CITY of ALBUQUERQUE
TWENTY SEVENTH COUNCIL

COUNCIL BILL NO. O-26-61 ENACTMENT NO. _____

SPONSORED BY: Dan Lewis

ORDINANCE

AMENDING THE NEIGHBORHOOD ASSOCIATION RECOGNITION ORDINANCE AND MAKING CORRESPONDING AMENDMENTS TO THE INTEGRATED DEVELOPMENT ORDINANCE AND NOTICE REQUIREMENT FOR BLASTING PERMIT ORDINANCE.

WHEREAS, the City's Neighborhood Associations are a core unit both geographically and socially in implementing democratic processes and ensuring representation when interacting with City government; and

WHEREAS, The City's Neighborhood Association Recognition Ordinance ("NARO") aims to help promote the longevity and continuity of recognized neighborhood associations in the City; and

WHEREAS, to meet this goal, the City should continually assess the NARO to ensure it continues to provide and maintain a level of equitable access to information, resources, and technical assistance for all neighborhood associations, while responding to changing living conditions that affect all City residents; and

WHEREAS, Albuquerque is experiencing a housing crisis that affects residents throughout the City and across income levels; and

WHEREAS, it is the City's goal to implement its Comprehensive Plan through land use decisions, while considering those residents who are directly affected versus residents outside of the approximate area; and

WHEREAS, the Integrated Development Ordinance requires that properties located within proximity to proposed development receive individual notice and are afforded the opportunity to participate in public processes related to the proposal; and

WHEREAS, the City of Albuquerque continues to work on ways to make housing production and development a more predictable, efficient, and

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responsive to community needs (*See* Comprehensive Plan Goal 9.6 Development Process: "*Promote cost-effective housing redevelopment and construction that meets community needs*"); and

WHEREAS, the City is also committed to economic development and job growth to support the financial stability and overall wellbeing of City residents (See Comprehensive Plan Policy 8.2.2: "*Diverse Talent, Promote a more inclusive ecosystem for developing entrepreneurs*"); and

WHEREAS, housing and job growth are directly related, and when the housing market is struggling, it becomes a barrier for sustainable, local job growth; and

WHEREAS, predictable development procedures are necessary to support housing production, economic development, and job growth; and

WHEREAS, applicants, residents, neighborhood organizations, and decisionmakers alike benefit from clear, consistent, and accessible City development processes; and

WHEREAS, the City recognizes the important role that neighborhood-based participation plays in land use, planning, and development decisions; and

WHEREAS, Recognized Neighborhood Associations are intended to provide a geographically defined, resident-based, and democratic structure through which neighborhood residents may organize, receive developer notice, and participate in City processes; and

WHEREAS, the eight Recognized Neighborhood Coalitions in the City of Albuquerque cover 96 percent of the City's limits, with one Coalition covering the entirety of three council districts and a portion of a fourth; and

WHEREAS, Neighborhood Coalitions have provided additional opportunities for collaboration among various neighborhood groups, but are not necessarily structured around direct resident membership and participation and may contribute to uncertainty regarding representation, standing, notice, and participation rights of residents;

WHEREAS, public engagement is best served when formal recognition and procedural rights are tied to organizations that provide residents with a direct, transparent, and democratic means of participation and organizations have direct accountability to the residents they represent; and

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WHEREAS, limiting formal recognition under the Neighborhood Association Recognition Ordinance to Neighborhood Associations will empower neighborhood-scale resident-based groups and promote fairness, consistency, and predictability, while preserving the ability of all community groups to provide public comment, organize residents, and participate in public processes; and

WHEREAS, these changes further the goals of the Comprehensive Plan by supporting inclusive public participation, transparent decision-making, and a development process capable of responding to Albuquerque's housing and economic needs (*See* Comprehensive Plan Policy 5.7.2 Regulatory Alignment: "*Update regulatory frameworks to support desired growth, high quality development, economic development, housing, a variety of transportation modes, and quality of life priorities*").

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

SECTION 1. ROA 1994, Chapter 14, Article 8, Part 2, Neighborhood Association Recognition, is amended as follows:

PART 2: NEIGHBORHOOD ASSOCIATION RECOGNITION [ORDINANCE (NARO)]

§ 14-8-2-1 SHORT TITLE. [ROA 1994, Chapter 14, Article 8, Part 2] [~~Sections 14-8-2-1 et seq.~~] shall be [known and] cited as the "Neighborhood Association Recognition Ordinance[~~.~~]" [or "NARO."]

