

PART I THE CHARTER*

***State law references:** Adoption of charters, A.R.S. § 9-281.

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ARTICLE I. INCORPORATION, FORM OF GOVERNMENT, POWERS AND BOUNDARIES

Sec. 1. Incorporation.

The inhabitants of the City of Glendale, within the corporate limits as now established or as hereafter established in the manner provided by law, shall continue to be a municipal body politic and corporate in perpetuity, under the name of the "City of Glendale".

Sec. 2. Form of government.

The municipal government provided by this charter shall be known as the COUNCIL-MANAGER GOVERNMENT. Pursuant to its provisions and subject only to the limitations imposed by the state constitution and by this charter, all powers of the city shall be vested in an elective council, hereinafter referred to as "the council", which shall enact local legislation, adopt budgets, determine policies, and appoint the city manager and such other officers deemed necessary and proper for the orderly government and administration of the affairs of the city, as prescribed by the constitution and applicable laws, and ordinances hereafter adopted by the city. All powers of the city shall be exercised in the manner prescribed by this charter, or if the manner be not prescribed, then in such manner as may be prescribed by ordinance.

Sec. 3. Powers of city.

The city shall have all the powers granted to municipal corporations and to cities by the constitution and laws of this state and by this charter, together with all the implied powers necessary to carry into execution all the powers granted. 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, lease, 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 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, 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 powers enumerated herein or implied hereby, or appropriate to the exercise of such 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.

The city may require all persons, firms or corporations responsible for new physical development within the city to provide for or furnish, or pay a fee in lieu of providing for or furnishing:

- (1) Public utility easements.
- (2) Water production, storage and transmission.
- (3) Sewage collection, treatment and disposal.
- (4) Park land and development.
- (5) School sites.
- (6) Dedication and improvement of public rights-of-way.
- (7) Bike paths and other necessary transportation.
- (8) Drainage.
- (9) Flood control.
- (10) Other public facilities necessary to maintain satisfactory levels of service for said new development as provided by ordinance, which shall include definite standards basing the foregoing requirements on the needs of the inhabitants of said new development.

(3-16-76)

Sec. 4. 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. THE COUNCIL

Sec. 1. Powers of the council.

All powers of the city, not in conflict with the constitution and subject to the limitations of this charter, shall be vested in the council, who shall enact appropriate legislation and do and

perform any and all acts and things which may be necessary and proper to carry out these powers or any of the provisions of this charter.

Sec. 2. Number; selection.

The council shall consist of a mayor and six (6) other members to be elected by the qualified electors of the City of Glendale as follows:

- (a) The mayor shall be elected from the city at large, pursuant to the election procedure (primary and general elections) specified in ordinances which are adopted according to law or as provided for under the City of Glendale Charter.
- (b) The six (6) other council members shall be elected from six (6) geographic districts within the City of Glendale. Each district shall contain a substantially equal number of electors. Electors in each district shall vote only for the council candidates nominated from the district in which the electors reside.
- (c) Each candidate for one of the six (6) council seats shall at the time of nomination and during his tenure maintain his permanent residence within the district from which he is nominated.
- (d) No candidate for the six (6) council seats may run for more than one district in any regular election.

(2-9-88)

Sec. 3. Term of mayor.

The term of the office of Mayor shall commence at 7:00 p.m. on the first regularly scheduled meeting in December following the election for such office, and it shall be for four (4) years or until a successor is elected and qualified.

(5-25-70; 5-18-04; Res. No. 3824(Prop. 101), 1-25-05)

Sec. 4. Terms of council members.

The term of the office of council members shall commence at 7:00 p.m. on the first regularly scheduled meeting in December following the election for such office, and it shall be for four (4) years or until their successors are elected and qualified.

(5-25-70; 5-18-04; Res. No. 3824(Prop. 101), 1-25-05)

Sec. 5. Qualifications.

The mayor shall be at least twenty-five (25) years of age on the date of his election or appointment; the mayor and council members shall be qualified electors of the city at the time of election; shall hold no other public office for which they receive compensation except that of a notary public or member of the national guard or naval or military reserve; and shall have resided in said city for one (1) year next preceding the date of such election or appointment. If the mayor or any councilman shall cease to possess any of these qualifications or shall be convicted of a crime involving moral turpitude, his office shall immediately become vacant.

(3-16-76)

Sec. 6. Duties of mayor.

The mayor shall be the chairman of the council and preside over its deliberations. He may make and second motions and shall have a voice and vote in all its proceedings. He shall be recognized as head of the city government for all ceremonial purposes and by the governor for purposes of military law, but shall have no regular administrative duties.

Sec. 7. Vice mayor.

The council shall designate one (1) of its members as vice mayor, who shall serve in such capacity at the pleasure of the council. The vice mayor shall perform the duties of the mayor during the mayor's absence or disability.

