

CITY of ALBUQUERQUE

TWENTY SIXTH COUNCIL

COUNCIL BILL NO. R-24-49 ENACTMENT NO. R-2024-055

SPONSORED BY: Dan Lewis and Klarissa J. Peña

1 RESOLUTION

2 ADOPTING A PROPOSITION TO BE SUBMITTED TO THE VOTERS AT THE
3 NEXT GENERAL ELECTION TO BE HELD IN THE CITY OF ALBUQUERQUE
4 CONCERNING AMENDMENTS TO ARTICLE V OF THE ALBUQUERQUE CITY
5 CHARTER; PROVIDING THE FORM OF THE QUESTION AND THE
6 DESIGNATION CLAUSE FOR SUCH QUESTION ON THE BALLOT.

7 WHEREAS, Proposition P-24-3 proposes to amend Article V of the
8 Albuquerque City Charter to modify the procedures to appoint administrative
9 officers and appoint and remove the Chief of Police and Fire Chief, and

10 WHEREAS, P-24-3 specifies that the City Clerk is required to coordinate
11 with the Bernalillo County Clerk to prepare and file any necessary documents
12 and agreements for an election on P-24-3; and

13 WHEREAS, Pursuant to Article VI of the Albuquerque City Charter,
14 amendments to the Charter may be proposed by the Council and must be
15 approved by a vote of a majority of all Councilors plus one.

16 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
17 ALBUQUERQUE:

18 SECTION 1. The City Clerk is instructed to place the following proposal on
19 the next general election ballot, and the qualified voters of the City of
20 Albuquerque shall be permitted to vote "for" or "against" the following
21 proposition:

22 (A) QUESTION TO BE SUBMITTED.

23 (1) PROPOSITION. The City Clerk is instructed to coordinate with the
24 Bernalillo County Clerk to submit the following summary, title, and complete
25 text of the following proposed Charter amendments to the City's qualified,

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1 registered voters who shall be permitted to vote “for” or “against.” The ballot
2 face shall be in substantially the following form:

3 OFFICIAL ELECTION BALLOT

4 GENERAL ELECTION

5 HELD NOVEMBER 5, 2024

6 PROPOSITION 1: Proposition to amend Article V of the Albuquerque City
7 Charter to modify the procedures to appoint City administrative officers and
8 appoint and remove the Chief of Police and Fire Chief.

9 SUMMARY

10 Shall the City of Albuquerque adopt the following amendments to update the
11 Albuquerque City Charter to modify the procedures to appoint City
12 administrative officers and appoint and remove the Chief of Police and Fire
13 Chief?

14 TITLE AND PROPOSITION

15 PROPOSING TO AMEND THE ALBUQUERQUE CITY CHARTER REGARDING
16 THE PROCEDURES FOR APPOINTMENT OF ADMINISTRATIVE OFFICERS AND
17 APPOINTMENT AND REMOVAL OF THE CHIEF OF POLICE AND FIRE CHIEF
18 ARTICLE V. MAYOR.

19 Section 4. DUTIES OF THE MAYOR.

20 The Mayor shall:

21 (d) With the advice and consent of the Council, appoint the Chief
22 Administrative Officer, any deputy administrative officers, the Chief of Police,
23 and the Fire Chief. [For the purposes of this section, “deputy administrative
24 officers” shall mean any position with supervisory authority over anyone in a
25 department director position.] Appointees requiring the advice and consent of
26 the Council shall be presented to the Council for confirmation within 45 days
27 after the Mayor takes office or after a vacant appointed position ~~[is filled]~~ ~~[has~~
28 a proposed appointee]. [The Mayor (even if reelected) shall reappoint all above
29 noted positions at the beginning of each new term.] When an appointee is
30 presented to and not confirmed by the Council, the Mayor shall, within 60 days
31 thereafter, nominate another person to fill the position, and the Mayor may
32 continue to nominate until confirmation]. No person may serve in an interim
33 position for any of the above noted positions for a period of greater than 270

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1 days unless the Council does not confirm an appointee presented to them
2 within the timeline stated within this section];

3 ~~[1. The Police Chief or Fire Chief may be removed for cause by a vote of~~
4 ~~two-thirds of the entire membership of the Council.]~~

5 [1. The Police Chief and Fire Chief shall have an employment agreement
6 with the City specifying the terms and conditions of employment including a
7 provision for the early termination of employment and expiring at the end of
8 the current Mayor's term. The Mayor may terminate this agreement at any
9 time for cause. The Council may terminate the agreement at any time, with
10 notice to the Mayor and Police Chief or Fire Chief, by an affirmative vote of
11 two-thirds plus one of the entire membership of the Council.]

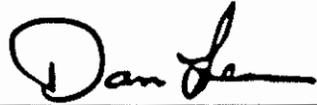
12 FOR _____ AGAINST _____

13 SECTION 2. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
14 word, or phrase of this resolution is for any reason held to be invalid or
15 unenforceable by any court of competent jurisdiction, such decision shall not
16 affect the validity of the remaining provisions of this resolution. The Council
17 hereby declares that it would have passed this resolution and each section,
18 paragraph, sentence, word or phrase thereof irrespective of any provision
19 being declared unconstitutional or otherwise invalid.
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1 PASSED AND ADOPTED THIS 17th DAY OF June, 2024
2 BY A VOTE OF: 6 FOR 3 AGAINST.

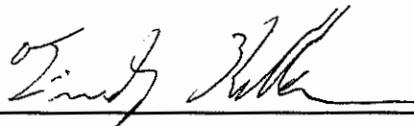
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4 For: Bassan, Champine, Grout, Lewis, Peña, Sanchez
5 Against: Baca, Fiebelkorn, Rogers

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8 _____
9 Dan Lewis, President
10 City Council

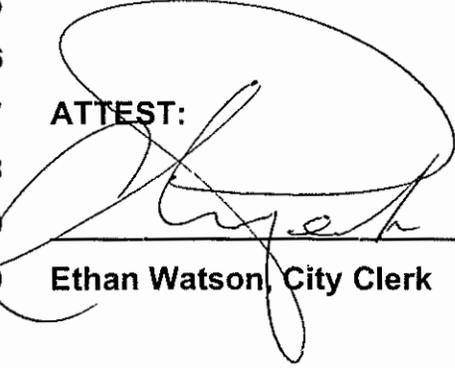
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14 APPROVED THIS 3 DAY OF July, 2024

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17 Bill No. R-24-49

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21 _____
22 Timothy M. Keller, Mayor
23 City of Albuquerque

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27 ATTEST:

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29 _____
30 Ethan Watson, City Clerk

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