Charter Review Committee 1 2 of the 3 City of Rio Rancho 4 5 **MINUTES** 6 AUGUST 30, 2012 7 6:30 PM 8 Council Chambers, City Hall 9 10 11 MEMBERS PRESENT: STAFF PRESENT: Laura Fitzpatrick, Assistant City Manager 12 Dan Foley, At Large (arrived 6:38 p.m.) 13 Don DuLac, District 1 Steve Ruger, City Clerk Chris Neubauer, District 2 Yolanda Lucero, Deputy City Clerk 14 15 Steve vanHorn, District 4 16 Henry Pacelli, District 5 Wes Bassett, District 6 17 18 19 **MEMBERS ABSENT:** 20 Jerome Wade, District 3 21 22 23 CALL TO ORDER AND PLEDGE OF ALLEGIANCE 24 25 Chairman Steve vanHorn called the meeting to order at 6:31 p.m. **APPROVAL OF MINUTES** 26 27 1) Minutes of August 23, 2012 Wes Bassett moved to approve minutes of August 23, 2012. Seconded by Henry Pacelli 28 29 Chris Neubauer moved to amend the minutes of August 23, 2012, page 3, line 12 and line 30 23 strike out carried insert failed. Seconded by Don DuLac 31 32 The amendment carried by a vote of 5 FOR and 0 AGAINST. 33 YES: Don DuLac, Chris Neubauer, Steve vanHorn, Henry Pacelli, Wes Bassett 34 35 NO: None 36 Steve vanHorn moved to amend minutes of August 23, 2012 page 2, line 1 grammical error 37 38 strike out "if" insert "of". Seconded by Wes Bassett 39 The amendment carried by a vote of 5 FOR and 0 AGAINST. 40 YES: Don DuLac, Chris Neubauer, Steve vanHorn, Henry Pacelli, Wes Bassett 41 NO: None 42 43 The main motion carried by a vote of 5 FOR and 0 AGAINST. 44 YES: Don DuLac, Chris Neubauer, Steve vanHorn, Henry Pacelli, Wes Bassett 45 NO: None 46

CHARTER REVIEW

1	2) Parliamentary Procedure Tips - Steve Ruger, City Clerk		
2	Steve Ruger, City Clerk touched on the main points of making a motion, postponement of action, to table, amendments and the rules of voting.		
4 5	3) Report: Effective Date on Charter Changes, Process Clarification, & Job Duties Language Suggestions - Laura Fitzpatrick, Assistant City Manager		
6 7 8 9 10	Laura Fitzpatrick briefed the Charter Review Committee members on the suggested timeline to complete work. Per the resolution approved by the Governing Body, the committee must submit their recommendation to the Governing Body by September 30. This will allow the Governing Body to consider the recommendations at their meeting on October 10. Ms. Fitzpatrick asked the Committee Members to consider a timeline as follows:		
11	August 30 th , September 6 th :		
12	Complete recommendations on revised job duties.		
13	Start discussion re: defining full-time.		
14 15	 Determine if any additional information is needed to define full-time; request information. 		
16	September 13 th , September 20 th :		
17	Define full-time		
18	Determine if there are any other related Charter amendment issues to discuss.		
19	September 27 th (If needed):		
20	Other related Charter amendment issues.		
21 22	4) Re-cap of Meeting with the Mayor re: Job Duties - Don DuLac and Steve vanHorn		
23 24	Don DuLac and Chairman Steve vanHorn both met with Mayor Swisstack to discuss the Mayor's current duties.		
25	Don Dulac explained the Mayor's concern of the difficulty of prioritizing job duties.		
26 27 28 29	Chairman vanHorn asked Mayor Swisstack to describe duties the Mayor currently does that are not specified in the City Charter. Mayor Swisstack explained some of the numerous "soft duties" he does, which includes meeting with neighborhood association and business owners.		

