



**City of Albuquerque
Charter Review Task Force**

Thursday, December 4, 2008

5:30 p.m.

**Albuquerque/Bernalillo County Government Center
Council Committee Room
9th Floor, Suite 9081**

SUMMARY MINUTES

Members Present:

Wendy York, Chair
David Campbell
Chuck Gara
Susan Jones
Eli Il Yong Lee
Gloria Valencia-Weber
Herb Hughes
Michael Passi
Vickie Perea
Laura Horton
Diana Dorn-Jones (to be confirmed on 12/15)

Council/Administration Staff Present:

Laura Mason
Ed Adams
Randy Autio
Tony Pedroncelli
Elizabeth Shields
Luz Carreon

Members Excused:

Dan Silva
Marty Esquivel
David Standridge
Steve Gallegos

The meeting was called to order at 5:38 p.m.

Chair York introduced Diana Dorn-Jones. Ms. Dorn-Jones greeted the Task Force members and briefly described her experience with United South Broadway Corporation, the City of Albuquerque, and the Unification Charter Commission.

1. Approval of Summary Minutes – November 20, 2008

The November 20, 2008 Summary Minutes will be approved at the December 18, 2008 meeting.

2. Discussion and Possible Vote on Charter Articles:

Chair York began the discussion by asking the committee members to look over the proposed changes to Article V, Section 4, as distributed by staff.

Mr. Campbell suggested adding “the City Clerk” and deleting the rest of the language within Section 4(d). Mr. Hughes proposed that the Chief of Police be added to the list.

This led to an in-depth discussion regarding which positions should be required to obtain the advice and consent of the Council.

After discussion, Mr. Campbell moved the following revision to Article V. Section 4, and Ms. Perea seconded:

Section 4. DUTIES OF THE MAYOR.

The Mayor shall:

- (a) Organize the executive branch of the city;
- (b) Exercise administrative control and supervision over and appoint directors of all city departments, which appointments shall not require the advice or consent of the Council except as provided in (d) of this Section;
- (c) Be responsible for the administration and protection of the merit system;
- (d) With the advice and consent of the Council, appoint the City Attorney, the City Clerk and Chief Administrative Officer;

The motion failed on a 5-5 vote.

For: Weber, Campbell, Horton, Gara, Perea

Against: Jones, Lee, Passi, Hughes, York

Excused: Gallegos, Esquivel, Silva, Standridge

The Task Force continued their discussion regarding which positions should be required to obtain the advice and consent of the Council. They also discussed options regarding how removal of those same individuals would occur.

Mr. Lee stated that “advice and consent” is not the remedy to address the perceived problem. He stated he would rather see a system in place for the removal of appointees.

After discussion, Mr. Campbell moved the following revision to Article V. Section 4, and Ms. Perea seconded:

Section 4. DUTIES OF THE MAYOR.

The Mayor shall:

- (a) Organize the executive branch of the city;
- (b) Exercise administrative control and supervision over and appoint directors of all city departments, which appointments shall not require the advice or consent of the Council except as provided in (d) of this Section;
- (c) Be responsible for the administration and protection of the merit system;
- (d) With the advice and consent of the Council, appoint the City Attorney, the City Clerk, the Chief Administrative Officer and deputy administrative officers;

The motion passed on a 6-4 vote.

For: Weber, Campbell, Horton, Gara, Perea, York

Against: Jones, Lee, Passi, Hughes

Excused: Gallegos, Esquivel, Silva, Standridge

Ms. Perea requested that staff prepare proposed language for the independent panel consisting of three retired judges for consideration at the December 18, 2008 meeting.

The Task Force discussed the removal requirements for certain appointees (City Clerk and City Attorney) and the different alternatives that were presented.

Ms. York requested that staff work on the alternatives regarding the term of the appointee.

In addition, Ms. Weber asked staff to address how the removal process would be initiated.

The Task Force will continue its discussion of Articles IV, V, VII, X and XI at the next meeting on December 18, 2008. The following topics will be put on that agenda:

- IV. Council
- V. Mayor
- VII. Annual Budget Process
- X. City Employees
- XI. Enactment and Veto Process for Legislation

3. Discussion and Possible Vote on Issues of Independent Officials: City Attorney, City Clerk & Others

The Task Force will discuss this item at the December 18, 2008 meeting.

4. Discussion on Issues of Administrative Law Judges

The Task Force postponed discussion on this item to the December 18, 2008 meeting.

5. Other Business

a. Ms. Perea expressed her concern about getting behind with the Work Plan. She suggested that the Work Plan subcommittee be revived to review and amend the Work Plan.

b. Handouts distributed by staff

The Charter Review Task Force members received copies of the City of Albuquerque Organizational Chart, Article IV Council, Article II Elections, and Section 4. Duties of the Mayor.

The Task Force members also received Proposed Amendments to Article V Section 4 and Article V Miscellaneous Provisions, which were discussed throughout the meeting.

6. Next Meeting – December 18, 2008

The next meeting will be on December 18, 2008 in the 9th Floor Council Committee Room, Suite 9081.

7. Adjourn

There being no further business, the meeting adjourned at 7:37 p.m.

Handouts distributed to Task Force members:

- City of Albuquerque Organizational Chart
- Article IV. Council
- Article II. Elections
- Section 4. Duties of the Mayor
- Proposed Amendments: Article V Section 4
- Article V Miscellaneous Provisions:
 - *Removal Requirements for Certain Appointees
 - *Failure to Seek Council Approval if an Appointee is Not Approved