

# **City Charter Amendment Resident Advisory Committee**

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**August 26, 2025**

**Ryan Peters  
Deputy City Manager**





# Agenda

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## Article Review:

- Article II. City Council
- Article III. City Manager
- Article IV. Administrative Departments
- Article V. Finance and Taxation
- Article VI. Boards and Commissions

Review and Discussion of Proposed Updates to Articles II-VI

Public Comment



# 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:** Authorize by resolution, rather than by ordinance

# 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; Or, authorize by resolution, rather than by ordinance

## **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

---

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
- Requires that Council consider a proposed ordinance within 30 days of publishing
- 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 for terms for 3 years or more

# 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



# Article V. Finance and Taxation

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## **5.01 Fiscal Year**

- Establishes July 1 as the beginning of the fiscal year

## **5.02 Tax System**

- Authorizes Council, by ordinance, to create a system for the assessment, levy, and collection of all city taxes
- Allows Council to establish associated procedures

## **5.03 Claims and Demands Against the City**

- Authorizes Council, by ordinance, to prescribe the manner in which claims or demands against the city must be presented, audited, and paid.
- Allows Council to prescribe notice and prompt presentation requirements as a condition of payment
- Asserts that the City is not liable for injuries or damages unless written notice which delineates when, where and how the injuries or damage occurred, are received within the time and in the manner provided by state law.

# Article V. Finance and Taxation

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## **5.04 Submission of Budget and Budget Message**

- Directs the City Manager to submit an annual budget to Council by June 15<sup>th</sup> of each year with an accompanying message
- Requires that the City Manager's message include an explanation of the budget as outlined

## **5.05 Budget**

- Requires that the budget provide a complete financial plan of all city funds and activities for the fiscal year and be in a format prescribed by the City Manager or Council
- Requires that the budget include the following information, as prescribed:
  - a general summary of contents
  - estimated income, proposed property tax levy, and proposed expenditures
  - proposed expenditures for operations during the ensuing fiscal year, and the method of financing
  - proposed capital expenditures during the ensuing fiscal year and the proposed method of financing
  - anticipated net surplus or deficit of each utility owned or operated by the City and the proposed method of its disposition
  - comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding fiscal year
  - Prohibits expenditures cannot exceed available estimated income and fund balances



# Article V. Finance and Taxation

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## **5.06 Temporary Inactive Funds**

- Authorizes Council to allow for the investment or deposit of temporarily inactive funds

## **5.07 Forecasted Capital Program**

- Requires the City Manager to prepare and submit a forecasted 5-year capital program to Council before June 15<sup>th</sup> of each year
- Prescribes information required for inclusion in the forecasted capital program
- Directs Council to publish the general summary of the program at least twice, and prescribes information that must be included in an accompanying notice.
- Requires that Council adopt the forecasted capital program by resolution on the same date as the final adoption of the budget.

## **5.08 Transfers of Appropriations**

- Permits the City Manager to transfer any unencumbered appropriation balance within a department, office, or agency
- Allows Council, upon written request by the City Manager, to transfer any unencumbered appropriation balance from one department, office or agency to another



# Article V. Finance and Taxation

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## **5.09 Permission to Exceed the Budget**

- States that Council is not prohibited from increasing the budget in accordance with state law

## **5.10 Independent Annual Audit**

- Directs Council to annually designate an independent, qualified public accountant to prepare an audit of the financial transactions of the City
- Requires that the audit report include recommendations concerning policy and fiscal procedures
- Requires the independent accountant to post-audit books and documents kept by the City

## **5.11 Annual Report**

- Directs Council to prepare, and make public, an annual report of the City's financial activities during the previous fiscal year
- Requires that the report be insertable along with monthly utility bills
- Outlines information that must be included in the report

# Article V. Finance and Taxation

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## **5.12 Lapse of Appropriations**

- Mandates the lapsing of all unexpended and unencumbered appropriations at the end of each fiscal year
- Specifies that capital expenditure appropriations continue until the purpose for which it was made has been accomplished or abandoned
- Deems encumbered capital appropriations that have not been disbursed for three years as abandoned

## **5.13 Administration of Budget**

- Requires each department, office or agency to submit work programs for the ensuing fiscal year detailing its requested expenditure budgets.
- Directs the City Manager to review and authorize each budget request with or without revision as early as possible the fiscal year
- Allows the City Manager to revise budgets during the year, in accordance with prescribed requirements



# Article V. Finance and Taxation

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## **5.14 Competitive Bidding**

- Asserts that it is the general intent that open competitive bidding be followed in the purchase of supplies, services, equipment, and improvements.
- Requires Council to establish, by ordinance, a procedure to implement an open competitive bidding policy and related exceptions.
- Directs Council to accept bids that are in the best interest of the City, unless all bids be rejected



# Article VI. Boards and Commissions

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## **6.01 Creation, Dissolution; Appointment; Terms**

- Provides Council with the exclusive authority to create boards, commissions and citizens' committees, and to grant them powers and duties consistent with the charter
- Allows Council to terminate any board or commission not specifically required by law
- Necessitates that the Mayor nominate all board, commission and committee members with the approval of the Council
- Requires that nominee names be submitted to Council at least 7 days prior to the meeting at which a nomination is to be confirmed
- Permits the appointment of Councilmembers to serve on a City board or commission in an ex officio, nonvoting capacity.
- Limits board and commission member terms to 3 years

# Questions?

