

ARTICLE I. POWERS OF THE CITY

Section 1.01 POWERS, RIGHTS AND PRIVILEGES OF THE CITY.

The City shall have all powers, rights and privileges possible for a city to have under the Constitution and laws of the State of California as fully and as completely as though they were specifically enumerated in this Charter.

- A. General Law Powers.
 - 1. Reservation. Nothing in this Charter shall be construed to prevent or restrict the City from exercising or consenting to the exercise of any and all powers, rights, and privileges heretofore or hereafter granted or prescribed by general laws of the state.
 - 2. Exercise. The City is hereby authorized to exercise any and all, powers, rights and privileges heretofore or hereafter granted or prescribed by the general laws of the state.
- B. Municipal Affairs. The City is hereby authorized to make and enforce all ordinances and regulations in respect to municipal affairs, subject only to restrictions and limitations provided in this Charter and in respect to other matters subject to applicable general laws. As regards municipal affairs, this Charter shall supersede all laws inconsistent therewith.
- C. Intergovernmental Powers. The City is hereby authorized to exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with any one or more states and the State of California, or any state civil division or agency, or the United States or any of its agencies.
- D. Construction. The powers of the City under this Charter shall be construed liberally in favor of the City. The specific mention of particular powers in the Charter shall not be construed as limiting in any way the general powers granted in this Article or by this Charter.

ARTICLE II. ELECTED OFFICIALS

Section 2.01 CITY COUNCIL.

- A. Number and Election. The City Council shall consist of seven (7) Councilmembers, including the office of Mayor, elected to office in a manner provided in this Charter.
 - 1. The City shall be divided into six (6) districts; each district shall be represented by a Councilmember elected **from districts.** ~~by the residents of that district.~~ Districts shall be apportioned pursuant to general law.

2. If this Charter is adopted by the electors of the City, the Councilmember for District Six shall be elected in 2012 and have an initial term of two (2) years. Thereafter, the term shall be four (4) years.
- B. Voting. A candidate who receives a majority (greater than 50%) of all votes cast at the primary election immediately preceding the general election shall be elected. When no candidate is so elected, the two candidates who received the highest number of votes shall be the candidates at the general municipal election. Any ties in voting shall be settled by the casting of lots under the supervision of, and in such manner and place, as determined by the City Clerk.
 - C. Term. The term of office shall be four (4) years. Alternatively, and successively, odd numbered districts shall be filled at one general municipal election and even numbered districts at the next such election. The term of a Councilmember shall commence on the first meeting in December after the election results for the November General Election have been certified. The Councilmember shall serve until a successor qualifies.
 - D. Powers. All powers, rights and privileges of the City shall be vested in the City Council, subject to the provisions of the Charter and to the Constitution of the State of California.

Section 2.02. MAYOR.

- A. Election and Term. The Mayor shall be elected by voters of the City at large. The term of office shall be four (4) years. The office of Mayor shall be included at a general municipal election at the same time as those Councilmembers in odd numbered districts.
- B. Powers and Duties of Mayor.
 1. The Mayor shall be the presiding officer of all City Council meetings. The Mayor shall have a voice and vote in all proceedings of the City Council. The Mayor shall have authority to preserve order at all City Council meetings, to remove or cause the removal of any person from any meeting of the City Council for disorderly conduct, to enforce the rules of the City Council and to determine the order of business under the rules of the City Council.
 2. The Mayor shall be the official head of the City for all ceremonial purposes.
 3. The Mayor shall have all powers, rights and privileges of a Councilmember.

4. The Mayor may review with the City Manager, City Attorney and City Clerk prior to each City Council meeting the items on the City Council's agenda and to add matters thereto.
- ~~5. The City Council may grant to the office of Mayor the power to suspend administrative actions ("administrative suspension") of the City Manager, City Attorney, and other subordinate officers and employees of the City provided that such suspension shall be referred to the City Council at its next regular meeting for review. Such review may be to affirm, reverse or modify the decision of the Mayor. As used in the section, "administrative action" shall not apply to the following:
 - ~~a. The employment, hiring, firing or demotion of employees;~~
 - ~~b. The investigation, apprehension, or prosecution of criminal actions;~~
 - ~~c. The function or duty of the police; or~~
 - ~~d. The commencement or prosecution of any action brought in the name of the People of the State of California.~~~~
6. The Mayor shall exercise such other powers and perform such other duties as may be prescribed by the City Council, provided that the same are not inconsistent with this Charter. Nothing in this section shall be construed in any way as an infringement or limitation on the powers and duties of the City Manager as Chief Administrative Officer and head of the administrative branch of the City government as prescribed in other sections of this Charter. Except as otherwise herein provided, the Mayor shall possess only such authority over the City Manager and the administrative branch as the Mayor possesses as one member of the City Council.

