

City of Albuquerque

Office of the City Clerk

Timothy M. Keller, Mayor

Katy Duhigg, City Clerk

Interoffice Memorandum

August 26, 2019

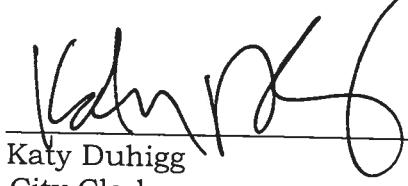
To: CITY COUNCIL

From: Camille Cordova, City Clerk Executive Assistant

Subject: BILL NO. R-19-164; ENACTMENT NO. R-2019-053

I hereby certify that on August 5, 2019, the Office of the City Clerk received Bill R-19-164 as signed by the president of the City Council, Klarissa J. Peña. Enactment No. R-2019-053 was passed at the August 5, 2019 City Council meeting. Mayor Keller did not sign the approved Resolution within the 10 days allowed for his signature and did not exercise his veto power. Pursuant to the Albuquerque City Charter Article XI, Section 3, this Resolution is in full effect without Mayor's approval or signature. This memorandum shall be placed in the permanent file for Bill No. R-19-164.

Sincerely,



Katy Duhigg
City Clerk

R-2019-053

**CITY OF ALBUQUERQUE
CITY COUNCIL**

INTEROFFICE MEMORANDUM

TO: Timothy M. Keller, Mayor

FROM: Stephanie M. Yara, Director of Council Services *CC 8/19/19*

SUBJECT: Transmittal of Legislation

Transmitted herewith is Bill No. R-19-164 Concerning A Bond Election To Be Held In The City Of Albuquerque At The Next Regular Local Election On November 5, 2019; Submitting To A Vote Of The Qualified Electors At Such Regular Local Election Certain Questions For Authorizing The Issuance Of General Obligation Bonds In Varying Principal Amounts And For Specified Public Purposes And, Providing The Form Of The Bond Questions And The Designation Clause For Such Questions On The Ballot; Prescribing Other Details In Connection With Such Bond Election And Bonds; And Ratifying Action Previously Taken In Connection Therewith (Sanchez, by request), which was passed at the Council meeting of August 5, 2019, by a vote of 9 FOR AND 0 AGAINST.

In accordance with the provisions of the City Charter, your action is respectfully requested.

SY:dm
Attachment
8/7/2019

CITY of ALBUQUERQUE

TWENTY THIRD COUNCIL

COUNCIL BILL NO. R-19-164 ENACTMENT NO. R-2019-053

SPONSORED BY: Ken Sanchez, by request

12 **WHEREAS**, the City Council (the "Council") of the City of Albuquerque (the
13 "City") in the County of Bernalillo and State of New Mexico, hereby determines that it
14 is necessary and in the best interests of the City and its inhabitants to issue general
15 obligation bonds in the principal amounts and for the purposes provided herein: and

16 **WHEREAS**, the Council has the power to submit questions of issuing general
17 obligations bonds to the qualified electorate of the City pursuant to applicable laws of
18 the State of New Mexico, the City Charter and the City's home rule power pursuant
19 to Article X, Section 6 of the New Mexico Constitution: and

20 **WHEREAS**, certain of the projects approved by the Council in the 2019 Capital
21 Improvements Program to be funded by the proceeds of general obligation bonds
22 have been re-grouped for the purposes of the ballot faces; and

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1 **WHEREAS**, the Council hereby determines and declares that all of the projects
2 (the "Projects") for which the questions of issuing the City's general obligation bonds
3 (the "Bond Election Questions") are set forth herein are or will be for public
4 purposes; and

5 **WHEREAS**, a regular local election is scheduled to be held in the City of
6 Albuquerque on Tuesday, the 5th day of November, 2019, and shall include the Bond
7 Election Questions.

8 **BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
9 ALBUQUERQUE:**

10 **Section 1:** All action, not inconsistent with the provisions of this Resolution,
11 heretofore taken by the Council and the officers of the City, directed toward the Bond
12 Election Questions and the Projects described or referred to in the Bond Election
13 Questions, including, without limiting the generality of the foregoing, the calling and
14 holding of an election to authorize the issuance of the general obligation bonds (the
15 "Bonds") to finance the Projects, be, and the same hereby is, ratified, approved and
16 confirmed. Funding for projects identified within one GO Bond purpose may be
17 reallocated to another project within the same purpose, provided that any such
18 reallocation is approved by appropriate legislation.

