

City Charter Amendment Resident Advisory Committee Regular Meeting

August 26, 2025 | 5:00 p.m.

Council Chambers Conference Room
88 E. Chicago St., Chandler, AZ



Committee Members

Chair Rene Lopez
Pastor Brad Davis
Heather Anguiano
Ursula Gordwin
Sherida McMullan
Lisa Askey
Jim Jurnak
Jennifer Pawlik
Allison Stewart

Pursuant to Resolution No. 4464 of the City of Chandler and to A.R.S. § 38-431.02, notice is hereby given to the members of the City Charter Amendment Resident Advisory Committee and to the general public that the City Charter Amendment Resident Advisory Committee will hold a REGULAR MEETING open to the public on August 26, 2025, at 5:00 p.m., at Council Chambers Conference Room, 88 E. Chicago St., Chandler, AZ.

Persons with disabilities may request a reasonable modification or communication aids and services by contacting the City Clerk's Office at 480-782-2181 (711 via AZRS). Please make requests in advance as it affords the City time to accommodate the request.

Agendas are available in the Office of the City Clerk, 175 S. Arizona Avenue.

City Charter Amendment Resident Advisory Committee Regular Meeting Agenda - August 26, 2025

Call to Order / Roll Call

Consent Agenda

Items listed on the Consent Agenda may be enacted by one motion and one vote. If a discussion is required by members of the Board or Commission, the item will be removed from the Consent Agenda for discussion and determination will be made if the item will be considered separately.

1. **August 2025 City Charter Amendment Resident Advisory Committee Meeting Minutes**

Move City Charter Amendment Resident Advisory Committee approve the meeting minutes of the August 13, 2025, Regular Meeting.

Discussion

2. **Discussion and Consideration of Potential Revisions to Charter Article II, City Council; Article III, City Manager; Article IV, Administrative Departments; Article V, Finance and Taxation; and Article VI, Boards and Commissions**

Calendar

3. **The next Regular Meeting date, time, and location will be determined at the meeting.**

Public Comment

Public comments will be heard only for the item(s) on that published meeting agenda. Up to 15 minutes will be allotted for public comments on the agenda item(s) at the end of the agenda and each speaker will be allocated up to three minutes at the discretion of the Presiding Officer or designated parliamentarian.

Adjourn



City Charter Amendment Resident Advisory Committee

Date: 08/26/2025
To: City Charter Amendment Resident Advisory Committee
From: Regina Guisto, Management Assistant
Subject: August 2025 City Charter Amendment Resident Advisory Committee Meeting Minutes

Proposed Motion:

Move City Charter Amendment Resident Advisory Committee approve the meeting minutes of the August 13, 2025, Regular Meeting.

Attachments

August 13, 2025 Meeting Minutes

Meeting Minutes

City Charter Amendment

Resident Advisory Committee

Regular Meeting

August 13, 2025 | 4:30 p.m.
2nd Floor Training Room A, City Hall
175 S. Arizona Ave., Chandler, AZ



Call to Order

The meeting was called to order by Chair Lopez at 4:30 p.m.

Roll Call

Commission Attendance

Chair René Lopez
Committee Member Heather Anguiano
Committee Member Ursula Gordwin
Committee Member Sherida McMullan
Committee Member Lisa Askey
Committee Member Jim Jurnak
Committee Member Jennifer Pawlik

Staff Attendance

Ryan Peters, Strategic Initiatives Director
Jen Winkler, Assistant City Attorney
Jennifer Ekblad, Deputy City Clerk

Absent

Committee Member Brad Davis – excused

Consent Agenda and Discussion

1. July 2025 City Charter Amendment Resident Advisory Committee Meeting Minutes
Move City Charter Amendment Resident Advisory Committee approve the meeting minutes of the July 31, 2025, Regular Meeting.

Consent Agenda Motion and Vote

Chair Lopez moved to approve the Consent Agenda of the August 13, 2025, City Charter Amendment Resident Advisory Committee Meeting; Seconded by Committee Member Jurnak.

Motion carried unanimously (7-0).

Discussion

2. Discussion and Consideration of Potential Revisions to Charter Article I, Powers of the City; Article II, City Council; Article III, City Manager; and Article IV, Administrative Departments

CHAIR LOPEZ introduced the item and called for a staff presentation.

RYAN PETERS, Strategic Initiatives Director, presented the following presentation.

- City Charter Amendment Resident Advisory Committee
- Agenda
- Committee and Charter Amendment Process
- Review and Discussion of Proposed Updates to Articles I-IV of the City Charter

MR. PETERS asked for direction regarding the committee's opinion on staff proceeding to draft general & technical updates including out-of-date language, capitalization and punctuation, references to gender, and general clean-up for consistency and clarity.

CHAIR LOPEZ agreed with this suggestion. He asked if the committee needed to request these general and technical updates specifically.

MR. PETERS said staff will return with language to reflect the general and technical changes approved by the committee. Language edits will return to the committee for review.

COMMITTEE MEMBER JURNAK said yes and suggested paying attention to specificity and details when reviewing the charter document.

JEN WINKLER, Assistant City Attorney, said the request is to receive direction if staff may proceed with drafting charter edits to include grammar and spelling corrections, in order to save the committee from doing that alone. Drafted edits will come back to the committee for review.

COMMITTEE MEMBER ASKEY noted that Exhibit A of the proposed charter amendment ballot language does not contain gender neutral language and asked if that can be changed.

MR. PETERS said the amendment was drafted to be consistent with the existing charter. If the charter amendment is approved in November, the committee can address it after it is adopted.

COMMITTEE MEMBER ASKEY asked if the committee planned to meet after the November 2025 election in order to address the charter amendment election results.

MR. PETERS said it is at the request of the committee.

CHAIR LOPEZ said the committee may convene and if a charter amendment does not pass at the election, it can be brought up again for discussion.

Committee consensus was to direct staff to draft general and technical updates to the City Charter.

MR. PETERS continued the presentation.

- Article I. Powers of the City, 1.01 – 1.04

COMMITTEE MEMBER JURNAK suggested a change to charter section 1.02, to remove language that may have been from the original charter.

MS. WINKLER said this language may be included for legal reasons, as charter cities have different legal powers than other cities. She said she will do some research and come back with an answer.

COMMITTEE MEMBER JURNAK suggested a change to charter section 1.03, to add clarifying language referring to the state as Arizona, and to remove repeated language. He noted that in the section denoting who the city can contract with, non-profit organizations are not listed.

MS. WINKLER said the language that refers to the enumeration of powers by the charter to not be exclusive would permit contracts with non-profit organizations or entities not specially listed in the charter.

CHAIR LOPEZ stated that the request would be to add non-profits in the list of who the city can contract with, and to leave the language that refers to the enumeration of powers by the charter to not be exclusive. He suggested a change to charter section 1.03, to include other items in the list of roads, highways, parks, sewers, waterworks, public utilities, and buildings (when used for public purposes).

COMMITTEE MEMBER JURNAK suggested generalizing the list further.

CHAIR LOPEZ proposed adding language for other physical assets such as public utilities like light poles, or vehicles. He asked if the enumeration of powers would include physical assets.

COMMITTEE MEMBER PAWLIK said that was a good idea, as there may be assets not known to the committee at this time that may come up in the future due to technological advances.

COMMITTEE MEMBER JURNAK asked if a general statement is required.

MS. WINKLER said there has been litigation over what powers a charter city has. She said she is not prepared to offer a legal opinion over that proposed edit.

CHAIR LOPEZ requested she return with opinions on what the committee discusses.

MS. WINKLER clarified if direction is to add additional specifically enumerated powers into the list in section 1.03.

CHAIR LOPEZ requested a statement that says other physical assets not listed in the charter, to provide for broader use beyond just the items listed.

COMMITTEE MEMBER JURNAK emphasized adding non-profit organizations into the list of entities that the city can enter into agreements with.

MR. PETERS advised that he read this section as applying to the city's intergovernmental agreements with other government entities for the purpose of maintaining particular assets. Adding in language here may remove the intent for the clause.

CHAIR LOPEZ stated that the committee will return to discuss suggested items in section 1.03 later.

COMMITTEE MEMBER ANGUIANO said one consideration for the future of the city is to consider what do non-physical assets look like due to technological advancements.

COMMITTEE MEMBER JURNAK suggested language to include any public purpose deemed by the Council to be in the interest of the city.

CHAIR LOPEZ asked if that would fit in charter section 1.03 or another section.

MR. PETERS said he thought it would fit under section 1.03.

MS. WINKLER added that she interpreted the section to allow Chandler to do anything legally that any city can do, and then it refers to intergovernmental agreements.

COMMITTEE MEMBER GORDWIN questioned if nonprofit organizations belong in the section about intergovernmental agreements.

MS. WINKLER said the city contracts with all kinds of entities including nonprofits and corporations, but it does not enter into intergovernmental agreements with them. Non-chartered cities have specific statutory authorization to enter into intergovernmental agreements. She suggested this language exists in the charter to ensure the charter city has the authority to enter into intergovernmental agreements. The section does not limit the city's ability to enter into contracts with other entities.

CHAIR LOPEZ asked if the city could receive gifts.

MS. WINKLER says the city can receive gifts, but it cannot give gifts. Historically, property has been donated to the city for a specific purpose. City-owned property cannot be given away.

MR. PETERS continued the presentation.

- Article II. City Council, 2.01 – 2.02
- Requirements of other Charter Cities

CHAIR LOPEZ commented on section 2.01 (c) on terms and wanted to ensure if the provision is not affected by a possible delay in the election.