Section 2.03. VICE MAYOR.

- A. Selection and Term. At the first City Council meeting in January of each year, or sooner if required, the City Council shall elect one of its members, other than the Mayor, to serve as Vice Mayor during the ensuing calendar year. The Councilmember so elected shall serve as Vice Mayor until a successor is elected as provided above. The Vice Mayor may be removed from the office and replaced by an affirmative vote of the City Council
- B. Powers and Duties of the Vice Mayor. The Vice Mayor shall act as Mayor during the absence or inability of the Mayor to act; provided, however, that the Vice Mayor may not exercise the administrative suspension power authorized by this

Charter unless the City Council shall, by a majority vote of the total membership of the City Council, so delegate this power to the Vice Mayor after the absence or inability of the Mayor to act has occurred. In the case of the temporary absence or disability of both the Mayor and the Vice Mayor, the Council shall designate one of its members to act as Mayor Pro Tempore. For the purposes of this section, "absence" or "inability of the Mayor to act" shall mean any of the following:

1. A notice by the Mayor to the City Council and the Vice Mayor of a planned absence that will require action by the Vice Mayor; or
2. Notice by the City Clerk to the City Council and the Vice Mayor that the Mayor is otherwise absent or incapacitated.

Section 2.04. VACANCIES.

If a vacancy shall occur in the office of Mayor or Councilmember, the City Council shall forthwith appoint a person to fill such vacancy for the remainder of the term. However, if the unexpired term of office that is vacated exceeds two (2) years, the appointee shall serve until the next regularly scheduled election for Mayor or Councilmember. Said appointee shall possess such qualifications for eligibility as are set forth in this Charter and shall hold office until a successor is duly elected and qualified; provided, however, that only a current Councilmember shall be eligible to fill the vacancy of the office of Mayor. Such successor shall be chosen at the next regular municipal election, or as otherwise may be required by recall proceedings instituted involving the office of Mayor or Councilmember.

In the event that the City Council shall fail to fill a vacancy by appointment within thirty (30) days after such office shall have become vacant, it shall forthwith cause a special election to be held to fill such vacancy; provided, however, that no appointment or election shall be required if the vacancy occurs within one hundred twenty (120) days of an election at which the Mayor or a Councilmember stands for election.

A vacancy shall be deemed to exist in the office of Mayor or Councilmember under any of the following circumstances:

- A. Resignation;
- B. Death;
- C. Absences from four (4) consecutive regularly scheduled meetings. Vacancy under these circumstances shall be found only if determined by a **majority vote of those present** ~~unanimous vote of the City Council~~ at a regular meeting of the City Council where discussion and deliberation of the vacancy is properly placed on an agenda.

ARTICLE III. ELECTIONS

Section 3.01. ELECTION PROCEDURES.

Unless otherwise provided by this Charter or by ordinance, all elections shall be held in accordance with the provisions of the State Elections Code for the holding of municipal elections.

- A. Special Elections. The City Council may call special elections for such purposes as the City Council may prescribe. A special election may be held on any date specified by the City Council.
- B. Initiative, Referendum and Recall. The electors of the City reserve to themselves the powers of initiative and referendum and the recall of elective officers, to be exercised in the manner prescribed by the State Elections Code.

Section 3.02. INDEPENDENT COMMISSION ON CITY DISTRICTS; DUTIES.

There shall be established an Independent Commission on City Districts, hereinafter "Commission," whose function shall be to recommend to the Council the districts from which Councilmembers shall be elected. The first such Commission shall be appointed by the Council no later than sixty (60) days from the effective date of this Charter provision. The Commission shall meet and recommend to the City Council a districting plan establishing councilmember election districts in a timely manner for use in the Municipal Elections to be held in 2012. In each year ending in the number zero thereafter, the City Council shall appoint new Commissioners who shall then meet and recommend to the City Council a plan for redistricting of the councilmember election districts within nine (9) months of receipt by the City of the final Federal Decennial Census information. The City Council shall appropriate adequate funds for the work of the Commission.

