

**DRAFT**

## **Charter Review Committee of the City of Rio Rancho 2012**

Date: September 14, 2012

To: The Honorable Mayor and Members of the Governing Body

From: The 2012 Charter Review Committee  
Members:  
Mayor At-large - Dan Foley (Vice-Chairperson)  
District 1 - Don Dulac  
District 2 - Chris Neubauer  
District 3 - Jerome Wade  
District 4 - Stephan vanHorn (Chairperson)  
District 5 - Henry Pacelli  
District 6 - Wes Basset

Re: Charter Recommendations

We, the members of the Charter Review Committee, are pleased to submit, ahead of schedule, our recommendations. You tasked us to advise on *Section 3.01 Mayor*, specifically the bulleted items below. You requested that the committee submit our recommendations by September 30<sup>th</sup>.

- Review the duties and role
- Make specific recommendations to define “full time”
- Other amendment recommendations to the Charter if necessary and/or warranted in reviewing the duties and role of the Mayor.

We are submitting the attached proposed amendments to the City of Rio Rancho Charter. These amendments to Section 3.01 contain enhanced job duties for the position of mayor. Our recommendations are based on consideration of other city charters relative to job duties as well as feedback from the current and former mayors. Areas of enhancement include economic development, legislative affairs, intergovernmental and community relations, and working with the city manager to facilitate policy implementation.

Please note that a theme throughout our discussions was acknowledgement of the role of the city manager and not infringing on the city manager’s powers. Though the mayor position is defined

as “full-time,” the city operates under the council-manager form of government. This means that day-to-day operations are managed by a professional city manager that is accountable to the entire governing body.

These amendments address the definition of “full-time” in that it is our intent to let the voters determine what full-time means when they cast their ballot for mayor. As such, we recommend that the Charter remain silent on the issue. It is anticipated that during an election campaign, mayor candidates will address the full-time issue. What matters is if the voters are comfortable with the mayor’s campaign messages about his approach to the full-time status. Furthermore, if the voters feel the mayor is not dedicating full-time to the position the mayor could be subject to recall or risk not being re-elected.

Thank you for your consideration of our recommendations.

**DRAFT**

Formatted: Font: 20 pt, Font color: Red

Formatted: Left

**ARCICLE III**  
**MAYOR AND CITY MANAGER** *Revised 3/12*

**Section 3.01 Mayor** *Revised 3/12*

A. 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.

B. The mayor shall:

- (1) Preside at meetings of the Governing Body;
  - (2) 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) Present an annual State of the City report to the City Council;
  - (10) Represent (in person or by his/her designee) the city 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.
  - (11) Represent the city during meetings of the Sandoval County Commission;
  - (12) Represent the city with other municipalities, community and neighborhood groups, and the business community;
  - (13) Facilitate the development implementation of city policies with the office of the city manager;
  - (14) Promote economic development initiatives by of the City; and
  - (15) Perform other duties and exercise such other powers as specified in this Charter, the City's ordinances and resolutions, or by the Governing Body.
- (Section 3.01.B. amended at Special Election on March 7, 2006 as Proposition 20;  
Section 3.01.B. amended at Special Election on March 6, 2012 as Proposition 27)
- C. The mayor shall be recognized as head of the City government for ceremonial purposes, for purposes of responding to civil emergencies, and by the Governor for purposes of military law