§ 14-8-2-2 DEFINITIONS. For the purpose of [this Ordinance,] [~~§§ 14-8-2-1 et seq.,~~] the following definitions shall apply unless the context clearly indicates or requires a different meaning.

[~~BUSINESS OR COMMUNITY GROUP. An organized group of residents or businesses located within the city, but who may not necessarily reside within an identifiable geographic boundary.~~]

[~~HOMEOWNER ASSOCIATION. An organization located within the city that is subject to Section 47-16-2 NMSA, The Homeowner Association Act.~~]

IN-PERSON. [Physical attendance at the same location to interact face-to-face.] [~~In-person meetings~~] [Meetings] and voting [conducted in-person] may include the use of virtual online [attendance and participation] [~~meetings~~].

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NEIGHBORHOOD ASSOCIATION. A voluntary organization or association formed by property owners and/or residents within a specified geographic boundary within the [~~city~~] [limits of the City of Albuquerque].

[~~NEIGHBORHOOD COALITION. A group of two or more neighborhood associations and/or homeowner associations, together with any community or business groups and any individual members within a specified geographic boundary within the city.~~]

RECOGNIZED NEIGHBORHOOD ASSOCIATION. A neighborhood association that meets the criteria described in [ROA 1994,] [§]§ 14-8-2-3 [~~et seq~~] [and is designated as recognized by the Office of Neighborhood Coordination].

[~~RECOGNIZED NEIGHBORHOOD COALITION. A neighborhood coalition that meets the criteria described In §§ 14-8-2-4 et seq.~~]

§ 14-8-2-3 APPLICATION AND CRITERIA FOR RECOGNITION OF NEIGHBORHOOD ASSOCIATIONS.

(A) Any neighborhood association may request designation as a recognized neighborhood association by submitting a request to the Office of Neighborhood Coordination (the "ONC") on forms provided by the ONC, together with a copy of the neighborhood association's most current bylaws [and a map of its boundaries].

(B) The city shall [designate a neighborhood association as recognized when] [~~recognize each neighborhood association requesting status as a recognized neighborhood association under this Part where~~] the neighborhood association conducts itself fairly, openly, and democratically. Neighborhood associations will be deemed to satisfy this obligation when their bylaws demonstrate, [~~or~~] [and] their conduct is not [~~otherwise~~] inconsistent with, the following criteria:

(1) The geographic boundaries of a recognized neighborhood association must be reasonable. Boundaries will be considered reasonable when:

(a) They are contiguous; and

(b) They encompass an area of the city that is greater than 15 acres, but not more than one square mile; and

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(c) [They are located entirely within the Albuquerque city limits; and

(d)] They do not overlap with the boundaries of any other recognized neighborhood association[.][~~; or~~

~~(d) The boundaries were in existence and recognized by the city as of October 20, 2017 and the neighborhood association is still in recognized status as of the date this Part is enacted.~~]

(2) Membership must be open to all adult persons residing within the boundaries, and to each place of business within the boundaries. Membership shall not be limited by race, creed, religion, color, gender, gender identity, sexual orientation, age, heritage, national origin, or income. The recognized neighborhood association shall in good faith take all reasonable steps to have its membership evenly distributed throughout its boundary[.][~~, and all~~] [All] members must be eligible to hold any officer [and/or board] position within the association.

(3) The bylaws must expressly identify the process of succession when an officer [and/or board member] steps down voluntarily or is removed, and how vacant positions will be filled.

(4) Only those persons within the boundaries of the association who have affirmatively joined the neighborhood association may be counted as members. The bylaws must clearly identify how membership is established [and persons shall be permitted to become members at any time]. [Optional dues] [~~Dues~~] may be collected, however payment of dues cannot be a prerequisite of membership or voting rights in the association.

(5) The association shall hold an annual meeting. [The election of officers and/or board members shall take place at the annual meeting.] [~~It~~] [The association] shall notify the ONC of this meeting and make a reasonable attempt to give written notice to all households and businesses within its boundaries at least two weeks in advance through placement of one or more signs at prominent locations within the neighborhood association boundaries and one or more of the following:

(a) U.S. mail; or

(b) Delivered flyers; or

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(c) Website or social media posting; or

(d) E-mall, text message, direct message through social media, or other form of electronic messages delivered to the known address of each member.

