

**CITY COUNCIL
OF THE
CITY OF ALBUQUERQUE**

June 22, 2009

FLOOR AMENDMENT NO. _____ TO _____ F/S P-09-1

AMENDMENT SPONSORED BY COUNCILLOR: _____

1. On page 11, line 28 insert a new Proposition 11 to read as follows:

“PROPOSITION NO. 11 -- SUMMARY FOR BALLOT

Amending the City Charter to provide that the City Attorney shall have a term that coincides with the term of the Mayor and that the City Attorney shall only be removed earlier upon a finding of cause made both by the Mayor and six City Councillors. Requiring six City Councillors to confirm the City Attorney’s appointment by the Mayor.

PROPOSITION NO. 11

Proposing to amend the City Charter by amending the existing Article V, Section 4(d) and adding a new Article V, Section 4(e), while renumbering subsequent paragraphs; 4(d) and 4(e) shall read:

“(d) With the advice and consent of the Council, appoint the Chief Administrative Officer and deputy administrative officers. Appointees requiring the advice and consent of the Council shall be presented to the Council for confirmation within 45 days after the Mayor takes office or after a vacant appointed position is filled. When an appointee is presented to and not confirmed by the Council, the Mayor shall, within 60 days thereafter, nominate another person to fill the position, and the Mayor may continue to nominate until confirmation;

(e) Select and remove the City Attorney only as follows:

1. The City Attorney shall be selected and appointed through an open and competitive hiring process conducted by the Mayor with the advice and consent of two-thirds of the entire membership of the Council.

2. The City Attorney’s appointment shall be for a term that coincides and terminates with the term of the Mayor making the appointment unless sooner removed as provided herein.

3. The City Attorney may only be removed from office for cause by the Mayor with the concurrence of two-thirds of the entire membership of the Council after cause has been determined by the Director of the Office of Internal Audit and Investigations.”

Explanation: This amendment provides that the City Attorney is subject to appointment and removal under the process that the Task Force recommended for the City Clerk. This amendment would allow separate consideration by the voters of amending the process related to the City Clerk and the process related to the City Attorney.