[Note: Correction to subsection A 1, was made by the Charter Commission at its September 15, 2009 meeting in response to Council direction on September 9, 2009.]

- A. Appointment of Commission. The Commission shall consist of **eleven (11)** ~~thirteen (13)~~ qualified electors residing within the City and shall be appointed by the City Council pursuant to the provisions below.
 - 1. **Each Council Member shall appoint one (1) member from his or her district, one (1) member will be drawn by lot from each district, and one (1) member will be selected by lot drawn from all districts.**
 - 2. No member of the Commission shall be an immediate family member of the Mayor, a Councilmember, or prior candidate for elective City office. As used in this section "immediate family member" shall mean spouse, child, parent, sibling, in-law, or registered domestic partner.

3. No member of the Commission shall be an employee of the City nor any bargaining unit for employees of the City, nor be a person who, at time of appointment, receives compensation from the City or from bargaining units of the City in any manner.
 4. A member of the Commission shall be ineligible for election to the City Council in any district whose boundaries were drawn by the Commission on which he or she serves.
 5. In all other respects, the members of the Commission shall be chosen pursuant to the provisions of this Charter.
 6. Members of the Commission shall serve without compensation.
 7. Members of the Commission shall not currently be on probation or parole for any crime.
 8. The Commissioners shall serve until the next decennial census.
- B. Removal of Commission Member. Upon a petition to the City Council signed by no less than one-half of the seated members of the Commission, the City Council may remove a Commission Member by ~~2/3 vote of the total membership of the City Council~~ **majority vote**.
- C. Criteria for Districting. To ensure fair and effective representation for all citizens of the City, the Commission, in recommending a districting or redistricting plan, and the Council, in approving or rejecting a districting or redistricting plan, shall consider the following criteria for the districts to the extent practicable:
1. District boundaries shall comply with the Voting Rights Act;
 2. District boundaries shall be geographically compact and contiguous;
 3. District boundaries should follow visible natural and man-made features;
 4. District boundaries should respect communities of interest; a community of interest is defined as a geographic area comprised of residents who share similar interests including, but not limited to, social, cultural, ethnic, geographic or economic interests, or formal government or quasi-governmental relationships, but not including relationships with political parties, incumbents, or candidates;
 5. District boundaries should be drawn without regard for advantage or disadvantage to incumbents or challengers; and

6. District boundaries should be drawn without regard for advantage or disadvantage to any political party.
- D. Procedure for Districting. The Commission and City Council shall abide by the following procedure in any districting process:
1. One or more, as necessary, independent consultants experienced and competent in the skills necessary for the districting work shall be utilized to assist the Commission in developing any of the Districting Plans detailed in this Section;
 2. The districts shall be numbered for identification and other purposes as District One, District Two, District Three, District Four, District Five and District Six;
 3. The Commission shall hold at least one (1) public hearing prior to adopting its Draft Districting Plan;
 4. The Draft Districting Plan shall be made available for at least seven (7) days prior to the commencement of public hearings to take public testimony and comment on the Draft Districting Plan;
 5. The Commission shall hold at least one (1) public hearing between the release of its Draft Districting Plan and the adoption of a Recommended Districting Plan by the Commission;
 6. Any person seeking to challenge the Final Districting Plan in court shall have presented objections to the Plan at such public hearings; failure to present such objections may be deemed a failure to exhaust administrative remedies;
 7. The Commission shall provide timely public access to all data used in the district boundary drawing process and to all testimony, letters, exhibits and proposed plans received by the Commission; and
 8. The Commission shall adopt a Recommended Districting Plan and submit it to the City Council.
- E. Consideration by City Council; Final Districting Plan. After submittal of the Recommended Districting Plan to the Council:
1. The City Council shall hold at least one (1) public hearing on the Recommended Districting Plan of the Commission before any adoption of a Final Districting Plan.

