



Legislation Text

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CITY of ALBUQUERQUE
TWENTY THIRD COUNCIL

COUNCIL BILL NO. O-19-78 ENACTMENT NO. _____

SPONSORED BY: Klarissa J. Peña

ORDINANCE

Amending 14-16-2-6-2(E) Of The Integrated Development Ordinance To Add Two At-Large Members To The Environmental Planning Commission (Peña)

BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

Section 1.

(A) Section 14-16-2-6-2(E) is amended to read:

"The Environmental Planning Commission (EPC) is ~~[a 9-member]~~ [an 11-member] board [nine of which are] nominated by City Council (Council) members and appointed by the Mayor with the advice and consent of the Council~~], and two members appointed directly by the Mayor with the advice and consent of the Council]~~. The EPC is the "City Planning Commission" or the "Planning Commission" for the purposes of any other law or policy that refers to such body.

(B) Section 14-16-2-6-2(E)(1) is amended to read: "Membership and Qualifications. The EPC shall include [two at large members and nine district specific members, each] a resident of [each a different City] Council District, with experience in community planning, architecture, landscape architecture, urban design, real estate development, transportation, civil engineering, and/or real estate finance, and shall be subject to the additional provisions, including terms of office, in Article 2-6 of ROA 1994 (Public Boards and Commissions).

(C) Section 14-16-2-6(E)(2) is amended to read:

6-2(E)(2) Appointments

6-2(E)(2)(a) If an EPC member's term of office is ending, that member is eligible for reappointment to the EPC, and the Councilor in whose District that member resides desires to reappoint the member, the Councilor shall so notify the Council and the member shall be reappointed subject to the advice and consent of the Council. [In the instance that the term of an at-large EPC member's term of office is expiring, the Mayor shall begin the appointment process as outlined in 6-2(E)(2)(c).]

6-2(E)(2)(b) When a vacancy on the EPC occurs [for the position of a City Council District representative]:

1. The Mayor shall notify a Councilor in writing that his/her District member's term of office has expired or the position is otherwise vacant, and that the Councilor shall have 60 consecutive days to submit 2 recommended appointments to fill that position. If the Councilor fails to submit 2 names within 60 consecutive days of notification, the Mayor shall have the right to make the appointment subject to the advice and consent of the Council.

2. The Mayor shall then recommend 1 of the 2 individuals recommended by the Councilor for appointment with the advice and consent of the Council.

3. The Mayor shall deliver to the Council the Mayor's recommendation from the 2 names submitted within 30 consecutive days of delivery of the 2 names to the Mayor. If the Mayor fails to timely make a recommendation from the 2 names submitted, the Councilor who submitted the names may appoint one of the 2 recommended members, subject to the advice and consent of the Council.

[6-2(E)(2)(c) When a vacancy on the EPC occurs for the position of an at-large member:

1. Upon the expiration of an at-large EPC member's term, the Mayor shall have 90 consecutive days to recommend one individual for appointment with the advice and consent of the Council.

2. If the Mayor fails to submit a name within the 90 consecutive days of an at-large EPC member's term expiring, the Council President shall recommend 2 appointments to fill the vacancy per the procedure in 6-2(E)(2)(b).

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

declared unconstitutional or otherwise invalid.

SECTION 3. COMPILATION. Section 1 of this ordinance shall amend, be incorporated in and compiled as part of the Revised Ordinances Of Albuquerque, New Mexico, 1994.

SECTION 4. EFFECTIVE DATE. This ordinance shall take effect five days after publication by title and general summary.