

CITY COUNCIL REPORT



Meeting Date: **December 4, 2023**
Charter Provision: ***Provide for the orderly government and administration of the affairs of the City***
Objective: ***Enact local legislation***

ACTION

2024 Primary and General Elections. Adopt Resolution No. 12953 calling the City of Scottsdale's Primary Election for Tuesday, August 6, 2024, and the City's General Election, if necessary, for Tuesday, November 5, 2024, for the purpose of electing a Mayor and three Councilmembers.

BACKGROUND

The City Charter calls for Scottsdale's primary elections and general elections to be held in even numbered years on the dates set for the State's primary and general elections, respectively. If no more than two candidates file nominating petitions for each vacancy in office, the City Charter allows the primary election to be dispensed with as to that office.

The adoption of Resolution No. 12953 begins the 2024 candidate election process for the City of Scottsdale and serves to publicize the elections to the electors and the media.

At the Primary Election, any candidate who receives a majority of all the legal votes cast in that candidate's race shall be declared elected. If elected offices are not filled at the August 6, 2024 Primary Election, a General Election will be held on November 5, 2024 to fill such vacancies.

If there are no more than two candidates who file nominating petitions for each vacancy in office, Resolution No. 12953 authorizes the City Clerk to take all necessary actions to dispense with the Primary Election for that office, including:

- (1) Notifying the Council in writing within 24 hours of making such determination. Within 48 hours of receiving such written notice, the Mayor or four members of the Council may call a Special Meeting of the Council to vote on whether to dispense with the Primary Election for that office; otherwise, the Primary Election for that office shall be deemed cancelled.
- (2) Publishing, in a newspaper of general circulation, a notice to advise the public that the Primary Election has been dispensed with as to that office.

If the Primary Election is cancelled, the candidates who filed nominating petitions for that office will advance to the General Election ballot.

Resolution No. 12953 also authorizes the City Clerk to combine the candidate information pamphlet(s) with any required publicity pamphlet(s) if there is an opportunity to do so.

The Maricopa County Elections Department is statutorily required to provide voter registration and other election services. Maricopa County may consolidate Scottsdale's August 6, 2024 Primary Election and November 5, 2024 General Election with any other election conducted in the City on those dates.

RESOURCE IMPACTS

Approximately \$370,000 will be included in the proposed FY 2024/25 Election Budget to cover the cost of the 2024 Primary and General elections. The charge by Maricopa County Elections for conducting the elections is estimated to be \$0.50 per registered voter for each election. The actual cost of the election(s) will depend upon the number of registered voters at the close of voter registration. As of November 14, 2023, there are 171,778 registered voters in Scottsdale.

Maricopa County Elections does not prepare, publish, or mail candidate or publicity pamphlets. The additional costs for printing the pamphlets, postage, translation costs, and other miscellaneous costs are included in the \$370,000 estimated election costs.

RESPONSIBLE DEPARTMENT(S)

Office of the City Clerk

STAFF CONTACT(S)

Ben Lane, City Clerk, blane@scottsdaleaz.gov

APPROVED BY



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



Date

ATTACHMENTS

1. Resolution No. 12953

RESOLUTION NO. 12953

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, ARIZONA, CALLING A PRIMARY ELECTION FOR TUESDAY, AUGUST 6, 2024, AND, IF NECESSARY, A GENERAL ELECTION FOR TUESDAY, NOVEMBER 5, 2024; AND DESIGNATING OR PROVIDING FOR ELECTION DATES, THE LOCATION AND FIRST AND LAST DATES FOR CANDIDATES TO FILE NOMINATION PAPERS, PUBLICITY PAMPHLETS AND CANDIDATE INFORMATION PAMPHLETS, SPANISH TRANSLATION OF ELECTION MATERIALS, VOTER REGISTRATION DEADLINES, EARLY VOTING, SAMPLE BALLOTS, VOTING SYSTEM, AND THE MANNER IN WHICH THE CITY CLERK SHALL CONDUCT THE ELECTION.

BE IT RESOLVED by the Council of the City of Scottsdale as follows:

Section 1. Municipal election dates; purpose.

