

[Redacted] = Sections with changes

THE CHARTER

Article VI. The Council Generally.

- Sec. 1. Vesting of legislative power; qualifications of candidates.
- **Sec. 2. Council meetings.**
- Sec. 3. Quorum: Action franchises, etc.
- Sec. 4. General powers of the council.
- Sec. 5. Certain powers and duties enumerated.
- **Sec. 6. Ordinances generally.**
- Sec. 7. When ordinances go into effect.
- Sec. 8. Amending ordinances.
- **Sec. 9. Contracts ~~requiring competitive bids~~.**
- Sec. 10. Authority of the council to provide procedure by which city may bid on certain public works.
- Sec. 11. Official advertising.
- Sec. 12. Councilmembers holding other city offices.
- Sec. 13. Vacancies in elective offices.
- Sec. 14. Committees of council.
- Sec. 15. Required vote on sale of real estate; limitation on term of lease.
- Sec. 16. Certified public accountant to be employed annually.
- Sec. 17. Official bonds.
- Sec. 18. Official oaths.
- Sec. 19. Duties of city clerk.

Sec. 2. Council meetings.

The council shall hold regular meetings at such times as it shall fix by ordinance or resolution. If a regular meeting falls on a holiday such meeting shall be held on the next business day.

Special council meetings may be called at any time by the mayor, or by three (3) members of the council, acting in accordance with State law.

Any regular, adjourned regular, special, or adjourned special meeting may be adjourned to a time and place specified in the order of adjournment. Any adjourned regular meeting is a regular meeting for all purposes.

All council meetings shall be held in the council chamber of the City Hall, or other place prescribed by ordinance or resolution unless the Council is compelled to meet elsewhere in a place to which any meeting may be adjourned for the purpose of taking evidence or holding hearings. Final deliberation and actual voting by the council shall take place in the City Hall council chamber. Provided, however, if by reason of fire, flood, earthquake reconstruction, ~~or~~ other emergency or the temporary unavailability of the regular meeting place, it shall be unsafe to meet in the council chamber, the meetings shall be held for the duration of the reconstruction or emergency at a place designated by the mayor or by three (3) members of the council.

Sec. 6. Ordinances generally.

The enacting clause of every ordinance passed by the council shall be: "Be it ordained by the council of the City of Glendale." The enacting clause of every ordinance initiated by the people shall be: "Be it ordained by the people of the City of Glendale." At least five (5) days must elapse between the introduction and the final passage of any ordinance; provided, that amendment germane to the subject of any proposed ordinance may be made when it is brought up for final passage; and provided further, that in case of an extraordinary epidemic or any disaster, such as flood, fire or earthquake, requiring immediate action on the part of any public authorities, or in the case of a current and immediate threat to the public peace, health, safety or welfare, an emergency or urgency ordinance may be introduced and passed at either a regular or special meeting without any intervention of time between introduction and final passage. Other than as set forth in the preceding sentence, A final vote on any ordinance or any vote on any appropriation must be taken only at a regular or adjourned regular meeting. Every ordinance must be signed by the mayor and attested by the clerk. Notice thereof shall be published once in a newspaper of general circulation. Any ordinance granting any franchise or privilege shall be published at the expense of the applicant therefor.

In the publication of every ordinance the advertisement shall contain a statement of the title, number and date of the ordinance, a brief statement of the nature of the ordinance, and a reference to a copy of the ordinance which shall be on file and available for public inspection at all reasonable times in the office of the city clerk.

Sec. 9. Contracts requiring competitive bids.

The council shall by ordinance establish standards, procedures, rules or regulations relating to all aspects of the award and performance of contracts, including contracts for the construction of public improvements, including, but not limited to, compensation paid for performance of such work. The council shall provide by ordinance a complete

~~procedure to ensure the integrity of awarding all contracts. Except as otherwise required in this Charter, no contract for supplies, material, labor, or other valuable consideration, or for the construction, improvement, repair, or maintenance of public works shall be authorized by the council except to the lowest responsible bidder after competitive bidding. The council may reject any and all bids. Competitive bidding shall not be required for:~~

~~—(a) Labor or services rendered by any city officer or employee;~~

~~—(b) Labor, material, supplies, or services furnished by one (1) city department to another city department;~~

