

Proposed Amendments to the Mesa City Charter

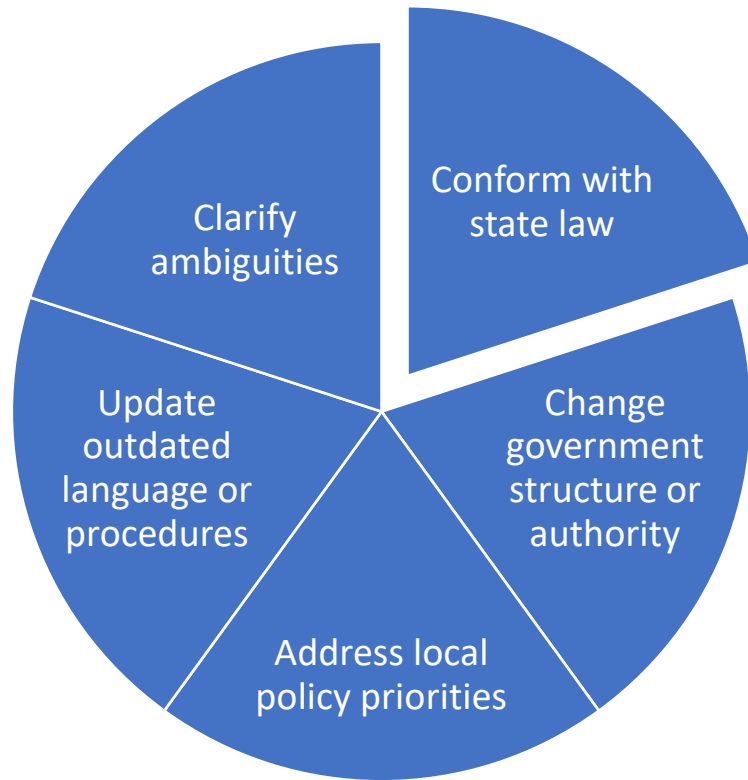
2026 General Election Ballot

What is a City Charter?



- A City Charter is a city's foundational governing document.
- Mesa first adopted the City Charter in August 1967.

Why are Charter Amendments Proposed?



- Section 903 of the City Charter provides the process for Charter Amendments.
 - Amendments may be framed and proposed: by ordinance of the Council, report of a Charter Commission created by ordinance, and an initiative by the electors.
 - After submission of a proposed amendment, the Council shall submit same to the electors.
 - If approved by majority, amendment becomes effective after a set time or 30 days, and upon approval of the Governor.
- Amendments approved at 14 elections since 1967.



Section 209: Procedure – relating to Council meeting procedures



Section 211: Ordinances in General – relating to posting and publication procedures

- Sets forth certain procedures applicable to Council meetings, including the time, place, and frequency of regular meetings, public notice of meetings, and purposes for which the Council may convene an executive session.
- State law regulates these same procedures.

Schedule of Meetings:

The Council shall, **BY ORDINANCE, FIX THE TIME AND PLACE OF** holding a regular meetingS ~~at least twice in every month at such times and place as the Council may prescribe by ordinance~~ **IN ACCORDANCE WITH STATE LAW.**

A.R.S.§ 9-233 requires the Council to:

“by ordinance, fix the time and place of holding stated meetings...”

Council, by ordinance and Mesa City Code Section 1-5-2, has fixed the time and place as follows:

“The regular meetings of the Mesa City Council will be held on the first and third Monday evenings of each month at 5:30 p.m. unless a notice providing otherwise is posted in accordance with the Arizona Open Meetings Act.”

Notice of Meetings:

Special meetings may be held on the call of the Mayor or of an absolute majority of the Council ~~and, whenever practicable, upon no less than twenty-four (24) hours notice to each member and the public. News media located in the city shall be given prior notice of the time and place of such meetings.~~ **PUBLIC NOTICE OF ALL REGULAR AND SPECIAL MEETINGS SHALL BE GIVEN IN ACCORDANCE WITH STATE LAW.**

A.R.S. § 38-431.02 imposes specific requirements related to public notice of meetings.

Section 209(A) – proposed amendment, cont.



Executive Sessions:

All such regular ~~or~~**AND** special meetings shall be open to the public, provided, however, ~~that the Council may recess and discuss in~~**HOLD AN** executive session ~~any matter which might defame or prejudice the character or reputation of any person, matters relating to negotiations for the acquisition of real estate or public utilities or to the settlement of claims or litigation, or personnel matters~~ **ONLY FOR THOSE PURPOSES ALLOWED BY STATE LAW**, and provided ~~that the final~~ **ANY REQUIRED COUNCIL** action thereon shall ~~not be taken by the Council except at a~~ public meeting.

