

# CITY of ALBUQUERQUE

## TWENTY-FIRST COUNCIL

COUNCIL BILL NO. R-14-34 ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Dan Lewis

1 RESOLUTION

2 ESTABLISHING THAT THE CITY COUNCIL INTENDS TO REVIEW THE  
3 DOWNTOWN ALBUQUERQUE BUSINESS IMPROVEMENT DISTRICT AT ITS  
4 NEXT OPPORTUNITY TO CONSIDER CHANGES TO ITS STRUCTURE AND  
5 MANAGEMENT COMMITTEE.

6 WHEREAS, the Downtown Albuquerque Business Improvement District  
7 (the "Downtown BID") was initiated on January 1, 2001; and

8 WHEREAS, since its inception, the Downtown Action Team (the "DAT") has  
9 continuously served as the management committee for the Downtown BID and  
10 has been charged with administering the obligations of the Downtown BID for  
11 the benefited properties; and

12 WHEREAS, the past several years under DAT management have resulted in  
13 no measurable or visible downtown business improvements; and

14 WHEREAS, certain property owners within the Downtown BID have  
15 recently expressed dissatisfaction with the DAT management for numerous  
16 reasons including but not limited to dissatisfaction with Downtown BID  
17 benefits relative to their share of assessments; and

18 WHEREAS, the chronic lack of downtown progress threatens the viability  
19 of, and undercuts the purpose behind the Downtown BID; and

20 WHEREAS, under the right management and with the right priorities the  
21 Downtown BID has the potential to provide great value to benefited properties  
22 and, in turn, to the persons living downtown, visiting downtown, or seeking to  
23 do business downtown; and

24 WHEREAS, upon the City Council's five year review, which will occur in or  
25 about December of 2015, a new Downtown BID may be established under a  
26 new management committee.

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1 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
2 ALBUQUERQUE:

3 Section 1. POTENTIAL DOWNTOWN BID CHANGES. Upon the City  
4 Council's next five year review of the Downtown BID, or upon valid petition by  
5 the district's property owners, to the extent authorized by law the City Council  
6 will consider termination of the Downtown BID in its current form, and  
7 examine the establishment of a new downtown business improvement district  
8 ordinance with one or more of the following changes from current:

9 A) Establishment of a new management committee through an open  
10 and competitive selection process;

11 B) Establishment of a BID benefits and management structure that  
12 provides for recognition and implementation of the estimated district benefits  
13 and BID management rights in proportion to the value of property  
14 assessments;

15 C) Establishment of a business plan including a revised list of  
16 improvements to be provided by the district that is more responsive to current  
17 needs and issues; and

18 D) Establishment of specific requirements for the timing of interim  
19 reviews, potentially as frequently as once every two and one-half years and  
20 potentially with a requirement for reestablishment by petition every five years.

21 Section 2. SEVERABILITY. If any section, paragraph, sentence, clause,  
22 word, or phrase of this resolution is for any reason held to be invalid or  
23 unenforceable by any court of competent jurisdiction, such decision shall not  
24 affect the validity of the remaining provisions of this resolution. The Council  
25 hereby declares that it would have passed this resolution and each section,  
26 paragraph, sentence, clause, word or phrase irrespective of any provisions  
27 being declared unconstitutional or otherwise invalid.

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