~~—(c) Contracts for labor, material, supplies or services which are available from only one vendor;~~

~~—(d) Contracts for labor, material, supplies or services or for the construction, improvement, repair, or maintenance of public works involving the expenditure of an amount not exceeding the limit established by ordinance of the city council;~~

~~—(e) Contracts relating to the acquisition of real property;~~

~~—(f) Contracts for professional or unique services;~~

~~—(g) Contracts for labor, material, supplies and services for actual emergency work;~~

~~—(h) Contracts with other governmental entities, or their contractors, for labor, materials, supplies or services.~~

~~—The council, after rejecting bids, or if no bids are received, may readvertise for bids, or may have the work done by city forces if it determines that city forces can economically do the work, or it may have the contract negotiated without further bidding.~~

~~—Upon recommendation of the city manager, the council may dispense with competitive bidding for any contract when it determines that it is in the best interests of the city so to do and acts by resolution setting forth the reason for such action.~~

Sec. 12. Councilmembers holding other city offices.

~~No~~ A councilmember shall ~~not~~ hold any other city office or city employment except as authorized by State law or ordinarily necessary in the performance of the duties as a councilmember. No former councilmember shall hold any appointed, compensated city office or city employment until two (2) years after leaving the office of councilmember.

This provision shall not be construed to prohibit a former councilmember from being appointed to a vacancy in the position of councilmember, clerk or treasurer.

Article XXI. Public Works Department.

- **Sec. 1. Generally.**
- Sec. 2. City engineer generally.
- ~~Sec. 3. Duties of maintenance services administrator.~~
- ~~Sec. 4. Building official.~~

Sec. 1. Generally.

The public works department shall have charge of general engineering, traffic engineering, flood control, street and sewer construction and maintenance, assessments, ~~building inspection,~~ inspection and care of public buildings, collection and disposal of refuse, and installation, maintenance and removal of parkway trees and parkways.

Sec. 2. City engineer generally.

The city engineer must be a civil engineer, who has practiced his profession not less than five (5) years next before his appointment. He shall possess the same power in making surveys, plats and certificates, as is given by law to city engineers and to county surveyors. He shall be the custodian of and shall be responsible for all maps, plans, profiles, field notes and other records and memoranda belonging to the city, and pertaining to his office and to the work thereof, all of which he shall keep in proper order and condition, with full indexes thereof, and shall turn over the same to his successor, taking from him duplicate receipts therefor, one (1) of which he shall file with the clerk. All maps, plans, profiles, field notes, estimates and other memoranda of surveys and other professional work made or done by him or under his direction or control, during his term of office, or that he may have received from his predecessor, shall remain the property of the city.

~~Editor's Note: The catchline of this section originally read as follows: "City engineer."~~

~~Sec. 3. Duties of maintenance services administrator.~~

~~—The maintenance services administrator shall have the general care and supervision of streets and of the maintenance and repair thereof and the care of and custody of tools and implements belonging to the City of Glendale and used for street construction and repair.~~

~~Sec. 4. Building official.~~

~~—The building official shall have charge of the issuing of building permits and shall see that no permit is issued unless the building plans show conformity to all state laws and all ordinances of the city applicable thereto. He shall see that the laws and ordinances regulating the construction of buildings are enforced. He shall perform all~~

duties that are imposed by existing ordinances of the city on the building inspector, the plumbing inspector and the inspector of electric wiring. (Res. No. 04-238 § 1, 2004)

Article XXIV. Civil Service System.

- ~~Sec. 1. Creation and composition of civil service commission; appointment, term and compensation of members; vacancies; chairman, chief examiner, etc.~~ Establishment of Civil Service System by Council
- ~~Sec. 2. Duties of civil service commission generally; rules~~ Continuation of existing Civil Service System until Council action.
- ~~Sec. 3. Power of civil service commission to subpoena witnesses, etc.~~
- ~~Sec. 4. Examinations generally.~~
- ~~Sec. 5. Suspension of competition.~~
- ~~Sec. 6. Preferences.~~
- ~~Sec. 7. Application of article; exception as to unclassified service.~~
- ~~Sec. 8. Tenure of officers and employees in present employment.~~
- ~~Sec. 8.1. (Repealed).~~
- ~~Sec. 9. Procedure as to removal, suspension and reduction in rank.~~
- ~~Sec. 9a. Leave of absence.~~
- ~~Sec. 9b. Abolishment of positions.~~
- ~~Sec. 10. Procedure as to appointments.~~
- ~~Sec. 11. Severability clause applicable to article; remedying defects caused by unconstitutionality.~~
- ~~Sec. 12. (Repealed).~~
- ~~Sec. 13. War or emergency appointments.~~

