CITY of ALBUQUERQUE
TWENTY SECOND COUNCIL

COUNCIL BILL NO.   O-16-9      ENACTMENT NO.   0.2016.014

SPONSORED BY:    Don Harris

ORDINANCE

AMENDING SECTION §2-12-1 TO RESERVE 2% OF THE GENERAL
OBLIGATION BONDS OF THE CAPITAL IMPLEMENTATION PROGRAM FOR
OPEN SPACE LAND ACQUISITION.
BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
ALBUQUERQUE:

SECTION 1. FINDINGS

The Council finds that:

(A) The City of Albuquerque Open Space Program provides the public
with a variety of facilities and uses through which to enjoy the natural
environment. Albuquerque is listed as having the highest percentage of
parkland and Open Space for small cities in the United States.

(B) The economic recession has provided the City of Albuquerque with
opportunities to purchase open space at lower costs, but the City has been
unable to identify funds to purchase these lands. As land development in the
City and Bernalillo County resumes, properties identified for open space
purchase are likely to increase in value and or could be developed.

(C) Additional funding resources are required to protect the unique
natural environment in and around Albuquerque. Existing sources are not able
to provide sufficient resources to acquire Open Space in a consistent and
timely manner. Open Space has historically been acquired through the City’s
General Obligation Bond Program, a Quality of Life Quarter Cent Tax and the
Open Space Trust Fund. The Quality of Life Quarter Cent Tax for Open Space
has expired, and due to the economic downturn, the Capital Implementation
Program Bond capacity has decreased by 30%. The principal balance of the
Open Space Trust Fund has not yet reached a level necessary to generate the interest earnings to fund acquisition of open space.

(D) To have a viable Open Space Acquisition program, the City must establish a savings mechanism so that funds are available as opportunities to purchase Open Space arise. These opportunities are dependent on the individual choices of property owners and market conditions that occur independent of the City’s funding cycles.

SECTION 2. A new paragraph (O) is inserted into §2-12-1 CAPITAL IMPROVEMENTS PROGRAM INTENT SCOPE to read as follows:

“(O) Two percent of the General Obligation Bond Program shall be reserved for the acquisition of lands identified for Open Space Land and capital restoration of Open Space.

(P) The term of the CIP Set Aside for Open Space Acquisition shall be for the following General Obligation Bond Cycles, 2017, 2019, 2021, 2023, 2025, 2027, 2029, 2031, 2033 and 2035.”

SECTION 3. The City shall use quantifiable metrics for decisions on individual purchases.

SECTION 4. SEVERABILITY CLAUSE. If any section paragraph, sentence clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court or competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provisions being declared unconstitutional or otherwise invalid.

SECTION 5. COMPILATION. Section 2 of this ordinance shall be incorporated in and made part of the Revised Ordinance of Albuquerque, New Mexico, 1994.

SECTION 6. EFFECTIVE DATE. This ordinance shall take effect five days after publication by title and general summary.
PASSED AND ADOPTED THIS 6th DAY OF June, 2016
BY A VOTE OF: 7 FOR 2 AGAINST.

Against: Jones, Winter

Dan Lewis, President
City Council

APPROVED THIS 23rd DAY OF June, 2016

Bill No. O-16-9

Richard J. Berry, Mayor
City of Albuquerque

ATTEST:

Natalie Y. Howard, City Clerk