s) in any District(s) which do not have a councilmember residing in said District(s) shall be filled first.
- c) Transition from At-large to full District implementation only: In the event that a District may have two (2) open seats in the same General Election; the highest vote recipient shall serve the four-year term and the second highest shall serve a two-year term.

27

Considerations related to a Candidate Election

- Those elected in 2022 Election Cycle unaffected by District Proposal
 - Will serve a four-year term ending in 2026
- If referred and approved by voters, full districting may take up to 2 election cycles to complete
- 3 key provisions of Citizen Petition Sections C and D
 - Open seats filled first
 - District with 2 open seats – two candidates elected
 - Can only fill 3 council seats for 4-year terms per election

28

Other Charter Amendments / Code Provisions

- Charter (Revisions)
 - Article 2: The Council / Section 4: Qualifications (residency in district)
 - Article 2: The Council / Section 10: Vacancies (within district)
 - Article 2: The Council / Section 18: Limitation of Terms (clarify terms)
- Code (New Sections)
 - Establishment
 - Apportionment
 - Boundaries / Legal Description
 - Nomination Signature Requirement for Council [A.R.S. 16-322 (A)(9)]

29

Possible Referral / Implementation Timeline

- Early June 2022 – Council Action: Ballot Referral & Election Call
- Late June 2022 – Final ballot language due to Maricopa County
- July 2022 to November 2022 – Procurement process for a districting consultant
- November 8, 2022 – Election Day
- Late November 2022 – September 2023
 - Governor to sign Charter Amendment
 - Onboard consultant
 - Public Meetings
 - Council Finalizes Map
 - Map provided to Maricopa County and AZ Secretary of State

30

Provide Direction to Staff on the Handling of this Matter

Possible Options:

- Direct staff to draft the proposed Charter Amendment and bring back for discussion and possible action
- Direct staff to agendize further discussion and possible action on the issue which could include formation of a citizen committee to study further
- Take no further action
- Other direction or feedback

31

District Elections – Example #1

District Where Elected Candidate Resides	2022 Election (No Districts)	2024 Election (Districts)	2026 Election (Districts)
North	1 candidate elected to a 4-year term	1 candidate elected to a 4-year term	1 candidate elected to a 4-year term
Central	1 candidate elected to a 4-year term	1 candidate elected to a 4-year term	1 candidate elected to a 4-year term
South	1 candidate elected to a 4-year term	1 candidate elected to a 4-year term	1 candidate elected to a 4-year term

32

District Elections – Example #2

District Where Elected Candidate Resides	2022 Election (No Districts)	2024 Election (Districts)	2026 Election (Districts)
North	1 candidate elected to a 4-year term	1 candidate elected to a 4-year term	1 candidate elected to a 4-year term
Central	2 candidates elected to 4-year terms	No candidate election in this district	2 candidates elected - 1 st place elected to 4-year term - 2 nd place elected to 2-year term
South	No candidate elected	2 candidates elected - 1 st place elected to 4-year term - 2 nd Place elected to 2-year term	1 candidate elected to a 4-year term (race may have 2024 2 nd place finisher if seeking reelection)

33

District Elections – Example #3

District Where Elected Candidate Resides	2022 Election (No Districts)	2024 Election (Districts)	2026 Election (Districts)
North	No candidate elected	2 candidates* elected - 1 st place elected to 4-year term - 2 nd Place elected to 2-year term	1 candidate elected to a 4-year term (race may have 2024 2 nd place finisher if seeking reelection)
Central	3 candidates elected to 4-year terms	No candidate election in this district	2 candidates elected - 1 st place elected to 4-year term - 2 nd place elected to 2-year term
South	No candidate elected	1 candidate* elected to a 4-year term	1 candidate elected to a 4-year term

* - Council to determine by ordinance which district has 2 candidates

34

Recent Council Candidate Elections

Election	Total Ballots Cast	Possible Votes	Actual Votes	Under Votes	Percentage of Possible Votes Not Cast
Nov. 2014	78,500	235,500	156,701	77,935	33%
Nov. 2016	128,244	384,732	205,623	178,638	46%
Nov. 2018	119,298	357,894	221,838	135,552	38%
Nov. 2020	156,676	470,028	317,057	152,602	32%