MR. PETERS said this language may be left over when the city changed to consolidated election dates to provide continuity. Staff can research and return with more information as to why it was included.

COMMITTEE MEMBER JURNAK commented that the committee should move past this section as it may be affected by the passage of charter amendments in the November 2025 election. He suggested removing 2.01 (e) to remove extraneous language from prior charter amendment elections.

JENNIFER EKBLAD, Deputy City Clerk, clarified that language cleanup for charter sections 2.01 (f) and 2.01 (g) are also included in the proposed charter amendment ballot language for the November 2025 election.

MR. PETERS identified charter section 2.02 as an opportunity brought up for cleanup, where a salary increase may become effective following the next election. The proposed change would be for the increase to become effective following the next election, eliminating the six-month lead time requirement. It remains in place that a salary increase would not become effective until after the next Council is seated.

COMMITTEE MEMBER GORDWIN asked if it is known why a six-month delay was included in the first place.

MR. PETERS said the legislative history is unknown.

CHAIR LOPEZ commented that it may be a remnant of prior election schedules.

COMMITTEE MEMBER JURNAK suggested further clarification to denote a salary increase may become effective following the next city candidate election.

CHAIR LOPEZ questioned the sentence in section 2.02 reading “the mayor and councilmen shall receive their actual and necessary expenses incurred in the performance of their duties of office.”

COMMITTEE MEMBER JURNAK suggested adding verbiage to include as determined by some authority.

MR. PETERS suggested as determined by ordinance. This may include mileage reimbursement for travel or costs incurred in performing the duties of councilmember.

CHAIR LOPEZ said some guardrail in capping councilmember budgets should be included.

MR. PETERS said staff will research options and return with an edit to this section.

COMMITTEE MEMBER JURNAK ensured that there was language in the charter explaining that the mayor does not have veto power.

MR. PETERS continued the presentation.

- Article II. City Council, 2.03 – 2.04

CHAIR LOPEZ asked about language in section 2.03 reading “the mayor shall from time to time communicate to the city council.”

COMMITTEE MEMBER GORDWIN said legally shall means must.

COMMITTEE MEMBER PAWLIK said the existing language of time to time gives too much leeway and should be changed.

MR. PETERS said staff will investigate. He read it to mean giving the state of the city address.

COMMITTEE MEMBER JURNAK suggested making the content in section 2.04 two sentences.

MR. PETERS continued the presentation.

- Article II. City Council, 2.05
- Requirements of other Charter Cities

CHAIR LOPEZ asked to clarify in section 2.05 (a) that a Chandler councilmember could be an employee of another city if they met the other requirements for councilmember. Clarification would be to add that a Chandler councilmember could not also be an employee of Chandler.

COMMITTEE MEMBER ANGUIANO asked about 2.05 (a) (1), if taking out nomination papers is the same as turning in papers.

COMMITTEE MEMBER ASKEY asked if this guideline has always been followed.

MR. PETERS said the proposed update would be to require resignation when nomination papers are filed, rather than taken out, and modify the primary election resignation trigger.

CHAIR LOPEZ supported the proposed update for 2.05.

COMMITTEE MEMBER JURNAK said section 2.05 (a) (2) should be clarified further.

MS. WINKLER suggested that can be clarified.

CHAIR LOPEZ spoke on section 2.05 (b) that manager refers to City Manager and should be edited for clarity.

COMMITTEE MEMBER JURNAK asked how the language in 2.05 (d) and other related sections can be cleaned up.

MR. PETERS recommended avoiding this section as it is politically sensitive.

MR. PETERS continued the presentation.

- Article II. City Council, 2.06
- Requirements of other Charter Cities

COMMITTEE MEMBER JURNAK stated that language in 2.06 is left over from previous charter amendments and should be updated to include the next regularly scheduled candidate election to add clarity.

COMMITTEE MEMBER ANGUIANO asked if there has ever been a situation where Council has not appointed someone to a vacancy on Council within 30 days.

CHAIR LOPEZ said there have been times when the vacancy has not been able to be filled within the 30 days, which then triggers a special candidate election.

MR. PETERS explained the proposed update to 2.06 (c) is to expand the timeframe for filling the vacancy. It is consistent with other cities to have a 30-day timeframe.

CHAIR LOPEZ said historically the 30-day timeframe has been upheld by Council successfully. Having gone through it, he suggested expanding the timeframe.

COMMITTEE MEMBER JURNAK suggested 45 days.

COMMITTEE MEMBER ASKEY asked if the duties of Council would be affected by not having a full Council.

CHAIR LOPEZ said most likely it would not make that big of a difference. The consensus was to pursue 45 days. He stated if a vacancy is not filled within 30 days, a special election must be held within 120 days and asked if 120 days is still appropriate.

MS. EKBLAD said the city is required to hold an election on one of the consolidated election dates set by the state. More research may be needed to ensure it fits with Maricopa County election deadlines.

COMMITTEE MEMBER PAWLIK asked if language would have to change to note the inclusion of a vacancy election at the next consolidated election.

MR. PETERS said it is state law to adhere to consolidated election dates.

MS. WINKLER suggested staff do more research on a language change to work with the 45-day change suggested by the committee.

CHAIR LOPEZ asked about 2.06 (d) regarding temporary vacancies, if there were any other deadline other than the four months mentioned in the section. There have been situations where councilmembers have temporary vacancies and appointments due to active military duty

MS. WINKLER agreed that 2.06 (d) and 2.06 (e) are difficult to interpret. It could use some clean up to make it clear.

COMMITTEE MEMBER GORDWIN said there is an inconsistency between mentions of 120 days versus four months in this section.

COMMITTEE MEMBER JURNAK recommended changing the verbiage from the office of mayor to just mayor, to highlight the individual person in office. He also proposed changing the word telephonically to virtually.

MR. PETERS continued the presentation.

- Article II. City Council, 2.07 – 2.08
- Requirements of other Charter Cities

COMMITTEE MEMBER JURNAK asked if the content regarding ordinances is better organized to go under the ordinance section of the charter.

MR. PETERS said the proposed update in section 2.08 is to eliminate the ordinance requirement, and instead authorize City Manager based on the necessity of operations. If the department is enumerated in city code by ordinance, then further ordinances to update the relevant city code is required for any change.

COMMITTEE MEMBER JURNAK opposed removing this responsibility from the Council.

MR. PETERS noted that other municipalities have different approaches to this strategy; some require an ordinance, while others do not. The pragmatic effect of this is that there are large code revisions anytime there is a reorganization in city departments.

CHAIR LOPEZ asked about the intent behind the proposed update.

MR. PETERS explained the intent is to have the City Manager consult with the City Council for ideas on reorganization. Changes in the past have been as result of retirements and retention, so department's responsibilities have been combined for efficiency. After outlining the needed updates, staff must go through city code and draft an ordinance update. This update is proposed to support efficiency.

COMMITTEE MEMBER JURNAK advised taking changes to Council by ordinance.

COMMITTEE MEMBER GORDWIN asked if City Council approves all salary increases.

MR. PETERS explained the City Manager has the authority to set salary increases, which City Council then would approve through the annual budget process.

COMMITTEE MEMBER GORDWIN asked if a change to the charter section 2.08 would affect the process of salary increases for city staff.

MR. PETERS said no.

COMMITTEE MEMBER ASKEY supported streamlining the speed of business while maintaining the intent of the charter.

CHAIR LOPEZ proposed a change in language that any significant changes of departments must seek Council approval.

MR. PETERS said any inclusion of language such as significant changes are interpretive. It is preferred to make things clear. Either the City Council has the authority to make changes by ordinance, or it does not.

MS. WINKLER said it might be possible to outline that the City Manager has the authority to organize city departments. Then they shall present departmental organization to the City Council for approval. This avoids codification by ordinance. She proposed revising the charter to allow the City Manager to make a proposal to change city departments in a resolution which would then be voted upon by City Council. She explained that resolutions do not affect city code, only ordinances do.

MS. EKBLAD added that ordinances have a different process of adoption than resolutions, including multiple readings and a later effective by date.

COMMITTEE MEMBER ANGUIANO supported looking into eliminating the ordinance requirement in favor of a resolution.

COMMITTEE MEMBER MCMULLAN asked if a resolution takes the same amount of time to become effective.

MS. EKBLAD said a resolution memorializes Council's decision.

The consensus was to pursue eliminating the ordinance requirement in favor of a resolution requirement.

CHAIR LOPEZ said the committee will continue discussion from section 2.09 at the next meeting, through section 6.

Calendar

3. The next Regular Meeting date, time, and location will be determined at the meeting.

The committee consensus was that the next regular meeting will be held on August 26, 2025, at 5:00 p.m. in the Council Chambers Conference room, pending location availability.

Public Comment

TERRI KIMBLE, President and CEO of the Chandler Chamber of Commerce, represents the business community in Chandler. The Chamber has formed a subcommittee of business leaders to share input to this committee regarding charter amendments. The Chamber subcommittee plans on issuing written comments to share their perspective. She requested clarification on section 2.06 of lawful removal from office.

Adjourn

The meeting was adjourned at 6:08 p.m.