(3-15-88)

Sec. 8. Salaries of mayor and council members.

The annual salary of the mayor and council members shall be payable in installments consistent with the city employee payroll system but not to exceed the annual salary as set in the following manner. A salary commission may be appointed by the city council. The commission shall be composed of five members, none of which are city employees or city elected officials. The members of the commission shall serve without compensation. The commission shall conduct a review of the rates of pay for elected city officials. Such review by the commission shall be made for the purpose of determining and providing the pay levels appropriate to the duties and responsibilities of the offices. The commission may hold public hearings to aid it in its work. The commission shall submit to the city council a report of the results of the review conducted by the commission of the offices subject to this section together with its recommendations. The council may accept, reject or modify the recommendations of the commission. Any proposed increase in council salaries must be approved by the voters at the next election. The salaries shall become effective immediately after the voters approve the recommendations. The salaries in effect at the time of this charter amendment remain in effect until amended in the fashion herein prescribed.

[The annual salary of the mayor and council members shall be as follows:]

Mayor . . . \$48,000.00

Council member . . . \$34,000.00

(3-15-88; Res. No. 3107, § 1, 2-25-97; Res. No. 3948, §§ 1, 2, 4-11-06)

Sec. 9. Council to be judge of qualifications of its members.

The council shall be the judge of the election and qualifications of its members and for such purpose shall have power to subpoena witnesses and require the production of records, but the decision of the council in any such case shall be subject to review by the courts.

Sec. 10. Induction of mayor and council members into office.

At 7:00 p.m. on the day set for the first regularly scheduled meeting in December following the general election, the council shall hold a meeting for the purpose of inducting the newly elected mayor and council members, and to organize the council.

(5-25-70; 5-18-04; Res. No. 3824(Prop. 101), 1-25-05)

Sec. 11. Absence to terminate membership.

If any councilman shall be absent from more than two (2) consecutive regular meetings without the consent of the council, he shall thereupon cease to hold office.

If the mayor shall be absent for more than two consecutive regular meetings without the consent of the council, he shall thereupon cease to hold office.

Sec. 12. Vacancies in council and office of mayor.

The council, by a majority vote of its remaining members, shall fill the vacancies in its own membership and in the office of mayor for the unexpired terms.

Sec. 13. Council meetings; open to public.

The council shall meet regularly at such times and at such place as may be prescribed by its rules, but not less frequently than two (2) times each month. All meetings of the council shall be open to the public and shall be in compliance with the provisions of the laws of the state pertaining to public meetings and proceedings.

(3-16-76)

Sec. 14. Special meetings.

(Covered under section 13 by reference to Arizona Revised Statutes, § 38-501 as amended.)

(3-16-76)

Sec. 15. Rules of procedure; journal.

The council shall determine its own rules and order of business subject to the provisions of this charter. It shall keep a journal of its proceedings and the journal shall be open to public inspection.

Sec. 16. Quorum; ayes and nays.

A majority of the members of the council shall constitute a quorum, but a smaller number may adjourn from day to day or from time to time. The vote on any question shall be ayes and nays and shall be entered in the journal.

Sec. 17. Failure to vote.

No member of the council shall be excused from voting, except upon matters involving

the consideration of his own official conduct or if a conflict of interest exists as defined by the laws of this state pertaining to conflict of interest of officials and employees. In all other cases a failure to vote shall be entered on the minutes as an affirmative vote.

(3-16-76)

Sec. 18. Consideration of citizen requests.

Any citizen of the city may appear before the council at any regular meeting and present a request. The council shall take action or direct that action be taken on such request within thirty (30) days.

(3-15-88)

Sec. 19. Interference in administrative service.

Except as otherwise provided in this charter, neither the council nor any of its members shall interfere with the execution by the city manager of his powers and duties, or order, directly or indirectly, the appointment by the city manager of any person to an office or employment or his removal therefrom. Except for purposes of inquiry, the council and its members shall deal with the administrative service under the city manager solely through the city manager, and neither the council nor any member thereof shall give orders to any subordinate of the city manager, either publicly or privately.

Nothing in this section shall be construed, however, as prohibiting the council while in open session from fully and freely discussing with or suggesting to the city manager anything pertaining to city affairs or the interests of the city.

Sec. 20. Conduct of council as to powers authorized by charter when no procedure established by state law.

Whenever, by any provisions 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.

ARTICLE III. THE CITY MANAGER

Sec. 1. Appointment of city manager.

The council shall appoint an officer of the city who shall have the title of city manager and shall have the powers and perform the duties provided in this charter. No councilman shall receive such appointment during the term for which he shall have been elected, nor within one (1) year after the expiration of his term.

Sec. 2. The city manager; qualifications.

The city manager shall be chosen by the council solely on the basis of his executive and administrative qualifications with special reference to his actual experience in, or his knowledge

of, accepted practice in respect to the duties of his office as hereinafter set forth. At the time of his appointment, he need not be a resident of the city or state, but during his tenure of office he shall reside within the city.