The Primary Election in the City of Scottsdale ("Primary Election") shall be held on Tuesday, August 6, 2024, for the purpose of electing a Mayor and three Councilmembers, and to determine whether a General Election ("General Election") shall be held on Tuesday, November 5, 2024, for any elected offices that remain unfilled after the Primary Election.

Section 2. Publication of the call and notice of election.

The publication of the call and notice of the Primary Election and General Election shall be given, or caused to be given, by the City Clerk, as provided by law, and as may be deemed necessary and appropriate in the City Clerk's discretion to advise the public of the elections.

Section 3. Voter registration deadlines, early voting, and sample ballots.

A voter in this election must be a qualified elector of the City of Scottsdale. A qualified elector of the City is defined as a person who is registered to vote and whose name appears on the Maricopa County voter registration rolls within the boundaries of the City of Scottsdale twenty-nine (29) days prior to the date of election.

Maricopa County registration and voting lists will be used for the Primary Election and the General Election. To be qualified to vote, a resident must be registered to vote by Monday, July 8, 2024 for the Primary Election, and by Monday, October 7, 2024 for the General Election.

Early voting will be permitted in accordance with the provisions of Title 16, Chapter 4, Article 8, Arizona Revised Statutes, as amended. Applications for early ballots for the Primary Election and the General Election will be available to qualified City electors beginning Sunday, May 5, 2024. Voters requesting an early ballot for the Primary Election also will be mailed a ballot for the General Election.

Sample ballots will be available at the Scottsdale City Clerk's Office, 3939 N. Drinkwater Blvd., Scottsdale, on Thursday, June 27, 2024, for the August 6, 2024 Primary Election, and on Thursday, September 26, 2024, for the November 5, 2024 General Election.

Section 4. Date and place to file candidate nomination forms.

Candidates seeking municipal office may obtain candidate packets, which contain nomination papers and other election materials that must be filed by candidates for public office, online at [Scottsdale.Vote](https://www.scottsdale.vote) or at the Scottsdale City Clerk's Office, City Hall, 3939 N. Drinkwater Boulevard, Scottsdale, Arizona 85251.

Candidates must file nomination papers and other nomination forms by 5:00 p.m. on Monday, April 8, 2024, at the Scottsdale City Clerk's Office for their names to appear on the Primary Election ballot. The earliest date for filing nomination papers is Monday, March 11, 2024.

Write-in candidates are not required to file nominating petitions but must file all other nomination forms by 5:00 p.m. on Thursday, June 27, 2024 if a Primary Election is held. If there is no Primary Election for the office being sought, the deadline for filing as a write-in candidate is September 26, 2024.

Section 5. Candidate information pamphlet(s).

Any candidate who has filed the documents required by law to have his or her name printed on the Primary Election ballot may file a statement to be printed in the 2024 Election Candidate Information Pamphlet(s). Each statement must be filed in accordance with the guidelines established by the City Council and attached as part of this resolution (Exhibit A). The candidate information pamphlet will be mailed to every registered voter household and posted on the City's website.

Section 6. Publicity pamphlet (if required).

Pursuant to A.R.S. § 19-141, the City Clerk shall, if applicable and required by law, cause a publicity pamphlet to be printed and mailed in time to be delivered to every registered voter household before the earliest date that any requested early ballots can be received.

Arguments supporting or opposing the ballot measure(s) to be published in the publicity pamphlet shall be filed with the City Clerk not less than ninety (90) days before the election, which is Wednesday May 8, 2024, for the Primary Election, and Wednesday, August 7, 2024, for the General Election. Each argument shall also be provided in electronic form in a format determined by the City Clerk.

Each argument shall not exceed 300 words in length and shall contain the sworn statement of each person sponsoring it. If the argument is sponsored by an organization, the sworn statements of two executive officers are required. If the argument is sponsored by a political committee, the sworn statement of the committee's chair or treasurer is required. Persons signing shall also identify themselves by giving their residence or post office address and a telephone number, which shall not appear in the pamphlet, except for their city and state of residence. With each argument supporting or opposing each question, one hundred dollars

(\$100.00) shall be deposited with the City Clerk for a proportionate cost of the purchase of the paper and the printing of the argument.