Sec. 1. Establishment of Civil Service System by Council ~~Creation and composition of civil service commission; appointment, term and compensation of members; vacancies; chairman, chief examiner, etc.~~

The Council shall provide by ordinance and other rules and regulations for the establishment of a Civil Service System in the City of Glendale based on merit and suitability.

Sec. 2. Continuation of Existing Civil Service System

Unless and until Council adopts an ordinance complying with Article XXIV, Section 1 of this Charter, the Civil Service System shall be governed by the Civil Service Rules and Regulations in effect as of the date of certification of the election at which the amendment to the Charter amending this Article XXIV is approved by the voters.

~~— A civil service commission is hereby created, consisting of five (5) qualified electors of the City of Glendale, who shall be appointed by the council and who shall serve without compensation. They shall hold office for a period of four (4) years and until their successors are appointed and qualified; provided that of those first appointed, two (2) shall be appointed to serve until the 1st day of May, 1939, three (3) shall be appointed to serve until the 1st day of May, 1941; and provided further, that any person appointed to fill a vacancy on the commission shall be appointed to serve for the remainder of the unexpired term.~~

~~— The commission shall organize by electing one (1) of its members chairman. It shall appoint, subject to the approval of the council, a chief examiner, who shall not be a member of the commission and who shall also act as secretary of the commission. The commission may appoint such other subordinates as the council may authorize. The chief examiner and such other subordinates shall receive such compensation as the council shall from time to time determine by ordinance.~~

Sec. 2. Duties of civil service commission generally; rules.

~~— The commission shall prescribe, amend and enforce rules for the classified service, subject to the approval of the council, which shall have the force and effect of law; shall keep minutes of its proceedings and records of its examinations; and shall, as a board or through a single commissioner, make investigations concerning the enforcement and effect of this article and of the rules and efficiency of the service. It shall make an annual report to the council.~~

~~— The rules shall provide:~~

~~— (1) Classification of Positions. For the classification of all positions in the classified service.~~

~~— (2) Competitive Examinations—Generally. For open, competitive examinations to test the relative fitness of applicants for all such positions, except positions for which competition has been suspended, as provided in this article.~~

~~— (3) Same—Public Advertisement. For public advertisement of all competitive examinations.~~

~~— (4) Eligible Lists. For the creation of eligible lists upon which shall be entered the names of successful candidates in the order of their standing in examination. Such lists~~

shall remain in force not longer than two (2) years nor less than one (1) year provided that the commission may cancel any list established from an open examination which contains the names of not more than three (3) persons whose names have been submitted for appointment and the persons not appointed.

—(5) Grounds for Rejection of Candidates or Eligibles. For the rejection of candidates or eligibles who fail to comply with the requirements of the commission in regard to age, residence, sex, physical condition, or who have been guilty of crimes or infamous or disgraceful conduct, or who have attempted any deception or fraud.

—(6) Procedure as to Appointments. For the appointment of one (1) of the three (3) persons standing highest on the appropriate eligible list, except when competition has been suspended as provided in this article; provided that the appointing agency may appoint a person from an eligible list containing less than three (3) names; and provided further that any person whose name has been certified three (3) times without appointment shall have his name dropped to the end of said list.

—(7) Probation Period. For a period of probation not exceeding twelve (12) months before appointments or promotions are made complete.

—(8) Temporary or Seasonal Appointments. For temporary appointments to permanent positions and appointments to temporary or seasonal positions, when there is no appropriate eligible list; provided, that no permanent position shall be filled by temporary appointees for a period longer than six (6) months except when due to a leave of absence or in cases of emergency. Appointments to temporary or seasonal positions and temporary appointments due to a leave of absence may be for such period of time as may be fixed by the commission. The commission shall determine whether any position is in character temporary, seasonal or permanent. The acceptance or refusal to accept temporary or seasonal employment on the part of a person on an eligible list shall not be a bar to appointment to a permanent position from said eligible list.