(6) The association shall not hold a vote of the general membership on any question or candidate(s) unless it is advertised through the methods described in subsection (5) above, at least [~~seven days~~] [two weeks] in advance.

(7) Bylaws should be reviewed regularly, but no less frequently than at least once every ten years[.][~~, and revised and~~] [Revised bylaws shall be] resubmitted to the ONC [~~only as may be necessary to reflect~~] [upon any] changes in election processes, organizational structure, or communication processes. If none of these changes have taken place, the association is not required to revise its bylaws.

(8) The recognized neighborhood association shall identify an orderly and democratic process for making representative determinations and decisions on behalf of the association. [~~For the purposes of this section, a recognized neighborhood association's process shall be deemed orderly and democratic if~~] [All such determinations and] decisions [~~are~~] [shall be] made via a majority of the total votes cast by association's officers [and/or board members], [~~directors,~~] or members[, except that votes on development applications and appeals are subject to the provisions of ROA 1994, Section 14-8-2-4(E)]. If an election or vote of the membership is held, it will satisfy the requirements of this paragraph where:

(a) Members are given advance notice as prescribed by § 14-8-2-3(B)(6), above; and

(b) Each member is afforded the ability to vote using at least one of the following methods: in-person, mailed paper ballot, or electronic means[,] [~~(~~]except that elections [conducted] [~~held~~] at the [association's] annual meeting must be voted on in person consistent with subsection [14-8-2-3(B)](9) below); and

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(c) If a virtual online meeting [attendance option] is [~~used~~] [provided] for an in-person [~~vote~~] [meeting in which votes are taken], votes must be recorded via a roll call vote[~~.~~] [; and]

(d) When voting occurs by paper ballot, results [~~are~~] [shall be] tallied by a committee consisting of two or more members of the association and reported to association members in writing either electronically or hard copy. Electronic ballots must be [~~canvassed~~] [tallied] in the same method, or through other reasonable methods.

(9) [~~With the exception of elections held at the annual meeting, a~~] [A] recognized neighborhood association must hold votes by at least one of the following mechanisms: in person, electronically or by mail-in or paper ballot.

(C) Officers [and/or board members] of recognized neighborhood associations shall submit an annual report to the ONC within 60 days of their annual meeting. This annual report shall be submitted via U.S. Mail or via an e-mail from the neighborhood [association] board. The annual report must at a minimum contain the following information:

(1) Number of [affirmed] members for the previous year; and

(2) Two designated points of contacts, who shall be responsible to receive notices, including e-mail addresses, phone numbers, and mailing addresses; and

(3) Names, addresses, e-mail addresses, and available phone numbers of current neighborhood association officers and/or board members; and

(4) An updated copy of the bylaws [and boundary map] [~~only~~] if they have been amended since last submitted; and

(5) Evidence of how the annual meeting was noticed pursuant to § 14-8-2-3(B)(6), above, for example[,] a copy of the flyer that was used.

(D) Failure to comply with any of the [~~preceding criteria~~] [requirements of the NARO] will result in a notification of noncompliance being sent to the recognized neighborhood association officers and/or board members from the ONC. Upon receipt of this notice, a recognized neighborhood association must offer evidence of compliance within 60 days[.] [~~; if it~~] [If the recognized

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neighborhood association] does not comply [within the 60-day period], the association will be removed from the list of recognized neighborhood associations.

