

CITY of ALBUQUERQUE

TWENTY SIXTH COUNCIL

COUNCIL BILL NO. C/S O-24-67 ENACTMENT NO. _____

SPONSORED BY: Klarissa J. Peña

1 ORDINANCE

**2 AMENDING CHAPTER 2, ARTICLE 11 OF THE CITY OF ALBUQUERQUE CODE OF
3 ORDINANCES TO IMPROVE THE CITY'S BUDGET PROPOSAL PROCESSES AND
4 STRENGTHEN OVERSIGHT AND ACCOUNTABILITY MEASURES.**

5 **WHEREAS, the City of Albuquerque seeks to enhance transparency,**
6 **accountability, and efficiency in its budgeting process; and**

7 WHEREAS, the City Charter assigns the responsibility of overseeing
8 budgetary and financial operations to both the Mayor and the City Council, with
9 the intent of ensuring consistency with the City's five-year goals and objectives;
10 and

WHEREAS, Chapter 2, Article 11 of the City's Code of Ordinances outlines the processes and responsibilities for preparing and reviewing the City's operating budget, and regular updates are necessary to reflect best practices in public finance and governance; and

WHEREAS, the City of Albuquerque seeks to streamline and clarify the language of its budget ordinance, aligning it more closely with current practices and operational needs; and

WHEREAS, updating the ordinance to reflect contemporary budgeting standards and procedures will enhance efficiency and ensure the ordinance remains relevant and effective for the City's ongoing fiscal management.

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

**SECTION 1. Chap
amended as follows wi
§ 2-11-1 INTENT.**

12 (B) To implement these City Charter provisions, §§ 2-11-1 et seq. a process
13 for adopting five-year goals and one-year objectives which will be valuable in
14 themselves and also will be major factors in determining funding for City
15 programs and improvements in the operating budget and the capital
16 improvements budget.

17 (C) To adopt a goals and objectives process that encourages active citizen
18 participation, that is linked to the budget process, and that encourages
19 performance measurement.

§ 2-11-2 SHORT TITLE.

This article may be referred to as the City Operating Budget Ordinance.

§ 2-11-3 DEFINITIONS.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COST OF LIVING ADJUSTMENT (COLA). A wage increase intended to counteract inflation based on Consumer Price Index-Urban.

DEPARTMENT. A primary administrative unit tasked with the management, implementation, and oversight of specific municipal functions, services, and programs.

30 **ENCUMBRANCE.** A commitment of appropriated funding for a future, specific
31 expenditure associated with a purchase order or contract.

32 FISCAL YEAR. The City's 12-month budget and accounting period that begins on
33 July 1st and ends on June 30th the following year.

1 **FIVE-YEAR GOALS.** A concise statement that summarizes a set of related results
2 or outcomes as defined by the community and reviewed by the Mayor and
3 approved by City Council. A goal represents a long-term purpose and direction
4 that addresses broad, desired outcomes that can be measured.

5 **LINE-ITEM AUTHORITY.** The program appropriation level at which Council
6 appropriation authority is applied, including program title, funding amount, and
7 associated funding language.

8 **MID-YEAR CLEANUP.** An appropriation amendment that includes line-item
9 adjustments necessary to record financial audit adjustments, appropriation of
10 additional revenues received, re-appropriation of unused funds, reducing
11 appropriation of funds, or for other needed purposes within a fiscal year.

12 **ONE-YEAR OBJECTIVES.** Specific annual steps and strategies for achieving the
13 approved Five-Year Goals, measured based on the results expected.

14 **PERFORMANCE MEASUREMENT.** A systematic approach to quantify and analyze
15 activities to determine the amount of service delivered and/or work performed,
16 and how efficient, responsive, and impactful the services are to the community in
17 relation toward achieving the Five-Year goals, where applicable.

18 **PROGRAM.** A coordinated group of related activities, services, or initiatives
19 designed to achieve specific objectives under the administration of a City
20 department.

21 **PROGRAM ADJUSTMENTS.** Strategic budget adjustments, which may include
22 historical vacancy rates, to align departments and ensure the most effective use
23 of resources available.