Ryan Peters, Staff Liaison

René Lopez, Chair



City Charter Amendment Resident Advisory Committee

Date: 08/26/2025
To: City Charter Amendment Resident Advisory Committee
From: Regina Guisto, Management Assistant
Subject: Discussion and Consideration of Potential Revisions to Charter Article II, City Council; Article III, City Manager; Article IV, Administrative Departments; Article V, Finance and Taxation; and Article VI, Boards and Commissions

Attachments

City Charter Amendment Articles 2-6 Review Presentation
City of Chandler Charter

City Charter Amendment Resident Advisory Committee

August 26, 2025

Ryan Peters
Deputy City Manager





Agenda

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

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

Scottsdale

Requires Ordinance

Tempe

No ordinance
required

Mesa

Requires Ordinance

Glendale

No ordinance
required

Article II. City Council

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

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

Scottsdale

Requires Ordinance

Tempe

No ordinance
required

Mesa

Requires Ordinance

Glendale

Requires Ordinance

Article II. City Council

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 2nd occurring at least 6 days after the 1st.
- 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

Scottsdale

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

Tempe

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

Mesa

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

Glendale

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

Article II. City Council

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

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

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

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

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

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

5.04 Submission of Budget and Budget Message

- Directs the City Manager to submit an annual budget to Council by June 15th 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

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 15th 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

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

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

5.14 Competitive Bidding

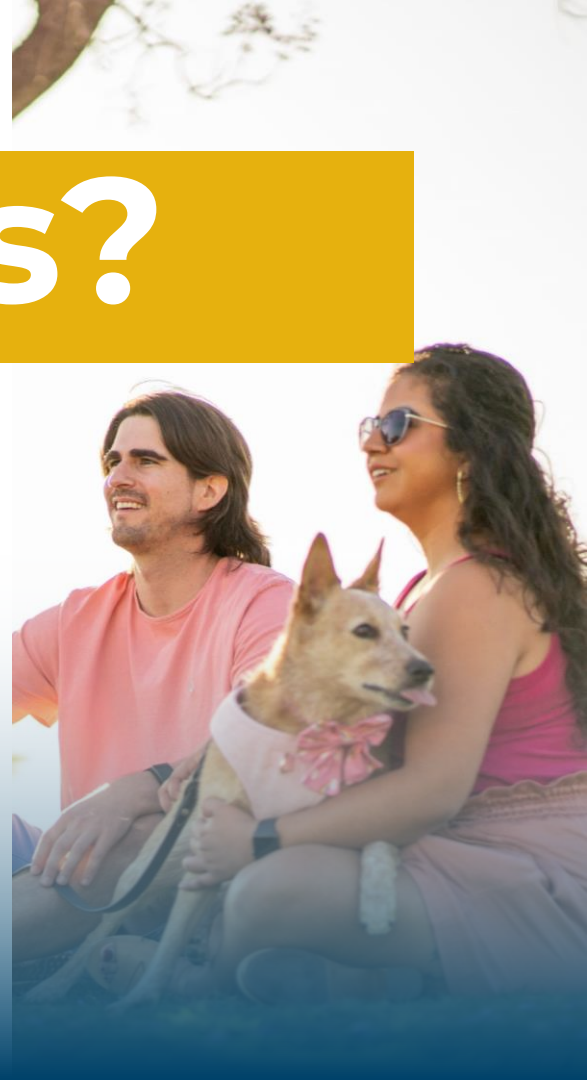
- Asserts that it is the general intent that open competitive bidding be followed in the purchase of supplies, services, equipment, and improvements.
- Requires Council to establish, by ordinance, a procedure to implement an open competitive bidding policy and related exceptions.
- Directs Council to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

Article VI. Boards and Commissions

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?



CHARTER FOR THE CITY OF CHANDLER¹

COUNCIL-MANAGER FORM OF GOVERNMENT

ARTICLE I. POWERS OF THE CITY

Section 1.01. Name of the city.

The municipal corporation now existing and known as the "City of Chandler" shall remain and continue to be a body politic and corporate under the name "City of Chandler".

Section 1.02. Construction of powers.

The City of Chandler shall have all powers possible express or implied, for a city under the constitution and laws of the State of Arizona as fully and completely as though they were specifically enumerated in this charter.

Section 1.03. Powers.

The city may acquire property within or without its corporate limits for any city purpose in fee simple or any lesser interest or estate, by purchase, gift, devise, lease or condemnation, and may sell, mortgage, hold, manage and control such property as its interests may require. Except as prohibited by the constitution of this state or restricted by this charter, the city shall have and may exercise all municipal powers, functions, rights, privileges and immunities of every name and nature whatsoever, and especially to enter into contracts, cooperative and otherwise, with the government of the United States, the State of Arizona, Maricopa County, quasi-municipalities, or any other municipal corporation of this state for the construction, maintenance and operation of roads, highways, parks, sewers, waterworks, public utilities, and buildings (when used for public purposes), all when deemed for the best interest of the city. The enumeration of particular powers by this charter shall not be deemed to be exclusive, and in addition to the exercise of such

¹Editor's note(s)—Pt. I of this volume contains the charter of the city as approved at a special election held Feb. 5, 1965. Absence of a history note following a particular section in Pt. I indicates that the section derives unchanged from Feb. 5, 1965; conversely, a history note enclosed in parentheses following a section indicates that the section has been amended by the provisions cited in the history note. Words and phrases added in brackets are not to be considered substantive but have been added by the editors to facilitate use of the charter.

powers it is intended that the city shall have and may exercise all powers which under the constitution of this state it would be competent for this charter specifically to enumerate.

Section 1.04. Boundaries.

The boundaries of the city shall be the boundaries as established at the time this charter takes effect, or as such boundaries may be changed thereafter in the manner authorized by law.

ARTICLE II. CITY COUNCIL

Section 2.01. Composition, eligibility, terms and election.

- (a) *Composition.* There shall be a City Council consisting of a mayor and six councilmen elected from the city at large by the qualified electors of the city. The term councilman or councilmen shall include the mayor except where the mayor is specifically mentioned.
- (b) *Eligibility.* Only qualified electors of the city shall be eligible to hold the office of mayor or councilman. Each candidate must have been a resident of the city or an annexed area for at least two years immediately preceding his election.
- (c) *Term of Councilmembers.* The term of office of councilmembers shall commence at the first regular meeting of the City Council in January following their election and, except as otherwise provided herein, shall be for a period of four (4) years or until their successors are elected and qualified.
- (d) *Term of mayor.* The term of office of mayor shall commence at the first regular meeting of the City Council in January following the mayor's election and shall be for a period of four (4) years or until the mayor's successor is elected and qualified.
- (e) *Limitation of terms.* No person shall be eligible to be elected to the office of councilmember for more than two (2) consecutive terms, or to the office of mayor for more than two (2) consecutive terms or to more than a consecutive combination of same. A person elected to two (2) consecutive terms as a councilmember or two (2) consecutive terms as mayor or a combination of same as above set forth shall not be eligible to hold either office again until four (4) years have elapsed. Councilmembers or mayor[s] who resign shall not be eligible for re-election or appointment until the second succeeding City election following the date of tender of their written resignation, except as provided in subsection 2.06(c). For determining consecutive terms for an incumbent Mayor, if the incumbent Mayor has been elected to two (2) consecutive two-year terms as of November 6, 2012, those two (2) two-year terms shall be considered the equivalent of one (1) four-year term, for purposes of

determining this section. All incumbent councilmembers and the Mayor holding office on May 19, 1997, shall be limited to the number of terms of office authorized on that date by this Charter, unless there is a Charter amendment approved setting forth that incumbent councilmembers and mayor are eligible for election to additional terms.

- (f) *Elections.* Elections for Mayor and Councilmen shall be held in each even-numbered years as provided in article VII of this Charter.
- (g) *Incumbents.* If additional terms for the office of mayor are approved by the voters, incumbent councilmembers and the mayor holding office on May 19, 1997 are eligible for election to such additional terms.

(Amendment of 12-12-72; Ord. No. 1562, § 1, 11-18-85, election of 1-26-86; Res. No. 2417, Exhs. IV, VIII, election of 1-23-96; Res. No. 2585, Exhs. I, II, election of 5-20-97; Res. No. 4621, 6-28-12, election of 11-6-12; Res. No. 4862, § 1(Exh. 1), 4-30-15, election of 8-25-15)

Section 2.02. Compensation and expenses.

The council may determine the annual compensation of the mayor and councilmen by ordinance. No ordinance increasing such salary shall become effective until after the next election following the creating of the ordinance, provided that such election follows the adoption of such ordinance by at least six (6) months. In addition the mayor and councilmen shall receive their actual and necessary expenses incurred in the performance of their duties of office.

Section 2.03. Mayor and vice-mayor.

- (a) *Mayor.* The mayor shall have the same powers, rights and responsibilities as a member of the council and shall be its presiding officer. In addition, he shall be recognized as the head of the city government for all ceremonial purposes and by the governor for purposes of military law and civil defense. He shall from time to time communicate to the city council such information and recommend such measures as may, in his judgment, tend to the improvement of finances, law enforcement, health and comfort of the citizenry and good government of the city. Neither the mayor nor any other council member shall have any administrative duties.
- (b) *Vice-mayor.* Within thirty-one (31) days after taking office, each council shall elect from among its members a vice-mayor who shall act as mayor during the temporary absence or disability of the mayor.

(Amendment of 12-12-72)

Section 2.04. General powers and duties.

Policy making and all other powers of the city shall be vested in the council, except as otherwise provided by law or this charter, and the council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the city by law.

Section 2.05. Prohibitions.

