

CITY of ALBUQUERQUE

TWENTIETH COUNCIL

COUNCIL BILL NO. O-13-56 ENACTMENT NO. _____

SPONSORED BY: Ken Sanchez and Brad Winter

1 **ORDINANCE**

2 **AMENDING CHAPTER 10, ARTICLE 4, PART 5, ROA 1994, REGARDING THE**
3 **ANDERSON/ABRUZZO INTERNATIONAL BALLOON MUSEUM BOARD OF**
4 **TRUSTEES.**

5 **BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF**
6 **ALBUQUERQUE:**

7 **Section 1. Chapter 10, Article 4, Part 5, ROA 1994 is amended to read as**
8 **follows:**

9 **“PART 5: ANDERSON-ABRUZZO ALBUQUERQUE INTERNATIONAL**
10 **BALLOON MUSEUM**

11 **§ 10-4-5-1 BOARD OF TRUSTEES.**

12 **There is created an Anderson-Abruzzo Albuquerque International Balloon**
13 **Museum Board of Trustees (hereafter, Board of Trustees) which shall be**
14 **constituted and shall serve as follows:**

15 **(A) *Members.* The Board of Trustees shall consist of 13 members and**
16 **three non-voting advisory members:**

17 **(1) Three designees of the Anderson-Abruzzo International Balloon**
18 **Museum Foundation, Inc. (hereafter, the Foundation) whose activities will**
19 **assist in support of the Museum's overall mission and day-to-day operations,**
20 **who are selected by the Mayor with the advice and consent of the Council**
21 **from a list submitted by the Foundation. The final selection shall include at**
22 **least one member of the Foundation's Board of Directors;**

23 **(2) The Director of the New Mexico Department of Cultural Affairs or**
24 **his/her designee;**

25 **(3) Seven members from the public at-large appointed by the Mayor with**
26 **the advice and consent of the Council;**

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1 (4) One designee representing the Maxie Anderson family to be
2 recommended by the descendants of Maxie Anderson and appointed by the
3 Mayor with the advice and consent of the Council;

4 (5) One designee representing the Ben Abruzzo family to be
5 recommended by the descendants of Ben Abruzzo and appointed by the
6 Mayor with the advice and consent of the Council; and

7 (6) Three non-voting advisory members selected by a majority of the
8 Board of Trustees to advise the Board as necessary.

9 (B) *Terms.* The terms of the Foundation designees and at-large members
10 shall be three years, and those members may not serve more than two terms
11 consecutively. The designee for the Anderson family and the designee for the
12 Abruzzo family may each serve until a different representative is selected to
13 replace him/her as set forth in Section A herein. The family designees and the
14 Director of the New Mexico Department of Cultural Affairs shall not be subject
15 to limits on length and duration of terms. Non-voting advisory members shall
16 serve at the pleasure of the Board.

17 (C) *Residency.* The members of the Board of Trustees need not be
18 residents of the city, provided, however, all at-large members shall be
19 residents of the Albuquerque Metropolitan Statistical Area (MSA), which
20 includes Bernalillo, Sandoval, Valencia and Tarrant counties. Non-voting,
21 advisory members may reside outside the Albuquerque MSA, and may be
22 international residents.

23 (D) *Officers.* The Board of Trustees shall elect a Chairperson, a Vice-
24 Chairperson and such other officers as the Board deems appropriate to carry
25 out its duties.

26 (E) *Bylaws.* The Board of Trustees shall adopt such bylaws as may be
27 necessary to conduct elections, provide notice of meetings and otherwise
28 govern its proceedings.

29 (F) *Meetings.* The Board of Trustees shall meet no less frequently than
30 six times each year.

31 (G) *Executive Committee.* The Board of Trustees may, by duly adopted
32 resolution, delegate to an executive committee specific authority to act
33 between regular board meetings.

1 (H) ***Powers and Duties.*** The Board of Trustees shall have the following
2 powers and duties:

3 (1) To refine the mission, purpose and goals of the Anderson-Abruzzo
4 Albuquerque International Balloon Museum hereafter, the Museum and set the
5 policies pursuant to which these shall be accomplished, where policies are
6 defined to mean broad operational guidelines, within which programmatic and
7 administrative decisions may be made and implemented in accordance with
8 accepted city administrative procedures;

9 (2) To review and recommend the budget proposal to be submitted to the
10 Mayor;

11 (3) To review and recommend an annual fee schedule for renting the
12 facilities in the Museum;

13 (4) To review and recommend the Museum's programming as
14 recommended by the Museum Manager;

15 (5) To review and recommend guidelines and procedures for selecting
16 the resident tenants and concessionaires of the Museum and for allocating the
17 facilities of the Museum to all other potential users;

18 (6) To review, recommend and acknowledge the form of recognition in
19 the Museum for donors to the Museum Endowment;

20 (7) To review and recommend design and construction projects for the
21 Museum; and

22 (8) To prepare and submit an annual report of its activities to the Mayor
23 and the City Council.

24 § 10-4-5-2 MUSEUM MANAGER.

25 (A) ***Selection.*** The Museum Manager shall be selected by the Mayor.

26 (B) ***Budget.*** The Museum Manager shall prepare the recommended
27 annual budget for the operation of the Museum.”

28 Section 2. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
29 clause, word or phrase of this ordinance is for any reason held to be invalid or
30 unenforceable by any court of competent jurisdiction, such decision shall not
31 affect the validity of the remaining provisions of this ordinance. The Council
32 hereby declares that it would have passed this ordinance and each section,

1 paragraph, sentence, clause, word or phrase thereof irrespective of any
2 provision being declared unconstitutional or otherwise invalid.

3 Section 3. COMPILATION. This ordinance shall be incorporated in and
4 made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

5 Section 4. EFFECTIVE DATE. This ordinance shall take effect five days
6 after publication by title and general summary.

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