

City Charter Amendment Resident Advisory Committee

September 11 , 2025

**Ryan Peters
Deputy City Manager**





Agenda

Article Review:

- Article VII. Nominations and Elections
- Article VIII. Initiative, Referendum and Recall
- Article IX. General Provisions
- Article X. Succession in Government

Review and Discussion of Proposed Updates to Articles VII-X

Review of Draft Revision Language for Articles I&II

Public Comment

Article VII. Nominations and Elections

7.01 City Elections

- Permits primary, regular and special elections to be held concurrently on consolidated election dates or with any other authorized election
- Applies state election laws to municipal elections held pursuant to the Charter, unless otherwise provided by the Charter
- Asserts that a candidate who receives a majority vote at a primary election is rendered elected to the office sought
- Prohibits the indication of candidacy support or candidate affiliation with any person, party, or group from appearing on the ballot

7.02 Watchers and Challengers

- Entitles nominated candidates to appoint 1 person to represent them as watcher and challenger at each polling place
- Specifies that an appointed watcher and challenger has all the rights and privileges prescribed for watchers and challengers under state law

Article VII. Nominations and Elections

7.03 Ballots for Ordinances and Charter Amendments

- Necessitates that ordinances and charter amendments requiring a vote of the electors be presented for voting by ballot title
- Allows ballot titles to be different than a measure's legal title
- Requires that ballot titles be a clear and concise statement that describes the measure without prejudice
- Standardizes the format for questions appearing on the ballot

7.04 Availability of List of Qualified Electors

- Requires the city to allow the list of city electors to be copied, if requested by an entity for a purpose relating to a city election, candidate, or ballot measure

Article VIII. Initiative, Referendum, and Recall

8.01 General Authority

- Reserves the power of initiative, referendum, and recall for the city's electors
- Applies constitutional and state law provisions governing the initiative, referendum, and recall processes to city processes, unless they conflict with the charter

8.02 Commencement of Proceedings, Petitioners' Committee, Affidavit

- Permits any 5 qualified electors to commence initiative or referendum proceedings upon filing an affidavit with the Clerk that establishes a petitioners' committee, assumes responsibility for circulation and filing of the petition, and that includes other prescribed information.
- Directs the Clerk to issue petition blanks after the filing of an affidavit

Article IX. General Provisions

9.01 Personal Financial Interest

- Requires any city officer, employee, board, or commission member who has a financial interest in city sales or contracts to disclose such interest and restricts them from voting or participating in such sales or contracts
- Renders willful violations of financial interest disclosure requirements as malfeasance in office
- Authorizes Council to void contracts made in violation of financial interest disclosure requirements

9.02 Prohibitions and Penalties

- Prohibits the appointment, removal, favor, or discrimination of individuals in any city position due to race, sex, political or religious affiliations
- Prohibits city employees and officials from giving any money or other thing of value in connection with an appointment or promotion
- Restricts city employees and elected officials from soliciting any contribution for a political party or political purpose from certain city appointees
- Prohibits individuals in compensated appointive city positions from making, soliciting or receiving any campaign contributions for a candidate for municipal office

Article IX. General Provisions

9.03 Residency Requirements

- Requires that the city manager and all department heads be residents of the city within 6 months of appointment*
- Stipulates that all city employees reside within a reasonable radius of the city

***Proposed update:** Residency requirement for city manager or city council appointed positions only

Requirements of other Valley Charter Cities

Scottsdale

- Officers of the City: city manager, city treasurer, city clerk, city attorney and city auditor must become residents of the city within 6 months

Tempe

- City manager must become a resident of the city within 6 months

Mesa

- City manager must become a resident of the city within 60 days

Glendale

- City manager must reside within the city during his/her tenure

Potential Update

- Eliminate requirement that department directors to reside in the city
- Maintain the requirement that city manager or offices appointed by the council become residents of the city within 6 months



Current Challenges

- Reduces candidate pool
- Competition with other employers
- Housing market and interest rates
- Family considerations:
 - Children in school
 - Two working parents



Potential Advantages

- Improves ability to recruit or promote department directors
- Transportation options improved
- Competitive with other Valley cities
- Maintains connection to community



Article X. Succession in Government

10.01 Rights of Officers and Employees Reserved

- Preserves specified rights of city officers and employees

10.02 Continuance of Present Officers

- Retains the Mayor, Council and appointive officers serving at the time the charter becomes effective

10.03 Continuance of Present Offices, Departments and Agencies

- Provides for the continuation of city office, departments and agencies established prior to the charter's effective date

10.04 Continuance of Appointed Boards and Commissions

- Continues boards and commissions existing prior to the charter's effective date

10.05 Transfer of Records and Property

- Transfers city records, property, and equipment existing prior to the charter's effective date to the office, department, or agency assuming its powers and duties

Article X. Succession in Government

10.06 Pending Matters

- Continues contracts entered into prior to the effective date of the charter
- Specifies that adoption of the charter does not abate or affect any pending actions or proceedings
- Maintains all ordinances, resolutions, and regulations in effect at the time the charter is adopted

10.07 Conformity of Charter With State Law

- Asserts that the charter is cumulative of all other laws of the state governing cities and that the charter does not restrict the city from taking actions that are not otherwise prohibited by the constitution and state law

10.08 Inauguration of Government Under This Charter

- States that the Charter goes into effect upon a majority vote of the city's electors and the Governor's approval

Article X. Succession in Government

10.09 Charter Amendments

- Allows for the charter to be amended as provided by the state constitution
- Specifies that the charter amendments can be initiated through various means
- Requires that proposed amendments be submitted to the voters at a primary, a general or special election
- Requires, if approved by a majority of voters, that proposed charter amendments be submitted to the Governor for approval.

10.10 Separability

- States that charter provisions that are found to be invalid do not affect other charter provisions

10.11 Gender

- Outlines applicability of gender-specific terminology

Committee Review and Recommendation Process

Committee Reviewed Charter
&
Identified Opportunities to Revise

Committee Makes Recommendations
to Council on Proposed Charter
Amendments

Committee Consensus on
Proposed Charter Revisions

Committee Directed Staff to Prepare
Draft Charter Amendment Language
for Consideration by Committee





Article I: Draft Revision Language

- Makes clarifying changes to provisions regarding city contracting authority



Article II: Draft Revision Language

- Modifies the effective date for ordinances establishing Council salary increases
 - Salary increase becomes effective following the next election
- Increases, from 30 to 45, the number of days Council is allotted to fill a vacancy
- Requires that an election to fill a vacancy be held as soon as practicable, rather than within 120 days of the vacancy
- Modifies resign-to-run provisions to require resignation when nomination papers are filed, rather than taken out
 - Eliminates 105-day primary election trigger for resignation
- Makes technical, clarifying, and conforming changes throughout Article II

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- **Set Next Meeting Date**
 - **Charter Revision Proposals by Individual Committee Members**

Thank you!



Questions?