24 **SALARY SAVINGS.** A reduction in the department's fully funded personnel
25 budget based on the department's historical level of vacant positions.

26 **VACANCY SAVINGS.** The difference between the total appropriated personnel
27 budget and the actual personnel expenditures during a given period.

28 **WAGE INCREASE.** An increase in wage separate and in addition to the identified
29 COLA and/or negotiated amount within a ratified union agreement.

30 **REGULAR EMPLOYEE.** A full-time or part-time employee of the City of
31 Albuquerque, not to include seasonal, temporary, student, Elected Officials, and
32 Board or Commission members. A regular employee can be of classified or
33 unclassified status.

1 **§ 2-11-4 ONE YEAR OBJECTIVES AND FIVE-YEAR GOALS.**

2 (A) One-Year Objectives are specific, measurable strategies that contribute
3 directly to the achievement of the Five-Year Goals. All departmental objectives
4 must be aligned with the five-year goals and associated desired community
5 conditions.

6 (B) Each objective must include performance indicators to measure
7 progress and effectiveness.

8 (C) Departments must review and report, in the form of an Executive
9 Communication (EC), on the progress of these objectives annually, ensuring
10 alignment with the five-year goals. In addition to the EC, the Council may require
11 a database entry to further enhance transparency and tracking of departmental
12 progress. The EC submission deadline, for the previous year's Objectives, shall
13 be September 1st of each year.

14 **§ 2-11-5 PROCESS AND SEQUENCE FOR ESTABLISHING FIVE-YEAR
15 GOALS AND ONE-YEAR OBJECTIVES.**

16 (A) The Mayor and City Council shall review the five-year goals and one-
17 year objectives for the City and the City Council shall amend as necessary. The
18 five-year goals shall address improving the physical characteristics of the City,
guiding the City's growth and meeting community needs. The Albuquerque
Progress Report and the City/County Comprehensive Plan shall be guiding
documents for developing the five-year goals. Consistent with § 3-2-16 of the
Code of Resolutions, the Mayor and City Council shall consider any applicable
Comprehensive Plan Analyses prepared through the web-based tool when
reviewing or amending the five-year goals. The fact that an outcome directly
addressed by city government service is not mentioned in the five-year goals
does not imply that the service or function will not continue as usual; it means
only that there is not a special effort to reach some goal-related outcome in that
area during the coming five years. The City Council and the Mayor shall develop
one-year objectives consistent with the five-year goals. The Mayor and City
Council will collaborate to establish the five-year goals. The City Council staff
shall direct the goals and objectives review, formulation, and adoption process
consistent with the City Charter; however, these tasks may be delegated to the
Mayor or their designee.

(B) The Indicators Progress Commission (IPC), established under § 2-1-13 of the Albuquerque Code of Resolutions, is responsible for coordinating the review and analysis of community indicators and recommending revisions to the City's Five-Year Goals based on measurable progress.

(1) The IPC shall submit a written report, in the form of an Other Communication, to the City Council no later than January 31st of every even-numbered year. This report shall include:

(a) A biennial Goals Progress Report summarizing community conditions, trends, and performance outcomes in relation to the City's adopted Five-Year Goals;

(b) Any recommended revisions to the Five-Year Goals;

(c) A summary of public engagement, community perceptions, and relevant civic forums if conducted.

(2) The City Council shall schedule a presentation by the IPC during even-numbered years. This presentation will allow Councilors to receive the IPC's findings, ask questions, and consider recommendations before budget preparation is finalized.

(C) The City Council shall hold at least one public hearing, meeting as the Committee of the Whole, at which the public can propose objectives and comment on proposed or revised objectives respectively for the coming year.

(D) City Council shall annually adopt or revise and adopt one-year objectives with the intent of accomplishing short-term outcomes that are necessary to accomplish each of the five-year goals. One-year objectives should be reflected in the operating and capital budgets of the City.

(E) Progress reports. The purpose of this phase is to have a mechanism for accountability and monitoring of the Goals and Objectives Process. It is intended that such progress reports will include performance measurements of the Goals and Objectives Process as well as the budget process.