- (a) *Holding other office.* Except where authorized by law, no councilman shall hold any other elected public office or city employment during the term for which he was elected to the council.
 - (1) In the event a councilman whose term of office will not expire until after the date the next mayor takes office wishes to run for the office of mayor, he shall resign from office when he takes out nomination papers from the office of the city clerk or one hundred five (105) days prior to the primary election, whichever first occurs. The vacancy so created shall be temporarily filled by a majority vote of the remaining members of the council who shall appoint a qualified elector to serve until the first regular meeting of the city council in March following the forthcoming election. If the council fails to make such an appointment within thirty (30) days of the occurrence of the resignation, the seat shall remain vacant until the forthcoming election. The unexpired term of the vacancy which occurs as a result of any councilman who resigns to run for the office of mayor shall be filled at the forthcoming election. A qualified elector running for the unexpired term shall so state in such elector's nomination papers.
 - (2) No former mayor or councilman shall hold any compensated appointive city office or employment until two (2) years after the expiration of the term for which he was elected or appointed to the council or until he ceases to occupy the office of councilman or mayor.
- (b) *Appointments and removals.* Neither the council nor any of its members shall in any manner dictate the appointment or removal of any city administrative officers or employees whom the manager or any of his subordinates are empowered to appoint, but the council may express its views and fully and freely discuss with the manager anything pertaining to appointment and removal of such officers and employees.
- (c) *Interference with administration.* Except for the purpose of inquiries or investigations authorized under section 2.11 of this Charter, the council or its members shall deal with city officers and employees who are subject to the direction and supervision of the manager solely through the manager, and neither the council nor its members shall give any orders to any such officer or employee, either publicly or privately.

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- (d) *Strikes and binding arbitration prohibited.* Strikes by municipal employees in the City of Chandler are strictly prohibited in order to insure the safe and orderly delivery of services as well as the protection of lives and public safety.

The City of Chandler and its employees have an obligation to the public to assure the orderly and continuous operation and function of city government.

The citizens of Chandler have a fundamental interest in the development of harmonious and cooperative relations between city government, its managers and its employees.

The principle and procedure of full communication between the City and its employees or their representatives can alleviate various forms of strife and unrest. In order to promote harmonious relations within city government the City, its employees and their representatives, acting within the framework of law, may enter into discussions with affirmative willingness relating to department policy, grievances, wages, hours and other conditions of employment. It is in the public interest to promote the improvement of employer/employee relations by providing a rational structure to resolve differences and enter into agreements through a "Meet and Confer" process.

The Meet and Confer process shall provide for formal discussion between the City Manager or his/her representative and representatives of employees in a given department or departments if a majority of such employees have designated an employee organization to represent them. The results of those discussions shall be submitted to the Mayor and Council for their approval, rejection or modifications. The decision of the Mayor and Council shall be final and binding on all parties. To the extent that agreements are reached they shall continue until or unless modified by the parties involved. The process and procedure for a "Meet and Confer" process shall be developed by the Mayor and Council.

(Amendment of 12-12-72; Amendment of 5-1-79; Ord. No. 1286, § 1(1), 12-8-83, election of 2-28-84; Res. No. 2417, Exh. VII, election of 1-23-96; Res. No. 3709, Exh. 1, election of 5-18-04)

Section 2.06. Vacancies; forfeiture of office; filling of vacancies.

- (a) *Vacancies.* The office of mayor or councilman shall become vacant upon his death, resignation, forfeiture of office, or removal from office in any manner authorized by law.
- (b) *Forfeiture of office.* The mayor or a councilman shall forfeit his office if he:
- (1) Lacks at any time during his term of office any qualification for the office prescribed by this charter or by law;
 - (2) Violates any express prohibition of this charter;

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- (3) Is convicted of a crime involving moral turpitude; or
 - (4) Fails to attend three consecutive regular meetings of the council without being excused by the council.
- (c) *Filling of vacancies.* In the event of a vacancy in the council including the office of mayor, the council by a majority vote of its remaining members, shall appoint a qualified person to serve for the unexpired term. If the council fails to make such an appointment within thirty (30) days following the occurrence of the vacancy, the council shall call a special election to fill the vacancy. Such election shall be held not later than one hundred twenty (120) days following the occurrence of the vacancy, and shall otherwise be governed by the provisions of Article VII hereof. The person elected to such office at the special election shall hold office for the entire unexpired term.

(Amendment of 12-12-72)

- (d) *Temporary Vacancies; Active Duty Military.* In the event a councilmember, including the office of mayor, receives military orders for active duty and the period of active duty is projected to last at least four (4) months but less than the remainder of the councilmember's term, the councilmember's office may be temporarily vacated as set forth below. If a councilmember is unable to attend meetings either personally or telephonically, the council by a majority vote of its remaining members may appoint a qualified person to serve until the councilmember returns from active duty or until the councilmember's term expires, whichever occurs first.

(Added 9-12-00)

- (e) *Temporary Vacancies; Injury or Illness.* In the event a councilmember, including the office of mayor, incurs an injury or illness which the councilmember projects will preclude the councilmember from attending council meetings, either personally or telephonically, for at least a four (4) month period but less than the remainder of the councilmember's term, the councilmember's office may be temporarily vacated as set forth below. If a councilmember temporarily vacates their office due to injury or illness, the council by a majority vote of its remaining members can appoint a qualified person to serve until the councilmember is able to attend meetings or until the councilmember's term expires, whichever occurs first.

(Added 9-12-00)

Section 2.07. Judge of qualifications.

The council shall be the judge of the election and qualifications of its members and of the grounds for forfeiture of their office and for that purpose shall have power to subpoena witnesses, administer oaths, take testimony and require the production of

evidence. A member charged with conduct constituting grounds for forfeiture of his office shall be entitled to a public hearing on demand, providing such demand is made in writing within two (2) weeks of the filing of the charge, and notice of such hearing shall be published in one or more newspapers of general circulation in the city at least one week in advance of the hearing. Decisions made by the council under this section shall be subject to review by the courts.

Section 2.08. Administrative offices and departments.

The council by ordinance not inconsistent with this Charter, shall provide for the organization, conduct and operation of the several offices and departments of the city as established by this Charter, for the creation of additional departments, divisions, offices and agencies and for their consolidation, alteration or abolition.

The council, by ordinance not inconsistent with this Charter, may assign additional functions or duties to offices, departments or agencies. Where the positions are not incompatible, the council may combine in one person the powers and duties of two (2) or more offices created or authorized by this charter.

The council shall provide for the number, titles, qualifications, powers, and duties and compensation of all offices and employees of the city.

Section 2.09. Appointive officers.

- (a) *City clerk.* The council shall appoint an officer of the city who shall have the title of city clerk, and who shall give notice of all council meetings, keep the journal of the council's proceedings, authenticate by his signature and record in full in books kept for the purpose all ordinances and resolutions, and shall perform such other duties as shall be required by this Charter or by ordinance. He will serve at the pleasure of the council.
- (b) *City attorney.* There shall be a city attorney, appointed by the council. He shall serve as chief legal advisor to the council, the manager, and all city departments, offices and agencies. He shall represent the city in all legal proceedings and shall perform any other duties prescribed by this Charter, law, or ordinance. He shall serve at the pleasure of the council and shall furnish to the council and city such written legal opinions concerning matters which are in the city's interest as the council, in a body, or individually, may from time to time request.
- (c) *City magistrate.* There shall be a city court with jurisdiction as established by law. The presiding officer shall be the city magistrate, who shall be appointed by the council for a term of two (2) years and may be removed by the council for cause. Reappointment of the magistrate shall be at the pleasure of the council.

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- (d) *City manager.* There shall be a city manager appointed in accordance with Article III of this Charter.
 - (e) *Temporary officers.* Each appointive officer shall nominate a substitute to fill any vacancy occasioned by his temporary absence from his duties. This substitute shall be affirmed by the council.
 - (f) *Reports.* Each appointive officer will make such reports as the council may require concerning the operation of his department.
 - (g) *Public hearing.* Any officer appointed by the council, if dismissed, shall be entitled, upon request filed in writing within thirty (30) days, to a public hearing. However, the action of the council shall be final and conclusive, it being the intention of this Charter to vest all authority and fix all responsibility for such suspension and removal in the council.

(Amendment of 12-12-72; Res. No. 2417, Exh. V, election of 1-23-96)

Section 2.10. Disposal of impounded goods.

The city council shall have the power to adopt an ordinance providing for the disposition of lost and found and impounded items by public sale with the proceeds going into the general fund.

Section 2.11. Investigations.

The council may make investigation into the affairs of the city and the conduct of any city department, office or agency. For this purpose, it may subpoena witnesses, administer oaths, and take testimony and require the production of evidence, all of which shall be conducted in public hearings. Any person who fails or refuses to obey a lawful order issued in the exercise of these powers by the council shall be guilty of a misdemeanor and punishable as directed by council ordinance. An affirmative vote of five (5) members of the council shall be obtained before a valid investigation may commence.

(Amendment of 12-12-72)

Section 2.12. Procedure.

- (a) *Meetings.* The council shall meet regularly at least twice in every month at such times and places as the council may prescribe by resolution. Special meetings may be held on the call of the mayor or of four (4) or more members and, whenever practicable, upon no less than twelve (12) hours notice to each member. News media located in city shall be given prior notice of the time and place of such meeting. All meetings shall be public. However, the council may recess for the purpose of discussing in a closed or

executive session, limited to its own membership litigation where the city is a party, real estate transactions, or any matter which would tend to defame or prejudice the character or reputation of any person, provided that the general subject matter for consideration is expressed in the motion calling for such session and that no action thereon shall be taken by the council except at a public meeting. Pre-sessions or briefing sessions are permissible to brief councilmen on the items included in the agenda.

