

# **City Charter Amendment Resident Advisory Committee**

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**August 13, 2025**

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# Agenda

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## Article Review:

- Article I. Powers of the City
- Article II. City Council
- Article III. City Manager
- Article IV. Administrative Departments

Review and Discussion of Proposed Updates to Articles I-IV

Public Comment

# Committee and Charter Amendment Process



# Review and Discussion of Proposed Updates to Articles I–IV of the City Charter

## General & Technical Updates

- Out-of-date language
- Capitalization & Punctuation
- References to gender
- General clean-up for consistency and clarity





# Article I. Powers of the City

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## **1.01 Name of the City**

## **1.02 Construction of Powers**

- Extends all powers granted by the Arizona Constitution and laws
- Assumes powers not specifically enumerated by the Charter

## **1.03 Powers**

- Authorizes the City to:
  - acquire, manage, and dispose of property inside or outside city limits
  - contract with other governments and entities
  - construct, maintain, and operate public infrastructure and services
- Reiterates that enumerated powers are not exclusive and that additional lawful powers are applicable

## **1.04 Boundaries**

- Maintains boundaries as established by the Charter
- Allows for boundary changes as permitted by law

# Article II. City Council

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## **2.01 Composition, Eligibility, Terms and Election**

- Establishes City Council comprised of a Mayor and 6 Councilmembers elected at-large
- Must be qualified electors and City residents for at least 2 years
- 4-year terms for Mayor and Councilmembers
- Maximum of 2 consecutive terms (subject of November Charter election)
- Elections held each even-numbered year

## **2.02 Compensation and expenses**

- Council sets annual salaries by ordinance
- Salary increases do not take effect until after the next election and must be adopted at least six months prior to the election\*
- Mayor and Council are reimbursed for actual expenses incurred while performing duties

**\*Proposed Update:** Increase becomes effective following the next election  
(eliminate 6-month lead time requirement)

# Requirements of other Charter Cities

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## **Tucson**

- Increase effective only upon the approval of voters

## **Tempe**

- Increase effective after next election

## **Mesa**

- Increase effective after next election

## **Phoenix**

- Increase effective upon approval by Commission and voters

## **Glendale**

- Increase effective only upon the approval of voters



# Article II. City Council

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## **2.03 Mayor and Vice-Mayor**

- Mayor has equal powers and responsibilities as Council
- Mayor is the presiding officer of Council and the ceremonial head of the City
- Requires Council to select a Vice-Mayor within 31 days of taking office
- Vice-Mayor will act as Mayor during Mayor's absence or disability
- Specifies that Mayor and Council do not have administrative duties

## **2.04 General Powers and Duties**

- Vests Council with policy making power and all other lawful powers of the City
- Charges Council with performing their lawful duties and obligations



# Article II. City Council

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## 2.05 Prohibitions

- Councilmembers must resign to run for Mayor if their term extends beyond the next Mayor's start date. Such resignation must occur upon the earliest of the following events:
  - When nomination papers are taken out; or
  - 105 days prior to the primary election
- Former Mayors and Councilmembers are ineligible for paid City jobs for 2 years post-term
- Councilmembers cannot:
  - hold another elected office or city job during their term
  - direct the appointment or removal of certain City officers and employees
  - give orders to City officers or employees under the City Manager's supervision
- Strikes by City employees are strictly prohibited
- Requires utilization of "Meet and Confer" process under specified circumstances

**\*Proposed Update:** Require resignation when nomination papers are filed, rather than taken out, and modify primary election resignation trigger

# Requirements of other Charter Cities

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## **Tempe**

- Must resign at least 90 days prior to primary election

## **Mesa**

- Must resign at least 90 days prior to primary election to run for Mayor, unless in last term of current elected office

# Article II. City Council

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## 2.06 Vacancies; forfeiture of office; filling vacancies

- Vacancies occur upon death, resignation, forfeiture or lawful removal from office
- Forfeiture of office mandated under the following circumstances:
  - Loss of qualifications during term
  - Violation of Charter prohibitions
  - Conviction of crime involving moral turpitude
  - Unexcused absence from 3 consecutive regular Council meetings
- Council must make an appointment within 30 days of a vacancy\*
- If a vacancy is not filled within 30 days, a special election must be held within 120 days\*
- Permits temporary vacancies and appointments for specified military and medical purposes

**\*Proposed Update:** Expand time for filling vacancy



# Requirements of other Charter Cities

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## **Scottsdale**

31 days

## **Tempe**

30 days

## **Mesa**

30 days

## **Tucson**

30 days

# Article II. City Council

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## 2.07 Judge of Qualifications

- Renders Council the judge of election and qualifications of its members
- Entitles members subject to forfeiture of office to a public hearing

## 2.08 Administrative Offices and Departments

- Directs Council, by ordinance, to create, organize, and assign duties to City Offices and Departments\*
- Council appoints City Clerk, City Attorney and City Magistrate
- City Manager appointed as outlined in Article III
- Requires City Officers to report to Council regarding their Departments
- Appointed officers may request public hearing if dismissed

**\*Proposed update:** Eliminate ordinance requirement, and instead authorize City Manager based on necessity of operations

# Requirements of other Charter Cities

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## Scottsdale

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Requires Ordinance

## Tempe

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No ordinance  
required

## Mesa

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Requires Ordinance

## Glendale

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No ordinance  
required



# Article II. City Council

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## **2.09 Appointive Officers**

- Council appoints City Clerk, City Attorney and City Magistrate
- City Manager appointed as outlined in Article III
- Appointed officers may request public hearing if dismissed

