

[Bracketed/Underscored Material] - New
[Bracketed/Strikethrough Material] - Deletion

SPONSORED BY: Brad Winter, Debbie O'Malley

2 **CREATING A TASK FORCE TO REVIEW THE CHARTER OF THE CITY OF**
3 **ALBUQUERQUE AND MAKE RECOMMENDATIONS FOR PROPOSED**
4 **REVISIONS.**

7 Section 1. FINDINGS. The Council finds:

10 **B. City Charter Review Task Forces were established in 1988 and 1998**
11 **to revisit the Charter and to make recommendations for improving and**
12 **refining the Charter in light of changes brought about by population growth,**
13 **annexation and the complexity of issues facing the City; and**

17 D. Ten years have passed since the last Charter Review Task Force was
18 assembled to analyze the Charter provisions, and in that time, the Charter has
19 been amended several times by the voters, and several Charter provisions,
20 including term limit provisions, have been challenged and overturned in court;
21 and

E. It is timely to convene a Charter Review Task Force to provide a thorough analysis of the City Charter as a whole and to determine what, if any, revisions should be proposed to improve the City's governmental structure and operations.

1 Section 2. A 15 member City Charter Review Task Force shall be
2 established to review the City Charter and evaluate provisions that should be
3 amended, added or deleted.

4 Section 3. The Task Force shall be made up of the following members:

5 A. One member selected by each Councilor;

6 B. One at-large member selected by the City Council who shall chair the
7 Task Force;

8 C. Five members appointed by the Mayor.

9 D. All members of the Task Force shall be residents of the City of
10 Albuquerque.

11 Section 4. The Task Force shall hold its first meeting no later than
12 September 1, 2008 and shall provide its recommendations for City Charter
13 amendments in a report to the Council and the Mayor on or before April 6,
14 2009. Upon presentation of its recommendations, the Task Force shall be
15 discharged.

16 Section 5. The charge of the Task Force shall be to examine the City
17 Charter for the purpose of recommending amendments. The charge includes,
18 but is not limited to, examination of the following:

19 A. The existing Mayor-Council form of government;

20 B. The provisions for the separation of powers between the executive
21 and legislative branches;

22 C. The adequacy of checks and balances between branches and of
23 oversight and enforcement mechanisms; and

24 D. Whether certain appointed positions, including, but not limited to,
25 the City Attorney and the City Clerk, should be independent from the Mayor
26 and the Council to ensure fairness and accountability to both branches.

27 E. Whether the City should implement a system of hearing officers or
28 administrative law judges.

29 Section 6. All meetings of the Task Force or its committees shall be open
30 meetings, and the Task Force shall hold at least one public hearing during
31 which input from the public will be sought.

32 Section 7. The Council and the Administration shall provide staffing and
33 resources to the Task Force.

1 Section 8. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
2 clause, word or phrase of this ordinance is for any reason held to be invalid
3 or unenforceable by any court of competent jurisdiction, such decision shall
4 not affect the validity of the remaining provisions of this ordinance. The
5 Council hereby declares that it would have passed this ordinance and each
6 section, paragraph, sentence, clause, word or phrase thereof irrespective of
7 any provision being declared unconstitutional or otherwise invalid.

8 Section 9. EFFECTIVE DATE. This ordinance shall take effect five days
9 after publication by title and general summary.

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32 X:\SHARE\Legislation\Eighteen\O-42final.doc

33

[Bracketed/Underscored Material] - New
[Bracketed/Strikethrough Material] - Deletion