

O-2016-015

**CITY OF ALBUQUERQUE
CITY COUNCIL**

INTEROFFICE MEMORANDUM

TO: Richard J. Berry, Mayor

FROM: Jon K. Zaman, Director of Council Services

Jon 6/28/16

SUBJECT: Transmittal of Legislation

Transmitted herewith is Bill No. F/S O-15-2 Amending The Balloon Fiesta Park Commission Ordinance, Chapter 10, Article 10 Of The Revised Ordinances Of Albuquerque (Jones), which was passed at the Council meeting of June 20, 2016, by a vote of 9 FOR AND 0 AGAINST.

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

JKZ:mh
Attachment

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1 (4) One person representing the broader recreation interests of the
2 community and the Metropolitan Parks and Recreation Advisory Board;

3 (5) One person representing the Pueblo of Sandia;

4 (6) Two at-large positions to be filled by persons residing in other
5 areas of the city, in particular, one person from the west side of the City and
6 the other person from the east side of the City. Notwithstanding the language
7 of subparagraph (A) above, these at large positions do not require a
8 recommendation by any particular entity prior to being filled by the Council;
9 and

10 (7) One representative recommended by the Albuquerque AMA Club
11 Chapter.

12 (B) The following are voting members appointed by the Mayor with the
13 advice and consent of the City Council:

14 (1) One person representing local businesses located near the park;

15 (2) One person representing the Albuquerque Convention and
16 Visitors Bureau.

17 (C) The following are non-voting, ex-officio members:

18 (1) The Director of the Parks and Recreation Department, or designee;
19 and

20 (2) A City employee designated by the Mayor to represent public
21 safety issues;

22 (3) A city employee designated by the Mayor to represent the
23 Anderson-Abruzzo Albuquerque International Balloon Museum.

24 **§ 10-10-5 DUTIES AND POWERS OF THE COMMISSION.**

25 The Commission is hereby created to advise and make recommendations
26 on the operation, management, and development of the park with the following
27 duties and powers:

28 (A) Recommend to the Parks and Recreation Department, the Mayor and
29 City Council guidelines and procedures governing the operation,
30 management, and development of the park, including event review and
31 appropriate fee schedules.

32 (B) Review and recommend with respect to the approval or denial of
33 agreements with short term park tenants. Short term park tenants shall be

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1 approved by the Parks and Recreation Department under guidelines and
2 procedures adopted by City Council resolution.

3 (C) Review and recommend with respect to the approval or denial of
4 agreements with long term park tenants. Long term park tenancies shall not
5 be in effect until approved by the City Council.

6 (D) Review all existing licensure agreements, lease agreements, and
7 similar agreements and make recommendations to the Parks and Recreation
8 Department, Mayor and City Council with respect to the status and
9 continuation of those agreements.

10 (E) Review and recommend to the Parks and Recreation Department, the
11 Mayor and City Council regarding the yearly operating budget and city's
12 general obligation bond program.

13 (F) Receive actual timely notice of all proposed planning and
14 development actions within the park, including but not limited to: any
15 permanent changes to the physical layout of the park; any construction within
16 the park, any changes to the Site Development Plan and any application for
17 any such changes. The Commission has the right to participate in, review and
18 have its position given full consideration with respect to any planning and
19 development actions related to the park. The Commission shall have standing
20 in front of all city boards or commissions authorized to consider or review
21 such actions, and in front of the City Council for any appeal or other
22 consideration of such actions.

23 (G) Recommend sponsorships for the park and park events.

24 (H) Work collaboratively with other organizations to market the park.

25 (I) Such other powers not inconsistent with law that are necessary to
26 fully perform the assigned duties.”

27 SECTION 2. Section 10-10-7 of the Balloon Fiesta Park Commission
28 Ordinance is amended as follows:

29 “§ 10-10-7 ESTABLISHING THE BALLOON FIESTA PARK STAFF LIAISON.

30 (A) The Balloon Fiesta park staff liaison shall be a Parks and Recreation
31 Department employee designated as the liaison between the Commission and
32 various city departments, including but not limited to city departments

1 responsible for the capital improvements of the park, the Anderson-Abruzzo
2 Albuquerque International Museum and the landfills in the park.

3 (B) The Balloon Fiesta park liaison shall attend the regular Commission
4 meetings to report on activities and deal with matters within the Commission's
5 authority.”

6 SECTION 3. COMPILATION. The amendments set forth in Sections 1
7 and 2 above shall amend, be incorporated in and made part of the Revised
8 Ordinances of Albuquerque, New Mexico, 1994.

9 SECTION 4. COMPLETION OF TERMS FOR EXISTING MEMBERS.

10 A. The members of the Balloon Fiesta Park Commission seated at the time
11 this amendment becomes effective are permitted to remain seated for the
12 timeframes described below, pursuant to the following staggered schedule:

13 1. Members to be replaced after one year. The following members shall be
14 replaced after the expiration of one year from the date of enactment:

15 a. The representative from the Board of Directors of the Albuquerque
16 International Balloon Fiesta who has been serving longest;

17 b. The representative from the Wildflower Neighborhood Association;

18 c. The person representing the broader recreation interests of the
19 community and the Metropolitan Parks and Recreation Advisory Board; and

20 d. The person who has been serving the longest in the at-large
21 position, filled by persons residing in other areas of the city, in particular, one
22 person from the west side of the city and the other person from the east side
23 of the city.

24 2. Members to be replaced after two years. The following members shall
25 be replaced after the expiration of two years from the date of enactment:

26 a. The representatives from the Board of Directors of the Albuquerque
27 International Balloon Fiesta who was not replaced pursuant to subsection
28 (A)(1)(a) above;

29 b. The representative from the Alameda North Valley Association;

30 c. The person representing local businesses located near the park;

31 d. The person representing the Albuquerque Convention and Visitors
32 Bureau; and

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1 e. The at-large position, filled by persons residing in other areas of the
2 city, in particular, one person from the west side of the city and the other
3 person from the east side of the city, who was not replaced pursuant to
4 subsection (A)(1)(d) above.

5 B. After the expiration of the timeframes describe in subsection 'A'
6 above, new members will be appointed to fill the newly vacant positions, and
7 those members being replaced may be reappointed only after sitting out for at
8 least one term.

9 SECTION 5. SEVERABILITY CLAUSE. If any section, paragraph,
10 sentence, clause, word or phrase of this ordinance is for any reason held to be
11 invalid or unenforceable by any court of competent jurisdiction, such decision
12 shall not affect the validity of the remaining provisions of this ordinance. The
13 Council hereby declares that it would have passed this ordinance and each
14 section, paragraph, sentence, clause, word or phrase thereof irrespective of
15 any provisions being declared unconstitutional or otherwise invalid.

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

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1 PASSED AND ADOPTED THIS 20th DAY OF June, 2016
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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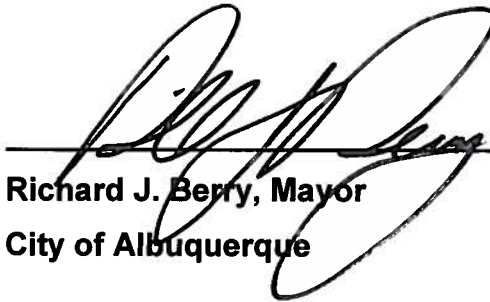


Dan Lewis, President
City Council

12 APPROVED THIS 6th DAY OF July, 2016

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17 Bill No. F/S O-15-2



Richard J. Berry, Mayor
City of Albuquerque

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26 ATTEST:



Natalie Y. Howard, City Clerk

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