



**City of Albuquerque
Charter Review Task Force**

Thursday, February 5, 2009

5:30 p.m.

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

SUMMARY MINUTES

Members Present:

Wendy York, Chair
Chuck Gara
Susan Jones
Gloria Valencia-Weber
Vickie Perea
Diana Dorn-Jones
Dan Silva
Herb Hughes
David Standridge
Michael Passi

Council/Administration Staff Present:

Laura Mason
Ed Adams
Tony Pedroncelli
Crystal Ortega
Elizabeth Shields
Luz Carreon

Excused:

David Campbell
Marty Esquivel
Eli Il Yong Lee
Steve Gallegos
Laura Horton

Chair York called the meeting to order at 5:51 p.m.

1. Approval of Summary Minutes – January 29, 2009

Ms. Jones moved approval of the January 29, 2009 summary minutes and Mr. Passi seconded the motion. The motion passed unanimously on a 10-0 vote, with Mr. Lee, Mr. Campbell, Ms. Horton, Mr. Esquivel and Mr. Gallegos excused.

2. Article IV. Council

a. Continue discussion about "whether the City Councillors' annual salaries should be equal to that paid to Bernalillo County Commissioners or increased by any amount?"

Ms. Shields explained the handouts she provided regarding council salaries in New Mexico cities and the council and mayor salaries in other cities around the country.

Chair York asked how the information was compiled. Ms. Shields stated she gathered the information through various sources including the New Mexico Municipal League, the internet, and by calling the offices of other city councils. She added that other cities were not always willing to provide the salaries of their council members.

Mr. Gara asked if there were any other cities that incorporated an increase in councilors' salaries within their charters.

Ms. Shields stated that St. Louis tried many times to increase councilors pay, but failed every time.

Mr. Silva asked about the history of the Mayor's salary. Mr. Adams stated that the Mayor receives a salary increase whenever City management employees (E-Series) receive an increase.

Ms. Perea stated we should be looking at cities that have the same characteristics as ours.

Chair York suggested this item be postponed to the next meeting to allow Council Staff additional time to gather more information from cities similar to ours.

Ms. Jones wanted to clarify that each recommendation the Task Force will be proposing will be voted on separately.

Mr. Gara suggested that there be options on the ballot. Mr. Hughes concurred and asked if that was a possibility.

Mr. Adams stated that they had options on the ballot for the Isotopes stadium project.

The Task Force directed their attention to the Council & Mayor Salaries in other cities handout.

Ms. Weber asked how a Compensations Committee would come about.

Mr. Adams stated that the Administration would have to approve the Committee and it would become a budget issue.

Mr. Standridge stated that the Compensations Committee is an innovative idea, but it would be another form of bureaucracy.

Chair York suggested that Council Staff gather more information for the next meeting.

The Task Force decided to postpone this item until the next meeting on February 19th.

b. Continue discussion about whether the Charter should be amended to "clarify the Council's role as the Zoning Authority for the City and its relationship to the Planning Department."

There was no discussion on this item. Chair York stated the need to receive the report from the subcommittee prior to discussion before the Task Force.

c. Any other issues Task Force wishes to discuss on Article IV.

There were no other issues raised regarding Article IV.

3. Article VII. The Annual Operating Budget and Article X. Merit System

a. Council asked that we "clarify the Mayor's role in budgetary matters, including personnel policies adopted by the Council."

There was no discussion on this item; it will be placed on the February 19th Task Force Agenda.

4. Ethics, Elections and Public Financing

a. Distribution of and discussion about report by David Campbell on whether Articles XII, XIII, and XVI are consistent or whether there are provisions within those articles that are inconsistent.

b. Council has asked that we consider the terms of Board of Ethics members and the Board's chairperson.

c. Council has asked that we clarify campaign finance reporting requirements regarding deadlines, signatures, and contributions.

d. Any other issues Task Force wishes to discuss on Articles XII, XIII and XVI.

There was no discussion on this item; it will be placed on the February 19th Task Force Agenda.

5. Administrative Law Judges/Independent Hearing Officers

a. The Mayor and the Council have asked that we consider whether the City should adopt a system of hearing officers or administrative law judges, and what the ramifications of adopting such a system would be.

Chair York stated that the entire Task Force should discuss this item and make a recommendation.

Mr. Standridge asked how things were being handled now. Ms. Mason stated that at the moment we have an independent hearing office. She added that the independent hearing office hears matters such as DWI vehicle forfeitures, red light protests, and water bill protests.

Ms. Weber stated that the City should have a separate entity to review ordinance violations.

Mr. Standridge asked how these issues are handled now. Ms. Mason stated that they are heard in Metro Court.

Ms. Weber stated that we need a civil process stated in our Charter to acknowledge that ordinance violations will not go unnoticed.

Mr. Standridge moved that the Task Force do nothing in regards to the administrative law judges and hearing officers. Mr. Gara seconded the motion.

Mr. Pedroncelli stated that Mr. Dinelli would be a good resource, and perhaps he should speak at a future meeting.

Ms. Mason directed the Task Force members to Ordinance 2-7-8-1, distributed at the December 15th meeting, which sets out the Independent Hearing Officer selection process. Ms. Mason stated she was told that the position was advertised and there was a process for the selection of the independent hearing officer. The Council has requested more information about that process and had not yet received it.

Mr. Pedroncelli stated that there was a competitive process to hire a hearing officer and in the meantime, the City contracted with an independent legal out of state association to evaluate the current hearing process. He added that the Mayor's office waited for that report before they opened the position and began the competitive process.

Chair York asked if that report was available. Mr. Pedroncelli stated that he was not sure, but would report back.

Chair York stated that the Task Force should look at the current system and look at the current ordinance.

Mr. Passi stated that we need language or a mechanism in the Charter that would compel the administration to enforce the Ordinances.

Mr. Standridge withdrew his motion in order for the Task Force to discuss this matter at the next meeting.

6. Assignments; Reports from Subcommittees

Chair York asked the Task Force to review the Draft Work Assignments handout and asked if the Ethics Committee could meet within the next week or so in order to report back to the Task Force at its next meeting.

Mr. Standridge stated that the subcommittee has already decided to meet next week.

Chair York asked Mr. Standridge to have a summary of what the subcommittee discussed at the next meeting. Chair York also asked the members of the Budget subcommittee to provide the same.

Chair York asked Ms. Mason and Mr. Adams to meet with the subcommittee that is looking at the Planning and Zoning issues.

Chair York requested that there be a person from each subcommittee serving as that subcommittee's Chair. The individuals serving as Chair for each subcommittee are as follows:

Ethics: David Standridge
Budget: Vickie Perea
Planning and Zoning: Diana Dorn-Jones

7. New Business

There was no discussion on this item.

8. Next Meeting – February 19, 2009

The next meeting will be on Thursday, February 19, 2009 at 5:30 pm in the 9th Floor Council Committee Room, Suite 9081.

9. Adjourn

There being no further business, the meeting adjourned at 7:08 p.m.

Handouts distributed to Task Force members:

- Council Salaries in Cities within New Mexico
- Council & Mayor Salaries in other Cities (Includes Charter or Ordinance language that state compensation and expenses of elected officials)
- Draft Work Assignments
- Revisions Approved by Task Force (Up to and Including Meeting of 1/29/09)
- D. Campbell Report on Review of Ethics Conflicts in City Charter