

**PROPOSED AMENDMENTS TO THE CITY OF DOUGLAS CHARTER, WHICH  
SHALL BE VOTED UPON BY THE QUALIFIED ELECTORS OF THE CITY OF  
DOUGLAS AT THE GENERAL ELECTION ON MAY 17, 2022.**

**ARTICLE II. THE MAYOR AND COUNCIL**

**Section 3. Elections.**

~~The first general election for the office of Mayor and Councilmen under the terms of this Charter, shall be held the third Tuesday in May, 1984. Commencing in 1984~~2022, and every two years thereafter, the general election shall be held ~~on the third Tuesday in May~~ ACCORDING TO STATE ELECTION CYCLE.

**Section 4. Term of Mayor.**

Commencing with the election held in 2012, the Mayor shall be elected for a term of four years and serve until THE MAYOR'S successor is elected and qualified OR APPOINTED. ~~No person shall serve more than two consecutive terms, partial terms exempted.~~

**Section 5. Term of Councilmen.**

~~Councilmen~~ COUNCILPERSONS serving on the date this Charter takes effect shall continue to serve until the election and qualification of each member's successor at the election held in 1984. Commencing with the election held in 1984, the Council seats for Wards 2, 4, and 6 shall have a two-year term of office and the Council seats for Wards 1, 3, and 5 shall have a four-year term of office. ~~At each subsequent election~~ The term of office for all Council seats shall be four years AND A COUNCILPERSON SHALL SERVE UNTIL HIS OR HER SUCCESSOR IS ELECTED AND QUALIFIED OR APPOINTED. ~~No Councilman shall serve more than two consecutive terms, partial terms exempted.~~

**Section 6(B). Qualifications**

~~Councilmen~~ COUNCILPERSONS shall be qualified electors of the City, at least twenty-one years of age and shall hold no other elected public office for which they receive compensation. ~~Councilmen~~ COUNCILPERSONS shall have physically resided in the City of Douglas for at least ~~three~~ TWO years next preceding the date of such election or appointment. In addition, thereto, a ~~Councilman~~ COUNCILPERSON shall have physically resided within the ward from which ~~he~~ COUNCILPERSON stands for election or appointed for at least one year preceding the election or appointment. ~~Councilmen~~ COUNCILPERSONS must reside within the City and the Ward from which they were nominated and elected and/or appointed during their term in office. If a ~~Councilman~~ COUNCILPERSON shall cease to possess any of these qualifications or shall have been convicted of a crime involving moral turpitude, ~~his~~ THE COUNCILPERSON'S office shall immediately become vacant. City employees are not eligible to stand for election or serve as ~~Councilmen~~ A COUNCILPERSON.

**Section 9. Stipend of Mayor and ~~Councilmen~~ COUNCILPERSON**

The Mayor shall be paid \$~~300~~ 1,000 per month and ~~Councilmen~~ COUNCILPERSON shall be paid \$ ~~200~~ 500 per month. Any subsequent change must be done by amendment to the Charter and affirmative vote of the people.

### ARTICLE III. THE CITY MANAGER

#### **Section 7(C) Power of Appointment and Removal.**

Subject to the exceptions expressly provided by this Charter, it shall be the duty of the Manager to, and ~~he~~ THE MANAGER shall appoint, remove, promote and demote any and all officers and employees of the city, except City Magistrate, City Attorney ~~City Clerk~~ and Treasurer, ~~City Physician and Counsel~~. All this shall be subject to all applicable personnel ordinances, rules and regulations.

#### **Section 9(A). Removal procedure.**

The Council may remove the Manager at any time ONLY by a 5/7<sup>th</sup> vote of its members AT A SPECIAL OR REGULAR COUNCIL MEETING. If requested, the Council shall grant ~~him~~ THE MANAGER a public hearing within thirty days following notice of removal. During the interim the Council may suspend the Manager from duty, but shall continue THE MANAGER'S ~~his~~ salary and, if the removal becomes final, shall pay ~~his~~ THE MANAGER'S salary for ~~one calendar month~~ ACCORDING TO THE CONTRACT PROVISION following the final removal date. In the event of involuntary removal of the Manager by the Council for willful misconduct in office, the Manager shall forfeit any and all severance pay. THE MAYOR AND COUNCIL SHALL NOT REMOVE THE MANAGER THROUGH ANY OTHER MEANS, UNLESS OTHERWISE STATED IN THE MANAGER'S EMPLOYMENT AGREEMENT.

### ARTICLE IV. ADMINISTRATIVE DEPARTMENTS, OFFICES AND EMPLOYEES

#### **Section 1. Administrative Departments and Officers.**

A. 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~~ ELIMINATION.

C. The Council shall provide for the ~~number, title,~~ qualifications, powers, duties and compensations of THE CITY MANAGER, CITY ATTORNEY, CITY TREASURER AND CITY MAGISTRATE ~~all officers~~ and FOR THE NUMBER AND A COMPENSATION SCHEDULE FOR ALL employees of the City.

#### **Section 2. City Clerk**

The ~~Mayor~~ MANAGER, with approval of the Council, shall appoint an officer who shall have the title of City Clerk, ~~who shall be responsible to the Council,~~ and who shall give notice of all Council meetings, keep the journal of the Council's proceedings authenticated by ~~his~~ THE CITY CLERK'S signature and recorded in full, in books kept for that purpose, all ordinances and resolutions. ~~He~~

THE CITY CLERK shall perform such other duties as required by this Charter, ~~or~~ by ordinance, ~~or~~ BY COUNCIL DIRECTION, OR THE CITY MANAGER.