- (b) *Rules and journal.* The council shall determine its own rules, order of business, and conduct of public meetings and shall provide for keeping a journal of its proceedings. This journal shall be public record.
- (c) *Voting.* Voting, except on procedural motions, shall be by roll call, and may be accomplished orally or by means of a device which displays the vote of each councilmember. The ayes and nays shall be recorded in the journal. No member of the council may abstain from voting unless he be disqualified by reason of financial interest or personal involvement in the subject matter. Four (4) members of the council shall constitute a quorum, but a smaller number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the council. No action of the council, except as otherwise provided in the preceding sentence and in section 2.06 of this Charter, shall be valid or binding unless adopted by the affirmative vote of four (4) or more members of the council.
- (d) *Consideration of petitions.* Any citizen may have the right to present a petition to the council according to such rules, regulations and procedure as the council may prescribe.

(Amendment of 12-12-72; Ord. No. 1286, § 1(2), 12-8-83, election of 2-28-84)

Section 2.13. Action requiring an ordinance.

In addition to other acts required by law or by specific provisions of this Charter to be done by ordinance, those acts of the city council shall be by ordinance which:

- (a) Adopt or amend a city code or establish, alter or abolish any city department, office or agency.
- (b) Provide for a fine or penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed.
- (c) Create taxes.
- (d) Grant, renew or extend a franchise.
- (e) Regulate the rates and fees charged for its services by a public utility.

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- (f) Authorize the borrowing of money.
 - (g) Lease city lands and property for a period of three (3) years or more, or to convey same or to authorize leases for a period of three (3) years or more, or the conveyance of any lands or property of the city.
 - (h) Reserved.
 - (i) Amend or repeal any ordinance previously adopted, except as otherwise provided in Article VIII of this Charter, with respect to repeal of ordinances reconsidered under the referendum power.
 - (j) Provide for the levy of assessments, the collection thereof, or enforcement of liens on real property within the city.
 - (k) Provide for the appropriation or expenditure of any public money in excess of the sum of one-tenth of one per cent of the then annual budget, unless the amount has been appropriated in the adopted budget.
 - (l) Provide for establishing or changing fire limits.

Section 2.14. Conduct of the council as to powers authorized by charter when no procedure is established by state law.

Whenever, by any provision of this Charter, it is prescribed that any power, duty or procedure shall or may be exercised, performed or adopted in the manner established by any law of this state, and there be no procedure established by law therefor, then the council shall by ordinance prescribe the procedure.

Section 2.15. Ordinances in general.

- (a) *Form.* Every proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain more than one subject which shall be clearly expressed in its title. The enacting clause shall be "Be it ordained by the City Council of the City of Chandler".
- (b) *Procedure.* An ordinance may be introduced by any member at any regular or special meeting of the Council.
 - (1) Upon introduction of any proposed ordinance, the city clerk shall distribute a copy to each Council member and to the manager. After tentative approval by the City Council, the city clerk shall file a reasonable number of copies in his office and such other public places as the Council may designate and shall publish it at least one time, by ordinance title only, together with a notice setting out the time and place for its consideration by the Council.

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- (2) Consideration by the Council shall follow the publication within thirty (30) days. It may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard.
 - (3) After consideration the Council may adopt, alter, or reject the ordinance. If it is altered, the Council may not adopt it until the ordinance or its amended sections have been subjected to all the procedures hereinbefore required in the case of a newly introduced ordinance.
 - (4) As soon as practicable after adoption of any ordinance, the city clerk shall have it published in full at least two times, with the second publication to follow the first by at least six days.
- (c) *Effective Date.* Except as otherwise provided in this charter, every adopted ordinance shall become effective at the expiration of thirty (30) days after adoption or at any later date specified therein.
 - (d) *"Publish" Defined.* As used in this charter, the term "publish" means to print, at least one time, in one or more newspapers of general circulation in the city. The posting of an ordinance in one or more public places shall never be required in order to make it effective.

Section 2.16. Emergency ordinances.

- (a) *"Emergency" Defined.* As used in this section, an emergency ordinance is one necessary to meet a public emergency affecting life, health, property or the public peace.
- (b) *Matters Not to be Classified as "Emergencies".* Ordinances granting, renewing or extending a franchise or regulating the rate charged by any public utility for its services, except as otherwise provided in this charter, shall never be classified as emergency measures.
- (c) *Procedure.* An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally except that it shall be plainly designated as an emergency ordinance. The ordinance shall contain, in one section, after the enacting clause, a declaration stating that an emergency exists and describing in clear and specific terms the reasons for the necessity of declaring such ordinance to be an emergency measure; this section shall be passed only by the affirmative vote of at least six (6) members upon a separate roll call thereon.
- (d) *Adoption.* An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced, but the affirmative vote of at least six (6) members shall be required for adoption. The ordinance shall become effective upon adoption or at such later time as may be specified therein. After adoption the ordinance shall be published as prescribed for other ordinances.

Section 2.17. Codes and public records.

- (a) *Procedure.* The Council may adopt any standard code or public record by reference thereto in an adopting ordinance in the manner set forth in the statutes of the state of Arizona. The procedure and requirements governing such an adopting ordinance shall otherwise be as prescribed for ordinances generally.
- (b) *Distribution.* Copies of any adopted standard code or public record shall be made available by the city clerk for distribution or for purchase at a reasonable price.

Section 2.18. Authentication, recording, codification, printing.

- (a) *Authentication and Recording.* The city clerk shall authenticate by his signature and record in full in a properly indexed book kept for that purpose all ordinances and resolutions adopted by the Council.
- (b) *Codification.* Within thirty (30) days of the effective date of this charter, the Council shall provide for the preparation of a general codification of all city ordinances and resolutions having the force and effect of law. Such codification shall be completed and be adopted by the Council by ordinance within two (2) years from the effective date of the charter. The code shall be printed promptly in loose-leaf form, and include this charter and any amendments thereto, pertinent provisions of the constitution and other laws of the state of Arizona, and such codes of technical regulations and other rules and regulations as the Council shall specify. This compilation shall be known and cited officially as "Chandler City Code". Copies of the code shall be furnished to city officers, placed in libraries and public offices for free public reference and made available for purchase by the public at a reasonable price fixed by the Council. The code shall be kept current.
- (c) *Printing of Ordinances and Resolutions.* The Council shall cause each ordinance and resolution having the force and effect of law and each amendment to this charter to be printed promptly following its adoption. The printed ordinances, resolutions and charter amendments shall be distributed or sold to the public at reasonable prices to be fixed by the Council. Following printing of the first City of Chandler Code and at all times thereafter, the ordinances, resolutions and charter amendments shall be printed in substantially the same format as the code currently in effect and shall be suitable in form for integration therewith. The Council shall make such further arrangements as it deems desirable with respect to reproduction and distribution and other laws of the state of Arizona, or the codes of technical regulations and other rules and regulations included in the code.

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. 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.

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.

Section 3.03. Acting city manager.

By letter filed with the city clerk the manager shall designate, subject to approval of the Council, a qualified city administrative officer to exercise the powers and perform the duties of manager during his temporary absence or disability. During such absence or disability, the Council may revoke such designation at any time and appoint another officer of the city to serve until the manager shall return or his disability shall cease.

Section 3.04. Powers and duties of the city manager.

The city manager shall be the chief administrative officer of the city. He shall be responsible to the Council for the administration of all city affairs placed in his charge by or under this charter or by ordinance. He shall have the following powers and duties:

- (a) He shall appoint and, when he deems it necessary for the good of the city, suspend or remove all city employees and appointive administrative officers except as otherwise provided by law, this Charter, or personnel rules adopted pursuant to this Charter. He may authorize any administrative officer who is subject to his direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency.
- (b) He shall direct and supervise the administration of all departments, offices and agencies of the city, except as otherwise provided by this Charter or by law.

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- (c) He shall attend all council meetings except when excused by the council, and shall have the right to take part in discussion but may not vote.
 - (d) He shall see that all laws, provisions of this Charter and acts of the council, subject to enforcement by him or by officers subject to his direction and supervision, are faithfully executed.
 - (e) He shall prepare and submit the annual budget and forecasted capital program to the council.
 - (f) He shall make such reports as the council may require concerning the operations of city departments, offices and agencies subject to his direction and supervision.
 - (g) He shall keep the council fully advised as to the financial condition and future needs of the city and make such recommendations to the council concerning the affairs of the city as he deems desirable.
 - (h) He shall perform such other duties as are specified in this Charter or may be required by the council.

ARTICLE IV. ADMINISTRATIVE DEPARTMENTS

Section 4.01. General provisions.

- (a) *Limitation of functions.* No function assigned by this charter to a particular department, office or agency may be discontinued, or, unless this charter specifically so provides, assigned to any other.
- (b) *Direction by manager.* Each department, office and agency under the direction and supervision of the manager shall be administered by an officer appointed by and subject to the direction and supervision of the manager. With the consent of the council, the manager may serve as the head of one or more such departments, offices or agencies or may appoint one person as head of two (2) or more of them. Each department head appointed by the manager shall nominate a substitute to fill any vacancy occasioned by his temporary absence from his duties. This substitute shall be affirmed by the manager.

Section 4.02. Merit system.