A.R.S. § 38-431.03 enumerates the purposes for which a public body may hold an executive session.

Section 209: PROCEDURE

(A) MEETINGS. The Council shall, by ordinance, fix the time and place of holding regular meetings **in accordance with state law**. Special meetings may be held on the call of the Mayor or of an absolute majority of the Council. Public notice of all regular and special meetings shall be given **in accordance with state law**. All such regular and special meetings shall be open to the public, provided, however, the Council may recess and hold an executive session only for those purposes **allowed by state law** and provided any required Council action thereon shall be taken at a public meeting. The Council may hold informal meetings in advance of any regular or special meetings for the purpose of discussing matters on the agenda or other matters pertaining to the welfare of the City.



Section 211(B): Procedure – relating to posting



Section 211(D): “Publish” defined – relating to publishing

- Governs the notice procedures for proposed ordinances.
- Requires, following introduction of an ordinance, that the City Clerk post a copy of the ordinance in three public places within the City and that a summary of the ordinance be published in a newspaper prior to a public hearing.
- Governs the notice procedures for adopted ordinances.
- Requires, following the adoption, that the City Clerk post a copy of the ordinance in three public places within the City and a full copy of the adopted ordinance must be published in the newspaper.

“Upon introduction of any ordinance, the City Clerk shall distribute a copy to each Councilmember. The Clerk shall file copies in his office to be made available to the public, shall post a copy **OF EACH ORDINANCE IN ACCORDANCE WITH THE STATE LAW ABOUT THE POSTING OF ORDINANCES AND NOTICES** ~~in each of the three (3) public places designated for the posting of public meeting notices and agendas,~~ and shall publish at least one (1) time a summary of the ordinance, together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council.”

A.R.S. § 9-813 sets forth notice procedures of certain ordinances. In 2021, it was amended to reduce the number of required postings, from three public postings to one, and added a requirement that such ordinances be posted to the City’s website.

Section 211(B)(4) - proposed amendment



All adopted ordinances shall be publicly posted as provided in Subsection (B)(1) and shall be published in full **ACCORDANCE WITH STATE LAW** within two (2) weeks following adoption as provided in Subsection (D).

Section 211(D): Publish – proposed amendment



“PUBLISH” DEFINED. As used in this Charter, the term “publish” means to print, **DISPLAY, OR OTHERWISE MAKE AVAILABLE IN ACCORDANCE WITH STATE LAW.** ~~at least one (1) time in one (1) or more newspapers of general circulation in the City.~~

Section 211: Proposed Charter Amendment



- Amending Charter Section 211 will:
 - Add a requirement that each ordinance be posted on the City's website;
 - Revise the number of physical public postings to require ordinances be posted at one physical location in Mesa, instead of three;
 - Update the definition of "publication" so the City can utilize modern publication practices as permitted by the State.

- Council Direction on Proposed Charter Amendments
 - Section 209(A) – Council Meeting Procedure
 - Section 211(B) and 211(D) – Ordinance Posting and Publication
- May 18, 2026 – Introduction of Ordinance(s) for Charter Amendment(s)
- June 1, 2026 – Adoption of Ordinance(s) for Charter Amendment(s)
- November 3, 2026 – General Election



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Section 209(A) – current language



“ The Council shall hold a regular meeting at least twice in every month at such times and place as the Council may prescribe by ordinance. Special meetings may be held on the call of the Mayor or of an absolute majority of the Council and, whenever practicable, upon no less than twenty-four (24) hours notice to each member and the public. News media located in the city shall be given prior notice of the time and place of such meetings. All such regular or special meetings shall be open to the public, provided, however, that the Council may recess and discuss in executive session any matter which might defame or prejudice the character or reputation of any person, matters relating to negotiations for the acquisition of real estate or public utilities or to the settlement of claims or litigation, or personnel matters, and provided that the final action thereon shall not be taken by the Council except at a public meeting...”

Section 211(B): Procedure – current language



(B) PROCEDURE:

1. Upon introduction of any ordinance, the City Clerk shall distribute a copy to each Councilmember. The Clerk shall file copies in his office to be made available to the public, shall post a copy in each of the three (3) public places designated for the posting of public meeting notices and agendas, and shall publish at least one (1) time a summary of the ordinance, together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council.
4. All adopted ordinances shall be publicly posted as provided in Subsection (B)1 and shall be published in full within two (2) weeks following adoption as provided in Subsection (D).

“As used in this Charter, the term “publish” means to print, at least one (1) time in one (1) or more newspapers of general circulation in the City.”

“PUBLISH” DEFINED. As used in this Charter, the term “publish” means to print, display, or otherwise make available in accordance with state law.