**Section 6(B) Merit System to be established**

~~Merit System Board. There shall be a Merit System Board consisting of five members appointed by the Mayor, with the approval of the Council, from the qualified electors who have been bona fide residents of the City for at least five years next preceding such appointment. No more than three members shall be the same political affiliation. The Personnel Director shall provide necessary staff assistance to the Merit System Board.~~

ARTICLE VI. FINANCE AND TAXATION

**Section 6. Independent audit and review.**

Prior to the end of each fiscal year, the ~~Council~~ CITY MANAGER shall designate an independent certified public accountant OR COMPANY, who, as of the end of the fiscal year, shall make up an audit of accounts and other evidence of financial transactions of the City government, and shall submit a long-form report, including recommendations concerning policy and fiscal procedures, to the Council, and to the City Manager. Such accountant OR COMPANY shall have no personal interest, direct or indirect, in the fiscal affairs of the City government or of any of its officers. ~~He~~ THE ACCOUNTANT OR COMPANY 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. The Council may call for such special audits as it may deem necessary or appropriate.

ARTICLE VII. ORDINANCES AND RESOLUTIONS

**Section 5. When actions to be taken by ordinance.**

2. Establish, ~~alter~~ or ~~abolish~~ ELIMINATE any City department, ~~office~~ or agency.

12. Appropriate, acquire, sell, lease PROPERTY LONGER THAN A YEAR or exchange any real property.

**Section 6. Reading and passage of ordinances and resolutions; effective date.**

A. Copies of a proposed ordinance or proposed resolution having the effect of an ordinance shall be made available to the Mayor and Council at least ~~forty-eight~~ TWENTY-FOUR hours prior to the meeting. Other than emergency measures, Ordinances shall have ~~THREE-TWO (32)~~ separate readings at any special or regular meeting, except that at least ~~two~~ ONE (21) readings shall occur in A regular meetings.

B. ~~There shall be a full reading of proposed ordinances or resolution having the effect of an ordinance unless the full reading is waived by a majority of the Council.~~ ORDINANCES OR RESOLUTIONS HAVING THE EFFECT OF AN ORDINANCE ~~Thereafter, those ordinances or~~

~~resolutions heretofore mentioned~~ may be read by number and title only. An ordinance identified as an emergency measure and deemed necessary for the immediate preservation of the public peace, health or safety may be placed on its first reading at the same meeting as when first introduced upon the affirmative vote of five members of the Council.

**Section 10. Publication of ordinance and resolution; effective date.**

All ordinances, except those necessary for the immediate preservation of the peace, health or safety of the City, and resolutions having the effect of ordinances, shall be effective 30 days from its approval and passage. All ordinances, except those necessary for the immediate preservation of the peace, health or safety of the City, and resolutions having the effect of ordinances, shall be published at least ~~twice~~ ONCE in a newspaper of general circulation in the City OR COUNTY, IF ~~City is~~ NOT AVAILABLE WITHIN CITY, and ~~be available~~ on the City's web page during the 30 day period before they become effective and operative. Emergency measures shall be published ~~twice~~ ONCE in a newspaper of general circulation in the City OR COUNTY, IF ~~City is~~ NOT AVAILABLE WITHIN CITY, and ~~be available~~ on the City's web page within fifteen days after their passage. All other resolutions and council action shall be effective upon its approval and passage.

ARTICLE VIII. CONTRACTS

**Section 1. Preparation.**

All contracts shall be drawn under the supervision of the City Attorney, must be in writing, executed in the name of the City of Douglas by the Mayor or Manager OR DESIGNATED AGENTS, except as it may be otherwise provided either by this Charter or by law, and must be countersigned by the City Clerk, who shall number and register the same in a book kept for that purpose.

THE COUNCIL SHALL ESTABLISH BY ORDINANCE FOR THE EXECUTION OF CONTRACTS AND OTHER INSTRUMENTS NECESSARY FOR THE PROPER AND GOOD GOVERNMENT OF THE CITY. SUCH ORDINANCE SHALL IDENTIFY THE OFFICERS OR OFFICIALS AUTHORIZED TO EXECUTE INSTRUMENTS ON BEHALF OF THE CITY AND SET FORTH THE SCOPE AND LIMITS OF SAID OFFICIAL'S AUTHORITY TO EXECUTE INSTRUMENTS ON BEHALF OF THE CITY.

**Section 3(B) Transfer and sale of property.**

1. The Manager may sell or otherwise dispose of any personal property having a value of ~~\$500.00~~ \$5,000.00 or less with one published notice. Written ~~advice~~ NOTICE shall be given to the Council prior to such sale or disposal.

2. Personal property valued in excess of ~~\$500.00~~ \$5,000.00 shall be sold ~~aT~~s a live public or online auction after notice of sale has been published ONLINE OR IN A NEWSPAPER at least two times not less than five days prior to the sale.

5. No City employee, elected or appointed City official ~~or member of his immediate family, as defined and modified from time to time in A.R.S. Section 38-502 (9)~~, shall be permitted to bid, purchase or acquire any City property, EXCEPT FOR ONLINE AUCTIONS OUTLINED IN ARTICLE VIII, SECTION 3(B)(2).

#### ARTICLE IX. ELECTIONS

##### **Section 11. Time of holding general elections.**

General elections shall be held ~~on the third Tuesday in May~~ in each even numbered year ACCORDING TO THE STATE ELECTION CYCLE COMMENCING IN 2022.

#### ARTICLE XI. CITY COURT

##### **Section 5. Disposition of fines, penalties and fees.**

All fines, penalties and fees collected by the City Magistrate shall be paid promptly to the designated officer ~~of the City~~ authorized to receive them.