- (a) *Merit principle.* No council appointee shall be subject to the merit system. All other appointments and promotions of city officers and employees shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence.

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- (b) *Personnel officer.* There shall be a personnel officer appointed by the manager as provided in section 3.04(a) of this Charter, who shall administer the personnel system of the city.
- (c) *Merit system board.* There shall be a merit system board consisting of five (5) members and five (5) alternates appointed by the mayor with the approval of the council from the qualified electors of the city for staggered terms of three (3) years. Members of the board shall hold no other city office or city employment. Three (3) members shall constitute a quorum for the transaction of business. The council shall adopt by ordinance such rules and regulations as may be necessary to seat alternates on the merit system board. The personnel officer or designee shall provide necessary staff assistance to the merit system board.
- (d) *Personnel rules.* The personnel officer or designee shall prepare personnel rules. The manager may refer such proposed rules or amendments to the merit system board which shall submit to the manager its recommendations thereon. When reviewed by the manager, the rules shall be referred to the council and the council may adopt them with or without amendment. These rules, subject to amendment at any time by majority vote of all members of the council, shall provide for:
- (1) The classification of all city positions, based on the duties, authority and responsibility of each position, with adequate provision for reclassification of any position whenever warranted by changed circumstances.
 - (2) A pay plan for all city positions.
 - (3) Methods for determining the merit and fitness of candidates for appointment or promotion.
 - (4) The policies and procedures regulating reduction in force and removal of employees.
 - (5) The hours of work, holidays, attendance regulations and provisions for sick and vacation leave.
 - (6) The policies and procedures governing persons provisional or probationary appointments.
 - (7) Policies regarding in-service training programs.
 - (8) Appeal procedures for the hearing of appeals of dismissals, demotions or suspensions of employees to whom the merit system applies, by the merit system board. The merit system board may render advisory opinions based on its findings to the city manager. The final decision on all appeals shall be made by the city manager. A copy of the findings must be furnished to the employee.
 - (9) In all cases of dismissals, demotions or suspensions, an employee shall be notified in writing with respect to their rights under the appeals procedures.

(10) Grievance procedures for matters other than dismissals, demotions or suspensions to be decided by the city manager.

(11) Other practices and procedures necessary to the administration of the city merit system.

(Ord. No. 1286, § 1(3), 12-8-83, election of 2-28-84; Res. No. 2417, Exh. III, election of 1-23-96)

Section 4.03. Strike or work interruption.

It is hereby declared to be contrary to the public interest and a threat to the public health and safety and unlawful for any city employee, directly or indirectly, to instigate, institute, encourage, authorize, or participate in a strike, cessation of work, slow-down or other form of work interruption, and any city employee who participates in any way in such activity or supports it shall thereby abandon and terminate his appointment or employment and shall no longer hold such position or be entitled to any of the rights of emoluments thereof, except as to any rights already vested in any city employee retirement program. The council shall adopt an appropriate ordinance providing employees with notice of termination and an opportunity to be heard on the facts regarding their participation or circumstances involving any activity prohibited above. The mayor, council members, city manager and city representatives shall not have the power to grant amnesty to any employee for conduct violating the above prohibitions.

(Amendment of 5-1-79; Ord. No. 1286, § 1(3), 12-8-83, election of 2-28-84)

ARTICLE V. FINANCE AND TAXATION

Section 5.01. Fiscal year.

The fiscal year of the city shall commence on the first day of July of each year.

Section 5.02. Tax system.

The council may by ordinance provide a system for the assessment, levy, and collection of all city taxes, and establish assessment policies and procedures.

Section 5.03. Claims or demands against city.

The council may by ordinance prescribe the manner in which claims or demands against the city shall be presented, audited, and paid and may impose requirements with regard to notice and prompt presentation as a condition of payment, provided, however, that the city shall not be liable for damages for injuries to any person or property unless

the injured person or the owner of the damaged property or someone on his behalf shall, within the time and in the manner provided by state law, gives notice in writing of such injuries or damage, stating fully in such notice when, where, and how the injuries or damage occurred.

(Ord. No. 1557, § 1(4), 11-18-85, election of 1-21-86)

Section 5.04. Submission of budget and budget message.

On or before the fifteenth day of June of each year, the manager shall submit to the council a budget for the ensuing fiscal year and an accompanying message.

The manager's message shall explain the budget both in fiscal terms and in terms of the work programs. It shall outline the proposed financial policies of the city for the ensuing year, describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such changes, summarize the city's debt position and include such other material as the manager deems desirable.

(Ord. No. 1286, § 1(4), 12-8-83, election of 2-28-84)

Section 5.05. Budget.

The budget shall provide a complete financial plan of all city funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form as the manager deems desirable or the council may require. In organizing the budget the manager shall utilize the most feasible combination of expenditure classification by fund, organization unit, program, purpose or activity, and subject. It shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year; and shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures to the extent possible of the preceding fiscal year. It shall indicate in separate sections:

- (1) Proposed expenditures for current operations during the ensuing fiscal year, detailed by offices, departments and agencies in terms of their respective work programs and the method of financing such expenditures;
- (2) Proposed capital expenditures during the ensuing fiscal year, detailed by offices, departments and agencies when practicable, and the proposed method of financing each such capital expenditure; and
- (3) Anticipated net surplus or deficit for the ensuing fiscal year of each utility owned or operated by the city and the proposed method of its disposition; subsidiary

budgets for each such utility giving detailed income and expenditure information shall be attached as appendices to the budget.

The total of proposed expenditures shall not exceed the total of estimated income and fund balances available.

(Ord. No. 1286, § 1(4), 12-8-83, election of 2-28-84)

Section 5.06. Temporary inactive funds.

The council may provide for the investment of temporarily inactive funds, or may provide for the deposit of such funds with such depositories as it may designate.

(Ord. No. 1286, § 1(4), 12-8-83, election of 2-28-84)

Section 5.07. Forecasted capital program.

- (a) *Submission to council.* The manager shall prepare and submit to the council a forecasted five-year capital program on or before the fifteenth day of June of each year.
- (b) *Contents.* The forecasted capital program shall include:
 - (1) A clear general summary of its contents.
 - (2) A list of all capital improvements which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for such improvements.
 - (3) Cost estimates, method of financing and recommended time schedules for each such improvement.
 - (4) The estimated annual income and cost of operating and maintaining the facilities to be constructed or acquired.
 - (5) Such additional information as the Council shall direct.
- (c) *Council action on forecasted capital program.*
 - (1) *Notice and hearing.* The council shall publish at least two (2) times in one or more newspapers of general circulation in the city the general summary of the forecasted capital program and a notice stating:
 - (A) The times and places where copies of the forecasted capital program are available for inspection by the public.
 - (B) The time and place, not less than two (2) weeks after the first such publication, for a public hearing on the forecasted capital program.

(2) *Adoption.* The council by resolution shall adopt the forecasted capital program on the same date as the final adoption of the annual budget.

(Ord. No. 1286, § 1(4), 12-8-83, election of 2-28-84; Res. No. 2991, 1-28-99, election of 5-18-99)

Section 5.08. Transfer of appropriations.

At any time during the fiscal year, the manager may transfer part or all of any unencumbered appropriation balance among programs within a department, office, or agency. Upon written request by the manager, the council may transfer part or all of any unencumbered appropriation balance from one department, office or agency to another.

(Ord. No. 1286, § 1(4), 12-8-83, election of 2-28-84)

Section 5.09. Permission to exceed the budget.

Nothing in this article shall prevent the council from increasing the budget in accordance with Arizona law.

(Ord. No. 1286, § 1(4), 12-8-83, election of 2-28-84)

Section 5.10. Independent annual audit.

Prior to the end of each fiscal year, the council shall designate a qualified public accountant who shall prepare, as of the end of the fiscal year, an audit of the financial transactions of the city government. He shall submit a long-form report, including recommendations concerning policy and fiscal procedures, to the council and to the city manager. Such accountant shall be independent and have no direct interest in the fiscal affairs of the city government or of any of its officers. He shall, within specifications approved by the council, post-audit the books and documents kept by the city, and any separate or subordinate accounts kept by any other office, department, or agency of the city government.

Section 5.11. Annual report.

Subsequent to completion of the annual audit, the council shall prepare and make available to the public a report of the city's financial activities during the previous fiscal year.

The report shall be of a size so as to be insertable along with monthly utility billings.

The report shall include:

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- (a) A transmittal letter from the mayor summarizing the results of the annual audit and any other information deemed relevant.
 - (b) A summarization of the budget for both the fiscal year just audited and the current fiscal year.
 - (c) A combined balance sheet of all city funds and account groups for the year just audited.
 - (d) A summary of capital improvements for the fiscal year just audited.
 - (e) A summary of the capital improvements budget for the current fiscal year.
 - (f) A presentation of the current year property tax rate distribution.

(Ord. No. 1557, § 1, 11-18-85, election of 1-26-86)

Section 5.12. Lapse of appropriations.

Every appropriation shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure that has been encumbered shall continue in force until the purpose for which it was made has been accomplished or abandoned; the purpose for any such capital appropriation so encumbered shall be deemed abandoned if three (3) years pass without any disbursements.

(Ord. No. 1286, § 1(4), 12-8-83, election of 2-28-84)

Section 5.13. Administration of budget.

At such time as the manager shall specify, each department, office or agency shall submit work programs for the ensuing fiscal year showing its requested expenditure budgets. The manager shall review and authorize such budget request with or without revision as early as possible in the current fiscal year. He may revise such budgets during the year if he deems it desirable and shall revise them to accord with any supplemental emergency, reduced or transferred appropriations made pursuant to section 5.08.