2. The Recommended Districting Plan approved by the Commission shall be available to the public for at least twenty (20) days prior to any vote by the City Council to approve or disapprove the Plan.
 3. The City Council may not alter the Recommended Districting Plan submitted to it by the Commission. Rather, the City Council shall either approve or disapprove such a Recommended Districting Plan in its entirety. If the City Council approves the Recommended Districting Plan, it shall become the Final Districting Plan and shall be implemented. If the City Council disapproves the Recommended Districting Plan, the City Council shall submit in writing to the Commission the reasons for such disapproval, including any deviation by the Commission from the criteria for districting detailed in this Section. The Commission shall consider any reasons for such disapproval submitted to it by the City Council and may consider alterations to the Recommended Districting Plan in response to such reasons. The Commission shall, for each reason for disapproval submitted by the City Council, issue written findings regarding the acceptance or rejection of such disapproval. If the finding by the Commission is supported by a 2/3 vote of the total membership of the Commission, the decision of the Commission shall be final and shall be reflected in the Final Districting Plan. After such consideration, the Commission shall submit its Final Districting Plan to the City Council for implementation.
 4. Action on and implementation of the Final Districting Plan shall be completed by January of the year following receipt by the City of the final Federal Decennial Census information.
- F. Subject to Referendum. Any Final Districting Plan under this Section shall be subject to the referendum provisions of the Charter.
- G. Limitation on Judicial Challenge. Any legal challenge to the Final Districting Plan shall be brought within thirty (30) days of its adoption by the City Council.

ARTICLE IV. CITY MANAGER

Section 4.01 COUNCIL-MANAGER FORM OF GOVERNMENT.

The municipal government provided by this Charter shall be known as the "Council-Manager" form of government.

Section 4.02 POWERS AND DUTIES.

The City Manager shall be chief executive officer and the head of the administrative branch of the City government. The City Manager shall be responsible to the City Council for the proper

administration of all affairs of the City and to that end, subject to the personnel provisions of this Charter, he/she shall have power and shall be required to:

- A. Appoint and remove all officers and employees of the City, except as otherwise provided by this Charter and except as the City Manager may authorize the head of a department or office to appoint and remove subordinates in such department or office. No spouse, child, parent, sibling, in-law, or registered domestic partner of the City Manager shall be eligible for office or employment in the City.
- B. Prepare the budget annually and submit it to the City Council and be responsible for its administration after adoption.
- C. Prepare and submit to the City Council as of the end of the fiscal year a complete report on the finances and administrative activities of the City for the preceding year.
- D. Keep the City Council advised of the financial condition and future needs of the City and make such recommendations as may seem appropriate.
- E. Make investigations into the affairs of the City, or any department or division thereof, or any contract, or the proper performance of any obligation to the City.
- F. Submit to the City Council at each meeting for its approval, the list of all claims and bills approved for payment.
- G. Perform such other duties as may be prescribed by this Charter or required by the City Council, not inconsistent with this Charter.

ARTICLE V. DEPARTMENTS, AGENCIES AND EMPLOYEES

Section 5.01 OFFICERS TO BE APPOINTED; APPOINTING AUTHORITY.

In addition to the City Manager, the City Council shall appoint and affix the compensation for the City Attorney and City Clerk who shall serve at the pleasure of the City Council and may be removed by motion of the City Council adopted by **majority vote**. ~~2/3 of the members of the City Council.~~

All other officers and department heads of the City shall be appointed by the City Manager and shall serve at the pleasure of the City Manager at compensation fixed by the City Council.

Section 5.02 CITY ATTORNEY.

There shall be a City Attorney with the authority and responsibility to:

- A. Represent and advise the City Council and all City officers in all matters of law pertaining to their offices;
- B. Represent and appear on behalf of the City, any City officer or employee, or any former City officer or employee, in any and all actions and proceedings in which the City or any such officer or employee is concerned or is a party arising out of the course and scope of the employee's official duties;
- C. The City Council shall have control of all legal business and proceedings and may employ other attorneys to take charge of any litigation or matter or to assist the City Attorney therein;
- D. Attend all meetings of the City Council and give advice or opinion in writing whenever requested to do so by the City Council, or by any of the boards or officers of the City;
- E. Approve the form of all bonds given to and all contracts made by the City, approving such documents as to form;
- F. Prepare any and all proposed ordinances or resolutions for the City, and amendments thereto;
- G. Appoint all other members of the Department;
- H. Perform such other duties consistent with this Charter as may be required by action of the Council.
- I. Prosecute on behalf of the people all criminal cases for violation of this Charter of City ordinances, and of state law where authorized by state law; and
- J. On vacating the office, surrender to any successor, all books, papers, files, and documents pertaining to the City's affairs.

To be eligible for appointment as City Attorney, the appointee shall have been admitted to practice as an attorney at law before the Supreme Court of the State of California, and shall have been engaged in the active practice of law for at least four years immediately prior to appointment.

Section 5.03 CITY CLERK.

There shall be a City Clerk who serves at the pleasure of the City Council.