The publicity pamphlet, if required, will be mailed to every registered voter household and posted on the City's website.

Section 7. Authorization to combine the candidate information pamphlet with the publicity pamphlet (if required).

If there is an opportunity to combine the candidate information pamphlet with the publicity pamphlet, the City Clerk is authorized to combine the two pamphlets using the following procedures:

1. The cover of the combined pamphlet will be clearly marked to indicate that it contains both the publicity pamphlet and candidate information pamphlet.
2. A statement will be included in the introductory letter of the pamphlet explaining that the pamphlet contains both the statutorily required publicity pamphlet and the candidate information pamphlet.
3. The publicity pamphlet section will be placed first, followed by the candidate information section. The two sections will be separated by a "Candidate Information Pamphlet" title sheet.

The combined pamphlet will be mailed to every registered voter household and posted on the City's website.

Section 8. Spanish translation.

To comply with the Voting Rights Act of 1965, as amended, the proceedings pertaining to these elections, such as this call of election, the notice of election, ballots, early voting materials, and voting instructions, will be translated into Spanish and posted, published, and recorded in each instance where posting, publication, and recording for such proceedings are required.

Section 9. Conduct of election.

The election(s) shall be conducted and the poll lists kept, and the votes cast shall be counted and tabulated, and the returns shall be made in the manner provided by law. Only persons who are qualified electors of the City shall vote at the City of Scottsdale August 6, 2024 Primary Election and November 5, 2024 General Election.

The City Clerk is hereby authorized to determine the method for conducting the election(s) and to sign Maricopa County's Menu of Services agreement for the conduct of the August 6, 2024 Primary Election and the November 5, 2024 General Election.

The August 6, 2024 Primary Election and the November 5, 2024 General Election may be consolidated with any other election conducted in the City on those dates.

Section 10. Process for dispensing with the Primary Election (if necessary).

Pursuant to Article 9, Section 1, of the City Charter, if no more than two candidates file nominating petitions for each vacancy in office, the City Clerk is hereby authorized to take all necessary actions to dispense with the Primary Election as to that office.

In the event the City Clerk determines that it is necessary to dispense with the August 6, 2024 Primary Election for the office of Mayor or the office of Councilmember, the Clerk shall:

1. Notify the Mayor and Council in writing within 24 hours of making such determination. Within 48 hours of receiving such written notice, the Mayor or four members of the Council may call a Special Meeting of the Council to vote on whether to dispense with the Primary Election for that office; otherwise, the Primary Election shall be deemed cancelled for that office; and
2. Publish, in a newspaper of general circulation, a notice to advise the public that the Primary Election has been dispensed with as to that office.

Section 11. Establishing polling places.

The polling places used in the City of Scottsdale will be the polling places established by Maricopa County and used for conducting previous elections in the City of Scottsdale, if available.

Section 12. Hours of the polling places.

Unless Maricopa County determines that the consolidated election(s) shall be conducted by mail, the polls will be open from 6:00 a.m. until 7:00 p.m. on Election Day.

Section 13. Appointment of election boards.

The election board workers for the Primary Election and the General Election shall be appointed, or authorized to be appointed, by the City Clerk as may be deemed necessary and appropriate in the City Clerk's discretion to ensure all polling places are fully staffed as required by law.

Section 14. Voting system.

Voting shall be by the Optical Scan System in use by Maricopa County Elections Department for the recordation of the electors' choices as authorized by Arizona Revised Statutes.

Section 15. Canvass of Election.

The returns of the Primary Election and the General Election shall be made to the City Council, which shall meet not less than six (6) days, nor more than twenty (20) days following the election to canvass the returns and certify the results, all as provided by law. If, at the time of the date set for the Council meeting, the returns from any polling place are found to be missing, the City Clerk is authorized to postpone the meeting from day to day until all the returns are received, or until six postponements have been made.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Arizona, this 4th day of December 2023.

