

ORDINANCE NO. 2025-15

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, AMENDING CHAPTER 2 OF THE PEORIA CITY CODE (1992) BY AMENDING SECTIONS 2-62 AND 2-78 PERTAINING TO THE CITY MANAGER, CITY ATTORNEY AND PRESIDING MUNICIPAL JUDGE EVALUATION.

WHEREAS, the City of Peoria seeks to amend Chapter 2 to provide clarity and improve the efficiency of the City Manager performance evaluation process; and

WHEREAS, the City Council has determined that amendments to Section 2-62 and 2-78 are necessary to improve the administrative process; and

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

SECTION 2-62. Chapter 2 of the Peoria City Code (1992) entitled City manager, evaluation; criteria; is amended by amending section 2-62, as follows:

(a) The Mayor and Council shall adopt a policy governing the annual evaluation of the City Manager.

(b) The city manager shall be evaluated on criteria mutually agreed upon by the City Manager and Council.

(c) The formal evaluation of the City Manager shall be conducted by the City Council within thirty (30) calendar days following the hiring anniversary date. If no City Council meeting is scheduled within that thirty-day period, the evaluation shall occur at the next regularly scheduled City Council meeting.

(d) Nothing in this section shall preclude the City Council from initiating additional evaluations or discussions regarding the performance of the City Manager, as deemed necessary or appropriate.

(e) Amendment of Section 2-62 shall require a two-thirds vote of the council.

(Ord. No. 91-46, 11/12/91, Enacted; Ord. No. 92-48, 12/8/92, Amended; Ord. No. 94-65, 8/30/94, Amended (b); Ord. No. 96-24, 5/7/96, Amended (a)(b) and (c); Ord. No. 98-21, 4/7/98, Amended (a)(c) and (d); Ord. No. 02-42, 6/7/02, Amended (SUPP 2002-2); Ord. No. 02-44, 6/7/02, Amended (SUPP 2002-2); Ord. No. 05-32, 6/21/05, Amended (a),(d), Enacted (e) (SUPP 2005-2); Ord. No. 06-04, 2/21/06, Amended, Enacted a, b, c, d, e (SUPP 2006-1); Ord. No. [2017-24](#), § 29, 6-13-17)

Sec. 2-78. City Attorney; Presiding Municipal Judge; Evaluation

(a) Mayor and Council shall adopt a policy governing the annual evaluation of the City Attorney and Presiding Municipal Judge.

(b) The City Attorney and Presiding Municipal Judge shall be evaluated on criteria mutually agreed upon by each Charter Officer and the City Council.

(c) The formal evaluation of the City Attorney and Presiding Municipal Judge shall be conducted by the City Council within thirty (30) calendar days following each officer's hiring anniversary date. If no City Council meeting is scheduled within that thirty-day period, the evaluation shall occur at the next regularly scheduled City Council meeting.

(d) Nothing in this section shall preclude the City Council from initiating additional evaluations or discussions regarding the performance of the City Attorney or Presiding Municipal Judge, as deemed necessary or appropriate.

(e) Amendment of Section 2-78 shall require a two-thirds vote of the City Council.

(Ord. No. 06-47, 12/11/06, Enacted (SUPP 2006-4); Ord. No. [2017-24](#), § 44, 6-13-17)

SECTION 4. This Ordinance shall become effective in the manner provided by law.

**EXHIBITS ON FILE AT THE PEORIA CITY CLERK'S OFFICE – 8401 W. Monroe
Street, Peoria, Arizona**

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona this
3rd day of June, 2025.

Jason Beck, Mayor

ATTEST:

Agnes Goodwine, City Clerk

APPROVED AS TO FORM:

Emily Jurmu, City Attorney

Published in: Peoria Times

Publication Dates: _____

Effective Date: _____

Exhibit A

Amendments to the Peoria City Code, Chapter 2

HOW TO READ THIS DOCUMENT

Applicable sections of the City Code are denoted by **highlighted bold text** for ease of readability during the drafting process.

Unless otherwise stated, provisions or regulations being deleted are shown in red strikethrough text or a line through the graphic, like this: ~~Provisions that are being deleted are shown with a red strikethroughs text.~~ Graphics containing red strikethrough are intended to remove the graphic in its entirety as well as any text that is embedded in the graphic.

Provisions or regulations that are being added are shown in double-underlined blue text, like this: Provisions that are being added are shown in double-underlined blue text. Graphics containing a double blue box are intended to add the graphic in its entirety as well as any text that is embedded in the graphic.

Only those changes noted through the above methods for the specific sections and subsections of the City Code identified shall be made. When regulations, graphics or other text is omitted, or is shown unchanged in adjoining sections or subsections of the code, it shall remain unchanged.

Section 62. Amend Chapter 2 - Administration, Section 2-62 Reserved, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

Sec. 2-62. City manager; evaluation; criteria; amendment.

