

R-2019-056

**CITY OF ALBUQUERQUE
CITY COUNCIL**

INTEROFFICE MEMORANDUM

TO: Timothy M. Keller, Mayor

FROM: Stephanie M. Yara, Director of Council Services *SMY 0/21/19*

SUBJECT: Transmittal of Legislation

Transmitted herewith is Bill No. R-19-180 Rescinding R-19-164 And Concerning A Bond Election To Be Held In The City Of Albuquerque At The Next Regular Local Election On November 5, 2019; Submitting To A Vote Of The Qualified Electors At Such Regular Local Election Certain Questions For Authorizing The Issuance Of General Obligation Bonds In Varying Principal Amounts And For Specified Public Purposes And, Providing The Form Of The Bond Questions And The Designation Clause For Such Questions On The Ballot; Prescribing Other Details In Connection With Such Bond Election And Bonds; And Ratifying Action Previously Taken In Connection Therewith (Sanchez), which was passed at the Council meeting of August 19, 2019 by a vote of 6 FOR AND 0 AGAINST.

Excused: Borrego, Harris, Winter

In accordance with the provisions of the City Charter, your action is respectfully requested.

SMY:mh
Attachment

CITY of ALBUQUERQUE

TWENTY THIRD COUNCIL

COUNCIL BILL NO. R-19-180 ENACTMENT NO. R-2019-056

SPONSORED BY: Ken Sanchez

1 RESOLUTION
2 RESCINDING R-19-164 AND CONCERNING A BOND ELECTION TO BE HELD IN
3 THE CITY OF ALBUQUERQUE AT THE NEXT REGULAR LOCAL ELECTION ON
4 NOVEMBER 5, 2019; SUBMITTING TO A VOTE OF THE QUALIFIED ELECTORS
5 AT SUCH REGULAR LOCAL ELECTION CERTAIN QUESTIONS FOR
6 AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS IN
7 VARYING PRINCIPAL AMOUNTS AND FOR SPECIFIED PUBLIC PURPOSES
8 AND, PROVIDING THE FORM OF THE BOND QUESTIONS AND THE
9 DESIGNATION CLAUSE FOR SUCH QUESTIONS ON THE BALLOT;
10 PRESCRIBING OTHER DETAILS IN CONNECTION WITH SUCH BOND
11 ELECTION AND BONDS; AND RATIFYING ACTION PREVIOUSLY TAKEN IN
12 CONNECTION THEREWITH.

13 WHEREAS, the City Council (the "Council") of the City of Albuquerque (the
14 "City") in the County of Bernalillo and State of New Mexico, hereby determines that it
15 is necessary and in the best interests of the City and its inhabitants to issue general
16 obligation bonds in the principal amounts and for the purposes provided herein; and

17 WHEREAS, the Council has the power to submit questions of issuing general
18 obligations bonds to the qualified electorate of the City pursuant to applicable laws of
19 the State of New Mexico, the City Charter and the City's home rule power pursuant
20 to Article X, Section 6 of the New Mexico Constitution; and

21 WHEREAS, certain of the projects approved by the Council in the 2019 Capital
22 Improvements Program to be funded by the proceeds of general obligation bonds
23 have been re-grouped for the purposes of the ballot faces; and

24 WHEREAS, the Council hereby determines and declares that all of the projects
25 (the "Projects") for which the questions of issuing the City's general obligation bonds

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1 (the "Bond Election Questions") are set forth herein are or will be for public
2 purposes; and

3 **WHEREAS**, a regular local election is scheduled to be held in the City of
4 Albuquerque on Tuesday, the 5th day of November, 2019, and shall include the Bond
5 Election Questions.

6 **BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF**
7 **ALBUQUERQUE:**

8 **Section 1:** R-19-164 is hereby rescinded.

9 **Section 2:** All action, not inconsistent with the provisions of this Resolution,
10 heretofore taken by the Council and the officers of the City, directed toward the Bond
11 Election Questions and the Projects described or referred to in the Bond Election
12 Questions, including, without limiting the generality of the foregoing, the calling and
13 holding of an election to authorize the issuance of the general obligation bonds (the
14 "Bonds") to finance the Projects, be, and the same hereby is, ratified, approved and
15 confirmed. Funding for projects identified within one GO Bond purpose may be
16 reallocated to another project within the same purpose, provided that any such
17 reallocation is approved by appropriate legislation.

18 **Section 3:** At the next regular local election to be held in the City on November
19 5, 2019 (such regular local election being sometimes referred to herein as the
20 "Election"), there shall be submitted to the City's qualified electors the Bond Election
21 Questions set forth in Section 5 hereof.

22 **Section 4:** The City's qualified electors are eligible to vote on candidates,
23 questions and Bond Election Questions being submitted at the Election.

