



**City of Albuquerque  
Charter Review Task Force**

**Thursday, October 2, 2008  
5:30 p.m.**

**Albuquerque/Bernalillo County Government Center  
Vincent E. Griego Chambers  
Basement Level**

**SUMMARY MINUTES**

Members Present:

Wendy York  
David Standridge  
David Campbell  
Chuck Gara  
Laura Horton  
Susan Jones  
Eli Il Yong Lee  
Michael Passi  
Gloria Valencia-Weber

Council/Administration Staff Present:

Laura Mason  
Randy Autio  
Robert Kidd  
Crystal Ortega  
Elizabeth Shields  
Luz Carreon  
Tony Pedroncelli

Members Excused:

Marty Esquivel  
Dan Silva  
Steve Gallegos  
Herb Hughes  
Vickie Perea

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The meeting was called to order at 5:41 p.m.

**1. Approval of Summary Minutes – September 18, 2008**

Ms. Horton moved approval of the September 18, 2008 summary minutes and Mr. Passi seconded. The motion passed unanimously on a 9-0 vote, with Mr. Esquivel, Mr. Silva, Mr. Gallegos, Mr. Hughes and Ms. Perea excused.

## **2. Guest speakers on Forms of Government**

Mr. Tim Krebs, University of New Mexico professor specializing in Urban Politics and Policy, was present to address the Task Force. Mr. Krebs spoke regarding the different forms of government, non partisan ballots and various ways to organize the executive branch and the related implications.

Mr. Bill Fulginiti, Executive Director of the New Mexico Municipal League, was present to address the Task Force. Mr. Fulginiti focused his comments on the different forms of government within the State of New Mexico.

## **3. Public Comment**

There were no speakers present for public comment.

## **4. Vote on Charter Articles:**

### **I. Incorporation and Powers**

After reviewing Article 1, the Task Force concluded that no changes were needed, therefore no vote was taken.

### **VI. Charter Amendments**

#### **Section 1**

After discussion, Mr. Campbell moved the revision to Section 1, as amended, and Mr. Passi seconded. The motion passed unanimously on a 9-0 vote, with Mr. Esquivel, Mr. Silva, Mr. Gallegos, Mr. Hughes and Ms. Perea excused.

The following is the final language to Section 1:

“Amendments to this Charter may be proposed by the Council and must be approved by a vote of a majority of all Councilors plus two, or by the following procedure:”

#### **Section 1(c)**

After discussion, Mr. Lee moved the revision to Section 1(c) and Ms. Valencia-Weber seconded. The motion passed unanimously on a 9-0 vote, with Mr. Esquivel, Mr. Silva, Mr. Gallegos, Mr. Hughes and Ms. Perea excused.

The following is the final language to Section 1(c):

“(c) The number of qualified voters required to sign the petition shall be a number more than 20% of the average number of voters who voted at the four regular municipal elections prior to filing the notice of intent;”

### **Section 1(e)**

After discussion, Mr. Campbell moved the revision to Section 1(e), as amended, and Mr. Passi seconded. The motion passed unanimously on a 9-0 vote, with Mr. Esquivel, Mr. Silva, Mr. Gallegos, Mr. Hughes and Ms. Perea excused.

The following is the final language to Section 1(e):

“(e) The petition, and any part thereof, must be filed with the City Clerk within sixty days after the date of filing the notice of intent.”

### **Section 2**

The Task Force considered the revisions proposed for Section 2 that would have clarified that, for Council-initiated amendments, an election does not have to be held within ninety days after the Council votes to place the amendment on the ballot. The Task Force concluded that the “filing” of proposed charter amendments with the City Clerk for the purpose of starting the 90 day clock, can be accomplished procedurally, rather than by a charter amendment.

### **Section 3**

After discussion, the Task Force postponed voting on the following proposed revision to Section 3 [Ballot] until the meeting of October 16, 2008:

“At such election the ballot shall contain the concise summary of the proposed amendment and the complete text of the proposed amendment and below the same the phrases “For the Above Amendment” and “Against the Above Amendment” followed by spaces for marking with a cross or a check the phrase desired.”

The Task Force requested staff provide them with copies of the following: 1) a copy of a ballot proposal resolution, and 2) a copy of how it appeared on the ballot.

### **XIV. Severability**

After reviewing Article XIV, the Task Force concluded that no changes were needed, therefore no vote was taken.

### **5. Discuss Charter Articles:**

#### **VIII. Prohibition of Discrimination & Protection of Human Rights**

The Task Force reviewed and discussed the language in Article VIII and asked staff to prepare proposed revisions based on the discussion. The Task Force discussed the following issues:

1. Whether “Council” should be removed and replaced with City.
2. Whether “physical handicap” should be removed and replaced with “disability” or the appropriate ADA compliant terminology.
3. Whether each type of discrimination should be listed.
4. Whether this article should simply state that Federal and State Law define the various forms of discrimination.
5. Whether the addition of categories will create an issue of liability for the City that does not now exist.

#### **IX. Protection of the Environment**

The Task Force reviewed and discussed the language in Article IX and asked staff to prepare proposed revisions based on the discussion. The Task Force discussed the following issues:

1. Whether “Council” should be removed and replaced with City.
2. Whether the Article, in its entirety, should be deleted from the Charter.

#### **XV. Electricity Franchises**

The Task Force postponed discussion on this Article to the October 16, 2008 meeting.

### **6. Other Business**

#### **a. Non-substantive Changes to Charter**

The Task Force concluded that they would not be making non-substantive changes to the Charter, but rather, would let the Council pursue this.

The Task Force requested staff provide a copy of the Portland provision at the next meeting.

### **7. Next Meeting – October 16, 2008**

Chair York stated the next meeting, as called for in the Work Plan, will be on October 16, 2008, and the Task Force will be voting on Articles VIII and IX, and discussing Article XV, IV, V, VII, X and XI.

Staff distributed all the Articles to be discussed at the October 16, 2008 meeting.

### **8. Adjourn**

There being no further business, the meeting adjourned at 7:39 p.m.

Handouts distributed to Task Force members:

- Forms of Local Government (Articles edited by Kemp)
- Comparison of Local Governments chart and list of cities
- City Charter Examples of City Charter Amendments
- Charter Articles IV, V, VII, X and XI