(F) Objectives shall be established by resolution and submitted along with the Mayor's annual budget proposal.

(1) Departments must review and report, in the form of an Executive Communication (EC), on the progress of these objectives annually, ensuring alignment with the five-year goals, including shortfalls and corrective actions.

- 1 The EC, for the previous fiscal year, shall be submitted to the City Council by
- 2 September 1st of each year.

(H) Measurable Indicators for Five-Year Goals and One-Year Objectives.

14 (1) All Five-Year Goals and One-Year Objectives adopted by the Council
15 shall include measurable indicators that allow for evaluation of progress toward
16 achieving the stated outcomes.

17 (2) These indicators shall consist of quantifiable data points, benchmarks,
18 or other documented measures that are directly related to the corresponding goal
19 or objective.

(3) The Administration shall report annually, as part of the required status report described in § 2-11-5(3), on the results for each measurable indicator, including current performance, year-over-year changes, and any documented factors affecting progress.

(4) The indicators shall be developed collaboratively by the Administration, Department Representatives, and Council Services during the goals and objectives review process and included in all documents accompanying the adoption or revision of Five-Year Goals and One-Year Objectives.

29 (5) The measurable indicators adopted under this Section shall reference
30 and incorporate, when applicable, the community condition data and trend
31 information provided by the Indicators Progress Commission in its biennial
32 reports, consistent with the IPC's existing duties and reporting schedule.

1 The Council shall meet as the Committee of the Whole, and hold at least three
2 public hearings as needed for the following purposes:

3 (A) To review the Mayor's proposed operating budget and recommend final
4 adoption of the operating budget.

5 (B) To review and recommend final adoption of the Five-Year Goals.

6 (C) To review and recommend final adoption of the One-Year Budget

7 **Objectives.**

8 (D) To conduct reviews of City operations through departmental
9 presentations. The Chair shall determine the format, subjects, and duration of the
10 presentations. The presentations are in addition to the Mayor's budget
11 submission and intended to ensure public accountability.

12 (E) **STUDY SESSIONS.** In addition to the program reviews described in this
13 Section, the Committee of the Whole shall convene at least one mid-fiscal-year
14 Study Session, at the call of the Chair, for the purpose of receiving informal
15 operational briefings from Department Directors related to the upcoming fiscal
16 year. Study Sessions shall be informational only, shall occur prior to the
17 submission of the Mayor's draft proposed budget, and shall not constitute part of
18 the formal budget review or adoption process required under this Article. Public
19 comment shall not be taken during Study Sessions. Study Sessions are intended
20 to provide Councilors with an opportunity to ask questions and receive
21 information directly from Department Directors.

22 (1) The Chair shall determine the subject matter, and timing of all mid-
23 fiscal year Study Sessions. Department Directors may be accompanied by
24 appropriate staff to respond to Council questions.

25 **§ 2-11-7 PREPARATION OF CITY BUDGET; DEPARTMENTAL REQUESTS;**
26 **BUDGET PROPOSAL.**

27 (A) The Mayor shall prepare a proposed City operating budget for the next
28 fiscal year taking into consideration the requests of the departments and the
29 resources anticipated to be available to the City.

30 (B) For purposes of this Article, the term "proposed budget" shall be
31 interpreted to mean the Mayor's draft proposed budget, submitted to the City
32 Council pursuant to Article VII, Section 3 of the City Charter. The draft proposed

1 budget is subject to Council review, amendment, and approval in accordance
2 with this Article.

3 (C) Each year the Mayor, or their appointed representative, shall hold
4 budget hearings with each City department to discuss the preparation of the
5 budget for the next fiscal year. Council Services staff shall be invited to attend all
6 budget hearings. Between the first day of December and the first City Council
7 meeting in January, the Mayor, or his appointed representative, shall hold a
8 series of meetings, not less than two in number, with the Council Services staff to
9 discuss the preparation of the budget for the next fiscal year.

