

CITY of ALBUQUERQUE

TWENTY SEVENTH COUNCIL

COUNCIL BILL NO. R-26-3 ENACTMENT NO. _____

SPONSORED BY: Klarissa J. Peña

1 RESOLUTION
2 AMENDING THE CITY OF ALBUQUERQUE COMPONENT CAPITAL
3 IMPLEMENTATION PROGRAM TO INCLUDE A STORM DRAIN FACILITIES
4 IMPROVEMENT PROJECT, BACKBONE SUBDIVISION.

5 WHEREAS, Chapter 5 Article 8 Section 3 the “Development Fees Act” of
6 the New Mexico Annotated Code authorizes local governments to adopt
7 impact fee ordinances to collect impact fees based on land use assumptions
8 and capital improvement plans. The fees are collected from private
9 development projects to fund community infrastructure from which a project
10 will benefit; and

11 WHEREAS, Chapter 5 Article 8 Section 4 of the State Code requires the
12 assignment of impact fees only to capital improvements or facility expansions
13 identified in a capital improvements plan; and

14 WHEREAS, Chapter 5 Article 8 Section 30 of the Development Fees Act
15 authorizes local governments to periodically update the land use assumptions
16 and capital improvement plans; and

17 WHEREAS, the City Council adopted § 14-19 ROA 1995, the Impact Fee
18 Ordinance with the following findings:

19 1. The City is committed to funding the provision of capital facilities
20 necessary to cure infrastructure deficiencies that exist in developed areas of
21 the City.

22 2. An impact fee study commissioned by the City Council to develop
23 land use assumptions and guide the establishment of impact fees determined
24 that new development would continue and will place increasing demands on
25 the City to provide additional capital improvements.

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1 3. Impact fees provide a reasonable method of assessing a new
2 development for a portion of the costs for new capital facilities and
3 improvements to existing facilities that in accordance with applicable law are
4 rationally related to the new development and are growth related projects.

5 WHEREAS, § 14-19-7(B) ROA 1994, adopts land use assumptions
6 presented in the September 13, 2012, Impact Fee Study that are:

- 7 1. Applicable throughout the full impact fee service areas.
- 8 2. Consistent with the principles set forth in § 14-13-2-3 ROA 1994
- 9 “The Planned Growth Strategy Ordinance”.

10 3. Derived from calculations created from databases developed by
11 the Mid Region Council of Governments that reports trends within the City of
12 Albuquerque for population and employment growth and estimates for
13 building square footage for single family and multi-family housing and non-
14 residential structures.

15 WHEREAS, the City to comply with the New Mexico Development Impact
16 Fees Act has adopted, § 14-19-8(D) ROA 1994 the Component Capital
17 Improvements Plan (CCIP) for impact fees as part of the Capital
18 Implementation Program-Decade Plan; and

19 WHEREAS, § 14-19-13 ROA 1994 adopts recommendations and the impact
20 fee schedule established through the September 13, 2012, Impact Fee Study
21 that:

- 22 1. Establishes a consumption-based impact fee system where storm
23 drain impact fees are founded on an average cost for providing new storm
24 drain capacity and improving existing facilities.
- 25 2. Derives the impact fee schedule for a storm drain projects eligible to
26 receive impact fees using an average cost model; a model type that can be
27 amended without affecting the basis for the impact fee calculation.

28 WHEREAS, § 14-19-3 ROA 1994 provides that projects identified in the
29 Capital Component Improvement Plan are restricted to those that support
30 growth; and

31 WHEREAS, the Albuquerque City Engineer has determined that
32 constructing the storm drain system in the Backbone Subdivision in
33 Southwest Albuquerque, is a growth-related project. The storm drain is

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1 required to provide adequate capacity for the additional stormwater discharge
2 that will be generated by the development of the Backbone single-family
3 residential subdivision located in Southwest Albuquerque. The project fulfills
4 the intent of the Impact Fee Ordinance and therefore should be included as a
5 Storm Drain Facilities Project in the Component Capital Improvement Plan;
6 and

7 WHEREAS, Titan Land Development, the developer of the Backbone
8 residential subdivision, provided an engineering cost estimate to construct
9 the storm drain of \$3,749,557.98 and is requesting impact fee credits of
10 \$2,962,150.80; and

11 WHEREAS, the Impact Fee Coordinator for the City of Albuquerque
12 Planning Department verified that the request complies with the provisions set
13 forth in the State of New Mexico Impact Fee Act and the City of Albuquerque
14 Impact Fee Ordinance and has approved the application for impact fee credits.

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

17 Section 1. The City Council accepts an engineering cost study
18 (Attachment 1 to this Resolution), for the purposes of approving impact fee
19 credits for a storm drain improvement project in the Backbone Residential
20 Subdivision as approved by the Impact Fee Administrator of the City of
21 Albuquerque via written communication to the City Council Services
22 Department January 21, 2026 (Attachment 2 to this Resolution).

23 Section 2. The following new project is included on the list of Storm Drain
24 Facilities Projects in the Component Capital Implementation Plan.

25 Project Description

26 Storm Improvements Backbone Residential Subdivision Southwest
27 Albuquerque.

28 Project Cost Estimate

29 \$3,749,557.98

30 Impact Fee Request

31 \$2,962,150.80

1 **Section 3. The City Council adopts Attachment 3 to this Resolution as the**
2 **Updated Component Capital Improvements Plan (CCIP) for Storm Drain**
3 **Facilities for the period 2012-2025.**

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