



TIMOTHY M. KELLER, MAYOR

CITY OF ALBUQUERQUE
OFFICE OF THE MAYOR/ CHIEF ADMINISTRATIVE OFFICE

INTEROFFICE MEMORANDUM

TO: CITY COUNCIL

FROM: TIMOTHY M. KELLER, MAYOR

SUBJECT: VETO OF C/S O-24-67: AMENDING CHAPTER 2, ARTICLE 11 OF THE CITY OF ALBUQUERQUE CODE OF ORDINANCES TO IMPROVE THE CITY'S BUDGET PROPOSAL PROCESSES AND STRENGTHEN OVERSIGHT AND ACCOUNTABILITY MEASURES.

DATE: DECEMBER 30, 2025

First, I want to recognize all of the staff who worked on this legislation over the past year. I fully understand the significant time, expertise, and dedication it takes for my Administration and Council staff to collaborate in good faith, work through complex issues, and ultimately reach a thoughtful compromise. That process reflects the best of public service and a shared commitment to delivering meaningful results.

However, during final passage, several adopted amendments unfortunately undermined much of the staff's work and raise concerns that I believe warrant careful consideration. A few examples are:

1. **Page 9, lines 26-27** – This language directs the Administration on how to formulate the proposed budget and likely conflicts with the City Charter.

2. **Page 18, lines 23–33, and Page 19, lines 1–20** – This language would require the Council to have direct and concurrent access to all “budget preparation, accounting, and fiscal analysis” databases, software, and financial systems. Providing direct and concurrent access to all such systems likely conflicts with the City Charter, which specifies that the Council shall have “access to all information relating to the formulation of the budget,” rather than access to broader operational information not directly related to budget formulation, such as accounting and fiscal analysis systems.

Rather than sending these concerns to the Intergovernmental Conference Committee, “ICC,” and potentially setting up future legal separation of powers disputes in the courts, I am vetoing this ordinance, but welcome the chance to work on the general Budget process together with the new Council in 2026. I view this moment as an opportunity. The foundation that was built through months of dialogue, analysis, and cooperation remains strong.

I respectfully ask that the City Council uphold my veto and together we establish a Conference Committee consistent with the City Charter and Chapter 2, Article 11 of the Code of Ordinances. I propose that the Conference Committee work collaboratively through each article of the Budget Ordinance, discussing and developing potential changes together. Through this process I am confident that we can reengage constructively, and continue working together to advance solutions that work for everyone.

CITY OF ALBUQUERQUE CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Timothy M. Keller, Mayor

FROM: Isaac Padilla, Director of Council Services

SUBJECT: Transmittal of Legislation

MM / For
IEP

Transmitted herewith is Bill No. C/S O-24-67 Amending Chapter 2, Article 11 Of The City Of Albuquerque Code Of Ordinances To Improve The City's Budget Proposal Processes And Strengthen Oversight And Accountability Measures (Peña), which was passed at the Council meeting of December 15, 2025, by a vote of 8 FOR AND 1 AGAINST.

For: Baca, Bassan, Champine, Grout, Lewis, Peña, Rogers, Sanchez
Against: Fiebelkorn

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

CITY of ALBUQUERQUE

TWENTY SIXTH COUNCIL

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

SPONSORED BY: Klarissa J. Peña

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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

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

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

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

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

23 SECTION 1. Chapter 2, Article 11 of the City Code of Ordinances is
24 amended as follows with all sections and subsections renumbered accordingly:

25 § 2-11-1 INTENT.

[Bracketed/Uncrossed Material] - New
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§ 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,
19 guiding the City's growth and meeting community needs. The Albuquerque
20 Progress Report and the City/County Comprehensive Plan shall be guiding
21 documents for developing the five-year goals. Consistent with § 3-2-16 of the
22 Code of Resolutions, the Mayor and City Council shall consider any applicable
23 Comprehensive Plan Analyses prepared through the web-based tool when
24 reviewing or amending the five-year goals. The fact that an outcome directly
25 addressed by city government service is not mentioned in the five-year goals
26 does not imply that the service or function will not continue as usual; it means
27 only that there is not a special effort to reach some goal-related outcome in that
28 area during the coming five years. The City Council and the Mayor shall develop
29 one-year objectives consistent with the five-year goals. The Mayor and City
30 Council will collaborate to establish the five-year goals. The City Council staff
31 shall direct the goals and objectives review, formulation, and adoption process
32 consistent with the City Charter; however, these tasks may be delegated to the
33 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.

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

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

(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.

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

31 (1) Departments must review and report, in the form of an Executive
32 Communication (EC), on the progress of these objectives annually, ensuring
33 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.