24 **Section 5:** All persons desiring to vote for any candidate or on any questions
25 being submitted at the Election must be registered to vote. Any person who is
26 otherwise qualified to vote and who is not currently registered to vote may register at
27 the office of the Bernalillo County Clerk, 6th Floor, One Civic Plaza, Albuquerque,
28 New Mexico, or at the office of any duly appointed deputy registration officer, as
29 authorized by law.

30 **Section 6:** This Resolution and the Bond Election Questions shall be
31 submitted to the Bernalillo County Clerk to conduct the Election in accordance with
32 the Local Election Act, Section 1-22-1 through -20, NMSA 1978, as amended. The
33 Bond Election Questions shall be in substantially the following form:

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1. FOR

GENERAL OBLIGATION
PUBLIC SAFETY
BONDS

AGAINST

Shall the City of Albuquerque issue \$8,590,000 of its general obligation bonds to plan, design, develop, study, construct, modernize, automate, renovate, rehabilitate, recondition, landscape, furnish, enhance and otherwise improve, and to acquire land, buildings, property, vehicles, apparatus, and equipment for, police and fire department facilities? This does not increase the City's current tax rate for General Obligation debt service based on the City's projected assessed value.

2. FOR

GENERAL OBLIGATION SENIOR,
FAMILY, COMMUNITY CENTER,
HOMELESS, AND COMMUNITY
ENHANCEMENT BONDS

AGAINST

Shall the City of Albuquerque issue \$21,705,000 of its general obligation bonds to plan, design, develop, construct, demolish, equip, reconstruct, renovate, rehabilitate, expand, repair, study, landscape, streetscape, enhance and otherwise improve, and to acquire property for, city-owned community centers including those for families, youth, senior citizens, the homeless, and for other community enhancement projects? This does not increase the City's current tax rate for General Obligation debt service based on the City's projected assessed value.

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1 3. FOR

2 GENERAL OBLIGATION

3 PARKS AND RECREATION

4 BONDS

5 AGAINST

6 Shall the City of Albuquerque issue \$16,830,000 of its general
7 obligation bonds to study, map, plan, design, develop, construct,
8 rehabilitate, renovate, expand, furnish, equip, enhance and
9 otherwise improve, and to acquire property, vehicles and
10 equipment for park and recreational facilities, including public parks
11 and facilities within those parks, swimming pools, tennis courts,
12 sports fields, other recreational facilities, open space, medians,
13 bikeways, bosque lands, and trails? This does not increase the
14 City's current tax rate for General Obligation debt service based on
15 the City's projected assessed value.

16 4. FOR

17 GENERAL OBLIGATION ENERGY AND WATER

18 CONSERVATION, PUBLIC FACILITIES, AND

19 SYSTEM MODERNIZATION BONDS

20 AGAINST

21 Shall the City of Albuquerque issue \$10,420,000 of its general
22 obligation bonds to modernize, make energy and/or water-efficient,
23 upgrade, equip, improve, acquire, plan, design, survey, develop,
24 construct, rehabilitate, renovate, expand, furnish, enhance and
25 otherwise improve, and to acquire property, vehicles and
26 equipment for, public buildings, facilities, and systems? This does
27 not increase the City's current tax rate for General Obligation debt
28 service based on the City's projected assessed value.

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1 5. FOR

2 GENERAL OBLIGATION

3 LIBRARY BONDS

4 AGAINST

5 Shall the City of Albuquerque issue \$8,765,000 of its general obligation
6 bonds to acquire property, study, plan, design, develop, construct,
7 reconstruct, renovate, rehabilitate, modernize, preserve, automate,
8 upgrade, landscape and otherwise improve, and to acquire books, media,
9 and equipment for, public libraries? This does not increase the City's
10 current tax rate for General Obligation debt service based on the City's
11 projected assessed value.

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13 6. FOR

14 GENERAL OBLIGATION

15 STREET BONDS

16 AGAINST

17 Shall the City of Albuquerque issue \$32,930,000 of its general obligation
18 bonds to study, plan, design, develop, construct, reconstruct, rehabilitate,
19 renovate, automate, modernize, sign, enhance, landscape and otherwise
20 improve, and to acquire property and equipment for municipal streets and
21 roads, interstate roadways and interchanges, medians, trails, bikeways,
22 walkways, sidewalks, railroad crossings, and bridges? This does not
23 increase the City's current tax rate for General Obligation debt service
24 based on the City's projected assessed value.

25 7. FOR

26 GENERAL OBLIGATION

27 PUBLIC TRANSPORTATION BONDS

28 AGAINST

29 Shall the City of Albuquerque issue \$3,130,000 of its general obligation
30 bonds to plan, design, develop, construct, rehabilitate, renovate, expand,
31 recondition, modernize, automate, study, furnish, enhance and otherwise
32 improve, and to acquire property, vehicles, and equipment for public
33 transportation facilities? This does not increase the City's current tax rate

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1 for General Obligation debt service based on the City's projected
2 assessed value.

