

CITY of ALBUQUERQUE TWENTY SIXTH COUNCIL

COUNCIL BILL NO. RA-25-4 ENACTMENT NO. _____

SPONSORED BY: Dan Lewis

1 **RULES AMENDMENT**

2 **AMENDING ARTICLE II, SECTION 5 AND ARTICLE III OF THE CITY COUNCIL**

3 **RULES OF PROCEDURE**

4 **SECTION 1. ARTICLE II, SECTION 5 of the City Council Rules of Procedure**

5 **is amended as follows:**

6 **“Section 5. Other Committees Requiring Participation of the Council.**

7 **Councilors participate in committees with members of the Administration or**

8 **other entities listed herein:**

9 **[(18) City Attorney Evaluation Committee (4 members)]”**

10 **SECTION 2. A new Section 25 is created in ARTICLE III of the City Council**

11 **Rules of Procedure is amended as follows:**

12 **“Section 25. City Council Performance Review of the City Attorney.**

13 **Pursuant to ROA 1994, § 2-7-2-4, the City Council shall conduct a performance**

14 **evaluation of the City attorney within 90 days following every 18 month period**

15 **of consecutive service as City Attorney. The 18 month period shall begin after**

16 **the Council’s approval, the City Attorney’s appointment or after the prior**

17 **performance evaluation, whichever is more recent.**

18 **A. The Council President shall appoint a City Attorney Evaluation**

19 **Committee consisting of four Councilors to conduct the evaluation. The**

20 **Council President may appoint any members of Council Services staff to assist**

21 **in the evaluation.**

22 **B. The Committee shall evaluate the legal acumen, leadership, and**

23 **professionalism of the City Attorney and any other such attributes they deem**

24 **relevant to evaluating the City Attorney’s performance. The evaluation shall be**

25 **informed by an anonymous survey conducted of the City Legal Department**

26 **staff. The Committee shall also conduct a private interview with the City**

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1 Attorney to discuss the results of the survey and any other matters pertinent to
2 members of the Committee.

3 C. The survey results and other evaluation materials shall be deemed
4 letters or memoranda that matters of opinion in personnel files and exempt from
5 the Inspection of Public Records Act. The surveys or other evaluation materials
6 shall not be retained after the Council presents its findings in a public written
7 report to the Mayor and Chief Administrative Officer.”

8 SECTION 3. SEVERABILITY. If any section, paragraph, sentence, clause,
9 word or phrase of this Rules Amendment is for any reason held to be invalid
10 or unenforceable by any court of competent jurisdiction, such decision shall
11 not affect the validity of the remaining provisions of this Rules Amendment.
12 The Council hereby declares that it would have passed this Rules Amendment
13 and each section, paragraph, sentence, clause, word or phrase thereof
14 irrespective of any provision being declared unconstitutional or otherwise
15 invalid.

16 SECTION 4. EFFECTIVE DATE. This rules amendment shall take effect
17 immediately upon adoption.

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