

**CITY of ALBUQUERQUE
TWENTY SECOND COUNCIL**

COUNCIL BILL NO. O-16-9 ENACTMENT NO. O.2016.014

SPONSORED BY: **Don Harris**

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

7 **SECTION 1. FINDINGS**

8 **The Council finds that:**

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

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

18 **(C) Additional funding resources are required to protect the unique**
19 **natural environment in and around Albuquerque. Existing sources are not able**
20 **to provide sufficient resources to acquire Open Space in a consistent and**
21 **timely manner. Open Space has historically been acquired through the City's**
22 **General Obligation Bond Program, a Quality of Life Quarter Cent Tax and the**
23 **Open Space Trust Fund. The Quality of Life Quarter Cent Tax for Open Space**
24 **has expired, and due to the economic downturn, the Capital Implementation**
25 **Program Bond capacity has decreased by 30%. The principal balance of the**

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1 Open Space Trust Fund has not yet reached a level necessary to generate the
2 interest earnings to fund acquisition of open space.

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

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

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

13 (P) The term of the CIP Set Aside for Open Space Acquisition shall be
14 for the following General Obligation Bond Cycles, 2017, 2019, 2021, 2023,
15 2025, 2027, 2029, 2031, 2033 and 2035."

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

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

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

27 SECTION 6. EFFECTIVE DATE. This ordinance shall take effect five days
28 after publication by title and general summary.

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1 PASSED AND ADOPTED THIS 6th DAY OF June, 2016
2 BY A VOTE OF: 7 FOR 2 AGAINST.

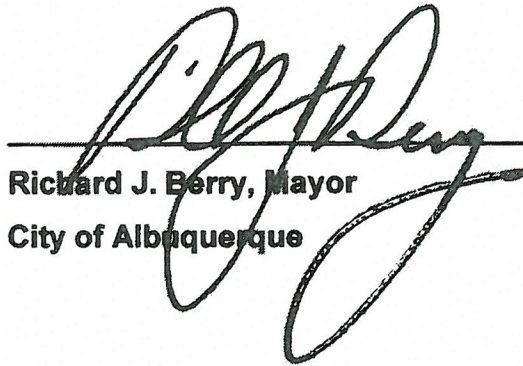
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4 Against: Jones, Winter

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8 Dan Lewis, President
9 City Council

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13 APPROVED THIS 23rd DAY OF June, 2016

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17 Bill No. O-16-9

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21 Richard J. Berry, Mayor
22 City of Albuquerque

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27 ATTEST:

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30 Natalie Y. Howard, City Clerk

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