10 (D) Throughout the preparation of the proposed City Budget the Mayor
11 shall furnish any requested information on departmental requests to the staff of
12 the City Council and shall cooperate with City Council staff so that it may monitor
13 the budget process and prepare preliminary analyses and other information for
14 the City Council, to the extent that it does not impede the Mayor's Budget Staff
15 from compiling the proposed budget by the deadline. All answers that are not
16 provided during the preparation will be provided as soon as practicable, but no
17 more than five (5) business days, after the proposed budget has been submitted.

18 (E) The Mayor shall propose an operating budget to the Council no later
19 than April 1st of each year and such proposal shall be made available to the
20 general public in an effort to encourage public awareness and citizen involvement
21 in the budget process.

22 (F) Within seven (7) business days of the submission of the Mayor's budget
23 proposal to the City Council, each department shall provide the following
24 information:

25 (1) Department vacancy listing, to date, including status details for each
26 vacant position (e.g., number of days vacant, posting date, interview date, hire
27 date), along with vacancy rates for the past five years;

28 (2) A breakdown of salary savings;

29 (3) All Budget Call documents for each department; i.e. Needs Request

30 Forms, Professional/Technical Services, Federal/State Grants, Revenues Existing
31 and New, Vacancy Lists, etc.;

32 (4) A detailed report on the total annual expenditure allocated toward
33 social services, programs, and initiatives within the department. This report

1 should include all funding sources. (e.g., dedicated funding, external funding,
2 grants) and expenditures related to direct assistance, indirect support,
3 infrastructure contributions, and administrative overheads for these services.
4 Along with the total annual expenditure, provide a brief description of the key
5 components contributing to these totals; and

6 (5) A comprehensive list of all fees, including registration, licensing and
7 permit fees, along with:

8 (a) The total amount that should be collected based on full compliance.
9 (b) The total amount collected in the current and prior year, along with
10 projected amounts for the following year.

11 (6) A list of vehicles currently in the department's possession (e.g.,
12 electric vehicles), vehicles earmarked for disposal, and plans to procure
13 additional vehicles within the next three years, with justification where applicable.

14 **§ 2-11-8 BUDGET — CONTENTS AND FORMAT.**

15 (A) A full-program budget will be prepared for all City departments each
16 year. The program budget shall clearly identify each program that is proposed to
17 be implemented or continued in the ensuing fiscal year and shall include the
18 funding amount of each program.

19 (B) The budget proposal shall not propose expenditures in excess of
20 resources anticipated to be available to the City for the fiscal year for which the
21 budget is proposed. If new programs are proposed, a detailed recommendation
22 and justification of the program shall be provided which must include the
23 estimated annual costs of the program and the source of revenues and other
24 resources for financing the program. All new programs must be identified and
25 justified as such in the budget proposal.

26 (1) The Mayor's proposed operating budget shall not include any negative
27 programmatic appropriations.

28 (C) A report of program adjustment calculations shall be reported to
29 Council along with material submitted with the proposed budget.

30 (D) Salaries for Certain Unclassified Personnel; Organizational Chart
31 Transparency.

32 (1) Purpose and Scope.

- 1 The provisions of this subsection regulate the presentation and reporting of
- 2 salaries and organizational information for budget transparency purposes.
- 3 Nothing in this subsection shall be construed to alter or limit the authority of the
- 4 Mayor or the Chief Administrative Officer under Articles V and VI of the City
- 5 Charter to assign, supervise, reassign, or otherwise manage personnel or
- 6 departmental organization.

(2) Definition of Direct Reporting Relationship.

8 For purposes of this subsection only, a "direct reporting relationship" exists
9 when an unclassified employee's primary performance evaluation, work
10 assignments, or supervisory direction is issued directly by the Mayor or the Chief
11 Administrative Officer.

12 A direct reporting relationship does not include:

- (a) Department Directors;
- (b) Department Deputy Directors;
- (c) The Police Chief;
- (d) The Fire Chief;
- (e) The City Clerk;
- (f) The City Attorney;
- (g) The Internal Auditor;
- (h) The Inspector General;
- (i) Civilian Police Oversight Agency Director;
- (j) Any other position whose appointment, removal, or supervisory independence is governed by the City Charter or by ordinance.

