

[Bracketed/Underscored Material] - New

SPONSORED BY: Brook Bassan

2 AMENDING CHAPTER 2, ARTICLE 6, PART 1, TO ADD A NEW SECTION 9 TO
3 BE KNOWN AS “THE SUNSET REVIEW CLAUSE” TO MANDATE PERIODIC
4 REVIEW PROCESS TO EVALUATE THE CONTINUED NECESSITY,
5 EFFICIENCY, AND EFFECTIVENESS OF EVERY BOARD, COMMISSION, OR
6 COMMITTEE ESTABLISHED BY THE CITY OF ALBUQUERQUE.
7 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
8 ALBUQUERQUE:

13 **WHEREAS, such boards, commissions, and committees are intended to**
14 **serve clearly defined purposes and to operate in a manner that is efficient,**
15 **transparent, and accountable to the public; and**

16 **WHEREAS, many boards, commissions, and committees are created to**
17 **address time-limited or purpose-specific needs and may no longer be**
18 **necessary once those purposes have been fulfilled; and**

19 WHEREAS, the absence of clear sunset provisions has resulted in certain
20 boards, commissions, and committees remaining active beyond their
21 functional relevance, even after completing their intended work; and

22 WHEREAS, inactive or nonfunctioning boards, commissions, and
23 committees continue to require staff support, administrative coordination, and
24 procedural maintenance, thereby diverting limited City resources from active
25 priorities; and

1 WHEREAS, the failure of some boards, commissions, and committees to
2 meet regularly, maintain quorum, or operate in alignment with their original
3 mandate undermines their advisory role and limits their effectiveness; and

4 WHEREAS, periodic evaluation of boards, commissions, and committees is
5 necessary to ensure that such entities remain purposeful, effective, and
6 aligned with current City needs and policy goals; and

7 WHEREAS, the adoption of sunset clauses for newly established boards,
8 commissions, and committees promotes accountability by ensuring that
9 entities are created with defined objectives, timelines, and mechanisms for
10 timely dissolution or renewal; and

11 WHEREAS, the Task Force conducted a review of existing boards,
12 commissions, and committees and identified certain entities that have fulfilled
13 their intended purpose, overlap in mission, or are no longer functioning in a
14 manner consistent with their original mandate; and

15 WHEREAS, the Task Force further recommended dissolution, restructuring,
16 or consolidation of certain entities to reduce duplication, improve
17 coordination, and strengthen advisory effectiveness; and

18 WHEREAS, the City Council finds that the actions set forth in this
19 ordinance are necessary and appropriate to ensure that boards, commissions,
20 and committees remain effective tools of public governance and stewardship
21 of public resources.

22 SECTION 1. Section 2-6-1-9 ROA 1994 is hereby added to read as follows:
23 **SUNSET CLAUSES REQUIRED FOR ESTABLISHED BOARDS, COMMISSIONS,**
24 **AND COMMITTEES.**

25 A. Automatic Termination. Every board, commission or committee
26 established by the City Council under ordinance or resolution shall
27 automatically terminate on December 31, 2030 and every five calendar years
28 thereafter (the "Sunset Date"), unless the board, commission or committee is
29 required under New Mexico statute, federal law, City of Albuquerque Charter,
30 or intergovernmental agreement or if City Council specifies a different
31 duration at the time of establishment by resolution or ordinance. The Council
32 may extend or renew the term of such body by ordinance or resolution
33 adopted prior to its Sunset Date or thereafter; and

1 1. Upon expiration of the Sunset Date, the board, commission, or
2 committee shall automatically dissolve and shall have no authority to meet,
3 conduct business, issue recommendations, or receive staff support unless the
4 City Council has renewed or extended its term prior to the expiration date or
5 has reestablished the body by ordinance or resolution after the body's
6 expiration date.

7 2. Failure to submit the required report within the stated timeframe
8 shall not alter or delay the automatic termination of the board, commission, or
9 committee.

10 **B. Sunset Review Report.**

11 1. No later than six calendar months prior to the scheduled Sunset
12 Date, each board, commission, or committee subject to the Sunset Date, shall
13 submit a written report to the Mayor and City Council evaluating its
14 effectiveness and recommending whether it should be continued, modified or
15 terminated. At a minimum, the report shall include:

- 16 i. A summary of the board, commission, or committee's
17 record of meeting dates, attendance, and quorum
18 compliance;
- 19 ii. A summary of major actions, recommendations, or
20 achievements;
- 21 iii. Identification of unfulfilled objectives or outstanding
22 issues; and
- 23 iv. A recommendation regarding continuation, modification, or
24 termination, with supporting rationale.

25 **C. Renewal of Advisory Body.** Boards, commissions, and committees
26 whose mandates are renewed or reestablished by the Council shall serve for
27 successive terms of up to five-years, unless a shorter or longer term is
28 otherwise specified by the Council at the time of renewal or re-establishment.

29 **D. Administrative Tracking and Notification.** The City Clerk shall
30 maintain an official list of all boards, commissions, and committees subject to
31 a sunset provision, including their dates of creation and scheduled
32 termination.

1 1. By the first regular meeting of the City Council in March of each
2 Automatic Termination calendar year, as established under Section 2-6-1-9 (A)
3 ROA 1994, the City Clerk shall provide written notice to the Mayor and City
4 Council identifying all boards, commissions, and committees scheduled to
5 reach their Sunset Date during the calendar year. The notice shall include the
6 scheduled expiration date of each body and identify those required to submit
7 a sunset review report. SECTION 2. SEVERABILITY. If any section, paragraph,
8 sentence, clause, word or phrase of this Ordinance is for any reason held to
9 be invalid or unenforceable by any court of competent jurisdiction, such
10 decision shall not affect the validity of the remaining provisions of this
11 Ordinance. The Council hereby declares that it would have passed this
12 Ordinance and each section, paragraph, sentence, clause, word or phrase
13 thereof irrespective of any provision being declared unconstitutional or
14 otherwise invalid.

15 SECTION 3. COMPILATION. SECTION 1 of this Ordinance is to be
16 complied as a new Section 9, in Article 6 of Chapter 2 of the Revised
17 Ordinances of Albuquerque, New Mexico, 1994, titled "THE SUNSET REVIEW
18 CLAUSE."

19 SECTION 4. EFFECTIVE DATE. This Ordinance takes effect five days after
20 publication by title and general summary.

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