—(9) Transfer; Demotion; Reinstatement. For transfer from one (1) position to a similar position, or to a lower position upon request of the employee affected, and for reinstatement within one (1) year of persons who, without fault or delinquency on their part, are separated from the service or reduced.

—(10) Promotion. For promotion based upon competitive examination and records of efficiency, character, conduct and seniority; provided, that promotional examination shall be open only to those persons who are employed in positions designated by the commission as appropriate for promotional purposes, who have served in any such position or positions for an aggregate of at least six (6) months, and who satisfy the preliminary requirements of the commission for the position to be filled. Examinations may be exclusively promotional or may be combined with original examinations. Unless the commission finds that it would not be consistent with the best interests of the city, a

vacancy, except one (1) for which competition has been suspended, as provided in this article, shall be filled by promotion.

—(11) Suspension Without Pay. For suspension without pay for a period not to exceed ninety (90) days.

—(12) Adoption and Amendment of Rules Generally. For the adoption and amendment of rules only after public notice and hearing.

—(13) Appointment of Unskilled Laborers. For the appointment of unskilled laborers after such tests as to fitness as the commission may prescribe.

—(14) Further Provisions as to Adoption of Rules. For the adoption of such rules not inconsistent with the provisions of this Charter as may be necessary and proper to carry out the provisions of this article. (1933; 1937; 1943; 1949; 1957; 1982.)

Sec. 3. Power of civil service commission to subpoena witnesses, etc.

—In any investigation conducted by the commission, it shall have the power to subpoena and require the attendance of witnesses and the production thereby of books and papers pertinent to the investigation, and each commissioner shall have the power to administer oaths to such witnesses. (1933; 1937.)

Editor's Note: The catchline of this section originally read as follows: "Power to subpoena witnesses."

Sec. 4. Examinations generally.

—All applicants for positions in the classified service, except applicants for positions for which competition has been suspended as provided in this article, shall be subject to examination controlled by the commission. Such examinations shall be public, competitive and free, except as is otherwise provided in this article. Such examinations shall be practical in their character and shall relate to those matters which will fairly test the relative capacity of the persons examined to discharge the duties of the position to which they seek to be appointed, and when appropriate, shall include or exclusively consist of tests of physical qualifications, health, and manual skill. No question in any examination shall relate to political or religious opinions or affiliations. A stenographic report or sound recording of all oral examinations shall be made. The commission shall provide by rule when such report or recording may be destroyed, but such rule shall not permit destruction until at least thirty (30) days after approval of the eligible list resulting from the examination. (1933; 1937; 1957.)

Sec. 5. Suspension of competition.

—(1) In case of a vacancy in a position requiring peculiar and exceptional qualifications of a scientific, professional, or expert character, and upon satisfactory evidence that competition is impracticable and that the position can best be filled by the selection of some designated person of recognized attainments, the commission may,

~~after public hearing and by the affirmative vote of all its members, suspend competition, but no such suspension shall be general in its application to such position, and all such cases of suspension shall be reported, together with the reasons therefor, in the annual report of the commission.~~

~~—(2) In case of a vacancy in the position of director of administrative services, city attorney or his assistants or deputies, director of public works, building official, city engineer, maintenance services administrator, head or chief librarian, or in an office created by ordinance, and upon the filing with the commission of a written statement by the appointing agency that it intends to appoint a designated person of recognized attainments to fill such vacancy, competition shall be suspended.~~

~~Sec. 6. Preferences.~~

~~—Nothing herein contained shall prevent or modify the giving of preferences in appointments in the classified service to veterans, widows of veterans, and wives of disabled veterans as such persons may be defined and such preferences now or hereafter may be authorized by the council. (1933; 1937; 1969.)~~

~~Sec. 7. Application of article; exception as to unclassified service.~~

~~—The provisions of this article shall apply to all positions now existing or hereafter created, except those in the unclassified service.~~

~~—The unclassified service shall consist of the following offices and employments:~~

~~—All officers elected by the people.~~

~~—All members of appointive boards and commissions, and persons serving without compensation.~~