(3) Budget Presentation of Salaries.

25 Any unclassified employee; other than those excluded under paragraph (2); who
26 has a direct reporting relationship with the Mayor or with the Chief Administrative
27 Officer shall have their salary and related personnel costs presented for budget
28 purposes within the program for the Mayor's Office or the Office of the Chief
29 Administrative Officer, as applicable. The Office of Management and Budget shall
30 identify and report the salaries and related personnel costs of all positions
31 described in paragraph (3) within the Mayor's Office or Chief Administrative
32 Officer budget program.

1 Budget placement under this subsection shall not alter the employee's
2 administrative assignment, supervisory chain, or functional deployment.

3 **(4) Organizational Chart Requirements.**

4 As part of the Mayor's annual budget proposal, the Mayor, through the Chief
5 Administrative Officer, shall submit for each department a digital organizational
6 chart showing:

7 (a) Standard departmental reporting lines; and
8 (b) Any direct reporting relationships to the Mayor or the Chief

9 Administrative Officer for unclassified employees covered by paragraph (2).

10 These charts shall clearly identify all employees covered by paragraph (2)
11 including those who may not otherwise appear on standard departmental
12 organizational charts.

13 **(5) Updates to Reporting Structure Affecting Budget Presentation.**

14 Whenever a change in direct reporting relationships results in a change to the
15 budget presentation required under paragraph (3), the Administration shall
16 transmit to the City Council an updated organizational chart reflecting such
17 changes within ten (10) business days of the effective date of the change.

18 The updated chart shall clearly identify the revised reporting relationship and all
19 affected unclassified employees.

20 **(E) Appropriations for Regular Employee COLA and Wage Adjustments:**

21 COLA and wage adjustments shall be evaluated each year based on inflation
22 measures, budget limits, compensation studies, and other City priorities, subject
23 to negotiations. The Administration shall separate COLA adjustments from other
24 types of wage adjustments.

25 (1) Each year, the Administration shall determine a COLA based on the
26 Consumer Price Index Urban (CPIU) ended for the most recent calendar year.
27 COLAs may be less than but shall not exceed the CPIU.

28 (2) If a proposed COLA is below the CPIU, the Administration shall explain
29 why it does not fully cover the increase in cost of living.

30 (3) Any wage adjustment above the identified COLA amount shall be
31 considered a wage increase.

(H) The Mayor's operating budget proposal submitted to the Council shall include:

0 (1) The Mayor's budget message;

(2) An annual appropriation resolution recommended by the Mayor;

(3) A comparable statement for the current fiscal year including

3 expenditures to date and anticipated expenditures to the end of that year, to
4 include:

- 5 (a) All proposed expenditures for all departments of City government;
- 6 (b) All interest and debt redemption charges;
- 7 (c) All anticipated revenues and other available resources by source and
- 8 amount;

(d) The proposed means of financing all proposed expenditures;

(e) Any fee or rate adjustment proposal for the upcoming fiscal year and projected revenue for the following two fiscal years;

(f) The basis used to determine the wage adjustments for the fiscal year shall be based on the Consumer Price Index Urban (CPIU), a compensation study, and other relevant benchmarks chosen by the City.

(i) A breakdown of all wage adjustments that meet, fall below, or exceed the COLA rate.

(ii) Justifications for any adjustments that do not meet the identified COLA standard, including explanations for budget constraints or other considerations as required.

(g) Descriptions of all programs, services, and activities to include strategies, missions, customers, and key initiatives, as proposed in the Mayor's Budget.

(h) Performance measures, as defined in § 2-11-3, associated with all programs, services, and activities.

§ 2-11-9 BUDGET PROPOSAL — PRINTING AND INDEXING.

Sufficient printed copies requested prior by City Council, of the budget proposal shall be prepared by City Administration to allow for distribution to members of the Council, City department heads, and other interested parties as may be deemed reasonable by the Chief Administrative Officer or their designee no later than three (3) calendar days after submission of the proposed budget.

§ 2-11-10 CONSIDERATION OF BUDGET PROPOSAL BY THE COUNCIL.

