

CITY of ALBUQUERQUE

TWENTY SEVENTH COUNCIL

COUNCIL BILL NO. O-26-8 ENACTMENT NO. _____

SPONSORED BY: Tammy Fiebelkorn

1 **ORDINANCE**

2 **REQUIRING THE MAYOR'S OFFICE TO SHARE APPLICATIONS TO ANY**
3 **BOARD OR COMMISSION WITH THE COUNCILOR OF THE COUNCIL DISTRICT**
4 **IN WHICH THE APPLICANT RESIDES.**

5 **WHEREAS, the work of boards and commissions is vital to the functioning**
6 **of the City of Albuquerque; and**

7 **WHEREAS, the online application portal for boards and commissions**
8 **transmits applications to the Mayor and their staff and is not currently shared**
9 **with City Councilors; and**

10 **WHEREAS, some boards and commissions have seats that are Council**
11 **district specific and require nominations by City Councilors to the Mayor for**
12 **final selection; and**

13 **WHEREAS, some boards and commissions are not Council district specific**
14 **seats, but City Council makes the final confirmation decisions; and**

15 **WHEREAS, City Councilors need to be aware when applications are made**
16 **to boards and commissions by their constituents.**

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

19 **SECTION 1. ROA 1994, Chapter 2, Article 6, Part 1 General Provisions of the**
20 **Public Boards, Commissions and Committees Ordinance is amended as**
21 **follows:**

22 **§ 2-6-1-3 MEMBERSHIP**

23 **(B) Appointments.**

24 **(1) Except as otherwise provided by ordinance the Mayor, with the**
25 **advice and consent of the Council, shall appoint the members of the public**

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boards, commissions and committees. An appointment is not effective until Council approves it.

(2) The members of each public board, commission or committee shall be appointed from the broadest possible base of the community at large and, to the fullest extent possible, the Mayor will seek information from interest groups as to potential appointees.

(3) The Mayor shall send written notice of the appointment to the appointee, which notice shall clearly state that such appointment is made subject to all the provisions outlined herein, and the member so appointed may be removed by the Mayor for violation of any of the provisions hereby established.

(4) Each appointment shall be accepted in writing by the appointee confirming that such appointee accepts the policies outlined herein as a condition precedent to such appointee's appointment and holding office.

(5) Each appointment shall be for a term of three years unless the appointment is to fill a vacancy. The initial terms of members of newly established public boards, commissions and committees shall be staggered and shall be for either one, two or three years.

(6) Every member, unless removed as provided herein, shall hold office until a successor has been duly qualified unless the Council has voted not to approve that member for a reappointment, in which case, the member shall not serve beyond the date the member's current term expires or the date the Council votes not to approve the member, whichever is later.

(7) For all public boards, commissions or committees, whose members are not appointed based on recommendations of individual Councilors, the Council President may notify the Mayor in writing that a term has expired or a position is otherwise vacant and the Mayor shall have 60 days to submit a recommended appointment to fill that position. If the Mayor fails to submit a name within 60 days of notification, the Council President shall have the right to make the appointment subject to the advice and consent of the City Council.

(8) In all instances where the appointment provisions for any public board, commission, or committee require that a City Councilor submit two

1 recommended appointees to the Mayor and the Mayor shall select one of
2 those to serve, the following shall apply:

3 (a) Prior to a vacancy or upon the resignation of a member, the
4 Mayor shall notify the City Councilor of the vacancy in writing.

5 (b) If the City Councilor receives at least two qualified applicants for
6 the vacant position, the Councilor shall submit two recommended appointees
7 to fill that position within 60 days following the Mayor's notification of
8 vacancy. The Mayor shall then recommend one of the two individuals
9 recommended by the City Councilor for appointment with the advice and
10 consent of the City Council. The Mayor shall deliver to the City Council the
11 Mayor's recommendation from the two names submitted within 30 calendar
12 days of delivery of the two names to the Mayor. If the Mayor fails to timely
13 make a recommendation from the two names submitted, the City Councilor
14 who submitted the names may appoint one of the two recommended
15 members, subject to the advice and consent of the City Council. If a Councilor
16 fails to submit two names within 60 days of the Mayor's written notification of
17 vacancy, the Mayor may make the appointment, subject to the advice and
18 consent of the City Council.

19 (c) In the event that the City Councilor receives only one qualified
20 applicant for a position within a 60-day period following the Mayor's
21 notification of a vacancy, then a City Councilor may submit one recommended
22 appointee to the Mayor, and within 30 calendar days of delivery, the Mayor
23 shall submit the recommendation to the City Council for appointment with the
24 advice and consent of the City Council. If the Mayor fails to timely submit the
25 recommendation, the City Councilor who submitted the name may appoint the
26 member, subject to the advice and consent of the City Council.

27 [(9) In any instance where the Mayor receives applications to any board,
28 commission, or committee, the Mayor shall immediately transmit or deliver a
29 copy of such applications to the Councilor of the Council District in which the
30 applicant lives.]

31 SECTION 2. SEVERABILITY. If any section, paragraph, sentence, clause,
32 word or phrase of this Ordinance is for any reason held to be invalid or
33 unenforceable by any court of competent jurisdiction, such decision shall not

1 affect the validity of the remaining provisions of this Ordinance. The Council
2 hereby declares that it would have passed this Ordinance and each section,
3 paragraph, sentence, clause, word or phrase thereof irrespective of any
4 provision being declared unconstitutional or otherwise invalid.

5 SECTION 3. COMPILATION. SECTION 1 of this Ordinance amends, is
6 incorporated in, and is to be compiled as part of the Revised Ordinances of
7 Albuquerque, New Mexico, 1994.

8 SECTION 4. EFFECTIVE DATE. This Ordinance takes effect five days after
9 publication by title and general summary.

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