5) Discussion re: Section 3.01 Mayor (Tasks listed below for reference)

> Review the duties and role: Continue City Charter section 3.01 change discussion that 1 2 was postponed at the August 23rd CRC meeting. 3 > Make specific recommendations to define "full time" > Other amendment recommendations to the Charter if necessary and/or warranted in 4 reviewing the duties and role of the Mayor. 5 Chairman vanHorn asked the Committee if any member had specific recommendations 6 regarding his proposal as postponed to this meeting. 7 Chris Neubauer moved to amend Section 3.01A to read as follows: 8 9 10 Mayor. The Mayor shall be a member of the Governing Body entitled to cast a vote in the event of a tie among the city councilors. 11 Seconded by Dan Foley 12 13 The motion to amdend failed by a vote of 2 FOR and 4 AGAINST. 14 15 YES: Dan Foley, Chris Neubauer NO: Don DuLac, Steve vanHorn, Henry Pacelli, Wes Bassett 16 17 Chairman Steve vanHorn moved to amend Section 3.01B(3) to read as follows: 18 19 Effective March 4, 2014, Devote devote her/his full time to the discharge of mayoral duties 20 and have outside employment only if the outside employment does not materially conflict 21 with the performance of such duties. 22 Seconded by Wes Bassett 23 24 25 Wes Bassett moved to call the question. 26 Dan Foley protested to call the question. 27 Call of guestion was put to a vote. 28 29 YES: Dan Foley, Don DuLac, Chris Neubauer, Steve vanHorn, Henry Pacelli, Wes Bassett 30 The motion to amend failed by a vote of 2 FOR and 4 AGAINST. 31 YES: Steve vanHorn, Wes Bassett 32 NO: Dan Foley, Don DuLac, Chris Neubauer, Henry Pacelli 33 34 Chris Neubauer moved to amend Section 3.01B(3) to read as follows: 35 36 Devote her/his full time to the discharge of mayoral duties and have outside employment 37 only if the employment does not materially conflict with the performance of such duties. 38 39 Seconded by Don DuLac The Committee Members discussed this amendment, particularly the importance of leaving 40 the phrase "material conflict" in this section. The Committee's intent was to keep this 41

phrase and let the voters decide, when they cast their vote for mayor, what constitutes a

"material conflict" and what would be an appropriate level of "full time" work.

1 2 3	The motion carried by a vote of 5 FOR and 1 AGAINST. YES: Dan Foley, Don DuLac, Chris Neubauer, Henry Pacelli, Wes Bassett NO: Steve vanHorn			
4 5 6	Wes Bassett moved to amend the Boards and Commission Rules of Procedure to allow multiple amendments. Seconded by Dan Foley			
7 8 9 10	The motion carried by a vote of 6 FOR and 0 AGAINST. YES: Dan Foley, Don DuLac, Chris Neubauer, Steve VanHorn, Henry Pacelli, Wes Bassett NO:			
11	Wes Bassett moved to delete new Section 3.01B(10) and replace with following:			
12 13 14 15 16 17	Represent (or his/her designee) the city on matters on matters pertaining to city business to the New Mexico State Legislature, interim committees, legislative affairs, and any other governmental business pertinent to the city. Seconded by Henry Pacelli			
17 18 19 20 21	The motion carried by a vote of 5 FOR and 1 AGAINST. YES: Dan Foley, Chris Neubauer, Wes Bassett, Steve vanHorn, Henry Pacelli NO: Don DuLac			
22 23 24	Dan Foley moved to postpone the main motion to the September 6, 2012, Charter Review Committee Meeting. Seconded by Chris Neubauer			
24 25 26 27	The motion carried by a vote of 6 FOR and 0 AGAINST. YES: Dan Foley, Don DuLac, Chris Neubauer, Wes Bassett, Steve vanHorn, Henry Pacelli			
28	OTHER BUSINESS			
29	PUBLIC COMMENT			
30 31 32 33 34 35 36	Jean Montoya, 511 Summer Winds Dr. Cheryl Everett, 7251 Milan Hills Rd. NE Carol Dooley, 7021 Spruce Mountain Loop Councilor Chuck Wilkins, 591 Sava Dr. SE Cheryl Ganch, 5704 Rio Pinos			
37				
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39	ADJOURNMENT			

Steve vanHorn Moved to adjourn meeting at 8:41 p.m. Seconded by Chris Neubauer

	The motion carried by a vote of 6 FOR and 0 AGAINS	l.	
	YES: Dan Foley, Don DuLac, Chris Neubauer, Steve vanHorn, Henry Pacelli, Wes Bassett		
,	NO: None		
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•	APPROVED THIS SEPTEMBER 6, 2012		
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)		Steve vanHorn, Chairperson	
	ATTEST:		
	Stephen J. Ruger, City Clerk		
	SEAL		