CITY of ALBUQUERQUE
TWENTY FOURTH COUNCIL

COUNCIL BILL NO. R-21-169 **ENACTMENT NO.** R-2021-044

SPONSORED BY: **Brook Bassan, by request**

RESOLUTION

CONCERNING A BOND ELECTION TO BE HELD IN THE CITY OF ALBUQUERQUE AT THE NEXT REGULAR LOCAL ELECTION ON NOVEMBER 2, 2021; 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.

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

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

WHEREAS, certain of the projects approved by the Council in the 2021 Capital Improvements Program to be funded by the proceeds of general obligation bonds have been re-grouped for the purposes of the ballot faces; and

WHEREAS, the Council hereby determines and declares that all of the projects (the "Projects") for which the questions of issuing the City's general obligation bonds (the "Bond Election Questions") are set forth herein are or will be for public purposes; and

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WHEREAS, a regular local election is scheduled to be held in the City of Albuquerque on Tuesday, the 2nd day of November, 2021, and shall include the Bond Election Questions.

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

Section 1: All action, not inconsistent with the provisions of this Resolution, heretofore taken by the Council and the officers of the City, directed toward the Bond Election Questions and the Projects described or referred to in the Bond Election Questions, including, without limiting the generality of the foregoing, the calling and holding of an election to authorize the issuance of the general obligation bonds (the "Bonds") to finance the Projects, be, and the same hereby is, ratified, approved and confirmed. Funding for projects identified within one GO Bond purpose may be reallocated to another project within the same purpose, provided that any such reallocation is approved by appropriate legislation.

Section 2: At the next regular local election to be held in the City on November 2, 2021 (such regular local election being sometimes referred to herein as the "Election"), there shall be submitted to the City's qualified electors the Bond Election Questions set forth in Section 5 hereof.

Section 3: The City's qualified electors are eligible to vote on candidates, questions and Bond Election Questions being submitted at the Election.

Section 4: All persons desiring to vote for any candidate or on any questions being submitted at the Election must be registered to vote. Any person who is otherwise qualified to vote and who is not currently registered to vote may register at the office of the Bernalillo County Clerk, 6th Floor, One Civic Plaza, Albuquerque, New Mexico, or at the office of any duly appointed deputy registration officer, as authorized by law.

Section 5: This Resolution and the Bond Election Questions shall be submitted to the Bernalillo County Clerk to conduct the Election in accordance with the Local Election Act, Section 1-22-1 through -20, NMSA 1978, as amended. The Bond Election Questions shall be in substantially the following form:

1. FOR

GENERAL OBLIGATION

PUBLIC SAFETY

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BONDS

AGAINST

Shall the City of Albuquerque issue $24,796,000 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, fire, and community safety department facilities?

2. FOR

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

AGAINST

Shall the City of Albuquerque issue $28,410,000 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, homeless, and for other community enhancement projects?

3. FOR

GENERAL OBLIGATION
PARKS AND RECREATION
BONDS

AGAINST

Shall the City of Albuquerque issue $27,265,000 of its general obligation bonds to study, map, plan, design, develop, construct, rehabilitate, renovate, expand, furnish, equip, enhance and otherwise improve, and to acquire property, vehicles and equipment for park and recreational facilities, including public parks and facilities within those parks, swimming pools, tennis courts, sports fields, other

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recreational facilities, open space, medians, bikeways, bosque lands, and trails?

4. FOR

GENERAL OBLIGATION ENERGY AND WATER CONSERVATION, PUBLIC FACILITIES, AND SYSTEM MODERNIZATION BONDS

AGAINST

Shall the City of Albuquerque issue $15,950,000 of its general obligation bonds to modernize, make energy and/or water-efficient, upgrade, equip, improve, acquire, plan, design, survey, develop, construct, rehabilitate, renovate, expand, furnish, enhance and otherwise improve, and to acquire property, vehicles and equipment for, public buildings, facilities, and systems?

5. FOR

GENERAL OBLIGATION LIBRARY BONDS

AGAINST

Shall the City of Albuquerque issue $4,157,000 of its general obligation bonds to acquire property, study, plan, design, develop, construct, reconstruct, renovate, rehabilitate, modernize, preserve, automate, upgrade, landscape and otherwise improve, and to acquire books, media, and equipment for, public libraries?