(A) After receiving the budget proposal from the Mayor, the Council shall schedule at least three public hearings regarding its adoption, as the Committee of the Whole. As a result of its deliberations and the information gathered at the public hearings, the Council may amend the budget proposal at any time prior to May 31st. If the Council fails to approve a budget within that time limit, the budget proposal as submitted by the Mayor is deemed approved.

(B) The Mayor or their representative shall be present at all public hearings on the budget proposal and fee or rate adjustment proposals. The Chief Administrative Officer, or their representative, shall be available to the Council at its request during any of its deliberations on the budget proposal.

(C) The Mayor's administration shall prepare to answer all questions posed by the Council regarding the budget, providing complete and accurate information, during the public hearings. If the Administration is unable to provide an answer during the hearings, they shall commit to delivering the requested information in writing within three (3) business days of the hearing in which the question was proposed. The Administration's responses shall be documented and made available to Council Services.

§ 2-11-11 CONFERENCE COMMITTEE ON THE BUDGET.

(A) Per Article VII: Section 6 of the City Charter, a Conference Committee on the Budget shall meet to help resolve any disagreements between the Mayor and the Council concerning the City budget. The Conference Committee on the Budget shall consist of six members, three of whom shall be designated by the Mayor and three of whom shall be designated by the Council.

1 (B) In the period from March 1st through the adoption of the annual
2 operating budget, the Conference Committee on the Budget shall meet at the
3 request of the Mayor or any Councilor. The following procedures shall govern
4 this process:

5 (1) Issues presented to the Conference Committee on the Budget should
6 be of a significant or critical nature concerning the City Budget;

7 (2) Issues presented to the Conference Committee on the Budget should
8 be issues about which the development or clarification of performance
9 measurement data or other information can contribute significantly to the
10 formation of options or recommendations;

11 (3) After consideration of the issues, the Council-designated members of
12 the Conference Committee on the Budget may present recommendations or
13 options to the City Council for action;

14 (4) A meeting of the Conference Committee shall occur prior to final
15 adoption of both the operating and enterprise budgets;

16 (5) The Conference Committee on the Budget shall be chaired by one of
17 the Council-designated members.

18 **§ 2-11-12 APPROVAL CONSTITUTES PROPOSAL AS BUDGET;
19 EXPENDITURES MUST BE AUTHORIZED.**

20 (A) The annual operating budget appropriation resolution, as approved, in
21 addition to other approved appropriations for operating purposes shall constitute
22 the City's operating budget for the ensuing fiscal year. The City shall not expend
23 any public funds, except for capital project expenditures, special assessment
24 district expenditures, and trust and agency fund expenditures, unless the
25 expenditure is authorized in the budget and is made or encumbered in the fiscal
26 year covered by the budget.

27 (B) Following the close of each fiscal year, the Mayor shall submit to the
28 City Council a resolution presenting a report of all encumbered but unexpended
29 amounts and associated purchase orders from the prior fiscal year. The
30 resolution shall identify, by department and program, the total encumbered
31 amounts proposed for reappropriation. The resolution shall be considered by the
32 City Council at two regular public meetings, following the resolution's
33 introduction, and shall not be referred to committee. No later than the second

1 meeting, the City Council shall take action on the resolution. If the City Council
2 does not approve an amended version at the second meeting, the resolution as
3 originally submitted by the Administration shall be deemed approved, and the
4 encumbrances therein shall be reappropriated for the subsequent fiscal year.

5 **§ 2-11-13 BUDGET AMENDMENTS DURING FISCAL YEAR OUTSIDE**
6 **ADOPTION OF ANNUAL BUDGET.**

7 (A) Upon its own initiative or upon a recommendation by the Mayor, the
8 Council may amend the budget during the fiscal year to which it applies. No
9 amendment to the budget shall result in total authorized expenditures that exceed
10 resources to be available for the fiscal year to which the budget is applicable.