~~[§ 14-8-2-4 APPLICATION AND CRITERIA FOR RECOGNITION OF NEIGHBORHOOD COALITIONS.~~

~~(A) Any neighborhood coalition may request designation as a recognized neighborhood coalition by submitting a request to the ONC on forms provided, together with a copy of the neighborhood coalition's most current bylaws.~~

~~(B) The city shall recognize each neighborhood coalition requesting status as a recognized neighborhood coalition under this Part where the neighborhood coalition conducts itself fairly, openly, and democratically. Neighborhood coalitions will be deemed to satisfy this obligation when their bylaws demonstrate, or their conduct is not otherwise inconsistent with, the following criteria:~~

~~(1) The geographic boundaries of the coalition must be reasonable. Boundaries will be considered reasonable when:~~

~~(a) They are contiguous; and~~

~~(b) They do not include areas within more than two Council Districts; and~~

~~(c) They do not overlap with the boundaries of any other recognized neighborhood coalitions; or~~

~~(d) The boundaries were in existence and registered with the city as of October 20, 2017 and the coalition remains in registered status as of the date this Part is enacted.~~

~~(2) Membership must be open to all recognized neighborhood associations, neighborhood associations, homeowner associations, business groups, and community groups within its boundaries, and may also be available to individual households and property owners within the boundaries of the coalition but who are located outside the boundaries of any recognized neighborhood association. No coalition shall limit membership based on race, creed, religion, color, gender, gender identity, sexual orientation, age, heritage, national origin, or income. The recognized~~

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~~neighborhood coalition shall in good faith take all reasonable steps to notify all recognized neighborhood associations within its boundaries of the recognized coalition's existence and to have its membership evenly distributed throughout its boundary. Each member must be eligible to hold any officer position within the association.~~

~~(3) The bylaws must expressly identify the process of succession when an officer steps down voluntarily or is removed, and how vacant positions will be filled.~~

~~(4) Only those associations, groups, and households who have affirmatively joined the coalition may be counted as members. The bylaws must clearly identify how membership is established. Dues may be collected, however payment of dues cannot be a prerequisite of membership or voting rights in the coalition.~~

~~(5) For the purposes of notice, recognized neighborhood coalitions shall receive notice per the boundaries of member associations or groups only, and not for any individual members;~~

~~(6) The coalition shall hold an annual meeting. It shall notify the ONC of this meeting at least two weeks in advance and make a reasonable attempt to give notice to all members at least two weeks advance notice through two or more of the following:~~

~~(a) Website or social media posting;~~

~~(b) One or more signs placed in prominent locations; or~~

~~(c) E-mail, text message, direct message through social media, or other form of electronic messages delivered to the known address of each member.~~

~~(7) The coalition shall not hold an election or a vote of the general membership on any question or candidate(s) unless it is advertised through the methods described in subsection (6) above, at least seven days in advance.~~

~~(8) Bylaws should be reviewed regularly, but no less frequently than at least once every ten years, and revised and resubmitted to the ONC only as may be necessary to reflect changes in election processes, organizational structure, communication processes, and financial processes. If none of~~

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~~these changes have taken place, the coalition is not required to revise its bylaws.~~

~~(9) The coalition shall identify an orderly and democratic process for making representative determinations and decisions on behalf of the coalition. For the purposes of this section, a recognized neighborhood coalition's process will be deemed orderly and democratic if decisions are made via a majority of the total votes cast by coalition's officers or members. If an election or vote by the membership is held it will satisfy the requirements of this paragraph where:~~

~~(a) Members are given advance notice as prescribed by § 14-8-2-4(B)(6), above; and~~

~~(b) Each member is afforded the ability to vote using at least one of the following methods: in-person, mailed paper ballot, or electronic means (except that elections held at the annual meeting must be voted on in person consistent with subsection (10) below); and~~

~~(c) If a virtual online meeting is used for an in-person vote, votes must be recorded via a roll call vote.~~

~~(d) When voting occurs by paper ballot, results are tallied by a committee consisting of two or more members of the coalition and reported to coalition members in writing either electronically or hard copy. Electronic ballots must be canvassed in the same method, or through other reasonable methods.~~

~~(10) With the exception of elections held at the annual meeting, a recognized coalition must hold votes by at least one of the following mechanisms: in person, electronically or by mail-in or paper ballot.~~

~~(C) Each recognized neighborhood coalition shall submit an annual report to the ONC within 60 days of its annual meeting. This annual report is to be submitted via U.S. Mail or via e-mail. The annual report must at a minimum contain the following information:~~

~~(1) The names of all members who are associations or groups, and the number of individual members of during the previous year; and~~

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~~(2) Two designated points of contact who shall be responsible to receive notices, including e-mail addresses, phone numbers, and mailing addresses; and~~

~~(3) Names, addresses, e-mail addresses, and available phone numbers of current recognized neighborhood coalition officers and/or board members; and~~

