

O-2016-014

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**CITY OF ALBUQUERQUE  
CITY COUNCIL**

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**INTEROFFICE MEMORANDUM**

**TO:** Richard J. Berry, Mayor

**FROM:** Jon K. Zaman, Director of Council Services

*Jon 6/14/16*

**SUBJECT:** Transmittal of Legislation

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Transmitted herewith is Bill No. O-16-9 Amending Section §2-12-1 To Reserve 2% Of The General Obligation Bonds Of The Capital Implementation Program For Open Space Land Acquisition (Harris), which was passed at the Council meeting of June 6, 2016, by a vote of 7 FOR AND 2 AGAINST.

**Against:** Jones, Winter

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

JKZ:mh  
Attachment

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ALBUQUERQUE CITY CLERK

2016 JUN 23 PM 4:40

# 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.

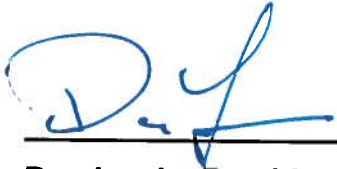
24 SECTION 5. COMPILATION. Section 2 of this ordinance shall be  
25 incorporated in and made part of the Revised Ordinance of Albuquerque, New  
26 Mexico, 1994.

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 6<sup>th</sup> DAY OF June, 2016  
2 BY A VOTE OF: 7 FOR 2 AGAINST.

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4 **Against: Jones, Winter**

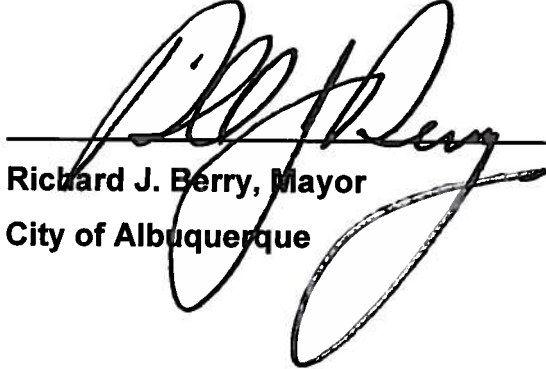
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8 **Dan Lewis, President**  
9 **City Council**

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13 APPROVED THIS 23<sup>rd</sup> DAY OF June, 2016

17 **Bill No. O-16-9**

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22 **Richard J. Berry, Mayor**  
23 **City of Albuquerque**

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27 **ATTEST:**

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30 **Natalie Y. Howard, City Clerk**

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