11 (B) The Mayor shall propose expenditure adjustments to the City's
12 operating budget whenever it is determined, after the adoption of the annual
13 budget, that projected revenues are insufficient to cover appropriated
14 expenditures, or that additional revenues have become available. These
15 proposals shall be submitted to the Council through a Mid-year Cleanup or other
16 appropriating resolution.

17 (C) The Mid-year Cleanup report shall be introduced to the Council in
18 November accompanied by a mid-year appropriation resolution for programs
19 projected to be overspent, where expenditure controls cannot bring spending
20 within the limits of administrative authority. Prior to transmitting any mid-year
21 budget adjustment requests to the City Council, the Administration shall brief
22 Council Services on the adjustment, including revenue assumptions, fund
23 balance impacts, and justification for each change. All mid-year adjustment
24 requests shall be accompanied by detailed documentation of revenue
25 assumptions, expenditures exceeding budgeted amounts per department,
26 whether the adjustment is recurring or one-time, and shall include a General Fund
27 table.

28 **§ 2-11-14 TRANSFER OF FUNDS AND EXPENDITURE AUTHORITY WITHIN**
29 **BUDGET.**

30 (A) During the fiscal year, the Mayor is authorized to transfer funds or
31 change expenditure appropriations within and among line-item authority, as
32 established by the annual appropriation resolution and other approved
33 appropriations for operating purposes, if the transfer or change does not result in

1 the increase or decrease in that line-item expenditure authority in excess of the
2 cumulative amount of \$500,000 or 5% of the line-item authority, whichever is
3 lower.

4 (B) No actions are authorized which would result in exceeding the total
5 expenditures authorized in the operating budget for the City government as a
6 whole. Actions taken by the Mayor under division (A) of this section shall be
7 reported in detail, in the form of an Executive Communication, to the City Council
8 within ten days of the approval of transfer or change by the Mayor or their
9 designated representative. The City Administration is required to submit a
10 quarterly report to the City Council on all transfers of funds within the line-item
11 authority.

12 (C) The transfer of funds or changes in expenditure authority in the
13 operation budget, other than those authorized by division (A) of this section, may
14 be made only by amendment of the budget by the City Council under § 2-11-13.
15 No new program not already authorized in the budget shall be implemented by
16 actions authorized under division (A) of this section, nor shall any existing
17 program authorized in the budget be terminated by such actions.

18 **§ 2-11-15 APPLICATION FOR FEDERAL AND STATE GRANTS; BUDGETING
19 FEDERAL FUNDS.**

20 (A) Any application or proposal for a grant with a matching requirement
21 shall be submitted to the City Council in the form of an Executive Communication
22 for review and approval at the same time as the submittal of such application or
23 proposal to any grantor. Executive Communications shall include an interoffice
24 memorandum and a copy of the executive summary of the grant application or a
25 copy of the grant application. The total City obligation shall be included in the
26 interoffice memorandum. A fiscal impact analysis is not required to be submitted
27 with the Executive Communication for a grant application.

28 (1) The Council may approve, take no action, reject the proposed
29 agreement, or recommend revisions thereof with or without conditioning
30 approval on the adoption of such revisions.

31 (2) If the Council rejects the application, the application shall be
32 withdrawn by the Department that submitted the application.

(3) If the Council rejects the application, the Department shall not enter into a grant agreement with the grantor.

(4) The Mayor may withdraw the proposed agreement at any time from the Council and may present revisions thereof. In the event of withdrawal, the proposed agreement shall be a nullity. In the event of revision, the provisions set forth in divisions (A) and (B) of this section shall apply to the same extent as if a new proposal were being made.

(B) If, after Council approval of the application, conditions are added to the grant award, which have not been approved by the Council and which have major financial or policy implications for the City, the final grant agreement shall be submitted to the Council for approval in accordance with the procedures set forth in division (A) above.

(C) The Mayor, upon receiving notification that the City has been awarded a grant, shall submit a Resolution to Council to appropriate the funds.

(D) Twice yearly, in July and January, the Administration shall submit an Executive Communication detailing all grant applications for the previous six months. This report shall include total project cost, grant funding requests, local match funding/in-kind contributions, and any grant awards received.

§ 2-11-16 FINANCIAL REPORTS.