(a) The Mayor and Council shall adopt a policy governing the annual evaluation of the City Manager. ~~Commencing not less than one hundred twenty days prior to the first anniversary of the service of the city manager and then annually each year thereafter, the council shall retain a professional executive consultant to assist with the evaluation of the city manager. Such executive consultant services may be procured in the manner provided for other professional services under this code. In the event the council fails to retain such services within one hundred twenty days prior to the first anniversary of the service of the city manager and then annually, the materials manager of the City shall without further action by the council, issue a request for qualifications and statements of interest for such executive consultant services and a selection shall be made in the best interest of the City.~~

(b) The City Manager shall be evaluated on criteria mutually agreed upon by the City Manager and Council. ~~The executive consultant shall meet with the city manager and all council members to discuss the evaluation of the city manager and shall prepare a written report containing such input. As part of the written report prepared by the executive consultant retained by the City shall be a self-evaluation prepared by the city manager and submitted to the executive consultant. The written report prepared pursuant to this subsection shall be deemed exempt from public disclosure in order to ensure a complete evaluation.~~

(c) The formal evaluation of the City Manager shall be conducted by the City Council within thirty (30) calendar days following the hiring anniversary date. If no City Council meeting is scheduled within that thirty-day period, the evaluation shall occur at the next regularly scheduled City Council meeting. ~~The city manager shall be evaluated on criteria mutually agreed upon by the City Manager and Council.~~

(d) Nothing in this section shall preclude the City Council from initiating additional evaluations or discussions regarding the performance of the City Manager, as deemed necessary or appropriate. ~~Upon completion of the report provided for in subsection (b) of this section, a meeting of the council shall be held with the city manager to discuss the results of the evaluation. Such meeting shall be held in compliance with the Arizona Open Meetings Act. Should the mayor fail to schedule such a meeting within sixty (60) days following receipt of the results of the evaluation, the city clerk shall schedule such a meeting and provide not less than 15 days' notice to the city council and city manager. Such meeting shall comply with the Arizona Open Meetings Act.~~

(e) Amendment of Section 2-62 shall require a two-thirds vote of the **entire** council.

(Ord. No. 91-46, 11/12/91, Enacted; Ord. No. 92-48, 12/8/92, Amended; Ord. No. 94-65, 8/30/94, Amended (b); Ord. No. 96-24, 5/7/96, Amended (a)(b) and (c); Ord. No. 98-21, 4/7/98, Amended (a)(c) and (d); Ord. No. 02-42, 6/7/02, Amended (SUPP 2002-2); Ord. No. 02-44, 6/7/02, Amended (SUPP 2002-2); Ord. No. 05-32, 6/21/05, Amended (a),(d), Enacted (e) (SUPP 2005-2); Ord. No. 06-04, 2/21/06, Amended, Enacted a, b, c, d, e (SUPP 2006-1); Ord. No. 2017-24, § 29, 6-13-17)

Exhibit B

Amendments to the Peoria City Code, Chapter 2

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Only those changes noted through the above methods for the specific sections and subsections of the City Code identified shall be made. When regulations, graphics or other text is omitted, or is shown unchanged in adjoining sections or subsections of the code, it shall remain unchanged.

Section 78. Amend Chapter 2 - Administration, Section 2-78 Reserved, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

Sec. 2-78. City Attorney; Presiding Municipal Judge; Evaluation

(a) The Mayor and Council shall adopt a policy governing the annual evaluation of the City Attorney and Presiding Municipal Judge. ~~The Mayor shall appoint not less than three (3) members of the Council to a subcommittee for the evaluation of the city attorney and presiding municipal judge.~~

(b) The City Attorney and Presiding Municipal Judge shall be evaluated on criteria mutually agreed upon by each Charter Officer and the City Council. ~~Prior to June 1, of each year, the city attorney and presiding municipal judge shall submit an outline of their goals and objectives, together with an evaluation covering such items as directed by the subcommittee. The written evaluation prepared pursuant to this subsection shall be deemed exempt from public disclosure in order to ensure a complete evaluation.~~

(c) The formal evaluation of the City Attorney and Presiding Municipal Judge shall be conducted by the City Council within thirty (30) calendar days following each officer's hiring anniversary date. If no City Council meeting is scheduled within that thirty-day period, the evaluation shall occur at the next regularly scheduled City Council meeting.

~~At the time of each evaluation, the City Council by majority vote may add additional items upon which the city attorney and/or presiding municipal judge shall be evaluated, however such items shall not become effective until the evaluation in the year following their inclusion by the city council.~~

(d) Nothing in this section shall preclude the City Council from initiating additional evaluations or discussions regarding the performance of the City Attorney or Presiding Municipal Judge, as deemed necessary or appropriate. ~~Within thirty (30) days following the submission of the goals and objectives and written evaluation by the city attorney and/or presiding municipal judge, a meeting of the city council shall be held with the city attorney and/or presiding municipal judge to discuss the results of the evaluation. Such meeting shall be held in compliance with the Arizona Open Meetings Act.~~

(e) Amendment of Section 2-78 shall require a two-thirds vote of the ~~entire~~ council.

(Ord. No. 06-47, 12/11/06, Enacted (SUPP 2006-4); Ord. No. 2017-24, § 44, 6-13-17)