~~(4) An updated copy of the bylaws only if they have been amended since last submitted; and~~

~~(5) A statement of how the annual meeting was noticed pursuant to § 14-8-2-4(B)(5).~~

~~(D) Failure to comply with any of the preceding criteria will result in notification of noncompliance being sent to the recognized neighborhood coalition two points of contact. Upon receipt of this notice, a recognized neighborhood coalition must offer evidence of compliance within 60 days; if it does not comply, the coalition will lose its recognized status.]~~

§ 14-8-2-[~~5~~][4] RESPONSIBILITIES OF RECOGNIZED NEIGHBORHOOD ASSOCIATIONS [~~AND RECOGNIZED NEIGHBORHOOD COALITIONS~~]. In addition to any other requirements of this [~~Part~~] [Ordinance], recognized neighborhood associations [~~and recognized neighborhood coalitions~~] shall:

(A) By interaction with their members, residents, and the city, strive to engage with community and land use planning, protect the environment, and promote the community welfare;

(B) Strive to foster communication between the recognized neighborhood association [~~and/or recognized neighborhood coalition~~] and city government on plans, proposals, and activities affecting their area;

(C) Use best efforts to inform members and other eligible participants in their neighborhood association [~~and/or coalition~~] boundary of current issues;

(D) When presenting its official position on an issue to the city or a city board or commission, be prepared to identify whether the decision was reached by the [officers and/or board members], a poll of the general membership, or by a vote at a general membership meeting, and the vote [count] for and against the position.

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[(E) If a recognized neighborhood association wishes to take an official position on a development application or file an appeal, it shall first take a vote of its entire affirmed membership. The vote shall be noticed and conducted pursuant to the requirements of Section 14-8-2-3. The official position shall only be adopted if it is approved by a majority of the affirmed members participating in the vote. The recognized neighborhood association shall present documentation of the votes cast by every individual affirmed member, including a notation of all affirmed members that did not participate in the vote, at the time of submission or presentation of its official position to the city.]

[~~§ 14-8-2-6 HOMEOWNER ASSOCIATIONS, BUSINESS GROUPS, AND COMMUNITY GROUPS.~~

~~(A) Homeowner associations, business groups, and community groups may register with ONC by providing the following information:~~

~~(1) A mailing address and an e-mail address where it wishes communications to be sent; such designation may be changed when appropriate.~~

~~(2) A definition of the physical boundaries of the homeowner association, business group, or community group and/or common interests.~~

~~(B) Organizations that provide this information with the ONC will have access to all ONC services, including the ability to participate in the ONC's annual Neighborhood Summit. However, homeowner associations, business groups, and community groups are not recognized and will not receive notification per the Integrated Development Ordinance (IDO).~~]

§ 14-8-2-[~~7~~][5] RESPONSIBILITIES OF CITY DEPARTMENTS [~~OTHER THAN ONC~~].

(A) The relevant city department(s) shall [provide] [~~notify, via~~] electronic notice[~~,~~] [to] recognized neighborhood associations [~~and recognized neighborhood coalitions~~] whose boundaries include or are within one mile of the following:

(1) Changes in city services; [~~and~~]

(2) Major infrastructure projects[; and

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(3) Any street construction, closure, and/or major repair, other than emergency work].

[~~(B) The relevant city department(s) shall notify, via mailed or electronic notice[, recognized neighborhood associations and recognized neighborhood coalitions of major city development or redevelopment per the requirements of the IDO.]~~]

[~~(C) The relevant city department(s) shall notify, via electronic notice, to the recognized neighborhood associations and coalitions within one mile of any city street construction, closure, and/or major repair, other than emergency work.~~]

[~~(D)~~] [(B)] The relevant city department(s) shall [provide] [~~notify, via~~] electronic notice[~~,~~] [to] recognized neighborhood associations of filming on city streets within a 300-foot radius of filming.

§ 14-8-2-[~~8~~][6] RESPONSIBILITIES OF THE ONC.

(A) The ONC[‘s responsibilities under the NARO include][~~shall~~]:

(1) [RECOGNITION ADMINISTRATION.]

