

Section 2.05. Prohibitions.

- (a) *Holding other office.* Except where authorized by law, no ~~councilman~~ COUNCILMEMBER shall hold any other elected public office or city OF CHANDLER employment during the term for which ~~he was~~ THEY WERE 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.~~
- IF A COUNCILMEMBER, INCLUDING THE MAYOR, WITH MORE THAN ONE (1) YEAR REMAINING IN THEIR TERM FILES TO RUN FOR ANY OTHER ELECTED PUBLIC OFFICE THEY SHALL RESIGN UPON FILING NOMINATION PAPERS FOR THAT OFFICE. THE CITY COUNCIL SHALL FILL THE VACANCY CREATED IN ACCORDANCE WITH SECTION 2.06(C) OF THIS CHARTER.
- (2) No former mayor or ~~councilman~~ COUNCILMEMBER shall hold any compensated appointive city OF CHANDLER office or employment until two (2) years after THEY CEASE TO OCCUPY THE OFFICE OF COUNCILMEMBER OR MAYOR OR the expiration of the THEIR ELECTED OR APPOINTED 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 CITY manager or ~~any of his~~ THEIR subordinates are empowered to appoint, but the council may express its views and fully and freely discuss with the CITY manager anything pertaining to THE 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 ~~C~~harter, the council or its members shall deal with city officers and employees who are subject to the direction and supervision of the CITY manager solely through the CITY manager, and neither the council nor its members shall give any orders to any such ~~officer~~ OFFICERS or ~~employee~~ EMPLOYEES, either publicly or privately.
- (d) *Strikes and binding arbitration prohibited.* Strikes by municipal employees in the City of Chandler are strictly prohibited ~~in order to insure~~ TO ENSURE 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~~ MAINTAIN the orderly and continuous operation ~~and function~~ of city government.

The citizens of Chandler have a fundamental interest in ~~the development of~~ FOSTERING harmonious and cooperative ~~relations between~~ RELATIONSHIPS AMONG 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~~ 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 ~~M~~anager or ~~his/her~~ THEIR 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.

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

- (a) *Vacancies.* The office of mayor or ~~councilman~~ COUNCILMEMBER shall become vacant upon ~~his~~ THEIR death, resignation, forfeiture of office, or removal from office in any manner authorized by law.
- (b) *Forfeiture of office.* The mayor or a ~~councilman~~ COUNCILMEMBER shall forfeit ~~his~~ THEIR office if ~~he~~ THEY:
 - (1) ~~Lacks~~ LACK at any time during ~~his~~ THEIR term of office any qualification for the office prescribed by this charter or by law;
 - (2) ~~Violates~~ VIOLATE any express prohibition of this charter;
 - (3) ~~Is~~ ARE convicted of a crime involving moral turpitude; or
 - (4) ~~Fails~~ FAIL 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~~ ON the council, including the office of mayor, the council SHALL, 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)~~ FORTY-FIVE (45) days following the occurrence of the vacancy, the SEAT SHALL BE FILLED AT THE FORTHCOMING ELECTION, IF ANY, OR IF THE VACANCY OCCURS IN A NON-ELECTION YEAR, 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~~ TO BE HELD AS SOON AS PRACTICABLE AND governed by the provisions of Article VII ~~hereof~~ OF THIS CHARTER. The person elected to such office ~~at the special election~~ shall hold office for the ~~entire~~ REMAINDER OF THE unexpired term.
- (d) *Temporary Vacancies; Active Duty Military.* ~~In the event~~ IF 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~~ 120 DAYS but less than the remainder of ~~the councilmember's~~ THEIR term, ~~the councilmember's~~ THEIR office may be temporarily vacated ~~as set forth below~~. If a councilmember is ~~unable to~~ CANNOT attend meetings either ~~personally or telephonically~~ IN PERSON OR REMOTELY, the council, ~~by a majority vote of its remaining members,~~ may appoint a qualified person to serve until ~~the councilmember returns from active duty~~ THEIR RETURN or until ~~the councilmember's~~ THEIR term expires ENDS, whichever occurs first.
- (e) *Temporary Vacancies; Injury or Illness.* ~~In the event~~ IF a councilmember, including the ~~office of~~ mayor, ~~incurs~~ SUFFERS an injury or illness ~~which the councilmember projects will preclude the councilmember from attending council meetings~~ THAT IS EXPECTED TO PREVENT MEETING ATTENDANCE, either ~~personally~~ IN PERSON or ~~telephonically~~ REMOTELY, for at least a ~~four (4) month~~ 120-DAY period but less than the remainder of ~~the councilmember's~~ THEIR term, ~~the councilmember's~~ THEIR office may be temporarily vacated ~~as set forth below~~. If a councilmember temporarily vacates their office ~~due to injury or illness,~~ AND 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~~ RESUMES

ATTENDANCE or until ~~the councilmember's~~ THEIR term ~~expires~~ ENDS, whichever occurs first.