CITY of ALBUQUERQUE TWENTY SIXTH COUNCIL

COUNCIL BILL NO. O-24-68 ENACTMENT NO.				
SPONSORED BY: Renée Grout				
	1	ORDINANCE		
	2	AMENDING THE METROPOLITAN REDEVELOPMENT AGENCY ORDINANCE		
	3	RELATED TO CITY REQUIREMENTS FOR TAX INCREMENT FINANCING.		
	4	WHEREAS, local governments are permitted to capture tax increment in		
	5	established Metropolitan Redevelopment Areas ("MRA") pursuant to the		
	6	Metropolitan Redevelopment Code, NMSA 1978, Sections 3-60A-1 et seq.; and		
	7	WHEREAS, local governments are permitted to use the Tax Increment		
	8	Financing generated within an MRA consistent with the adopted Metropolitan		
	9	Redevelopment Plan for the MRA; and		
_	10	WHEREAS, the successful implementation of Tax Increment Financing		
w tior	11 12	requires clear governance structures to ensure accountability, equitable		
· Ne Jele	12	decision-making, and alignment with the goals of the Metropolitan		
Ξὶ '	13	Redevelopment Plan; and		
rscored Materia rough Material	14	WHEREAS, transparency in the use of TIF funds fosters public trust and		
M M	15	ensures that stakeholders are informed about the allocation and outcomes of		
orec ah	16	tax increment revenues; and		
SISC FOU		WHEREAS, establishing measurable performance standards within TIF		
d/Unde	18	districts enables the City to evaluate progress effectively and adjust strategies		
	19	to achieve redevelopment goals; and		
<u>Bracketec</u> Bracketed/S	20	WHEREAS, the proposed amendments align with the City of Albuquerque's		
Bracketed acketed/S	21	commitment to revitalizing underutilized areas and supporting economic		
3) Bra	22	growth; and		
	23	WHEREAS, enhancing the strategic planning of TIF districts contributes to		
	24	the stability and growth of the City's tax base, ensuring redevelopment efforts		
	25	that align with long-term community goals and economic priorities.		

	BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
2	ALBUQUERQUE:
3	SECTION 1. ROA 1994, Section 14-8-4-7(D), Activities to be Undertaken
4	Pursuant to Statutory Authority, of the Metropolitan Redevelopment Agency
5	Ordinance is hereby amended as follows:
6	(D) With respect to tax increment financing carried out by the Metropolitan
7	Redevelopment Agency, the provisions of the State Tax Increment Law, NMSA
8	1978, Sections 3-60A-19 through 3-60A-24 [and ROA 1994, Sections 14-8-4-10
9	through 14-8-4-11] shall apply.
10	SECTION 2. A new Section 10 is hereby created in Chapter 14, Article 8,
11	Part 4 of the Metropolitan Redevelopment Agency Ordinance as follows:
12	§14-8-4-10 TAX INCREMENT FINANCING GUIDELINES
13	The provisions of this section apply for the purpose of establishing
14	and administering Tax Increment Financing ("TIF") within the geographic
15	boundaries of a metropolitan redevelopment area as follows:
16	(A) Tax Increment Financing may be initiated if a Metropolitan
17	Redevelopment Plan is no more than five years old from the date of the
18	metropolitan redevelopment plan adoption or a substantive amendment.
19	(B) Tax Increment Financing Action and Funding Plan
20	(1) The Metropolitan Redevelopment Agency shall prepare a Tax
21	Increment Financing Action and Funding Plan ("TIF Plan"). The
22	TIF Plan shall include the following elements:
23	a. A map clearly depicting the geographical boundaries of
24	the TIF district.
25	b. A map identifying areas of focus within the TIF district.
26	c. Clearly defined performance metrics to measure the
27	effectiveness and progress of the TIF district based on the
28	goals of the Metropolitan Redevelopment Plan.
29	d. A description of all proposed action items, including
30	public and private improvements, grant programs, or
31	other incentive programs, along with their estimated TIF
32	revenue contribution.

