

CITY of ALBUQUERQUE

TWENTY FIFTH COUNCIL

COUNCIL BILL NO. O-23-83

ENACTMENT NO. O-2023-026

SPONSORED BY: Renée Grout

1 **ORDINANCE**

2 **AMENDING SECTION 2-12-1 TO RESERVE AND MAKE PERMANENT 3% OF**
3 **THE GENERAL OBLIGATION BOND PROGRAM CAPACITY FOR OPEN SPACE**
4 **LAND ACQUISITION.**

5 **WHEREAS, The City of Albuquerque Open Space Program provides the**
6 **public with a variety of opportunities for recreation and education about**
7 **our unique high desert environment; and**

8 **WHEREAS, Open Space lands have historically been acquired through**
9 **the City's General Obligation Bond Program, a Quality-of-Life Quarter Cent**
10 **Tax, and the Open Space Trust Fund; and**

11 **WHEREAS, the principal balance of the Open Space Trust Fund has not**
12 **reached a level necessary to generate interest earnings to fund acquisition**
13 **of Open Space; and**

14 **WHEREAS, additional funding is needed to ensure that funds are available**
15 **as opportunities to purchase Open Space arise; and**

16 **WHEREAS, a viable Open Space acquisition program is necessary to**
17 **protect the unique natural environment in and around Albuquerque.**

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

20 **SECTION 1. § 2-12-1 CAPITAL IMPROVEMENTS PROGRAM INTENT;**
21 **SCOPE is amended as follows:**

22 **“(O) Three percent of the General Obligation Bond Program shall be reserved**
23 **for the acquisition of lands identified for Open Space and capital renovation of**
24 **Open Space.**

1 ~~(P) The term of the CIP Set Aside for Open Space Acquisition shall be for~~
2 ~~the following General Obligation Bond Cycles, 2017, 2019, 2021, 2023, 2025,~~
3 ~~2027, 2029, 2031, 2033 and 2035."~~

4 **SECTION 2. SEVERABILITY CLAUSE.** If any section, paragraph, sentence,
5 clause, word, or phrase of this Ordinance is for any reason held to be invalid
6 or unenforceable by any court of competent jurisdiction, such decision shall
7 not affect the validity of the remaining provisions of this Ordinance. The
8 Council hereby declares that it would have passed this Ordinance and each
9 section, paragraph, sentence, clause, word, or phrase thereof irrespective of
10 any provision being declared unconstitutional or otherwise invalid.

11 **SECTION 3. COMPILATION.** Section 1 of this Ordinance shall amend, be
12 incorporated in and made part of the Revised Ordinances of Albuquerque,
13 New Mexico, 1994.

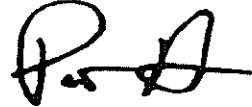
14 **SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect five days
15 after publication by title and general summary.

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1 PASSED AND ADOPTED THIS 2nd DAY OF October, 2023
2 BY A VOTE OF: 8 FOR 1 AGAINST.

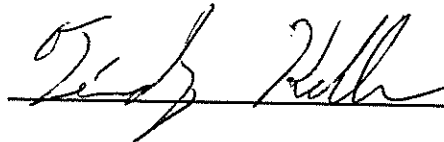
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4 FOR: Benton, Davis, Fiebelkorn, Grout, Jones, Lewis, Peña, Sanchez
5 AGAINST: Bassan
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10 Pat Davis, President
11 City Council
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14 APPROVED THIS 18 DAY OF October, 2023
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18 Bill No. O-23-83
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23 Timothy M. Keller, Mayor
24 City of Albuquerque
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27 ATTEST:
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30 Ethan Watson, City Clerk
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