



**City of Albuquerque
Charter Review Task Force**

Thursday, March 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
Vicki Perea
David Campbell
Herb Hughes
Michael Passi
Steve Gallegos
Laura Horton
Eli Il Yong Lee
Marty Esquivel
Gloria Valencia-Weber
Chuck Gara

Council/Administration Staff Present:

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

Excused:

Diana Dorn-Jones
Dan Silva
Susan Jones
David Standridge

Chair York called the meeting to order at 5:41 p.m.

1. Approval of Summary Minutes – February 19, 2009

Mr. Passi moved approval of the February 19, 2009 summary minutes, as amended. Mr. Gallegos seconded the motion. The motion passed unanimously on a 10-0 vote, with Mr. Standridge, Ms. Valencia-Weber, Ms. Jones, Mr. Silva and Ms. Dorn-Jones excused.

- 2. Salaries**
 - 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?"**
 - b. Review language drafted by staff regarding different methods.**
 - c. Vote on recommendation regarding salaries.**

Ms. Mason discussed the handout that contained various approaches regarding salaries. The approaches were the creation of a salary commission, proposing a different percentage of the Mayor's salary, and proposing a new specific amount.

Ms. Mason took the salary commission language from various city charters from the State of Washington.

The Task Force discussed how detailed the salary commission provision should be. Some members stated that the language should be general in keeping with the remainder of the Charter, and others stated that some detail should be added that would give more information to voters about what was intended by the salary commission process.

Ms. Mason stated that more details could be added in the Charter or the details could be set out in an Ordinance.

Mr. Gallegos stated that the Council President's salary should not be double that of the other Councilors, as currently written in the Charter.

Mr. Gara agreed with Mr. Gallegos and stated that the economy is not doing so well.

Mr. Hughes stated that he favors the idea of a commission.

Chair York asked for an informal show of hands to see who would like to pursue the commission language. After more discussion, the Task Force supported the idea of a salary commission, but recommended that it be a commission made up of independent citizens and the name of the commission should reflect that.

Chair York requested that Ms. Mason work on the proposed language and have it available for the Task Force to vote on at the next meeting.

- 3. Planning**
 - a. 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."**
 - b. Review language proposed by subcommittee**
 - c. Review Denver charter planning department provision**
 - d. Vote on proposed language**

Mr. Campbell asked the Task Force to look at the proposed language the Planning Subcommittee drafted and stated that Paragraph 2 needed some modifications.

Ms. Mason directed the Task Force's attention to the language regarding the Planning Department in the Denver Charter. That language states that the planning director advises the Mayor and the Council on specific land use and zoning matters.

Mr. Gallegos suggested that other language in the Denver Charter regarding regional planning and cooperation was something the Task Force should also consider adding to the Charter.

Mr. Passi stated that the Comprehensive Plan was the Basic Plan for the City and County.

Mr. Gallegos stated that if the City of Albuquerque had that language in the Charter it would be a formal way of coordinating regional planning.

Mr. Campbell read his revisions to Paragraph 2 to incorporate the CIP process and to state that the Mayor shall oversee the development, implementation, enforcement and administration of land use plans.

Mr. Passi stated that the Task Force language should not deprive the Council of the ability to create plans if the Mayor/Planning Department does not act. Mr. Passi asked Ms. Mason how much was appropriated for planning purposes to the Council.

Ms. Mason stated that they appropriated three or four hundred thousand dollars.

Mr. Lee asked if the proposed language would allow the Mayor to make a plan that goes against the Decade Plan/Comprehensive Plan.

Mr. Campbell stated that the Mayor could not do such a thing and Council would have to vote on those plans.

After discussion, Mr. Gara moved the language for Planning. Ms. Horton seconded. The motion passed on an 8-2 vote with Mr. Lee and Mr. Passi against, and Ms. Jones, Ms. Dorn-Jones, Mr. Silva, Mr. Hughes and Mr. Standridge excused.

The following is the final language for Planning:

- 1) The City Council is the City's ultimate planning and zoning authority, including the adoption and interpretation of the Comprehensive Plan and the Capital Improvement Plan. The City Council is also the City's ultimate authority with respect to interpretation of adopted plans, ordinances, and individual cases.
- 2) The Mayor or his designee shall formulate and submit to the City Council the Capital Improvement Plan and shall oversee the development, implementation, enforcement, and administration of land use plans.