[(a)] [~~Make available on the city website~~] [The ONC shall provide information regarding] the requirements for recognition under this [~~Part~~] [Ordinance], [~~and upon request advise interested persons of these requirements;~~

[~~(2)~~] [~~V~~][v]erify [compliance by] [~~whether~~] each recognized neighborhood association [~~and recognized neighborhood coalition has met the requirements for recognition~~] within 60 days of the due date of each association's [~~or coalition's~~] annual report[, and][~~;~~]

[~~(3) A~~][a]nnually notify each recognized neighborhood association [~~and recognized neighborhood coalition~~] of its current recognition status[.] [~~through e-mail or U.S. mail; city agencies shall also be advised by the ONC of association's and coalition's status;~~

~~(4) Encourage individuals to participate in their relevant existing recognized neighborhood association and recognized neighborhood coalition;~~]

[(b) The ONC shall offer guidance, assistance, and resources to recognized neighborhood associations related to their meeting notification

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obligations, voting requirements, bylaws, and other processes and procedures required by the NARO.]

[(c) The ONC shall issue a notification of noncompliance upon a recognized neighborhood association's failure to comply with the requirements of the NARO. If the recognized neighborhood association fails to provide evidence of compliance within 60 days of receipt of the notice, the ONC shall revoke its recognized status.]

[(2) RESOURCES.]

~~[(5) Aid city officials, recognized neighborhood associations [and recognized neighborhood coalitions], and the general public during the community planning area [(CPA)] assessment process outlined in the IDO, emphasizing collaboration and partnerships with all implementing departments;]~~

[(a) The ONC shall provide the following resources to the public and make them publicly available on its webpage:

(1) A current list of all recognized neighborhood associations including their boundary maps, current bylaws, and contact information for their two designated points of contact;]

~~[(6)]~~[(2)] ~~[Provide via the ONC website a]~~ [A] current list of all city government agencies, their department heads, and corresponding contact information;

[(3) Links to Planning Department resources regarding current development and permit applications;]

[(4) Referrals to the City Legal Department's Alternative Dispute Resolution Program to assist in revolving neighborhood disputes;]

~~[(7)]~~[(5)] ~~[Advise the public of]~~ [Information regarding] available grant programs and self-help projects including ~~[but not limited to programs]~~ [those] that enhance communities and [improve] quality of life~~[, and grant programs that could enhance the quality of life]~~ within ~~[their]~~ neighborhoods;

[(6) Other pertinent city information including links to commonly requested resources and information.]

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[(8)][(b) The ONC shall] [C][c]onnect the public with the appropriate city staff or agencies, and help ensure that inquiries [get an initial] [receive timely] response[s.] [electronically or by mail within seven days of receipts of any correspondence received from any recognized association or coalition that requests an answer, definition or status of any city project within their boundaries;]

[(9) Refer individuals and associations to the City Legal Department's Alternative Dispute Resolution Program to assist in resolving neighborhood disputes;]

[(10) Provide pertinent city information to the public upon request and maintain links on its city webpage to commonly requested resources and information;]

[(11) Maintain on the ONC webpage links to the Planning Department's resources regarding current development and permit applications;]

[(3) OUTREACH.]

[(a) The ONC shall encourage individuals to participate in their recognized neighborhood association.]

[(b) The ONC shall aid city officials, recognized neighborhood associations, and the general public during the Community Planning Area (CPA) assessment process outlined in the IDO, emphasizing collaboration and partnerships with all implementing departments.]

[(12)] [(c) The ONC shall] [P][p]rovide a [quarterly] city newsletter to inform the public about happenings in city government[.] [at least quarterly];

[(d) The ONC shall provide training materials concerning city procedures and actions, as well as the effective operation of neighborhood associations. The ONC may provide workshops, such as an annual citywide neighborhood summit, provided that any such events must be noticed to all recognized neighborhood associations, open to all interested persons, and provided free of charge.

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(e) The ONC shall provide notice to all recognized neighborhood associations of City Leaders Academy event(s) as required by the Integrated Development Ordinance.]

