

March 6, 2012 Regular Election General Voting Information

The City of Rio Rancho regular municipal election will be on March 6, 2012 to elect City Councilors in Districts 1, 4 and 6 and charter amendments. Voters in Districts 1, 4 and 6 will elect councilors, however, **ALL VOTERS ARE ELIGIBLE TO VOTE ON THE CHARTER AMENDMENTS.**

On Election Day you may vote at **ANY** of the four **Voting Convenience Centers (VCC)** between the hours of 7:00 a.m. and 7:00 p.m. You are **NOT** limited to voting at a polling location in your district.

- City Hall, 3200 Civic Center Circle NE
- Meadowlark Senior Center, 4330 Meadowlark Lane
- Mountain View Middle School, 4101 Montreal Loop NE
- Soul Rio Community Church, 2003 Southern Blvd. SE,

Absentee voting - January 31st thru March 2nd

Early Voting - February 15th thru March 2nd

Voter Registration thru February 7th with the Sandoval County Clerk's Office (505) 867-7572.

For all other election questions please contact the City Clerk's Office at (505) 891-5004.

Strikethrough shows text to be deleted by amendment. Underline shows text to be added by amendment

PROPOSITION 27

SHALL ARTICLE III, SECTION 3.01 BE AMENDED TO READ AS FOLLOWS?

Section 3.01 Mayor

B. The mayor shall:

- (1) Preside at meetings of the Governing Body;
- (2) ~~Shall be~~ **Be** the chief executive officer of the City and shall exercise all administrative and executive powers, except to the extent that those powers are vested with the city manager;
- (3) Devote her/his full time to the discharge of mayoral duties and have outside employment only if the outside employment does not materially conflict with the performance of such duties;**
- (4) Initiate an annual performance review of the City Manager with the advice of the Council,**
- (5) Listen to and build relationships with citizens to address the needs of the community;**
- (6) Propose programs and policies to the Governing Body**
- (7) Appoint, as provided in this Charter and by applicable ordinance, and subject to the confirmation of the Governing Body, all members of boards, commissions or authorities, including city representatives to outside regional, state or national boards, commissions or authorities;**
- ~~(8)~~ **Represent the City in intergovernmental relationships including but not limited to representing the city on regional, state and national boards and committees as necessary;**
- ~~(9)~~ **Shall present** an annual State of the City report to the City Council; and
- ~~(10)~~ **Perform other duties and exercise such other powers as specified in this Charter, the City's ordinances and resolutions, or by the Governing Body.**

Explanation: *Currently the City Charter does not refer to the Mayor's status as full-time or part-time. If approved, the Mayor will be required to devote his/her full-time to the duties of the office. The Mayor may have outside employment only if there is no material conflict in performing the Mayoral duties. This Amendment does not address compensation. Salary increases are done by ordinance. If an ordinance is adopted by the Governing Body increasing the Mayor's salary, it will not be applicable to the current Mayor, however, it will take effect at the next regularly scheduled Mayoral election in 2014. In addition this amendment sets forth new Mayoral duties and responsibilities.*

PROPOSITION 28

SHALL ARTICLE III, SECTION 3.05 BE AMENDED TO READ AS FOLLOWS?

Section 3.05 Suspension; Removal.

E. The city manager may be removed by a majority vote of all of the members of the Governing Body. Action to remove the city manager may be initiated by the mayor or by motion of any city councilor, which is seconded by two other ~~city councilors~~ **members of the Governing Body,** at a meeting of the Governing Body.

Explanation: *Currently, two city councilors must second a motion to remove the city manager. This amendment will allow the motion to be seconded by the mayor, if he/she so chooses.*

PROPOSITION 29

SHALL ARTICLE III, SECTION 3.07 BE AMENDED TO READ AS FOLLOWS?

Section 3.07 Powers and Duties of the City Manager.

C. ~~Cause~~ **Be responsible for the proper execution of all** ordinances, provisions of this Charter, and lawful actions of the mayor and Governing Body, which are subject to enforcement by the city manager or by officers subject to the manager's direction and supervision, ~~to be faithfully executed;~~

K. **Assist the Governing Body in developing long term goals for the city and strategies to achieve these goals;**

~~K.L.~~ **Present an annual self evaluation of successes and difficulties in meeting goals which shall be agreed upon by the city manager and the governing body in preparation for an annual review meeting with the Mayor; and**

M. Promote partnerships among the Governing Body, staff and citizens in developing public policy and building a sense of community; and

L.N. Perform such other duties as are specified in this Charter or may be required by the Governing Body.

Explanation: *This amendment sets forth new duties for the city manager and clarifies existing duties.*

PROPOSITION 30

SHALL ARTICLE V, SECTION 5.03 BE AMENDED TO READ AS FOLLOWS?

Section 5.03 Department Directors; Discipline; Termination.

B. **Only** ~~the~~ mayor or the city manager ~~shall~~ **may** recommend the termination of any department director to the Governing Body. A department director shall be terminated only by resolution of the Governing Body after recommendation by the mayor or the city manager. Each department director shall be an at will employee of the City, and shall be entitled to be removed with or without cause. The granting of any hearing rights in this Charter or any Personnel Ordinance regarding suspension, shall not operate to change the status of a department director from an at will employee who can be dismissed without cause.

Explanation: *Amendment is a grammatical change to existing language and makes no substantive change to existing procedure.*

PROPOSITION 31

SHALL ARTICLE V, SECTIONS 5.07 BE AMENDED TO READ AS FOLLOWS?

