

**TOWN OF PRESCOTT VALLEY
REQUEST FOR COUNCIL ACTION
Date: July 28, 2016**

SUBJECT: Initiative Petition No. 2016-INIT.002

SUBMITTING DEPARTMENT: Town Clerk

PREPARED BY: Diane Russell, Town Clerk

AGENDA LOCATION: Comments/Communications , Consent , Work/Study ,
New Business , Public Hearing , Second Reading

ATTACHMENTS: a) July 19, 2016 Certification, b) Letter to Citizens for Government Accountability Committee

SUMMARY/BACKGROUND: On July 8, 2016, 108 petition sheets containing approximately 1,523 signatures for Initiative Petition No. 2016-INIT.002 were filed with the Town Clerk's Office by Citizens for Government Accountability; Jessica O'Conner, Chairperson. An initial check of the signatures listed on each petition page was conducted in accordance with ARS §19-121.01 and a requisite random sample was requested from the Secretary of State's office based on the remaining 101 pages with 1,418 signatures. A facsimile of the front of each signature sheet on which a signature included in the random sample fell was delivered to the Yavapai County Recorder's office for verification on July 13, 2016. Official notification of the results was received from the Recorder on July 18, 2016.

The random sample verification completed by the Yavapai County Recorder's office indicated that:

- Sixty-two (62) of the 71 sample signatures were found to be qualified electors
- Nine (9) of the 71 sample signatures were found not to be qualified electors.

A projection from such random sample indicated that thirteen (13) percent of the signatures were ineligible to appear on the 2016-INIT.002 petition. As the remaining signatures contained on the petition (1,234) did meet and exceed the minimum of 1,045 required signatures, the initiative qualifies to be placed on the ballot on November 8, 2016. A certified letter was sent to the Chairperson Jessica O'Connor on July 18 informing her of these results.

Council was notified of these results on July 20 along with the next steps available to them. There are essentially three options at this stage. According to the 2015 League of Arizona Cities and Towns Election Manual:

1. "The governing body may enact the initiative petition as an ordinance and refer the ordinance to a referendum vote."
2. "The governing body may enact the initiative petition without referring it to a referendum vote. In that case, the ordinance is subject to a referendum petition."
3. "The council may decline to enact the initiative petition. In that event, the council may call a special election, if special elections for voting on initiatives have been previously provided by ordinance."

As a matter of procedure, the initiative will automatically be placed on the November 8, 2016 ballot (being at least 120 days after the date the initiative petitions were filed). If Council members choose, between now and the election ARS §19-143(B) would also allow the Council to follow regular procedures for simply enacting an ordinance to adopt the initiative and either formally call for a referendum election or allow it to be subject to a referendum petition. If done in a timely fashion, this process would change the election to a referendum election or render the initiative election moot.

OPTIONS ANALYSIS: The Council may take no action and allow the Clerk to take steps to place Initiative Petition No. 2016-INIT.002 on the ballot at the General Election on November 8, 2016, OR the Council may ask the Mayor/Manager to arrange to place on an upcoming Council agenda an ordinance adopting Initiative Petition No. 2016-INIT.002 and either (a) directing that the Ordinance be referred to a referendum vote at the General Election on November 8, 2016, OR (b) making no further direction and simply allowing any citizens who wish to run a referendum petition on the Ordinance as otherwise permitted by law.

ACTION OPTION: N/A

RECOMMENDATION: N/A

FISCAL ANALYSIS: In the event of a General Election potentially being needed after the Primary Election, a total of \$130,574.91 has been budgeted (including approximately \$23,000 for publication of required notices and creation, printing and mailing of the publicity pamphlet mailed to each household with a registered voter).

REVIEWED BY:

Management Services Director _____

Town Clerk _____

Town Attorney _____

Town Manager _____

COUNCIL ACTION:

Approved Denied Tabled/Deferred Assigned to _____