6. FOR

GENERAL OBLIGATION STREET BONDS

AGAINST

Shall the City of Albuquerque issue $21,816,000 of its general obligation bonds to study, plan, design, develop, construct, reconstruct, rehabilitate, renovate, automate, modernize, sign, enhance, landscape and otherwise improve, and to acquire property and equipment for municipal streets and roads, interstate roadways and interchanges, medians, trails, bikeways, walkways, sidewalks, railroad crossings, and bridges?

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GENERAL OBLIGATION

PUBLIC TRANSPORTATION BONDS

AGAINST

Shall the City of Albuquerque issue $1,111,000 of its general obligation bonds to plan, design, develop, construct, rehabilitate, renovate, expand, recondition, modernize, automate, study, furnish, enhance and otherwise improve, and to acquire property, vehicles, and equipment for public transportation facilities?

8. FOR

GENERAL OBLIGATION

STORM SEWER SYSTEM BONDS

AGAINST

Shall the City of Albuquerque issue $4,651,000 of its general obligation bonds to plan, design, develop, construct, reconstruct, rehabilitate, renovate, expand, extend, enhance, study, monitor and otherwise improve, and to acquire property and equipment for the storm sewer system?

9. FOR

GENERAL OBLIGATION MUSEUM AND

CULTURAL FACILITIES BONDS

AGAINST

Shall the City of Albuquerque issue $3,966,000 of its general obligation bonds to study, plan, design, develop, construct, reconstruct, rehabilitate, renovate, repair, refurbish, modernize, preserve, maintain, expand, enhance, landscape and otherwise improve, and to acquire artifacts, exhibits, furnishings and equipment for City-owned museums and cultural facilities?

10. FOR

GENERAL OBLIGATION

AFFORDABLE HOUSING BONDS

AGAINST

Shall the City of Albuquerque issue $3,333,000 of its general obligation bonds in support of the Workforce Housing Act to provide resources for the construction and rehabilitation of high quality, permanently affordable

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housing for low to moderate income working families, including affordable senior rental?

11. FOR

GENERAL OBLIGATION METROPOLITAN REDEVELOPMENT BONDS

AGAINST

Shall the City of Albuquerque issue $4,545,000 of its general obligation bonds to plan, design, study, construct, develop, demolish, reconstruct, rehabilitate, renovate, modernize, preserve, secure, expand, equip, landscape, streetscape, repair, enhance, acquire or otherwise improve non-right of way and right of way land, property, facilities or infrastructure owned by the City of Albuquerque for Metropolitan Redevelopment Projects within adopted Metropolitan Redevelopment Areas in order to implement the objectives of the New Mexico Metropolitan Redevelopment Code?

Section 6: The election on the Bond Election Questions shall be held and conducted in accordance with the Election Code and the Bond Election Act.

Section 7: The Bond Election Resolution shall be published in the English and Spanish languages at least once a week for four consecutive weeks by four insertions, the first insertion being published between fifty (50) and sixty (60) days before the day of the Election in a newspaper or newspapers which are of general circulation in the City and which otherwise qualify as legal newspapers in the City. **Section 8:** For further information concerning this election, consult the Office of the County Clerk, 6th Floor, One Civic Plaza, Albuquerque, New Mexico.

Section 9: The officers of the City be and they hereby are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 10: If any section, paragraph, clause, or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provisions shall not affect any of the remaining provisions of this Resolution. The Council hereby declares that it would have passed this resolution and each section, paragraph, sentence, clause, word, or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

Section 11: All resolutions and ordinances, or parts thereof, inconsistent

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herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution or ordinance, or parts thereof, heretofore repealed.

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PASSED AND ADOPTED THIS 21st DAY OF June, 2021
BY A VOTE OF: 8 FOR 0 AGAINST.

Excused: Harris

Cynthia D. Borrego, President
City Council

APPROVED THIS 29 DAY OF June, 2021

Bill No. R-21-169

Timothy M. Keller, Mayor
City of Albuquerque

ATTEST:

Ethan Watson, City Clerk

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