## **2.10 Disposal of Impounded Goods**

- Authorizes Council to adopt an ordinance allowing the public sale of lost, found and impounded items

## **2.11 Investigations**

- Permits Council to investigate City affairs and conduct
- Valid investigation requires affirmative vote of 5 Councilmembers
- Classifies, as a misdemeanor, failure to comply with Council's lawful investigatory authority

## **2.12 Procedure**

- Requires Council to meet at least twice per month
- Allows for Special Meetings
- Permits Council to meet in Executive Session
- Prescribes Council voting procedures

# Article II. City Council

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## **2.13 Action Requiring an Ordinance**

- Outlines actions that require action by ordinance, including:
  - Adopting or amending a city code
  - Change or eliminate a city department\*
  - Creating taxes
  - Appropriating public monies
  - Leasing city land and property for 3 years or more\*
  - Creating or changing fire limits\*

**\*Proposed update:** Eliminate ordinance requirement, and instead authorize City Manager based on necessity of operations

## **2.14 Conduct of the Council As to Powers Authorized by Charter...**

- Requires that Council establish procedures by ordinance, if granted a power or duty to act as prescribed by state law, but no state law exists.

# Requirements of other Charter Cities

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## Scottsdale

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Requires Ordinance

## Tempe

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No ordinance  
required

## Mesa

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Requires Ordinance

## Glendale

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Requires Ordinance



# Article II. City Council

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## 2.15 Ordinances in General

- Establishes formatting, single-subject, and enacting clause requirements for proposed ordinances
- Permits any Councilmember to introduce an ordinance at regular or special meetings
- Ordinances must be published by title 30 days prior to public meeting for Council consideration
- If altered by Council, the altered portion of the ordinance is again subject to the prescribed notice and publishing requirements prior to adoption by Council.
- Requires two separate publications of adopted ordinances, with the 2<sup>nd</sup> occurring at least 6 days after the 1<sup>st</sup>.
- Adopted ordinances become effective 30 days after adoption

**\*Proposed update:** Streamline process into one action, one publication. Publication by title with the agenda, and then full publication as soon as practicable after adoption.

# Requirements of other Charter Cities

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## Scottsdale

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- Ordinance is posted or read in full 24 hours before meeting
- One publication in full within 15 days after adoption
- 1 vote

## Tempe

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- Notice of consideration published at least 7 days before action
- One publication in full as soon as practicable after adoption
- 2 votes

## Mesa

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- Notice of consideration published at least 6 days before action
- One publication in full within 2 weeks after adoption
- 2 votes

## Glendale

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- Ordinance is posted or read in full 72 hours before meeting
- One publication in full
- 1 vote

# Article II. City Council

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## **2.16 Emergency Ordinances**

- Outlines criteria and procedures for adopting emergency ordinances
- Requires 6 votes for adoption

## **2.17 Codes and Public Records**

- Permits the adoption of standard codes and public records by reference
- Requires that copies of adopted standard codes and public records be made available by the City Clerk

## **2.18 Authentication, recording, codification, printing**

- All ordinances and resolutions are recorded by the City Clerk
- City Code must be kept up-to-date and made accessible to the public



# Article III. City Manager

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## **3.01 Appointment, Compensation, Qualifications**

- Authorizes Council to appoint a City Manager and determine compensation
  - Question on November Ballot – Prop 411

## **3.02 Removal of City Manager**

- Allows for the removal of the City Manager by a majority vote of the Council
- Entitles a removed City Manager to 2 months' severance pay
  - Question on November Ballot – Prop 411
- Authorizes Council to fill vacant City Manager position

## **3.03 Acting City Manager**

- Requires the City Manager to designate an acting City Manager, subject to Council approval.

# Article III. City Manager

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## **3.04 Powers and Duties of the City Manager**

- City Manager is the chief administrative officer of the City\*
- Delineates the City Manager's powers and duties, including:
  - Appointment, suspension, and removal of city employees
  - Direction and supervision over City departments, offices, and agencies
  - Annual preparation and submittal of the budget
  - Advising Council pertaining to the City's financial condition and future needs

**\*Proposed update:** Grant the City Manager the authority to lease City property



# Article IV. Administrative Departments

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## **4.01 General Provisions**

- Assigned department functions are continuous and may not be assigned to another unless otherwise provided by the Charter
- Each department must be administered by an officer appointed by the City Manager
- Allows the City Manager or appointed officer to serve as the head of more than one department

## **4.02 Merit System**

- Specifies that Council appointees are not subject to the merit system, and stipulates that all appointments and promotions of city employees must be made on merit
- Requires the City Manager to appoint a personnel officer to administer the City's personnel system
- Establishes the Merit System Board
- Directs the personnel officer to prepare personnel rules, and delineates required provisions of City personnel rules

# Article IV. Administrative Departments

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## **4.03 Strike or Work Interruption**

- Asserts that it is unlawful for any City employee to participate in a strike or any other form of work interruption
- City employees who participate in such activities are considered to have abandoned and terminated their City employment
- Restricts Mayor and Council from granting amnesty to any employee who violates the strike and work interruption prohibition



# Committee Member Proposed Update to Article II. Forming Council Districts

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## 2.01 Composition, Eligibility, Terms and Election

- Mandates election of 6 Councilmembers by district, rather than by election at-large
- Maintains at-large election of Mayor
- Requires that candidates for Council be residents of the district they seek to represent
- Establishes 6 separate City Council Districts and provides criteria for established districts
- Delineates staggered terms for Councilmembers subsequent to the adoption of the proposed Charter amendment
- Establishes an Independent Redistricting Commission

# Questions?