Sec. 3. City manager; powers and duties.

The city manager shall be chief executive officer and head of the administrative branch of the city government. He shall be responsible for the proper administration of all affairs of the city and to that end, subject to the provisions of this charter, he shall have the power and shall be required to:

- (1) Devote his entire time to the discharge of his official duties, attend all meetings of the council unless excused therefrom by the council or the mayor;
- (2) See that all ordinances are enforced and that the provisions of all franchises, leases, contracts, permits and privileges granted by the city are observed;
- (3) Appoint, and when deemed necessary for the good of the service, lay-off, suspend, transfer, demote or remove all department heads, officers and employees of the city, subject to such merit system regulations as the council may adopt;
- (4) Prepare the annual budget estimates and submit them to the council and be responsible for the administration of the budget after adoption;
- (5) Keep the council advised at all times of the affairs and needs of the city, and make reports annually, or more frequently if requested by the council, of all the affairs of the city;
- (6) Repealed (3-16-76);
- (7) Have such other powers, duties and functions as this charter may prescribe, and such powers, duties and functions consistent with this charter as the council may prescribe.

Sec. 4. Right of city manager to seat in council.

The city manager shall be entitled to a seat in the council, but shall have no vote therein. The city manager shall have the right to take part in the discussion of all matters coming before the council.

Sec. 5. Assistant city manager.

The assistant city manager shall be appointed in accordance with the personnel provisions and shall act on behalf of the city manager in his or her absence. In the event the city manager resigns or is removed for any reason, the council shall appoint an acting city manager at the first regular meeting following such vacancy.

(3-24-76; 3-15-88)

Sec. 6. Removal of city manager.

The council shall appoint the city manager for an indefinite term and may remove him by a majority vote of its members. At least thirty (30) days before such removal shall become effective, the council shall by a majority vote of its members adopt a preliminary resolution stating the reasons for his removal. Within ten days, the city manager may reply in writing and may request a public hearing, which shall be held not earlier than twenty (20) days nor later than thirty (30) days after the filing of such request. After such public hearing, if one be requested, and after full consideration, the council by majority vote of its members may adopt a final resolution of removal. By the preliminary resolution the council may suspend the manager from duty. If the removal is for malfeasance, or misfeasance in the performance of his duties or he shall be convicted of a crime involving moral turpitude, the council shall cause to be paid him any salary due him to the date of the preliminary resolution. Otherwise, the manager shall be paid forthwith upon his removal his salary for the next two calendar months following the adoption of the preliminary resolution of removal.

ARTICLE IV. ADMINISTRATIVE DEPARTMENTS, OFFICES AND EMPLOYEES

Sec. 1. Administrative departments and offices.

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 or more offices created or authorized by this charter.

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

Sec. 2. 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 purposes 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.

Sec. 3. City treasurer.

The council shall appoint an officer of the city, who shall have the title of city treasurer, and who shall receive and have custody of all the money of the city and shall keep and save said money and dispense the same only as provided by the laws of this state, or as provided by ordinance and who shall always be bound by the constitution, laws and ordinances and upon whom legal garnishments and demands may be served. He will serve at the pleasure of the council.

Sec. 4. City attorney.

The council shall appoint the city attorney who shall be the chief legal adviser of all officers, departments and agencies and of all officers and employees in matters relating to their official powers and duties. He shall represent the city in all legal proceedings. It shall be his duty to perform all services incident to his position as may be required by statute, by this charter or by ordinance. He will serve at the pleasure of the council.

Sec. 5. Merit basis of appointment.

Appointments and promotions in the administrative service of the city shall be made in accordance to merit and fitness to be ascertained, so far as practicable, by competitive examination.

Sec. 6. Merit system to be established.

The council shall, by ordinance, provide for the establishment of a merit system for the purpose of regulating and controlling the appointments, promotions, demotions, discharges and reinstatements of all officers and employees of the city except those elected by the people and also except the city manager, city clerk, city treasurer, city attorney and city judge.

ARTICLE V. APPOINTIVE BOARDS AND COMMISSIONS

Sec. 1. Appointive boards and commissions.

The council may, by ordinance, create boards or commissions 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 not consistent with the provisions of this charter.

Sec. 2. Mayor and city manager ex-officio members.

The mayor and city manager shall be ex-officio members, without voting privileges, of all boards and commissions.

ARTICLE VI. FINANCE AND TAXATION

Sec. 1. Fiscal year.

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

Sec. 2. Council to provide for tax system; use of county services.

The council shall by ordinance provide a system for the assessment, levy and collection of all city taxes, not inconsistent with the provisions of this charter.

The council shall have power to avail itself by ordinance of any law of this state, now or hereafter in force and comply with the requirements thereof whereby assessments may be