	1	e. A clear explanation of which performance metric each
	2	action item supports or aims to achieve.
	3	f. The base values for property tax and gross receipts tax.
	4	g. Identification of participating governmental units,
	5	including the percentage of increment requested and the
	6	duration of participation.
	7	h. A five-year projected budget outlining anticipated
	8	revenues and expenditures.
	9	i. An accounting of deposits into the TIF fund over the
	10	previous five years, detailing increments received, and
	11	adjustments made.
	12	j. The date marking the inception of the TIF district
	13	implementation clock and the expected date of
	14	dissolution.
	15	(2) The TIF Plan shall be updated every five years until the tax
_	16	increment financing district is dissolved. Updates shall be
- New Deletion	17	reviewed and recommended by the TIF District Board and
- New Deletic	18	approved via resolution of the City Council.
rial] al	19	(3) No TIF reinvestment activities shall commence prior the City
d Materia Material]	20	Council's approval of the TIF Plan.
ed N	~ .	(C) Governance and Oversight
[Bracketed/Underscored Material] - racketed/Strikethrough Material] -	22	(1) The City Council shall retain redevelopment project powers for:
oder ethr	23	a. Projects and programs receiving \$3,000,000 or more in TIF
	24	revenue contributions for the duration of the 20 years.
cete(25	b. Establishing and amending the geographic boundaries for
<u>[Bracketed/Under</u> Bracketed/Striketh	26	Tax Increment Financing.
의 한	27	c. Approving the TIF Action and Funding Plan.
	28	d. Appointing and approving members to the TIF District
	29	Board, unless otherwise specified.
	30	(2) Following the adoption of a tax increment financing district, via
	21	resolution by the City Council a TIE district heard ("TIE Roard")

1 shall oversee the implementation of the Metropolitan 2 Redevelopment Plan and the TIF Action and Funding Plan. The 3 TIF Board shall serve in both a recommendation and approval 4 capacity, providing recommendations on key matters and approving specific actions within its authority. The TIF Board 5 shall: a. Provide recommendations to the City Council on projects 7 8 and programs receiving \$3,000,000 or more in TIF revenue 9 for the duration of the 20 years. Approve projects and 10 programs receiving \$2,999,999 or less in TIF revenue for 11 the duration of the 20 years. 12 b. Provide recommendations to the City Council concerning 13 the TIF Plan and subsequent updates. 14 c. Establish policy findings and/or as applicable, conditions 15 of approval for projects and programs within its 16 authority. racketed/Strikethrough Material] - Deletion **17** Bracketed/Underscored Material] - New d. Adopt a meeting schedule, quorum requirements, and board operational procedures. 18 19 (3) The TIF District Board shall be composed of a minimum of five 20 members and no more than seven members. a. Required members of the board shall include one member 21 22 of the City Council representing the district that the TIF 23 district is located in or their designee, one member of the 24 County Commission representing the district that the TIF 25 district is located in or their designee, one member of the 26 State Legislature representing the district that the TIF **27** district is located in or their designee, one owner of a 28 business within the TIF district, and one member-at-large 29 appointed by the Mayor. 30 b. Suggested members of the board shall include a resident

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within the TIF district and a member with experience in

	·I	urban planning, real estate development, community
	2	development, economic development, architecture,
	3	construction management or any other related field.
	4	(D) Reporting and Transparency
	5	(1) The Metropolitan Redevelopment Agency shall submit to the City
	6	Council annual reports by August of each year, detailing:
	7	a. Initiated and completed projects, including descriptions
	8	and TIF revenue contributions.
	9	b. Revenue and expenditure summaries.
	10	c. Progress toward performance metrics and metropolitan
	11	redevelopment plan goals.
	12	d. Annual and compounded growth rates of property values
	13	and gross receipt tax.
	14	e. Principal and interest on bonded indebtedness, if
	15	applicable.
	16	(2) The following TIF district-related documents shall be made
>	Deletion 18	publicly available on the Metropolitan Redevelopment Agency
	<u>e</u> 18	website within seven days of becoming effective or final:
a	_ 19	a. Resolutions approving the Metropolitan Redevelopment
ater	<u>20</u>	Plan and formation of the TIF district, the TIF Plan, project
σ	ਲ ≱ 21	and grant authorizations, including all attachments and
core	\$ 22	amendments thereto.
ers	23	b. Annual reports.
Onc	ੂ 24	c. Studies and reports conducted within the TIF district.
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	⊉ 26	e. TIF Board agendas, action summaries, staff reports, etc.
	<u>\$</u> 27	f. TIF Action and Funding Plan including all attachments
	<u>甲</u> 28	and amendments thereto.
	29	g. Base values used to calculate revenues for the TIF district
	30	SECTION 3. A new Section 11 is hereby created in Chapter 14, Article 8,
	31	Part 4 of the Metropolitan Redevelopment Agency Ordinance as follows:

