

# CITY COUNCIL AGENDA

CITY COUNCIL CHAMBERS . 11465 WEST CIVIC CENTER DRIVE . AVONDALE, AZ 85323

WORK SESSION  
July 6, 2009  
6:30 PM

## CALL TO ORDER BY MAYOR ROGERS

**1 ROLL CALL BY THE CITY CLERK**

**2 PROPOSED CITY CHARTER AMENDMENTS**

City Council will consider and discuss proposed amendments to the City's Charter. For information discussion and direction.

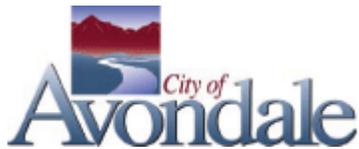
**3 ADJOURNMENT**

Respectfully submitted,

A handwritten signature in cursive script that reads "Carmen Martinez".

Carmen Martinez  
City Clerk

Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the Council Meeting.



# CITY COUNCIL REPORT

**SUBJECT:**  
Proposed City Charter Amendments

**MEETING DATE:**  
July 6, 2009

**TO:** Mayor and Council  
**FROM:** Carmen Martinez, City Clerk (623) 333-1214  
**THROUGH:** Charlie McClendon, City Manager

**PURPOSE:**

City Council will consider and discuss proposed amendments to the City's Charter.

**DISCUSSION:**

Staff has reviewed the City Charter to identify sections in need of updating to bring current and eliminate conflicts with state law. Staff is proposing the following amendments to the City Charter:

- **Article VI Section 6 Adoption of ordinance fixing tax rate.**

On the day set for establishing tax rates but no later than the *date established by state law, but if no date is established by state law, then not later than the third Monday in August*, the council shall meet and adopt *either an ordinance or a resolution in compliance with state law* levying upon the assessed valuation of the property within the city, subject to the provisions of this charter, a rate of taxation on each one hundred dollars (\$100.00) of valuation, sufficient to raise the tax levy shown in the annual budget. The city clerk shall then send a certified copy of the tax levy ordinance *or resolution* to the county assessor, who shall compute the taxes and cause their collection for the city.

**Justification:** To bring in compliance with state law and safeguard against the need for future charter changes in the event that state statutes are modified.

- **Article IX Section 3 Qualifications of electors; registration.**

The qualification of electors shall be as required by the constitution and laws of this state for state and county electors. ~~However, in voting on the question of issuing bonds, in addition to being qualified electors of the city, the elector must be a real property taxpayer.~~

**Justification:** To conform the charter to applicable law. All voters, regardless of whether they are property owners or not, are able to vote in any city election.

- **Article IX Section 6 Time of holding primary elections.**

Primary elections shall be held on the ~~second Tuesday in September~~ *ninth Tuesday before the first Monday in November or on a date otherwise required by state law* in accordance with state law of each odd-numbered year commencing in 1961.

**Justification:** To bring in compliance with state law and safeguard against the need for future charter changes in the event that state statutes are modified.

- **Article IX Section 9 Time of holding general election.**

There shall be a general municipal election held every odd-numbered year on the ~~second Tuesday in November~~ *first Tuesday after the first Monday in November or as otherwise required by state law* in accordance with state law, unless same is unnecessary by reason of other provisions herein.

**Justification:** To bring in compliance with state law and safeguard against the need for future charter changes in the event that state statutes are modified.

- **Article VII Section 6 Reading and passage of ordinances and resolution; effective date.**

All proposed ordinances and resolutions shall be subject to the following requirements for passage at any meeting of the council:(1) Copies of a proposed ordinance or resolution, *including all attachments*, shall be *posted on the City's website or other electronically accessible public site and* delivered to the *city hall offices of the mayor and council*, or left at their usual place of abode, at least forty-eight (48) hours prior to the meeting.

~~(42)~~ In the event that an amendment of a substantive matter is proposed ~~such for~~ an ordinance or resolution *that has been made available as set forth in subsection (1) of section 6 above* ~~containing such proposed amendment~~ shall not be adopted without *first entering into the record at the public meeting at which it is to be adopted such information as reasonably necessary to inform the council and the public of the nature of the amendment of a substantive matter* ~~following the provision set forth in subparagraph (3) of section 6 of article VII of this charter~~. For the purpose of this subsection, the term "amendment of a substantive matter" means an amendment which, either by addition, alteration or deletion, alters the sense, meaning or effect of the proposed ordinance *or resolution*, but shall not be deemed to include the changing of capitalization for the purpose of uniformity or the correction of manifest clerical typographical or format errors.

~~(3)~~ ~~If the council so directs, copies of titles of proposed ordinance or resolutions shall be posted at the city hall forty eight (48) hours before the hour the city council convenes to act upon the ordinance or resolution. During the said forty eight hour period, copies of the entire proposed ordinance or resolution shall be made available for the inspection of the public at any time during the city's regulation business hours.~~

~~(23)~~ By request of the mayor or any member of the council, a full reading of the proposed ordinance by resolution shall be ordered. ~~, otherwise such ordinance or resolution heretofore mentioned shall be read by number and title only. The measure may be passed and adopted at any time after such reading.~~

(4) Measures, other than emergency measures shall take effect and become operative thirty (3) days after the date of their passage.

**Justification:** Update language to bring current with current technology and practices.

Based on tonight's feedback, staff will prepare an ordinance for Council's consideration at the July 20th meeting. If adopted, the ordinance will refer the charter amendments to the Avondale voters . The proposed amendments would appear on the November 3, 2009 ballot.

**RECOMMENDATION:**

Staff is seeking direction from Council regarding the proposed amendments to the City's Charter.

**ATTACHMENTS:**

[Click to download](#)

No Attachments Available