

**ORDINANCE NUMBER 18-02**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AMENDING SECTION 3-21(e), SECTION 3-21(g) AND SECTION 3-41 OF THE MARICOPA CITY CODE REGARDING THE AUTHORITY OF THE CITY MANAGER AND PROVIDING FOR SEVERABILITY AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY MEASURE THAT IS OPERATIVE IMMEDIATELY AS PROVIDED BY LAW.**

**WHEREAS**, on May 20, 2010, the Mayor and City Council revised Chapter 3 “Administration” of the City Code which includes the powers and duties of the City Manager; and

**WHEREAS**, the Mayor and City Council of the City of Maricopa believe, after consultation with its staff, that amending the City Code to provide the City Manager with authority to transfer budget amounts between funds and departments, reclassify budgeted positions, and to amend the salary plan is in the City’s best interest, and is necessary for the efficient administration of City services.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Maricopa, Arizona as follows:

**SECTION 1.** That Section 3-21(e) of the Maricopa City Code be deleted in its entirety and replaced with the following:

Coordinate the administrative functions and operations of the various departments, boards, divisions and services of the city government, and on its behalf, carry out policies, rules, regulations, ordinances and provisions of this Code relating to the administration of the affairs of such departments, boards, divisions or services. This coordination includes the authority to reclassify full time budgeted positions that have been established and previously approved by Council and to amend the Council approved salary plan as deemed necessary by the City Manager.

**SECTION 2.** That Section 3-21(g) of the Maricopa City Code be deleted in its entirety and replaced with the following:

Supervise the expenditures of all departments, divisions or services of the city government in accordance with state law, this Code, and other ordinances, resolutions, policies and procedures of the city. This supervision includes the authority to transfer budget amounts between funds and departments.

**SECTION 3.** That Section 3-41 of the Maricopa City Code be deleted in its entirety and replaced with the following:

- (a) The manager may create, consolidate, or eliminate such employees, offices, divisions and departments as he deems necessary for the efficient operation of the City provided such action is within the annual budget approved by Council, and does not increase the total full time City employees approved by the Council.
- (b) The manager shall maintain an organizational chart which accurately reflects the organizational structure under which municipal services are performed and present such to the council annually as part of the budget process for their approval. If the manager makes changes to the organizational chart during the year, the manager shall update the organizational chart so it accurately reflects the organizational structure under which municipal services are performed.

**SECTION 4.** To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

**SECTION 5.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

**SECTION 6.** In order to preserve the peace, health and safety of the City of Maricopa, an emergency is hereby declared to exist and this Ordinance shall become immediately effective upon its approval by the Mayor and City Council.

**PASSED AND ADOPTED** by the Mayor and Council of the City of Maricopa, Arizona, this 5<sup>th</sup> day of June, 2018.

APPROVED:

---

Christian Price  
Mayor

ATTEST:

---

Vanessa Bueras, CMC  
City Clerk

APPROVED AS TO FORM:

---

Denis Fitzgibbons  
City Attorney