~~[(13) Provide workshops and trainings concerning city procedures and actions as well as the effective operation of neighborhood associations; such workshops shall be provided free of charge, and must be open to all. Such workshops or trainings will occur at least once annually;]~~

~~[(14) Once per calendar year, provide a citywide neighborhood summit that is noticed and open to all recognized neighborhood associations, recognized neighborhood coalitions, and any other interested persons;]~~

~~[(15) Upon the request of any person, supply contact information for the two designated points of contact for recognized neighborhood association or recognized neighborhood coalition representatives, as most recently specified by each recognized neighborhood association [or coalition];~~

~~[(16) Upon request, provide relevant city departments with the contact information for recognized neighborhood associations or recognized neighborhood coalitions~~];

[(4) DEVELOPMENT NOTICE.]

[~~(17)~~][(a)] Pursuant to § 14-16-6-1 of the IDO, [the ONC shall provide development applicants with contact information for relevant recognized neighborhood association points of contact as required to facilitate applicants' development notice obligations.] [~~notice shall be provided, which specifies requirements for mailed or electronic notice, posted signs, web postings, and/or published notice; the ONC shall provide to the permit applicant required recognized neighborhood association and/or recognized neighborhood coalition point of contact information~~];

~~[(18) Provide its newsletter and any information, other than notifications described in § 14-16-6-1 of the IDO, to any person, homeowner~~

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~~association, business group, and community group, whether or not they have provided the information in § 14-8-2-4(A), upon request;~~

~~(19) Offer guidance, assistance, and resources (to the extent available) to recognized neighborhood associations and coalitions in meeting their notification obligations for certain meeting and votes as prescribed by this Part.~~

~~(B) The ONC has no involvement with land use, permit applications, and development beyond providing applicants with the required neighborhood contact information and maintaining the ONC webpage links to the Planning Department's resources regarding current development projects and permit applications.]~~

[~~(C)~~](B)] Public records. Documents and information submitted to the ONC pursuant to [the NARO] [~~this Part~~] constitute public records and will be made available to the public as [~~otherwise~~] required by law.

[~~§ 14-8-2-9 DEVELOPER RESPONSIBILITIES. Developers and persons engaging recognized neighborhood associations and coalitions relating to development proposals shall act with diligence and good faith in coordinating with neighborhood members and representatives. It is the responsibility of all persons in the development project, including those pursuing development projects, to promote collaboration, and listening with respect to neighborhood concerns.~~]

SECTION 2. Amend the Integrated Development Ordinance (IDO) as follows.

§ 14-16-6-3(F)(1) Recognized Neighborhood Associations[~~and Coalitions~~]

Neighborhood Associations [~~and Coalitions~~] may become Recognized Neighborhood Associations [~~and Coalitions~~] pursuant to [ROA 1994, Chapter 14, Article 8, Part 2] [~~Part 14-8-2 of ROA 1994~~] (Neighborhood Association Recognition Ordinance).

§ 14-16-7-1 Definitions

Neighborhood Association

When used in this IDO, this term refers to Recognized Neighborhood Associations [~~and Recognized Neighborhood Coalitions~~], as defined by [ROA

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1994, Chapter 14, Article 8, Part 2] [~~of Part 14-8-2 of ROA 1994~~] (Neighborhood Association Recognition Ordinance).

SECTION 3. Amend ROA 1994, § 9-21-1 "Notice Requirement for Blasting Permit" as follows.

§ 9-21-1(C)(1)(c) Mailed or emailed to the contacts for [~~the following~~] [recognized neighborhood] associations [~~and coalitions~~] determined by the city's Office of Neighborhood Coordination to be all or partially within or adjacent to the notification area[.][~~:~~

~~(i) Recognized neighborhood association~~

~~(ii) Unrecognized neighborhood associations and homeowner associations that have provided contact information to the city's Office of Neighborhood Coordination; and~~

~~(iii) Neighborhood Coalitions.~~]

SECTION 4. The Office of Neighborhood Coordination shall coordinate with existing recognized neighborhood associations to provide support and ensure compliance with all provisions of this ordinance. All existing recognized neighborhood associations shall have until January 1, 2027 to come into compliance with this ordinance to retain recognized status.

SECTION 5. SEVERABILITY CLAUSE. 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.

SECTION 6. COMPILATION. Sections 1, 2, and 3 of this ordinance amend, are incorporated in, and are to be compiled as part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

SECTION 7. EFFECTIVE DATE. This ordinance takes effect five (5) days after publication by title and general summary.

[Bracketed/Underscored Material] - New
[~~Bracketed/Strikethrough Material~~] - Deletion