

RESOLUTION NO. 5914

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, ORDERING AND CALLING A SPECIAL ELECTION FOR NOVEMBER 4, 2025, FOR THE SUBMISSION OF PROPOSED AMENDMENTS TO THE CITY CHARTER REGARDING THE APPOINTMENT AND REMOVAL OF THE CITY MANAGER; DIRECTING PUBLICATIONS AS REQUIRED BY LAW; DESIGNATING THE PLACE AND TIME TO ACCEPT ARGUMENTS FOR AND AGAINST THE QUESTION; ESTABLISHING THE CONDUCT OF ELECTIONS INCLUDING BALLOT TABULATION REQUIREMENTS; AUTHORIZING AN AGREEMENT FOR SERVICES WITH THE COUNTY AND PAYMENT OF ELECTION EXPENDITURES; SETTING FORTH THE VOTER REGISTRATION DEADLINE AND VOTER RIGHTS ACT REQUIREMENTS; DESIGNATING THE ELECTION AS AN ALL-MAIL BALLOT ELECTION; ESTABLISHING CANVASSING AND REPORTING REQUIREMENTS; AND INCLUDING A SEVERABILITY AND RATIFICATION CLAUSE.

WHEREAS, the City Council desires to propose amendments to the City Charter to clarify certain ambiguities in the Charter relating to the appointment and removal of the city manager, as shown on Exhibit "A" hereto; and

WHEREAS, it is necessary for the City Council to submit the proposed charter amendments to the qualified electors of the City; and

WHEREAS, the City Council may consolidate the special election with any other election conducted in the City on November 4, 2025.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chandler, Arizona, as follows:

Section 1. That the proposed amendments to the City Charter for the City of Chandler attached hereto as Exhibit "A" and by reference made a part hereof, be submitted to the vote of the qualified electors of the City at a special election to be held on November 4, 2025.

Section 2. Order and Call for Election; Ballot. Pursuant to Sections 7.03 and 10.09 of the City Charter for the City of Chandler and Article 13, Section 2 of the Arizona Constitution, a special election in the City is hereby ordered and called to be held on November 4, 2025, to submit to the qualified electors of the City the proposed amendments to the City Charter shown on Exhibit A. The form of Ballot is attached hereto as Exhibit "B" and incorporated herein.

Section 3. Informational Pamphlet. The City Clerk is hereby directed to cause the preparation and distribution any required publications as required by law including an

informational pamphlet and sample ballot pursuant to, and meeting the requirements of, A.R.S. § 19-141 and Section 7.03 of the City Charter and, if the City Clerk determines it to be in the City's best interests, combine such informational pamphlet and sample ballot with any other publicity pamphlet being prepared for the November 4, 2025 general or special election. The officers of the City are hereby authorized to prepare and deliver, or cause to be prepared and delivered, to the City Clerk the information necessary or appropriate for completing the informational pamphlet.

The informational pamphlet is to be mailed before the earliest date of receipt of a requested early ballot to the residence of each registered voter of the City as shown on the general county register.

Section 4. Arguments; Notice and Submittal. Pursuant to A.R.S. § 19-141(C), as amended, the City hereby sets the date of Wednesday, August 6, 2025, at the hour of 5:00 p.m. as the deadline to submit arguments "for" or "against" the proposed charter amendment. Each argument shall not exceed 300 words in length, and \$150.00 shall be deposited with the City Clerk, 175 S. Arizona Avenue, 1st Floor, by the person submitting each argument, to offset a portion of the proportionate cost of paper and printing the argument. The City Clerk is authorized to publish in a newspaper of general circulation within the City a notice stating the deadline for filing with the City arguments "for" or "against" the charter amendments, for inclusion in the informational pamphlet pertaining to the amendments. The City Clerk is authorized to prepare the notice as necessary to comply with all applicable laws.

Section 5. Conduct of Election; Contracts; Expenditures. The election will be conducted in the manner provided by law, and the poll lists kept, and the votes cast thereat will be counted and tabulated, and the returns thereof will be made in the manner provided by law and only persons who are qualified electors of the City will vote at the City special election. The special election may be consolidated with any other election conducted in the City on November 4, 2025.

The City Clerk is hereby authorized and directed to cause ballots to be printed and delivered to the election boards to be furnished to the qualified electors eligible to vote at the special election. The special election may be conducted using either electromechanical or electronic vote recording and ballot counting equipment or paper ballots, as shall be determined to be in the best interests of the City by the Maricopa County Elections Department and the Mayor and the City Clerk or either of them. The Mayor and the City Clerk or either of them is each hereby authorized and directed to enter into a contract with the Maricopa County Recorder to obtain precinct registers for the election and to enter into an agreement with the Maricopa County Elections Department to conduct the special election for the City.

The City Council hereby authorizes all expenditures as may be necessary to order, notice, hold and administer the special election, which expenses shall be paid from current operating funds of the City.

The City Clerk is hereby authorized to take all necessary action to facilitate the special election.