CITY OF SCOTTSDALE,
a municipal corporation

David D. Ortega, Mayor

ATTEST:

Ben Lane, City Clerk

APPROVED AS TO FORM:



Sherry R. Scott, City Attorney

**CITY OF SCOTTSDALE
2024 ELECTIONS
CANDIDATE INFORMATION PAMPHLET
GUIDELINES FOR FILING CANDIDATE STATEMENTS**

WHO MAY FILE A STATEMENT

Any candidate who has filed the documents required by law to have his or her name printed on the 2024 Primary Election ballot may file a statement to be printed in the Candidate Information Pamphlet for that election. If a General Election is necessary, any candidate who is eligible to have his or her name printed on the General Election ballot may file a statement for inclusion in the Candidate Information Pamphlet for that election.

DEADLINE FOR SUBMITTING STATEMENTS

For the August 6, 2024 Primary Election, the candidate or candidate's representative must file the candidate's statement with the City Clerk no later than 5:00 p.m., Monday, April 8, 2024, the last day for filing documents required to become a candidate. If the Primary Election is cancelled, the deadline for filing candidate statements is automatically extended to the deadline for filing candidate statements for the General Election pamphlet.

For the November 5, 2024 General Election, the deadline for filing candidate statements with the City Clerk shall be no later than 5:00 p.m., Friday, August 9, 2024.

FORM OF STATEMENT

Statements shall be limited to 300 words and will not be edited by the City Clerk's Office. The 300-word limit is in addition to brief biographical information. **Biographical information is limited to name, age, current occupation, education, and candidate's email address and website only.** Career accomplishments, awards, past occupations, and similar information must be placed in the body of the statement and will count towards the 300-word limit. Candidate statements shall not take up more than one page in the pamphlet.

A 2" x 2" head shot photo of the candidate in electronic format will be printed in the pamphlet if presented at the same time as the statement. If no photo is submitted, or is untimely submitted, only the biographical information and 300-word statement will be printed. An empty box will appear where the picture would have been. If the printer is unable to reproduce a photo through no fault of the candidate who submitted it, the Clerk will work with the printer and the candidate to make sure a suitable photo of the candidate is included in the pamphlet.

If no statement is received from a qualified candidate, a statement will be placed in the pamphlet to the effect that, ***"No statement was received from this candidate by the deadline for filing statements."***

FORMAT

The format that will be used for the 2024 election candidate pamphlets will be substantially in the form of previous pamphlets. A legal disclaimer will be printed in the pamphlet indicating: **"Candidate statements represent the opinions of the authors and have not been edited or checked for grammar, spelling or accuracy of content."** The Candidate Information Pamphlet was precleared by the United States Department of Justice for all City of Scottsdale candidate elections.

ORDER OF PLACEMENT IN THE PAMPHLET

To determine the order of placement of the statements in the pamphlet, the name of each candidate shall be written on a piece of paper and placed in a container. An impartial person shall draw the names and the statements shall be placed in the pamphlet in the order that the names were drawn. This drawing of names shall be done in public, and all candidates will be given prior notification of the time and place for the drawing.

CONSISTENCY FOR EFFICIENT PREPARATION

The following rules apply to the preparation of statements that are submitted for inclusion in the 2024 Election Candidate Information Pamphlet.

- Statements must be typed or printed and signed by the candidate, which may be submitted electronically or in person. In addition to a signed copy of the candidate statement, candidates must submit their statements in either Microsoft Word or Google Docs formats via an e-mail to: blane@scottsdaleaz.gov.
- Statements must be provided in English.
- For the August 6, 2024 Primary Election, the candidate or candidate's representative must file the candidate's statement with the City Clerk no later than 5:00 p.m., Monday, April 8, 2024, the last day for filing documents required to become a candidate.
- For the November 5, 2024 General Election, the deadline for filing candidate statements with the City Clerk shall be no later than 5:00 p.m., Friday, August 9, 2024.

The City Clerk will determine a uniform type size, font, style, and format for the statements and will have each statement typeset in conformance with this format.

The City Clerk will have all statements translated into Spanish as required by the Voters' Right Act and will print both English and Spanish versions of the pamphlet. The City Clerk will delete any words in excess of the 300-word allowance from the end of the statement.

The City Clerk will not edit the content of the statements, other than the deletion of words in excess of 300 words.

The statements will not be released for public review until after the filing deadline. A candidate may withdraw or amend a statement, or provide a substitute statement, at any time before the filing deadline.