

RESOLUTION NO. 2015.xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, ORDERING A SPECIAL ELECTION ON MARCH 8, 2016, FOR THE QUALIFIED ELECTORS OF THE CITY OF TEMPE, ARIZONA, FOR THE PURPOSE OF DETERMINING WHETHER TO AMEND THE TEMPE CITY CHARTER, BY ADDING ARTICLE VII, SECTION 7.05, TEMPE CLEAN AND TRANSPARENT CAMPAIGN ALTERNATIVE CAMPAIGN FINANCE SYSTEM.

WHEREAS, the City of Tempe 2016 Primary Election will be held on March 8, 2016; and,

WHEREAS, the Tempe City Charter, Article IX, Section 9.02, Charter amendments, provides that Charter amendments may be initiated by the City Council and that all proposed amendments shall be submitted to the qualified electors of the City at a general or special election; and,

WHEREAS, the Arizona Constitution, Article XIII, Section 2 and Arizona Revised Statutes §§9-283(C) and 19-143(C) provide that the Tempe City Charter may be amended by amendments proposed and submitted by the City Council of the City of Tempe to the qualified electors at a general or special election; and,

WHEREAS, the Tempe City Council desires to submit a proposed charter amendment on the Special Election ballot to be voted by the voters at the City of Tempe Primary/Special Election on March 8, 2016.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AS FOLLOWS:

Section 1. That a Special Election be held on March 8, 2016, in conjunction with the Primary Election to be held on that date.

Section 2. That the following question be submitted to the qualified electors of the City of Tempe, to determine whether the Tempe City Charter should be amended:

SHALL ARTICLE VII OF THE TEMPE CITY CHARTER BE AMENDED TO ADD SECTION 7.05 TO READ AS FOLLOWS:

Sec. 7.05. Tempe Clean and Transparent Campaign Alternative Campaign Finance System.

An alternative campaign finance system is hereby established for candidates who opt to participate, which requires additional reporting, limits spending, and provides public funding for participating candidates. A campaign for mayor or city council shall be financed, in part, with public funds if a candidate: (1) chooses to participate in this alternative system; (2) complies with additional reporting requirements; (3) complies with additional limits on contributions, including a prohibition of accepting contributions from political action committees or political parties for use by the candidate's campaign committee; and (4) complies with limits of overall expenditures for each election. An independent oversight committee shall be formed to administer and enforce the requirements for qualification, dollar amounts and limits, and related rules, in compliance with the requirements established by the Tempe City Code. For the purpose of funding the alternative campaign finance system created by this section, the city council shall have the power to levy a flat fee to be paid by all city utility customers, which shall not at any point exceed one (1) percent of the average city utility bill.

SHALL THE ABOVE DESCRIBED AMENDMENT BE ADOPTED?

YES

NO

Section 3. That the electors favoring the above Charter amendment shall vote "YES" and the electors opposing said amendment shall vote "NO".

Section 4. That the Special Election shall be held in conformity with the provisions of the Tempe City Charter and the general election laws of the State of Arizona.

Section 5. That the City Council shall cause the ballot and publicity pamphlets to be printed and shall provide a sufficient number of ballots to conduct the election.

Section 6. That arguments supporting or opposing the Charter amendment to be published in the publicity pamphlet shall be filed with the City Clerk on or before December 9, 2015. Each argument shall not exceed 300 words in length and shall contain the original, notarized signature of each person sponsoring it. If the argument is sponsored by an organization, the original, notarized signatures of two executive officers are required. If the argument is sponsored by a political committee, the original, notarized signature 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. With each argument supporting or opposing the proposition, one hundred dollars (\$100.00) shall be deposited with the City Clerk to offset a portion of the proportionate cost of paper and printing the argument.

Section 7. That if a majority of the qualified electors of the City voting at the election vote in favor of the proposed charter amendment, it shall be the duty of the City Council, immediately upon canvassing the vote cast in the election as provided, to transmit a certified copy of the approved Charter amendment to the Governor of the State of Arizona for approval, as provided by the Tempe City Charter and the Arizona Constitution.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this _____ day of _____, 2015.

Mark W. Mitchell, Mayor

ATTEST:

Brigitta M. Kuiper, City Clerk

APPROVED AS TO FORM:

Judith R. Baumann, City Attorney