Section 6. Deadline for Voter Registration and Early Voting Dates. A voter in this special election must be a qualified elector of the City. Maricopa County registration and voting lists will be used for the special election. To be qualified to vote in the special election, a City resident must be registered to vote by midnight on Monday, October 6, 2025.

Absentee/early voting with respect to the special election will be permitted in accordance with the provisions of A.R.S. Title 16, Chapter 4, Article 8.

Section 7. Voting Rights Act and Spanish Translation. To comply with the Voting Rights Act of 1965, as amended, the proceedings pertaining to this election will be translated into Spanish and posted, published, distributed, and/or recorded in each instance where posting, publication, distribution, and/or recording of such proceedings are required, such as this call of election, the notice of election, ballots, the request for arguments, the informational pamphlet, all early voting materials and all instructions relating thereto, including instructions at the polling places.

Section 8. Designating Election Format. The special election shall be an all-mail ballot election as authorized by A.R.S. § 16-409(A). A ballot box for drop-off will be available beginning October 8, 2025, at Chandler City Hall, 175 S. Arizona Avenue. A ballot replacement site will be established at Chandler City Hall beginning October 27, 2025. There will be no polling places.

Ballots shall be counted by the voting system in use by the Maricopa County Elections Department for the recordation of the electors' choices as authorized by Arizona law.

Section 9. Canvass of Election; Reporting. The election officials will forward the votes cast to the City Council for canvassing. The City Council will meet at the Council Chambers on a day that is within 20 days after the election date to canvass the returns of the election and to certify the result, as provided by Arizona law. The City Clerk is authorized and directed to file and record a certificate of result of election in the office of the Maricopa County Recorder: (i) disclosing the purpose of the election, (ii) the total number of votes cast and the total number of votes for and against the proposed charter amendments and (iii) stating whether the amendment is ordered. On filing and recording the certificate, the City Council will carry out the purpose of the special election. The City Clerk is authorized to submit an all-mail ballot election report to the President of the Senate and Speaker

of the House of Representatives by January 1, 2026, as required by A.R.S. § 16-409(B).

Section 10. Severability. If any section, paragraph, clause or phrase of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or phrase shall not affect any of the remaining provisions of this resolution. The City Council hereby declares that the City would have adopted this resolution and each and every other section, paragraph, subdivision, sentence, clause or phrase hereof and authorized and approved the actions of the City pertaining to the election pursuant hereto irrespective of the fact that any one or more sections, paragraphs, subdivisions, sentences, clauses or phrases of this resolution may be held illegal, invalid or unenforceable.

Section 11. Ratification. All actions of the City Council, officers, employees and agents of the City which are in conformity with the purposes and intent of this resolution, whether heretofore or hereafter taken, shall be and are hereby ratified, confirmed, authorized and approved.

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this 22nd day of May, 2025.

ATTEST:

Dana R. DeLong
CITY CLERK

Kevin Harthe
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 5914 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 22nd day of May, 2025, and that a quorum was present thereat.

Dana R. DeLong
CITY CLERK



APPROVED AS TO FORM:

Jenny Winkler for
CITY ATTORNEY *qw*

Exhibit A: Proposed Charter Amendment – Article III

Exhibit B: Form of Official Ballot

EXHIBIT "A"

Article III. – CITY MANAGER

Section 3.01 – Appointment, compensation, qualifications.

The Council shall appoint a city manager ~~for an indefinite term and fix his compensation~~ TO SERVE AT THE PLEASURE OF THE COUNCIL. The manager shall be appointed solely on the basis of his executive and administrative qualifications.

Section 3.02. - Removal of city manager.

The city manager may be removed with or without cause at any public meeting by a majority vote of all members of the City Council. In the event of removal the manager will receive ~~two months'~~ severance pay AS AGREED TO BY THE COUNCIL AND CITY MANAGER.

When the office of city manager becomes vacant the Council shall thereupon appoint an acting city manager who shall serve at the pleasure of the Council until a city manager is appointed.

EXHIBIT "B"

**CITY OF CHANDLER
SPECIAL ELECTION
NOVEMBER 4, 2025**

PROPOSITION ____

**PROPOSED AMENDMENT TO THE CHANDLER CITY CHARTER
BY THE CITY COUNCIL**

OFFICIAL TITLE: Amending Article III, Sections 3.01 and 3.02 of the Chandler City Charter regarding the appointment and removal of the city manager.

DESCRIPTIVE TITLE: The charter amendment specifies that the city council may appoint a city manager for such term as the council deems appropriate and establish by agreement with the manager the severance pay due in the event of the manager's termination.

A "yes" vote shall have the effect of authorizing the city council to establish the term for which a city manager shall be appointed, and the severance pay due in the event of the manager's termination.

A "no" vote shall have the effect of retaining the existing charter language stating that a city manager shall be appointed for an indefinite term and entitled to two months' severance pay.

Shall the above-described charter amendment be adopted?

_____ YES _____ NO

TAGLINE TEXT

Shall Article III, Sections 3.01 and 3.02 of the City Charter be amended to allow the city council to establish the term of the city manager as the council deems appropriate and the amount of severance pay in the event of the manager's termination?

_____ YES _____ NO