(A) The Mayor shall submit on a quarterly basis, summary financial status reports of all operating funds, including all Enterprise, Internal Service funds, Special Revenue funds to the City Council. The Mayor shall submit Fiscal Status Reports to the City Council in the form of an Executive Communication in sufficient time no later than sixty (60) calendar days after the end of each fiscal quarter. Reports shall include:

- (1) Current annual revenue estimates by source for each fund;**
- (2) Brief analysis highlighting revenue trends by source for each fund;**
- (3) Current expenditure levels and projections by program through end of year;**
- (4) The City's General Fund balance estimate and projections, as of the the fiscal quarter being reported.**

B) Quarterly Reporting for Special Revenue Funds (Grants, Fund 265).

(1) The Administration shall provide a quarterly report detailing the financial status of all active projects and awards within Special Revenue Fund 265 (Grants).

(2) The report shall include, for each grant or project:

(a) the grantor agency;

(b) the total award amount;

(c) the amount budgeted;

(d) expenditures to date;

(e) remaining balance;

(f) expiration date or performance period

**(g) grants which have reverted or are near reversion due to compliance
s;**

(h) grants that have been returned during the reporting period, including the amount returned and the reason for return; and

(i) any required local match or in-kind contribution amounts, if any.

(3) The report shall also identify any projects approaching expiration, any outstanding reimbursement requests, and any grants placed on hold or requiring corrective action.

(4) The Fund 265 report shall be transmitted to the City Council quarterly after the end of each quarter and may be provided in a digital format consistent with the format used for the Financial Status Report for capital activities.

§ 2-11-17 COUNCIL ACCESS TO FINANCIAL INFORMATION.

(A) The Administration shall provide, in good faith and in a spirit of cooperation, any financial materials, records, data, or documents requested by the City Council. This includes, but not limited to, information concerning revenues, expenditures, fund balances, reserves, investments, and budgetary forecasts.

(B) Council Services staff shall have, at all times, direct and read-only access to all databases, software, and financial systems utilized by the Administration for budget preparation, accounting, and fiscal analysis. This access shall include, but is not limited to PeopleSoft, Decision Support System (DSS), Euna Budget, and any successor platforms.

1 (C) Council Services staff shall have, at all times, concurrent and direct
2 access to all financial data, budgetary models, and analytical tools utilized by the
3 Administration for budget development, monitoring, and reporting. This access
4 shall include, but is not limited to, formulas, spreadsheets, software applications,
5 and system modules used to calculate revenues, expenditures, and fund
6 balances.

13 (D) The rights and access granted under this Section apply year-round and
14 are not limited to the annual budget cycle. They extend to all proposed, current,
15 and historical fiscal data, ensuring parity between the legislative and executive
16 branches in understanding and managing the City's financial condition.

SECTION 2. COMPILED. SECTION 1 of this Ordinance shall amend, be incorporated in, and made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

SECTION 3. SEVERABILITY. If any section, paragraph, sentence, clause, word or phrase of this Ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

31 **SECTION 4. EFFECTIVE DATE AND IMPLEMENTATION SCHEDULE.** This
32 Ordinance shall take effect on July 1, 2026, and shall be implemented during
33 Fiscal Year 2027. All administrative and reporting requirements established

1 herein shall be fully in effect by the start of the Fiscal Year 2028 budget process,
2 when the Mayor's proposed budget is transmitted to the Council on or before
3 April 1, 2027.

4 No later than December 15, 2026, the Administration shall submit to the
5 City Council a Mid-Year Compliance Report in the form of an Executive
6 Communication accompanied by a public presentation. The report shall:

7 (A) Identify which provisions of this Ordinance have been implemented to
8 date;

9 (B) Describe any sections pending implementation, including expected
10 completion dates; and

11 (C) Outline any administrative or procedural adjustments necessary to
12 achieve full compliance prior to the Fiscal Year 2028 budget submission.

[Bracketed/Underlined Material] - New
[Section 26] [Section 27] [Section 28] [Section 29] [Section 30] [Section 31] [Section 32] [Section 33]

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