•	§14-6-4-11 TAX INCREMENT FINANCING DISTRICT DISSOLUTION
2	(1) At the 20-year mark from the date of a TIF district's inception, the
3	collection of incremental taxes shall cease.
4	(2) A TIF district will automatically dissolve upon the full repayment
5	of all financial obligations.
6	(3) As part of the dissolution process, the Metropolitan
7	Redevelopment Agency shall compile a final closure report
8	summarizing the TIF district's achievements. The report shall be
9	published on the Metropolitan Redevelopment Agency website
10	and delivered via Executive Communication to the City Council.
11	This report shall include:
12	a. A description of the activities completed, including their
13	alignment with the performance metrics and the goals
14	outlined in the Metropolitan Redevelopment Plan;
15	b. The total amount of increment revenue reinvested; and
16	c. The total amount of private funds leveraged as a result of
17	the reinvestment of TIF revenue.
18	SECTION 4. ROA 1994, Section 14-8-4-3, Redevelopment Project Powers, of
19	the Metropolitan Redevelopment Agency Ordinance is hereby amended as
20	follows:
21	As used in §§ 14-8-4-1 et seq., the term REDEVELOPMENT PROJECT
22	POWERS includes any rights, powers, functions and duties of a municipality
23	authorized by sections 3-60A-5 through 3-60A-18 NMSA 1978, except the
24	following powers which are reserved to the City Council:
25	[(J) With respect to tax increment financing carried out by the
26	Metropolitan Redevelopment Agency pursuant to NMSA 1978, Sections 3-
27	60A-19 through 3-60A-24 and ROA 1994, Sections 14-8-4-10 through 14-8-4-
28	11, TIF District Boards shall approve projects and programs
29	receiving \$2,999,999 or less in TIF revenue. TIF District Boards shall
30	provide recommendations to the City Council on projects and programs
31	receiving \$3,000,000 or more in TIF revenue. The City Council shall retain
32	redevelopment project powers for:

	1	a. Projects and programs receiving \$3,000,000 or more in TIF
	2	revenue.
	3	b. Establishing and amending the geographic boundaries for Tax
	4	Increment Financing.
	5	c. Approving the TIF Action and Funding Plan.
	6	d. Appointing members to the TIF District Board, unless
	7	otherwise specified.]
	8	SECTION 5. SEVERABILITY. If any section, paragraph, sentence, clause,
	9	word or phrase of this Ordinance is for any reason held to be invalid or
	10	unenforceable by any court of competent jurisdiction, such decision shall not
	11	affect the validity of the remaining provisions of this Ordinance. The Council
	12	hereby declares that it would have passed this Ordinance and each section,
	13	paragraph, sentence, clause, word or phrase thereof irrespective of any
	14	provision being declared unconstitutional or otherwise invalid.
	15	SECTION 6. COMPILATION. SECTION 1 and 4 of this Ordinance amends,
	16	is incorporated in, and is to be compiled as part of the Revised Ordinances of
_	17	Albuquerque, New Mexico, 1994. SECTION 2 of this Ordinance is to be
w tior	18	compiled as a new Section 14-8-4-10 of the Revised Ordinances of
- New Deletion	19	Albuquerque, New Mexico, 1994, titled "Tax Increment Financing Guidelines."
_	20	SECTION 3 of this Ordinance is to be compiled as a new Section 14-8-4-11 of
Material] aterial] -	21	the Revised Ordinances of Albuquerque, New Mexico, 1994, titled "Tax
		Increment Financing District Dissolution."
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