The City Clerk or a duly authorized representative shall:

- A. Attend all meetings of the City Council and be responsible for the recording and maintaining of a record of all the actions of the City Council.
- B. Keep a record of all ordinances of the City, and of all written resolutions adopted by the City Council, in such manner that the information contained therein will be readily accessible to the public.
- C. Keep all other records of the City Council and of the office of the City Clerk in such manner that the information contained therein will be readily accessible and open to the public as required by law until such time as any of the records may be destroyed or reproduced and the original thereof destroyed, in accordance with applicable law.
- D. Serve as custodian of the seal of the City.
- E. Administer oaths or affirmations, take affidavits and depositions pertaining to the affairs of the business of the City and certify copies of the official records.
- F. Administer all City elections.
- G. Appoint all other members of the Department.
- H. Perform such other duties consistent with this Charter as may be required by action of the Council.
- I. On vacating the office, surrender to any successor, all books, papers, files, and documents pertaining to the City's affairs.

ARTICLE VI. FINANCIAL PROCEDURES

Section 6.01 PUBLIC WORKS.

- A. Definition of Public Work:
 - 1. Every project involving an expenditure of more than **five thousand dollars (\$5,000)** ~~fifty thousand dollars (\$50,000)~~ for a public work shall be let by contract to the responsible bidder submitting the lowest responsible bid after notice by publication in the official newspaper by one or more insertions, the first of which shall be at least ten (10) days before the time for opening bids.
 - 2. As used in this section, "public work" means:
 - a. The erection, expansion, or improvement of public buildings;

- b. Street or sewer work, except maintenance and repair; or
 - c. Furnishing supplies for any such project, except maintenance and repair.
 - 3. Construction, alteration, demolition, installation, repair and maintenance work paid for in whole or in part out of City funds shall be subject to State law concerning the payment of prevailing wages and training of apprentices.
- B. Exceptions to Bid Requirements.
- 1. The City Council may reject any and all bids presented and may re-advertise in its discretion.
 - 2. The City Council, after rejecting bids, or if no bids are received, may declare and determine that, in its opinion, based on estimates approved by the City Manager, the work in question may be performed more efficiently, more timely or more economically by the City with its own employees and after the adoption of a resolution to this effect by **majority vote** ~~at least 2/3 affirmative votes of the total membership of the City Council~~ may proceed to have said work done in the manner stated, without further observance of the provisions of this Section.
 - 3. The City Council may find that the need to perform work otherwise required to be advertised for bids is of urgent necessity for the preservation of life, health or property, and shall be authorized by motion passed by **majority vote** ~~at least 2/3 affirmative votes of the City Council~~ and containing a declaration of the facts constituting such urgency.
 - 4. Sole source.
- C. Special Assessment. The provisions of this Article shall not apply to any contract entered into pursuant to or under any special assessment proceeding wherein competitive bidding proceedings are specified by laws of the State.
- D. Alternate Contracting Methods.
- 1. The City Council may, by a resolution adopted by **majority vote** ~~a 2/3 vote of the total membership of the City Council~~, authorize use of a design-build contract or other contracting process for projects when the City Council finds that use of an alternative contracting method will reduce project cost, expedite project completion, improve project quality, or provide design features not achievable through the design-bid-build method. The City may award a contract procured through these

alternative contracting methods based on either the lowest responsible bid or best value.

2. As used in this section:
 - a. “Best value” means a value determined by objective criteria and may include, but is not limited to, price, features, functions, life-style costs, and other specified criteria.
 - b. “Design-build” means a procurement process in which both the design and construction of a project are procured from a single entity.

E. The City Manager is authorized to develop and implement appropriate rules and regulations necessary to carry out the intent of this Chapter. At a minimum, the rules and regulations will address the following issues:

1. Information to be included in alternative contracting method requests for proposals,
2. Procedures for evaluating and awarding such proposals;
3. Bonding and insurance requirements for design-build contractors, and
4. Subcontractor listing requirements for design-build proposals.

F. Preferences.

The City Council may, by ordinance, adopt preferences for local business and green business not to exceed five percent (5%) of the contract value.

As used in this Chapter, “local business” shall mean a person or legal entity which has a place of business (other than a post office box) within the City and has a valid, current business license issued by the City. To qualify as a local vendor for the purposes of this Charter, the vendor shall submit with its bid a completed City-provided affidavit that documents the following:

1. The business has a facility with a City address,
2. The business will attribute any sales tax from the sale to the City, and
3. The business has had a City business license for at least one year prior to the opening of the bid.