19 **Section 2:** At the next regular local election to be held in the City on November
20 5, 2019 (such regular local election being sometimes referred to herein as the
21 "Election"), there shall be submitted to the City's qualified electors the Bond Election
22 Questions set forth in Section 5 hereof.

23 **Section 3:** The City's qualified electors are eligible to vote on candidates,
24 questions and Bond Election Questions being submitted at the Election.

25 **Section 4:** All persons desiring to vote for any candidate or on any questions
26 being submitted at the Election must be registered to vote. Any person who is
27 otherwise qualified to vote and who is not currently registered to vote may register at
28 the office of the Bernalillo County Clerk, 6th Floor, One Civic Plaza, Albuquerque,
29 New Mexico, or at the office of any duly appointed deputy registration officer on or
30 before 5:00 p.m., on the twenty-eighth day immediately preceding the election.

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1 **Section 5:** This Resolution and the Bond Election Questions shall be
2 submitted Bernalillo County Clerk to conduct the Election in accordance with the
3 Local Election Act, Section 1-22-1 through -20, NMSA 1978, as amended. The Bond
4 Election Questions shall be in substantially the following form:

5

6 1. FOR

7 GENERAL OBLIGATION
8 PUBLIC SAFETY
9 BONDS

10 AGAINST

11 Shall the City of Albuquerque issue \$8,590,000 of its general
12 obligation bonds to plan, design, develop, study, construct,
13 modernize, automate, renovate, rehabilitate, recondition,
14 landscape, furnish, enhance and otherwise improve, and to acquire
15 land, buildings, property, vehicles, apparatus, and equipment for,
16 police and fire department facilities? This will not increase the tax
17 rate.

18 2. FOR

19 GENERAL OBLIGATION SENIOR,
20 FAMILY, COMMUNITY CENTER, THE HOMELESS,
21 AND COMMUNITY ENHANCEMENT
22 BONDS

23 AGAINST

24 Shall the City of Albuquerque issue \$21,705,000 of its general
25 obligation bonds to plan, design, develop, construct, demolish,
26 equip, reconstruct, renovate, rehabilitate, expand, repair, study,
27 landscape, streetscape, enhance and otherwise improve, and to
28 acquire property for, city-owned community centers including those
29 for families, youth, senior citizens, the homeless, and for other

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1 community enhancement projects? This will not increase the tax
2 rate.

3 3. FOR

4 GENERAL OBLIGATION

5 PARKS AND RECREATION

6 BONDS

7 AGAINST

8 Shall the City of Albuquerque issue \$16,830,000 of its general
9 obligation bonds to study, map, plan, design, develop, construct,
10 rehabilitate, renovate, expand, furnish, equip, enhance and
11 otherwise improve, and to acquire property, vehicles and
12 equipment for park and recreational facilities, including public parks
13 and facilities within those parks, swimming pools, tennis courts,
14 sports fields, other recreational facilities, open space, medians,
15 bikeways, bosque lands, and trails? This will not increase the tax
16 rate

4 FOR

GENERAL OBLIGATION ENERGY AND WATER

CONSERVATION PUBLIC FACILITIES AND

SYSTEM MODERNIZATION BONDS

AGAINST

Shall the City of Albuquerque issue \$10,420,000 of its general obligation bonds to modernize, make energy and/or water-efficient, upgrade, equip, improve, acquire, plan, design, survey, develop, construct, rehabilitate, renovate, expand, furnish, enhance and otherwise improve, and to acquire property, vehicles and equipment for, public buildings, facilities, and systems? This will not increase the tax rate

29 5. FOR

30 GENERAL OBLIGATION

1 LIBRARY BONDS

2 AGAINST

3 Shall the City of Albuquerque issue \$8,765,000 of its general obligation
4 bonds to acquire property, study, plan, design, develop, construct,
5 reconstruct, renovate, rehabilitate, modernize, preserve, automate,
6 upgrade, landscape and otherwise improve, and to acquire books, media,
7 and equipment for, public libraries? This will not increase the tax rate.

8
9 6. FOR

10 GENERAL OBLIGATION

11 STREET BONDS

12 AGAINST

13 Shall the City of Albuquerque issue \$32,930,000 of its general obligation
14 bonds to study, plan, design, develop, construct, reconstruct, rehabilitate,
15 renovate, automate, modernize, sign, enhance, landscape and otherwise
16 improve, and to acquire property and equipment for municipal streets and
17 roads, interstate roadways and interchanges, medians, trails, bikeways,
18 walkways, sidewalks, railroad crossings, and bridges? This will not
19 increase the tax rate.

