

## **Albuquerque City Charter Amendments**

PROPOSING TO AMEND THE ALBUQUERQUE CITY CHARTER REGARDING THE PROCEDURES FOR APPOINTMENT OF ADMINISTRATIVE OFFICERS AND APPOINTMENT AND REMOVAL OF THE CHIEF OF POLICE AND FIRE CHIEF

### **Shall the City of Albuquerque Charter be amended to modify the procedures to appoint city administrative officers and appoint and remove the Chief of Police and Fire Chief?**

For \_\_\_\_\_ Against \_\_\_\_\_

Analysis:

The proposed amendment changes the Albuquerque City Charter to modify the procedures to appoint city administrative officers. City administrative officers are defined as any position with supervisory authority over anyone in a department director position. The proposed amendment would require the mayor to reappoint, and the council to approve all city administrative officers, the Chief of Police and the Fire chief at the beginning of each new term. It limits the time city administrative officers may serve without council approval. It would also allow the council to terminate employment agreements of the Chief of Police and the Fire Chief with a two-thirds plus one of the membership of the council.

Arguments for the proposed amendment:

1. Intended to provide greater collaboration between the mayor and the council.
2. Intended to provide more checks and balances for these positions of great importance for the entire citizenry through their elected council representatives.
3. Limits the amount of time the mayor can employ interim administrative officers without council approval.

Arguments against the proposed amendment:

1. Council may terminate the police or fire chief at any time within the terms of the employment contract without giving a reason by a vote of seven councilors.
2. Effect of passage of the amendment would give police and fire chief uncertainty as to who to look towards for leadership amongst a number of people who may have differing priorities.
3. May be difficult to find qualified applicants to accept position with such conditions.

PROPOSING TO AMEND THE ALBUQUERQUE CITY CHARTER REGARDING THE PROCEDURE TO DETERMINE SEPARATION OF POWER ISSUES UNDER THE CITY CHARTER

### **Shall the City of Albuquerque Charter be amended to modify the procedures for determination of separation of powers issues under the city charter?**

For \_\_\_\_\_ Against \_\_\_\_\_

Analysis:

This proposed amendment attempts to clarify the procedure used by the city to resolve differences between the mayor and the council. The current charter establishes a committee of three with one appointment by the mayor, one by the council, and a third member chosen by the two appointees. If either the mayor or the council fails to make an appointment, as has happened in the past, then the negotiation process is stalled. This amendment requires that these committee members be appointed within 60 days and effectively would allow either the mayor or the council to appoint all three committee members if one of the parties fails to make a committee appointment within the set time.

Arguments for the proposed amendment:

1. It is designed to assign responsibility for tracking committee appointments to the city clerk.
2. It should prevent a delay in filling a vacancy from impeding the work of the conference committee.
3. It is meant to provide an incentive for filling conference committee vacancies in a timely manner.

Arguments against the proposed amendment:

1. Allowing 60 days for appointments to the conference committee is helpful because it sets a deadline, but may be too long for the committee to work effectively.
2. The proposed amendment does not provide an option in the event that the council is unable to agree on a replacement other than allowing the mayor to fill two positions.