(Ord. No. 1286, § 1(4), 12-8-83, election of 2-28-84)

Section 5.14. Competitive bidding.

It is the general intent that open competitive bidding be followed in the purchase of supplies, services, equipment, and improvements. The council shall establish by ordinance a procedure to implement this policy and may determine exceptions thereto.

The council shall accept those bids which, under all circumstances, appear to be in the best interest of the city unless all bids be rejected.

(Ord. No. 1286, § 1(4), 12-8-83, election of 2-28-84)

ARTICLE VI. BOARDS AND COMMISSIONS

[Section 6.01. Creation, dissolution; appointment; terms.]

- (a) *Creation.* The council shall have exclusive power, by ordinance, to create such boards, commissions or citizens' committees as in its judgment are required or as are now or hereafter provided by law, and may grant to them such power and duties as are consistent with the provisions of this charter. It may also abolish any board or commission not specifically required by law.
- (b) *Appointment.* The mayor shall nominate all board, commission and committee members with the approval of the council; provided, however, that no nomination shall be made unless the name of the nominee shall have been submitted to the council members not less than seven (7) days prior to the meeting at which his nomination is to be confirmed. City councilmembers may be appointed to serve on a city board or commission in an ex officio, nonvoting capacity.
- (c) *Terms.* Terms of board and commission members shall not exceed three (3) years.

(Amendment of 12-12-72; Ord. No. 1286, § 1(5), 12-8-83, election of 2-28-84)

ARTICLE VII. NOMINATIONS AND ELECTIONS

Section 7.01. City elections.

- (a) *Elections.* A primary, regular, or special election may, at the city council's discretion, be held concurrently with election consolidation dates or any other election authorized bylaw.
- (b) *Qualified electors.* All citizens qualified by the Constitution and laws of the State of Arizona to vote in the city and who satisfy the requirements for registration prescribed by law shall be qualified electors of the city within the meaning of this Charter.
- (c) *Conduct of elections.* Except as otherwise provided by this Charter, the provisions of the election laws of the State of Arizona apply to municipal elections held under this Charter.
- (d) *Majority vote to elect.* At said primary election any candidate who shall receive a majority of all the votes cast at such election shall be declared elected to the office for

which he is a candidate, and no further election shall be held as to said candidate; provided that if more candidates receive a majority than there are offices to be filled, then those equal in number to the offices to be filled, receiving the highest number of votes shall be declared elected. Nothing on the ballot shall indicate the affiliation of any candidate with any other person, party or group.

- (e) *Nomination for regular elections.* If at any primary election there be any office or offices to which no candidate therefor was elected, then said election shall be considered to be a primary election for the nomination of candidates for such office or offices and a second or regular election shall be held to vote for a candidate to fill such office or offices. The candidates not elected at such first election equal in number to twice the number to be elected to any given office, or less if so there be, and who received the highest number of votes for the respective offices at such first election, shall be the only candidates at such second election, provided that, if there be any person who under the provisions of this section would have been entitled to become a candidate for any office except for the fact that some other candidate received an equal number of votes therefor, then all such persons receiving said equal number of votes shall likewise become candidates for such office.
- (f) *Arrangements of names not to reveal source of candidacy or support of candidates.* The names of the candidates for each office shall be arranged as provided by law, and nothing on the ballot shall be indicative of the source of the candidacy or of the support of any candidate.

(Amendment of 12-12-72; Ord. No. 1286, § 1(6), 12-8-83, election of 2-28-84; Res. No. 2417, Exh. IV, election of 1-23-96; Res. No. 4862, § 1(Exh. 1), 4-30-15, election of 8-25-15; Ord. No. 4900, § 1(Exh. 1), 10-10-19, election of 3-10-20)

Section 7.02. Watchers and challengers.

A regularly nominated candidate shall be entitled, upon written application to the city clerk at least five (5) days before the election, to appoint one person to represent him as watcher and challenger at each polling place. A person so appointed shall have all the rights and privileges prescribed for watchers and challengers by or under the election laws of the State of Arizona.

Section 7.03. Ballots for ordinances and charter amendments.

An ordinance or charter amendment requiring a vote of the electors shall be presented for voting by ballot title. The ballot title of a measure may differ from its legal title and shall be a clear, concise statement describing the substance of the measure, without argument or prejudice. Below the ballot title shall appear the following question: "Shall the above described (ordinance) amendment be adopted?" Immediately below such

question shall appear the words "yes" and "no" and a square by each in which by making a cross (X) the elector may cast a vote.

Section 7.04. Availability of list of qualified electors.

If for some purpose relating to a city election or to candidates or issues involved in such an election, any organization, group or person requests a list of qualified electors of the city, the department, office or agency which has custody of that list shall permit the organization, group or person to copy the electors' names and addresses from the list.

ARTICLE VIII. INITIATIVE, REFERENDUM AND RECALL

Section 8.01. General authority.

There is hereby reserved to the electors of the city the powers of the initiative, the referendum and the recall of elective officers. The provisions of the constitution and laws of this state, as the same now exist or hereafter may be amended, governing the initiative and referendum and the recall of elective officers, shall apply to the use thereof in the city so far as such provisions are not in conflict with the provisions of the charter.

Section 8.02. Commencement of proceedings, petitioners' committee, affidavit.

Any five qualified voters may commence initiative or referendum proceedings by filing with the city clerk an affidavit stating they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance or citing the ordinance sought to be reconsidered. Promptly after the affidavit of the petitioners' committee is filed, the city clerk shall issue the appropriate petition blanks to the petitioners' committee.

ARTICLE IX. GENERAL PROVISIONS

Section 9.01. Personal financial interest.

- (a) *Disclosure of Interest.* Any city officer, board or commission member or employee who has a financial interest, direct or indirect, by reason of ownership of tangible or intangible property, in any contract with the city or in the sale of land, materials, supplies or services to the city, shall make known that interest and shall refrain from voting upon or otherwise participating in making such sales or contracts.

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- (b) *Penalty for Violations.* Any willful violation of this section shall constitute malfeasance in office or position, and those found guilty thereof shall thereby forfeit such office or position. Violation of this section with the knowledge express or implied of the person or corporation contracting with the city shall render the contract voidable by the council.

Section 9.02. Prohibitions and penalties.

(a) *Activities Prohibited.*

- (1) No person shall be appointed to, removed from, favored in any way, or discriminated against with respect to any city position because of race, sex, political or religious affiliations.
- (2) In regard to any test, certification or appointment, no person shall willfully make any false statement, certificate, mark, rating or report, or in any manner commit or attempt to commit any fraud preventing the impartial execution of the personnel provisions, rules, and regulations.
- (3) No person who seeks appointment or promotion to any city position or administrative office shall directly or indirectly give, render or pay any money, service or other valuable thing to any person for or in connection with his test, appointment, promotion or proposed promotion. Nor shall any city officer or employee ask or receive anything of value for aid or offer aid in connection with any city appointment, employment, or promotion.
- (4) No person elected or employed by the city shall orally, by letter or otherwise solicit or assist in soliciting any assessment, subscription or contribution for any political party or political purpose whatever from any person holding any compensated appointive city position. No person shall solicit for such purposes from compensated city personnel during their working hours.
- (5) No person who holds any compensated appointive city position shall make, solicit or receive any contribution to the campaign funds of any candidate for municipal office or take any part in the management, affairs, or political campaign of any such candidate, but he may exercise any other rights of a qualified elector.

- (b) *Penalties.* Any person who by himself or with others willfully violates any of the provisions of Section 9.02 of this charter shall upon conviction thereof be guilty of a misdemeanor and be punished as specified by city ordinance.

Section 9.03. Residence requirements.

The city manager and all department heads need not be residents of the city or the state at the time of their appointments, but must become residents of the city within six (6) months. All city employees must reside within a reasonable radius of the city.

(Amendment of 12-12-72)

ARTICLE X. SUCCESSION IN GOVERNMENT

Section 10.01. Rights of officers and employees preserved.

Nothing in this charter, except as specifically provided, shall affect or impair: (1) the rights or privileges of officers or employees of the city; (2) the functions and responsibilities of any office, department, or agency existing at the time this charter takes effect; (3) any provision of law in force at the time this charter takes effect and not inconsistent with the provisions of this charter, in relation to the personnel, appointment, rank, grades, tenure of office, promotion, removal, pension and retirement rights, civil rights, or any other privileges of officers or employees of the city, or any office, department, or agency.

Section 10.02. Continuance of present officers.

- (a) *Mayor and Councilmen.* The mayor and members of the Council serving at the time this charter takes effect shall serve until the mayor and councilmen provided for in Article II of this charter shall have been elected and qualified.
- (b) *Appointive Officers.* All persons holding appointive office by the Council or the city manager at the time this charter takes effect shall continue in office unless relieved of office, or until such office or the duties of said office are abolished or modified.

Section 10.03. Continuance of present offices, departments and agencies.

- (a) *Continuity of Certain Powers and Duties.* Any office, department, or agency provided for in this charter with powers and duties the same or substantially the same as those heretofore existing shall be deemed a continuation of such office, department, or agency and shall have powers to continue any business proceedings or other matters within the scope of the powers and duties prescribed by this charter.
- (b) *Transfer of Certain Powers and Duties.* The powers conferred and the duties imposed upon any office, department, or agency of the city by the laws of the state shall, if such office, department or agency be abolished by this charter or under its authority, be thereafter exercised and discharged by the office, department, or agency designated by the Council, unless otherwise provided.

