

CITY of ALBUQUERQUE

TWENTY SIXTH COUNCIL

COUNCIL BILL NO. R-24-50 ENACTMENT NO. R-2024-053

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 AMENDING ARTICLE XIX 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-24-4 proposes to amend Article XIX of the
8 Albuquerque City Charter to determine separation of powers issues under the
9 City Charter; and

10 WHEREAS, P-24-4 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-24-4; 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 XIX of the Albuquerque City
7 Charter regarding the procedures for determination of separation of powers
8 issues under the City Charter.

9 SUMMARY

10 Shall the City of Albuquerque adopt the following amendments to update the
11 Albuquerque City Charter regarding the procedures for determination
12 separation of powers issues under the City Charter?

13 TITLE AND PROPOSITION

14 PROPOSING TO AMEND THE ALBUQUERQUE CITY CHARTER REGARDING
15 THE PROCEDURE TO DETERMINE SEPARATION OF POWERS ISSUES UNDER
16 THE CITY CHARTER

17 ARTICLE XIX. DETERMINATION OF SEPARATION OF POWERS ISSUES
18 UNDER THE CHARTER

19 A procedure for resolving disputes between the executive and legislative
20 branches of government with respect to their respective duties and
21 obligations under the City Charter shall be established by ordinance adopted
22 by the Council after consultation with the Mayor. The ordinance shall establish
23 a conference committee for the determination of the role of the City Council
24 and the Mayor under the Charter. The committee shall be limited to making
25 determinations on issues raised by either the Mayor or the City Council. The
26 City Attorney shall not participate as either an advocate before or advisor to
27 the committee. The committee shall be comprised of three members. The
28 Mayor shall appoint one member and the Council shall appoint one member.
29 [30 days prior to an appointee’s term expiring, or immediately upon the City
30 Clerk being notified that a person has resigned prior to the regular expiration
31 of their term, the City Clerk shall notify the appointing body.] [If either the
32 Mayor or City Council fails to name a replacement Committee member within
33 60 days of a vacancy, the other body shall make the appointment.] The two

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1 members so appointed shall select the third member to serve as the
2 chairperson of the committee. The appointment of a committee member by
3 one appointing authority shall not be approved or disapproved by the other
4 appointing authority.

5 FOR _____ AGAINST _____

6 SECTION 2. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
7 word, or phrase of this resolution is for any reason held to be invalid or
8 unenforceable by any court of competent jurisdiction, such decision shall not
9 affect the validity of the remaining provisions of this resolution. The Council
10 hereby declares that it would have passed this resolution and each section,
11 paragraph, sentence, word or phrase thereof irrespective of any provision
12 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: 7 FOR 2 AGAINST.

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

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9 Dan Lewis, President
10 City Council

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14 APPROVED THIS _____ DAY OF _____, 2024

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17 Bill No. R-24-50

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21 Timothy M. Keller, Mayor
22 City of Albuquerque

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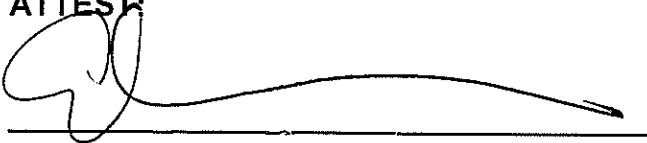
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26 ATTEST:

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29 Ethan Watson, City Clerk

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