~~—The chief examiner of the civil service commission.~~

~~—The city assessor.~~

~~—The city manager.~~

~~—The assistant city manager.~~

~~—The secretary of the city manager.~~

~~—The city tax collector.~~

~~—One secretary of any officer elected by the people.~~

~~—Special officers of the police and fire departments.~~

~~—Positions in any unskilled labor class created for a special or temporary purpose and which do not exist for a period of longer than thirty days; provided that the commission may, upon application of the appointing agency and after public notice and hearing, by the affirmative vote of four-fifths (4/5) of its members, exempt any position in~~

~~any unskilled labor class or any part-time, seasonal or temporary position for such period of time as it may determine; and provided further, that any such exemption shall not affect the tenure of any person whose appointment has become complete under this article.~~

~~—Persons employed to render professional, scientific, technical or expert service of an occasional and exceptional character.~~

~~Sec. 8. Tenure of officers and employees in present employment.~~

~~—All persons in the classified service, whose appointments have become complete, shall be discharged only for cause as herein provided.~~

~~Sec. 8.1. (Repealed).~~

~~Editor's Note: This section was repealed in 1957. It formerly dealt with tenure of certain county employees stationed within territory proposed to be annexed to city.~~

~~Sec. 9. Procedure as to removal, suspension and reduction in rank.~~

~~—Any person employed in the classified service may be removed, suspended or reduced in rank or grade after appointment or promotion is complete by the appointing agency, for cause, by an order in writing stating specifically the reasons therefor. Said order shall be filed with the commission and a copy thereof served upon the employee so removed, suspended or reduced. Any person so removed, suspended or reduced may, within five (5) days after presentation to him of a copy of the order of removal, suspension or reduction, appeal to the commission from such order. The commission or its authorized representative shall, within two (2) weeks after the filing of said appeal, commence a proceeding to fully hear and determine the matter. If an authorized representative of the commission hears the appeal, any proposed determination shall be presented to the commission with a report of the proceedings and the commission shall review the same and make its determination adopting or modifying or revoking the determination made by the authorized representative. The commission's determination shall be final.~~

~~Sec. 9a. Leave of absence.~~

~~—Upon the expiration of any leave of absence of a person in the classified service such person shall report for duty and thereupon be returned to the position from which such leave of absence was taken. All temporary employment caused by a leave of absence shall be made from the appropriate eligible list. A leave of absence shall not constitute separation from the service.~~

~~Sec. 9b. Abolishment of positions.~~

~~—When a position in the classified service is abolished, the reduction and termination of all persons affected thereby shall be in accordance with the rules and regulations of~~

~~the commission adopted for that purpose which shall follow as closely and practicable the reverse order of the lines of promotion and give credit according to seniority.~~

~~Sec. 10. Procedure as to appointments.~~

~~—The person or persons having authority of appointment shall notify the commission of any appointment made, and the commission shall certify such fact to the director of administrative services. The director of administrative services shall not approve any salary or compensation for services to any person holding or performing the duties of a position in the classified service until the appointment shall have been so certified.~~

~~Sec. 11. Severability clause applicable to article; remedying defects caused by unconstitutionality.~~

~~—If any section, subsection, sentence, clause, or phrase of this article is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this article. The electors hereby declare that they would have passed this article, and each section, subsection, sentence, clause, and phrase hereof, irrespective of the fact that any one (1) or more other sections, subsections, sentences, clauses, or phrases are declared unconstitutional. If any portion of this Charter relating to civil service should be held to be unconstitutional, the council shall by ordinance provide for a substitute for such portion in such manner as to remedy the defect.~~

~~Sec. 12. (Repealed).~~

~~Sec. 13. War or emergency appointments.~~

~~—During any war in which the United States is engaged or any national emergency causing induction or conscription for the armed forces, and notwithstanding any other provision of this article, the commission, after public notice and hearing, may authorize temporary appointments with or without examination to any position or positions in the classified service for such period of time as the commission may determine, but not exceeding the duration of said war or emergency and six (6) months thereafter. Such position or positions, while filled by such temporary appointments, shall be in the unclassified service. The date of termination of a war or emergency, for the purposes of this section, shall be as fixed by proclamation of the President of the United States, or by concurrent resolution of the two (2) Houses of Congress of the United States, or by resolution of the council of the City of Glendale, whichever date is earliest.~~