Section 10.04. Continuance of appointive boards and commissions.

All appointive boards and commissions presently existing shall continue with such powers and duties as were granted them until such boards and commissions shall be changed or abolished by the Council as heretofore provided in this charter.

Section 10.05. Transfer of records and property.

All records, property, and equipment whatsoever of any office, department, or agency, or part thereof, existing when this charter is adopted shall be transferred to the office, department, or agency assuming its powers and duties.

Section 10.06. Pending matters.

- (a) *Continuance of Contracts.* All contracts entered into by the city, or for its benefit, prior to the time this charter takes effect, shall continue in full force and effect.
- (b) *Pending Actions and Proceedings.* The adoption of this charter shall not abate or otherwise affect any action or proceedings, civil or criminal, pending when it takes full effect, brought by or against the city or any office, department, agency, or officer thereof.
- (c) *Ordinances to Remain in Force.* All ordinances, resolutions, and regulations of the city in force at the time this charter takes effect, and not inconsistent with the provisions hereof, are hereby ratified and affirmed as if the same had been adopted pursuant to a grant of power under this charter, until the same shall be duly amended or repealed.

Section 10.07. Conformity of charter with state law.

The charter herewith submitted is and shall be cumulative of all other laws of the state governing cities of more than three thousand five hundred inhabitants, not in conflict herewith. The enumeration of the powers made in this charter shall never be construed to preclude, by implication or otherwise, the city from doing any and all things not inhibited by the constitution and laws of Arizona.

Section 10.08. Inauguration of government under this Charter.

If a majority of the qualified electors of the city voting on the issue vote to ratify this Charter, the provisions of this Charter shall go into effect for all purposes immediately upon approval of the Governor of the State of Arizona, as provided by the Constitution of this state.

Section 10.09. Charter amendments.

The Charter, or any part or article or section thereof, may be amended in the manner provided by the Constitution of this state. Charter amendments may be initiated by the city council, the initiative procedure, or by a charter commission created by ordinance. All proposed amendments shall be submitted to the qualified electors of the city at a primary, a general or special election, and, if approved by a majority of the electors voting on the issue, shall be submitted to the governor of the state for his approval.

(Ord. No. 1286, § 1(7), 12-8-83, election of 2-28-84)

Section 10.10. Separability.

If any provision of this Charter be held invalid, the other provisions of the Charter shall not be affected thereby. If the application of the Charter or any of its provisions to any person or circumstance be held invalid, the application of the Charter and its provisions to other persons or circumstances shall not be affected thereby.

Section 10.11. Gender.

Whenever the context of this instrument so requires words used in the masculine gender include the feminine and neuter; the singular number includes the plural, and the plural the singular, the word person includes a corporation, company, partnership or association, or society as well as a natural person. Wherever the context of this instrument uses the term councilman, it shall mean "councilmember" and wherever it uses the term councilmen, it shall mean "councilmembers."

(Res. No. 2417, Exh. VI, election of 1-23-96)

CERTIFICATE

WHEREAS, the City of Chandler, in the County of Maricopa, State of Arizona, did, on the twenty-fifth day of September, 1964, at a special election, duly called and held, under and in accordance with the Constitution and laws of the State of Arizona, elect Conway T. Ryan, Dan Francis, Ralph J. McKenzie, J.C. Hearn, Dallas W. Brooks, Fred Bolender, Dan Krison, Dorothy W. Trees, Hal Clark Jones, Raymond Armstrong, M. Inez Noel, A.J. Hunt, Coy C. Payne and Wallace Maarsingh as a Board of Freeholders and qualified electors of said City to prepare and propose a Charter for said City.

BE IT KNOWN, that in pursuance of said provisions of the Constitution and laws of the State of Arizona, and within a period of ninety (90) days after said election, said Board of Freeholders did prepare and does propose the foregoing as and for the Charter of said City of Chandler.

IN WITNESS WHEREOF, WE, the duly elected and qualified members of the Board of Freeholders of the City of Chandler, State of Arizona, have hereunto subscribed our names, in duplicate, this 21st day of December, 1964. DAN FRANCIS Chairman CONWAY T. RYAN Secretary ;:sigl; \A.J. HUNT DAN KRISON WALLACE E. MAARSINGH W. DALLAS BROOKS COY C. PAYNE RAYMOND ARMSTRONG DOROTHY W. TREES M. INEZ NOEL HAL CLARK JONES FRED J. BOLENDER J.C. HEARN RALPH McKENZIE

STATE OF ARIZONA	}	ss
COUNTY OF MARICOPA		

This instrument was acknowledged before me this 21st day of December, 1964 by the aforesigned

My Commission Expires: 12/24/64 WALTER J. REYNOLDS, JR. Notary Public

GOVERNOR'S APPROVAL

The foregoing Charter for the City of Chandler was submitted to me for approval as required by Statute, on the Eighth day of February, 1965, and I hereby approve said Charter this First day of March, 1965.

Signed: SAMUEL P. GODDARD Governor of Arizona

State of Arizona	}	ss
County of Maricopa		

On this the First day of March, 1965, before me, Doris Stafford, the undersigned officer, personally appeared SAMUEL P. GODDARD, GOVERNOR OF ARIZONA, known to me to be the person whose name appears as subscribed to the within instrument and acknowledged that he executed same for the purpose therein contained.

In witness whereof I hereunto set my hand and official seal. DORIS STAFFORD Notary Public

My Commission Expires:
November 28, 1965

* * * * *

Filed in the office of the Secretary of State
this 1st day of March, 1965, 10:20 A.M. WESLEY BOLIN Secretary of State

CERTIFICATION

STATE OF ARIZONA	}	ss
COUNTY OF MARICOPA		

I, Andrew C. Kuhles, the duly elected and qualified Mayor and Chief executive officer of the City of Chandler, Arizona do hereby certify to the following:

That the attached document is a true and correct copy of the Charter for the City of Chandler, which Charter was duly ratified by qualified electors of this city, on the 5th day of February, 1965, A.D. at a special election held for such purpose, by a vote of 205 to 24, with 1 additional ballot disqualified, and which charter was duly approved by the Governor of the State of Arizona on the 1st day of March, 1965, A.D.

In testimony whereof, I have hereunto set my hand and the seal of said City of Chandler this 2nd day of March, 1965, A.D. ANDREW C. KUHLES Mayor

ATTEST: ARLENE ROSSELL City Clerk

CHARTER COMPARATIVE TABLE

This table gives the disposition of amendments to the charter which have been approved subsequent to February 5, 1965. See also the editor's footnote to Pt. I of this volume.

Amendment	Disposition
12-12-72	2.01(e), (f),
	2.03(a),
	2.05(a)(1),
	2.06(c),
	2.09, 2.11,
	2.12(a),
	6.01(a), (b),
	7.01(d),
	9.03
5- 1-79	2.05(d),
	4.02(d)(10)

Ordinance Number	Adoption Date	Election Date	Section		Disposition
1286	12- 8-83	2-28-84	1(1)		2.05(a)(1)
			(2)		2.12(c)
			(3)		4.02(b)—(d)

- CHARTER FOR THE CITY OF CHANDLER
CHARTER COMPARATIVE TABLE

					(d)(8)—(10)
				Rnbd	4.02(d)(10)
				as	4.03
				Rnbd	4.02(d)(9)
				as	4.02(d)(11)
			(4)		5.04—5.06,
					5.07(c)(2),
					5.08, 5.09
				Rpld	5.12
				as	5.14
				Added	5.12, 5.13
			(5)		6.01(b)
			(6)		7.01(b)
			(7)		10.09
1557	11-18-85	1-21-86	1(4)		5.03
			(5)		5.11
1562	11-18-85	1-21-86	1		2.01(g)
2417(Res.)	9-28-95	1-23-96	Exh. III		4.02(c)
			Exh. IV		7.01(a)
					2.01(c), (d)
			Exh. V		2.09(c)
			Exh. VI		10.11
			Exh. VII		2.05(d)
			Exh. VIII	Rpld	2.01(g)
2585	2-13-97	5-20-97	Exh. I		2.01(e)
			Exh. II		2.01(g)
2991(Res.)	1-28-99	5-18-99			5.07(a), (c)(2)
3709(Res.)	1-22-04	5-18-04	Exh. 1		2.05(d)
4621(Res.)	6-28-12	11- 6-12			2.01(d)—(f)
4862(Res.)	4-30-15	8-25-15	1(Exh. 1)		2.01(c), (d)
					7.01(a)
4900	10-10-19	3-10-20	1(Exh. 1)		7.01(a), (c)

- CHARTER FOR THE CITY OF CHANDLER
CODE CONVERSION TABLE

CODE CONVERSION TABLE

Chapter	Titles	Old Chapter
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1	General Provisions	1
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4	Elections	9
5	Risk Management	2
6	Emergency Management	8
7	Reserved	
Part II	Airport	
8	Chandler Municipal Airport	2A
9	Reserved	
Part III	Public Safety	
10	Police Protection	2
11	Curfew, Graffiti, Smoking and Miscellaneous Offenses	17
12	Traffic Rules Including Motorized Play Vehicles	16
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25	Chandler Municipal Court	20
26	Code Enforcement Through Civil Infraction Procedures	
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28	Fire Prevention	7A
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29	Building Safety Regulations - Uniform Codes	7
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