4. **Article VII. The Annual Operating Budget and Article X. Merit System**
 - a. **Continue discussion regarding clarification of Mayor's role in budgetary matters, including personnel policies adopted by the Council.**
 - b. **Review language proposed by subcommittee**
 - c. **Vote on proposed language**

Ms. Perea summarized the proposed language the Budget Subcommittee composed.

Mr. Gara wanted to be sure that the CCIP (list of projects to be built with Impact Fees) would be included.

After discussion, Mr. Passi moved the language to Article VII. THE OPERATING BUDGET AND THE CAPITAL IMPROVEMENT PROGRAM. Mr. Gallegos seconded. The motion passed on an 11-0 vote, with Ms. Jones, Ms. Dorn-Jones, Mr. Silva and Mr. Standridge excused.

The following is the final language for Article VII:

ARTICLE VII. THE OPERATING BUDGET AND THE CAPITAL IMPROVEMENT PROGRAM

Section 1. [MAYOR TO FORMULATE].

The Mayor shall formulate the City's operating budget and the biennial capital improvement budget in consultation with the Council. The budgets shall be consistent with this Charter, the City's adopted goals and objectives, City legislation, and the Comprehensive Plan.

Section 2. [COUNCIL REPRESENTATIVE TO PARTICIPATE].

A representative of the Council shall be allowed to participate in all meetings and have access to all information relating to the formulation of the budget.

Section 3. [PROPOSAL AND APPROVAL DATE].

The Mayor shall propose the budget to the Council by April 1. The Council shall approve the budget as proposed or amend and approve it by May 31 after it is proposed by the Mayor.

Section 4. [PUBLIC HEARINGS].

During the deliberation by the Council, the Council shall hold at least three public hearings on the proposed budget. The Mayor, or the Mayor's representative, shall be present at the hearings on the proposed budget to answer questions about the budget.

Section 5. [FAILURE OF COUNCIL TO APPROVE].

If the Council fails to approve a budget by May 31 after it is proposed to the Council by the Mayor, then the budget as proposed by the Mayor is deemed approved by the Council.

Section 6. [PROCEDURE ORDINANCE].

A procedure for formulation of the annual operating budget shall be established by ordinance adopted by the Council, after consultation with the Mayor, consistent with this provision of the Charter. The ordinance shall establish a conference committee comprised of six members, three of whom shall be designated by the Mayor and three of whom shall be designated by the Council, for the resolution of any disagreements

between the Mayor and the Council that arise concerning the budget during the period starting April 1.
[Should last sentence be “during the period between April 1 and May 31?”]

5. **Ethics, Elections and Public Financing**
 - a. **Report from Ethics subcommittee (David Standridge)**
 - b. **Terms of Board of Ethics members and the Board’s chairperson.**
 - c. **Campaign finance reporting requirements regarding deadlines, signatures, and contributions (Randy Autio)**
 - d. **Any other issues Task Force wishes to discuss on Articles XII, XIII and XVI.**
 - e. **Discuss recommendations of subcommittee**

The Task Force will discuss this issue at the next meeting on March 10, 2009.

6. Assignments

There was no discussion on this item.

7. New Business

Future meeting dates (different or additional meeting in March)

Chair York asked the Task Force members if they could schedule a meeting for the following week and cancel the meeting on March 19, 2009.

The Task Force decided to cancel the Meeting on March 19, 2009 and meet on March 10, 2009.

Mr. Lee asked if Chair York could write-up an outline of the final procedures for presenting the Task Force recommendations.

8. Next Meeting – March 10, 2009

The next meeting will be on Tuesday, March 10, 2009 at 5:30 pm in the 9th Floor Council Committee Room, Suite 9081. The meeting scheduled for March 19, 2009 is cancelled.

9. Adjourn

There being no further business, the meeting adjourned at 7:42 p.m.

Handouts distributed to Task Force members:

- Approaches to Salary Question
- Proposed Language for Article IV, Section 6. COMPENSATION OF THE COUNCIL
- Proposed Language for Article V, Section 2. MAYOR’S TERM AND SALARY

- Salary Commission (Details in Ordinance)
- Salary Commission with Details in Charter
- Proposed Language from Planning subcommittee
- Denver Charter Planning Language
- Planning and Budget subcommittee Proposed Language
- Recommended changes to Ethics Code