As used in this Chapter, “green business” shall be defined by action of the City Council. To qualify as a green business for the purposes of this Chapter, the vendor shall submit with its bid a completed City-provided affidavit that documents the following:

1. Energy efficiency;
 2. Sustainable building concepts, including, but not limited to a reduction in the use of products and finishes that release volatile organic compounds; and
 3. Use of solar electric, fuel cell, and other technologies.
- G. Any such preferences may be cumulative, but in no event shall the application of preferences exceed seven and one-half percent (7.5%).
- H. Splitting Prohibited.

It shall be unlawful to split or separate into smaller work orders or projects any public work project, as defined in this Charter, for the purpose of evading the provisions of this Charter requiring public work to be done by contract after competitive bidding.

- I. Limitations on No Bid Contract Award.

No vendor shall be awarded non-bid contracts in an aggregate amount in excess of two hundred percent (200%) of the amount set forth in 6.01(A)(1) in any fiscal year.

Section 6.02 BONDED DEBT LIMIT.

- A. The bonded indebtedness of the City may not in the aggregate exceed the sum of fifteen percent (15%) of the total assessed valuation of property within the City based on a five-year average or the general law, whichever is less.
- B. A **majority vote** ~~two-thirds vote of the total membership of the City Council by roll call vote~~ shall be required in order to place any tax question on the ballot.

Section 6.03 FEES AND ASSESSMENTS.

A **majority vote** ~~two-thirds vote of the total membership of the City Council by roll call vote~~ shall be required prior to the City taking any action to impose any new fee or assessment or to increase any existing fee or assessment.

ARTICLE VII. GENERAL PROVISIONS

- A. The City Council shall cause this Charter to be reviewed at least every ten (10) years
- B. Index, rounded to the nearest \$10. Every three years (not annually) as threshold.

ARTICLE VIII. CHARTER AMENDMENT

Amendments to this Charter shall be approved by a majority of the electors of the City at a regularly scheduled election as set by state law, but may be framed and proposed:

- A. How Amended. In the manner provided by law by any of the following:
 - 1. Ordinance of the City Council containing the full text of the proposed amendment;
 - 2. A report with specific full text as prepared by a duly convened Charter Commission as created pursuant to state law;
 - 3. An initiative by the electors of the City.
- B. Amendment Election. If a majority of the electors of the City voting upon a proposed Charter amendment vote in favor of it, the amendment shall become effective at the time fixed in the amendment, but if no time is therein fixed, at the time the approved amendment is filed with the Secretary of State by the City Clerk and chaptered by the State. The City Clerk shall file the results of a Charter amendment election with the Secretary of State within forty-five (45) days following the election.

ARTICLE IX. TRANSITION/SEVERABILITY

All City ordinances, resolutions, orders and regulations which are in force when this Charter becomes fully effective are repealed to the extent that they are inconsistent or interfere with the effective operation of this Charter or of ordinances adopted pursuant thereto.

- A. Inconsistent Acts. To the extent that the constitution and laws of the State permit, all laws relating to or affecting this City or its agencies, officers or employees which are in force when this Charter becomes fully effective are superseded to the extent that they are inconsistent or interfere with the effective operation of this Charter or of ordinances or resolutions adopted pursuant thereto.
- B. Severability of Provisions. If any provision of this Charter is held to be invalid, the other provisions of the Charter shall not be affected thereby. If the application of the Charter or any of its provisions to any person or circumstance is held invalid, the application of the Charter and its provisions or circumstances shall not be affected thereby.

Section 9.01 TRANSITION OF CURRENT ELECTED OFFICIALS.

At the time of the adoption of this Charter those persons serving in elected office shall continue to serve until the end of the term for which they have been elected, and until their successors have been elected and qualified.

Section 9.02 CONTINUITY OF LAWS, OFFICERS AND EMPLOYEES.

The City shall continue to own, possess and control all rights and property of every kind and nature owned, possessed or controlled by it on the effective date of this Charter, and shall be subject to all its debts, obligations and liabilities.

- A. Continuation of Acts. All lawful ordinances, resolutions, and rules and regulations in force on the effective date of this Charter and not in conflict or inconsistent herewith are continued in force until repealed or amended.
- B. Continuation of Officers and Employees. The present officers and employees of the City shall retain their respective offices and employments subject to the provisions of this Charter.