Section 5.07 Boards and Commissions; Advisory Bodies

G. No member of the Governing Body, nor any appointive officer or employee of the City, shall be appointed to any City board, commission or advisory body as a voting member. The mayor, all other members of the Governing Body, and the city manager or the manager's designee shall be ex-officio members of all boards, commissions and advisory bodies. **This subsection does not apply to any internal board or committee which consists solely of appointive officers or employees.**

H. Except as otherwise provided by ordinance or this city charter, members of all boards, commissions and advisory bodies shall serve at the pleasure of the Governing Body, and may be removed at any time.

Explanation: This amendment adds clarifying language to make it clear that the existing provisions do not apply to internal boards or committees that consist solely of appointive officers or employees, which may be created from time to time in order to carry out their assigned duties.

PROPOSITION 32

SHALL ARTICLE V, SECTIONS 5.09 BE AMENDED TO READ AS FOLLOWS?

~~Section 5.09 Utilities Commission.~~

~~A. The Utilities Commission of the City of Rio Rancho shall consist of seven members. The Commission shall select one of its members to act as chair of the Board. There is created a permanent Utilities Commission. The Commission shall consist of seven members.~~

~~B. One Utilities Commission member shall be appointed from each of the six council districts and each member shall reside in their respective district during their term. One member shall be a resident of the City, appointed at-large. One Utilities Commission member shall be appointed from each of the six council districts and each member shall reside in their respective district during their term. One member shall be a resident of the City, appointed at-large. City employees and employees of any contract operator are not eligible to serve on the Commission.~~

~~C. All members of the Commission shall be recommended for selection by a selection committee based upon their qualifications, knowledge and experience related to the operation of water and wastewater facilities and the effect of such operation on the community.~~

~~(1) The selection committee shall be appointed by the mayor.~~

~~(2) The selection committee shall advertise the availability of positions on the Commission in the local print media and shall post notices of openings on the Commission in those locations specified in the Open Meetings Resolution.~~

~~(3) Following interviews of prospective members, the selection committee shall recommend a list of names to the mayor who shall make appointments subject to confirmation by the Governing Body.~~

~~D. No vacancy in the office of any member of the Utilities Commission shall be caused by redistricting of City Council election districts. All members of the Utilities Commission shall be entitled to serve out their terms, unless otherwise removed pursuant to Subsection E of this section, even if redistricting causes a Utilities Commission member to reside outside the district which that Utilities Commission member represents. Removal of a utilities commissioner shall be in accordance with the following provisions:~~

~~(1) Any appointed member of the Commission who fails to attend three consecutive meetings of the Commission without good cause may be recommended for removal by the Commission. The Commission shall be the sole judge as to whether good cause is shown. If the Commission determines that good cause has not been shown, it shall recommend to the mayor that the member be removed.~~

~~(2) No member of the Commission shall be removed from office except for good and sufficient cause and by a vote of two-thirds of the membership of the Governing Body. The Governing Body shall presume good and sufficient cause exists for removal if the recommendation from the Commission is based upon non-attendance at meetings.~~

~~E. Members of the Utilities Commission may be removed at any time by resolution of the Governing Body. Upon removal, a vacancy shall be created which shall be filled as provided in this section. No vacancy on the Commission shall be caused by redistricting of City Council election districts. All members of the Commission shall be entitled to serve out their terms, unless otherwise removed pursuant to Subsection D of this section, even if redistricting causes a commissioner to reside outside the district which that commissioner was appointed to represent.~~

~~(Section 5.09 adopted at Special Election on March 5, 1996 as Proposition 6)~~

Explanation: If this charter amendment is approved, the Utilities Commission will be removed completely from the City Charter. The Utilities Commission will continue to exist through a previously adopted ordinance.

PROPOSITION 33

SHALL ARTICLE V, SECTIONS 5.09 BE AMENDED TO READ AS FOLLOWS?

~~Section 5.10 Parks and Recreation Commission.~~

~~A. The Parks and Recreation Commission shall consist of seven members. One member of the Commission shall be appointed from each of the six council districts and each member shall reside in their respective district during their term. One member shall be a resident of the City, appointed at-large.~~

~~B. Any municipally appointed member, except ex officio members of the Commission, may be removed at any time by the mayor, with the approval of a majority of the Governing Body.~~

~~C. No vacancy on the Commission shall be caused by redistricting of City Council election districts. All members of the Commission shall be entitled to serve out their terms, unless otherwise removed pursuant to Subsection B of this section, even if redistricting causes a commissioner to reside outside the district which that commissioner was appointed to represent.~~

Explanation: If this charter amendment is approved, the Parks and Recreation Commission will be removed completely from the City Charter. The Parks and Recreation will continue to exist through a previously adopted ordinance.

PROPOSITION 34

SHALL ARTICLE VII, SECTION 7.01 BE AMENDED TO READ AS FOLLOWS?

~~Section 7.01 City Elections.~~

~~E. For the conduct of City elections, for the prevention of fraud in such elections, and for such other purposes as may be determined by the Governing Body, the Governing Body may adopt ordinances consistent with this Charter. Such ordinances may include a policy concerning campaign practices, candidate expenses, contribution reports, and campaign ethics. The Governing Body by ordinance shall require photo identification for municipal elections.~~

Explanation: If approved, the Governing Body will be required to prepare and adopt an ordinance which requires voters to furnish photo identification at the time a vote is cast at the polling location.

PROPOSITION 35

SHALL ARTICLE VII, SECTION 7.03.D BE AMENDED TO READ AS FOLLOWS?

~~Section 7.03 Recall.~~

~~D. The following provisions shall govern the right of recall:~~

~~(1) A written notice to announce an intention to file a petition of recall must be submitted to the city clerk and must contain a minimum of ~~ten~~ **50** signatures with printed names and addresses of qualified electors residing in the particular council district, or within the city limits for the office of Mayor.~~

Explanation: If approved, the required number of signatures by registered voters on an intention to file a petition will increase from ten to 50.