3 (2) On an annual basis, the City shall conduct a “Citizens’ Perception of
4 Conditions Survey” to poll the residents on the perception of City governmental
5 services and community conditions related to the Five-Year Goals.

6 (3) On an annual basis, during the month of October, City Administration
7 including key departmental staff and representatives of City Council shall meet to
8 review the five-year goals, community conditions, strategies, programs, and one-
9 year objectives.

10 (G) Staffing. Both the Mayor and City Council shall identify appropriate
11 staff to collaborate in the development and implementation of the Five-Year Goals
12 and One-Year Objectives Process.

13 (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.

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

24 (4) The indicators shall be developed collaboratively by the
25 Administration, Department Representatives, and Council Services during the
26 goals and objectives review process and included in all documents
27 accompanying the adoption or revision of Five-Year Goals and One-Year
28 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.

33 § 2-11-6 COUNCIL COMMITTEE OF THE WHOLE.

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.

7 **(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:

- 13 (a) Department Directors;
- 14 (b) Department Deputy Directors;
- 15 (c) The Police Chief;
- 16 (d) The Fire Chief;
- 17 (e) The City Clerk;
- 18 (f) The City Attorney;
- 19 (g) The Internal Auditor;
- 20 (h) The Inspector General;
- 21 (i) Civilian Police Oversight Agency Director;
- 22 (j) Any other position whose appointment, removal, or supervisory

23 structure or independence is governed by the City Charter or by ordinance.

24 **(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.

1 (F) Amounts appropriated for COLA and wage adjustments are subject to
2 Union and Labor negotiations per City of Albuquerque Code of Ordinances § 3-2-
3 19.

4 (G) A separate program strategy shall be included for any Enterprise Fund
5 that receives general fund revenues. The program strategy shall include a
6 description of general fund revenue uses, and other funding sources as
7 applicable.

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

10 (1) The Mayor's budget message;

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

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

13 expenditures to date and anticipated expenditures to the end of that year, to
14 include:

15

(a) All proposed expenditures for all departments of City government;

16 (b) All interest and debt redemption charges;

(c) All anticipated revenues and other available resources by source and

(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.

3 § 2-11-9 BUDGET PROPOSAL — PRINTING AND INDEXING.

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

9 § 2-11-10 CONSIDERATION OF BUDGET PROPOSAL BY THE COUNCIL.

(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.

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.

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

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

(B) Following the close of each fiscal year, the Mayor shall submit to the City Council a resolution presenting a report of all encumbered but unexpended amounts and associated purchase orders from the prior fiscal year. The resolution shall identify, by department and program, the total encumbered amounts proposed for reappropriation. The resolution shall be considered by the City Council at two regular public meetings, following the resolution's 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
FEDERAL FUNDS.**

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

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

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

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

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

15 (D) Twice yearly, in July and January, the Administration shall submit an
16 Executive Communication detailing all grant applications for the previous six
17 months. This report shall include total project cost, grant funding requests, local
18 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 (1) The Administration shall provide a quarterly report detailing the
2 financial status of all active projects and awards within Special Revenue Fund
3 265 (Grants).

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

- 5 (a) the grantor agency;
- 6 (b) the total award amount;
- 7 (c) the amount budgeted;
- 8 (d) expenditures to date;
- 9 (e) remaining balance;

10 (f) expiration date or performance period end date;
11 (g) grants which have reverted or are near reversion due to compliance
12 concerns;

13 (h) grants that have been returned during the reporting period, including
14 the amount returned and the reason for return; and
15 (i) any required local match or in-kind contribution amounts, if

(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.

7 (1) The General Fund Balance formula and any other financial calculation
8 methodologies employed by the Budget Office or the Department of Finance and
9 Administrative Services shall be continuously available to Council Services staff
10 in the same format and level of detail as maintained by the Administration. Such
11 access shall not depend upon an administrative request or approval but shall
12 exist as a standing entitlement under this Section.

(E) The Administration and the Council shall act in good faith to maintain secure, professional, and timely access to financial systems and data. Both branches shall ensure the integrity and confidentiality of data consistent with City records retention policies.

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.

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Bracketed/Underscored Material] - New

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1 PASSED AND ADOPTED THIS 15th DAY OF December, 2025
2 BY A VOTE OF: 8 FOR 1 AGAINST.

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4 For: Baca, Bassan, Champine, Grout, Lewis, Peña, Rogers, Sanchez
5 Against: Fiebelkorn

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10 Brook Bassan, President
11 City Council

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APPROVED THIS 30 DAY OF December, 2025

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Bill No. C/S O-24-67

18 **VETO**



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22 Timothy M. Keller, Mayor
23 City of Albuquerque

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ATTEST:

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Ethan Watson, City Clerk

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