

The Mesa Fraternal Order of Police is asking for your assistance in placing a charter change amendment on the election ballot for March 2004. We propose deleting subsection from Section 205. Once the voters approve this charter change, we will submit a proposal to the City Council for a Meet & Confer Ordinance that will place all power of acceptance, rejection, or modification in the hands of the City Council. A model flow chart is attached that we will customize to a Mesa plan.

Thank you for your consideration.

Bill Everson  
Mesa F.O.P. President

## Article II - City Council

### Section 205: Prohibitions

**A) HOLDING OTHER OFFICE.** During the term for which elected, neither the Mayor nor any Councilmember shall hold any City employment or elected public office except Precinct Committeeman. For the purposes of this Section, "elected public office" shall include both offices in which the incumbent receives a salary or compensation and in which the incumbent receives no salary or compensation and shall include, but not be limited to, any position which involves the exercise of some portion of the sovereign power. (Amd. Charter Elections 3-25-86 & 3-29-94)

1. To be eligible to run for the office of Mayor at any time other than the last year of the term for which elected, a Councilmember shall submit a written, irrevocable resignation to the City Clerk at least ninety (90) days prior to the primary election or other election to choose a Mayor, to be effective immediately. (Amd. Charter Election 3-29-94)

2. Neither the Mayor nor any Councilmember shall hold any compensated appointive City office or employment until one (1) year after the expiration of the term for which elected. (Amd. Charter Election 3-29-94)

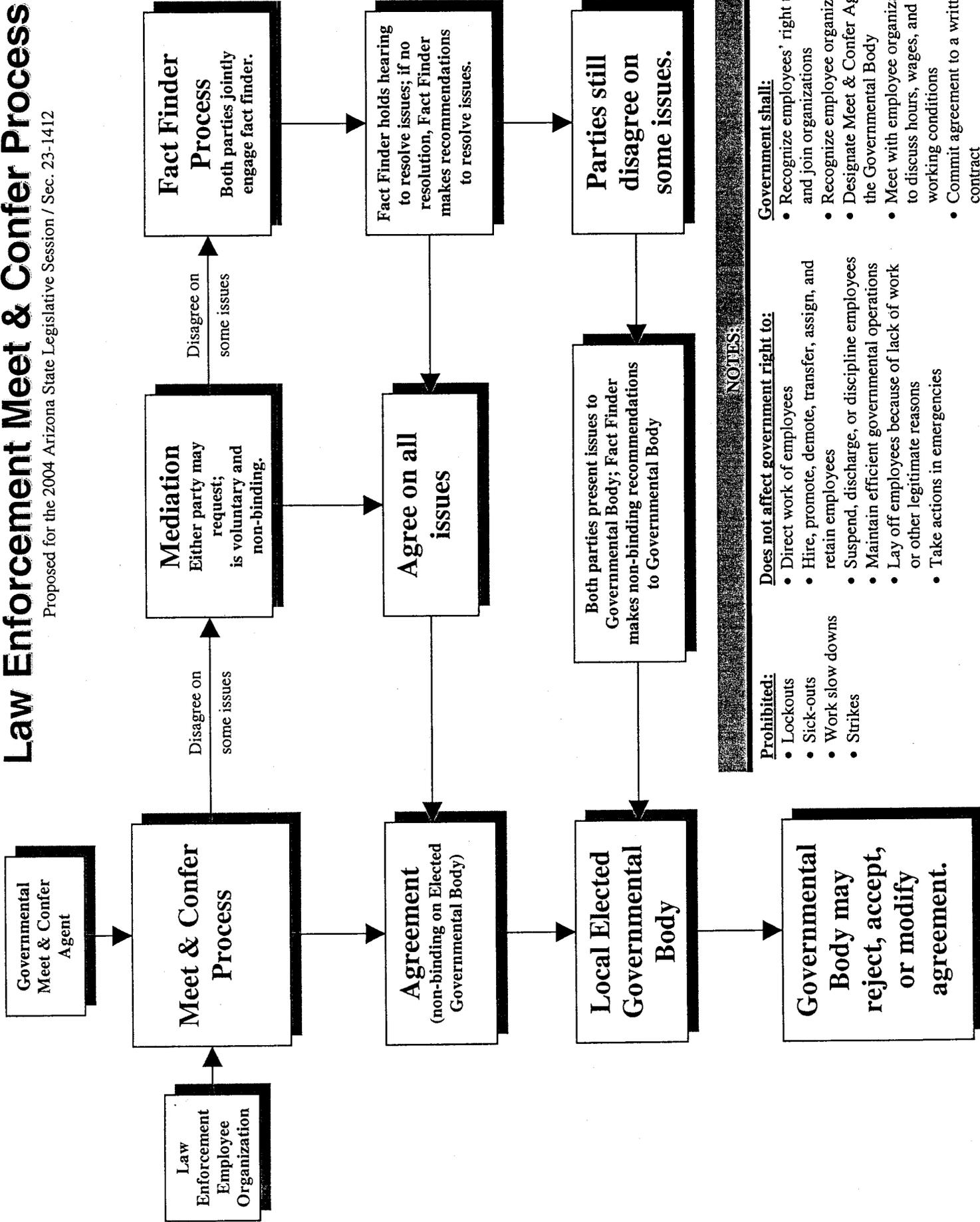
**(B) APPOINTMENTS AND REMOVALS.** Neither the Mayor nor any Councilmember shall in any manner, except as provided in Section 303(B), dictate appointment or removal of any administrative officer or employee subject to appointment by the Manager or his subordinates, but the Council may express its views and discuss freely with the Manager such appointments and removals. (Amd. Charter Election 3-30-76)

**(C) INTERFERENCE WITH ADMINISTRATION.** Except for the purpose of inquiries, or investigations authorized under Section 208, the Council shall deal with City officers and employees who are subject to the direction and supervision of the Manager solely through the Manager, and neither the Council nor its members shall give any order to any such officer or employee, either publicly or privately.

**(D) BARGAINING PROHIBITED.** The City shall not bargain collectively with any employee, group of employees, employee organizations, or any representative of any employee organization with respect to wages, hours, or working conditions.

# Law Enforcement Meet & Confer Process

Proposed for the 2004 Arizona State Legislative Session / Sec. 23-1412



## NOTES:

**Prohibited:**

- Lockouts
- Sick-outs
- Work slow downs
- Strikes

**Does not affect government right to:**

- Direct work of employees
- Hire, promote, demote, transfer, assign, and retain employees
- Suspend, discharge, or discipline employees
- Maintain efficient governmental operations
- Lay off employees because of lack of work or other legitimate reasons
- Take actions in emergencies

**Government shall:**

- Recognize employees' right to form and join organizations
- Recognize employee organizations
- Designate Meet & Confer Agent for the Governmental Body
- Meet with employee organizations to discuss hours, wages, and working conditions
- Commit agreement to a written contract