20 7. FOR

21 GENERAL OBLIGATION

22 PUBLIC TRANSPORTATION BONDS

23 AGAINST

24 Shall the City of Albuquerque issue \$3,130,000 of its general obligation
25 bonds to plan, design, develop, construct, rehabilitate, renovate, expand,
26 recondition, modernize, automate, study, furnish, enhance and otherwise
27 improve, and to acquire property, vehicles, and equipment for public
28 transportation facilities? This will not increase the tax rate.

29 8. FOR

30 GENERAL OBLIGATION

31 STORM SEWER SYSTEM BONDS

1 AGAINST

2 Shall the City of Albuquerque issue \$11,210,000 of its general obligation
3 bonds to plan, design, develop, construct, reconstruct, rehabilitate,
4 renovate, expand, extend, enhance, study, monitor and otherwise
5 improve, and to acquire property and equipment for the storm sewer
6 system? This will not increase the tax rate.

7 9. FOR

8 GENERAL OBLIGATION MUSEUM AND
9 CULTURAL FACILITIES BONDS

10 AGAINST

11 Shall the City of Albuquerque issue \$1,790,000 of its general obligation
12 bonds to study, plan, design, develop, construct, reconstruct, rehabilitate,
13 renovate, repair, refurbish, modernize, preserve, maintain, expand,
14 enhance, landscape and otherwise improve, and to acquire artifacts,
15 exhibits, furnishings and equipment for City-owned museums and cultural
16 facilities? This will not increase the tax rate.

17 10. FOR

18 GENERAL OBLIGATION
19 AFFORDABLE HOUSING BONDS

20 AGAINST

21 Shall the City of Albuquerque issue \$5,050,000 of its general obligation
22 bonds in support of the Workforce Housing Act to provide resources for
23 the construction and rehabilitation of high quality, permanently affordable
24 housing for low to moderate working families, including affordable senior
25 rental? This will not increase the tax rate.

26 11. FOR

27 GENERAL OBLIGATION METROPOLITAN
28 REDEVELOPMENT BONDS

29 AGAINST

1 Shall the City of Albuquerque issue \$8,080,000 of its general obligation
2 bonds to plan, design, study, construct, develop, demolish, reconstruct,
3 rehabilitate, renovate, modernize, preserve, secure, expand, equip,
4 landscape, streetscape, repair, enhance, acquire or otherwise improve
5 non-right of way and right of way land, property, facilities or infrastructure
6 owned by the City of Albuquerque for Metropolitan Redevelopment
7 Projects within adopted Metropolitan Redevelopment Areas in order to
8 implement the objectives of the New Mexico Metropolitan Redevelopment
9 Code? This will not increase the tax rate.

10 **Section 6:** The election on the Bond Election Questions shall be held and
11 conducted in accordance with the Election Code and the Bond Election Act.

12 **Section 7:** The Bond Election Resolution shall be published in the English and
13 Spanish languages at least once a week for four consecutive weeks by four
14 insertions, the first insertion being published between fifty (50) and sixty (60) days
15 before the day of the Election in a newspaper or newspapers which are of general
16 circulation in the City and which otherwise qualify as legal newspapers in the City.

17 **Section 8:** For further information concerning this election, consult the Office
18 of the County Clerk, 6th Floor, One Civic Plaza, Albuquerque, New Mexico.

19 **Section 9:** The officers of the City be and they hereby are authorized and
20 directed to take all action necessary or appropriate to effectuate the provisions of
21 this Resolution.

22 **Section 10:** If any section, paragraph, clause, or provision of this resolution
23 shall for any reason be held to be invalid or unenforceable, the invalidity or
24 unenforceability of such section, paragraph, clause or provisions shall not affect any
25 of the remaining provisions of this resolution. The Council hereby declares that it
26 would have passed this resolution and each section, paragraph, sentence, clause,
27 word, or phrase thereof irrespective of any provision being declared unconstitutional
28 or otherwise invalid.

29 **Section 11:** All resolutions and ordinances, or parts thereof, inconsistent
30 herewith are hereby repealed to the extent only of such inconsistency. This repealer

1 shall not be construed to revive any resolution or ordinance, or parts thereof,
2 heretofore repealed.

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1 PASSED AND ADOPTED THIS 5th DAY OF August, 2019
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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9 Ktarissa J. Peña, President
10 City Council

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13 APPROVED THIS _____ DAY OF _____, 2019
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16 Bill No. R-19-164

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20 Timothy M. Keller, Mayor
21 City of Albuquerque
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25 ATTEST:
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Katy Duhigg, City Clerk