3 8. FOR

4 GENERAL OBLIGATION
5 STORM SEWER SYSTEM BONDS

6 AGAINST

7 Shall the City of Albuquerque issue \$11,210,000 of its general obligation
8 bonds to plan, design, develop, construct, reconstruct, rehabilitate,
9 renovate, expand, extend, enhance, study, monitor and otherwise
10 improve, and to acquire property and equipment for the storm sewer
11 system? This does not increase the City's current tax rate for General
12 Obligation debt service based on the City's projected assessed value.

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14 9. FOR

15 GENERAL OBLIGATION MUSEUM AND
16 CULTURAL FACILITIES BONDS

17 AGAINST

18 Shall the City of Albuquerque issue \$1,790,000 of its general obligation
19 bonds to study, plan, design, develop, construct, reconstruct, rehabilitate,
20 renovate, repair, refurbish, modernize, preserve, maintain, expand,
21 enhance, landscape and otherwise improve, and to acquire artifacts,
22 exhibits, furnishings and equipment for City-owned museums and cultural
23 facilities? This does not increase the City's current tax rate for General
24 Obligation debt service based on the City's projected assessed value.

25 10. FOR

26 GENERAL OBLIGATION
27 AFFORDABLE HOUSING BONDS

28 AGAINST

29 Shall the City of Albuquerque issue \$5,050,000 of its general obligation
30 bonds in support of the Workforce Housing Act to provide resources for
31 the construction and rehabilitation of high quality, permanently affordable
32 housing for low to moderate income working families, including affordable
33 senior rental? This does not increase the City's current tax rate for

1 General Obligation debt service based on the City's projected assessed
2 value.

3 11. FOR

4 GENERAL OBLIGATION METROPOLITAN
5 REDEVELOPMENT BONDS

6 AGAINST

7 Shall the City of Albuquerque issue \$8,080,000 of its general obligation
8 bonds to plan, design, study, construct, develop, demolish, reconstruct,
9 rehabilitate, renovate, modernize, preserve, secure, expand, equip,
10 landscape, streetscape, repair, enhance, acquire or otherwise improve
11 non-right of way and right of way land, property, facilities or infrastructure
12 owned by the City of Albuquerque for Metropolitan Redevelopment
13 Projects within adopted Metropolitan Redevelopment Areas in order to
14 implement the objectives of the New Mexico Metropolitan Redevelopment
15 Code? This does not increase the City's current tax rate for General
16 Obligation debt service based on the City's projected assessed value.
17

18 **Section 7:** The election on the Bond Election Questions shall be held and
19 conducted in accordance with the Election Code and the Bond Election Act.

20 **Section 8:** The Bond Election Resolution shall be published in the English and
21 Spanish languages at least once a week for four consecutive weeks by four
22 insertions, the first insertion being published between fifty (50) and sixty (60) days
23 before the day of the Election in a newspaper or newspapers which are of general
24 circulation in the City and which otherwise qualify as legal newspapers in the City.

25 **Section 9:** For further information concerning this election, consult the Office
26 of the County Clerk, 6th Floor, One Civic Plaza, Albuquerque, New Mexico.

27 **Section 10:** The officers of the City be and they hereby are authorized and
28 directed to take all action necessary or appropriate to effectuate the provisions of
29 this Resolution.

30 **Section 11:** If any section, paragraph, clause, or provision of this Resolution
31 shall for any reason be held to be invalid or unenforceable, the invalidity or
32 unenforceability of such section, paragraph, clause or provisions shall not affect any
33 of the remaining provisions of this Resolution. The Council hereby declares that it

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1 would have passed this resolution and each section, paragraph, sentence, clause,
2 word, or phrase thereof irrespective of any provision being declared unconstitutional
3 or otherwise invalid.

4 **Section 12:** All resolutions and ordinances, or parts thereof, inconsistent
5 herewith are hereby repealed to the extent only of such inconsistency. This repealer
6 shall not be construed to revive any resolution or ordinance, or parts thereof,
7 heretofore repealed.

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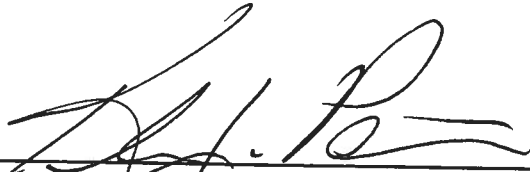
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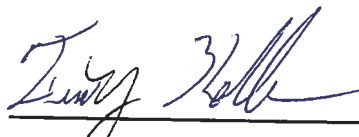
1 PASSED AND ADOPTED THIS 19th DAY OF August, 2019
2 BY A VOTE OF: 6 FOR 0 AGAINST.

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4 Excused: Borrego, Harris, Winter

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10 Klarissa J. Peña, President
11 City Council

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14 APPROVED THIS 22 DAY OF August, 2019

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18 Bill No. R-19-180

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24 Timothy M. Keller, Mayor
25 City of Albuquerque

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27 ATTEST:

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30 Katy Duhigg, City Clerk

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