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**SPONSORED BY: Don Harris**

# ORDINANCE

**AMENDING THE ORDINANCE FOR ADOPTING THE CAPITAL IMPROVEMENTS PROGRAM TO EXTEND THE DEADLINE FOR COUNCIL ACTION.**

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

**SECTION 1. Amending Chapter 2, Article 12, Section 3 of the Revised Ordinances of Albuquerque to extend the deadline for City Council Action on the Capital Improvements Plan.**

**“§ 2-12-3 ADOPTING THE CAPITAL IMPROVEMENTS PROGRAM;  
PUBLICATION.**

(A) The Mayor shall submit by November 21 of each even-numbered year, except as provided by division (C) of this section, the proposed Capital Improvements Program to the Environmental Planning Commission. The Environmental Planning Commission shall conduct at least one public hearing on responsibilities of the Commission for plans and policies on development and on protection of the environment as delineated in §§ 14-13-3-1 et seq. The Environmental Planning Commission shall submit its recommendations on the proposed program to the Mayor by December 1 of each even-numbered year. The Mayor is not required to revise the proposed Capital Improvements Program to incorporate the recommendations of the Environmental Planning Commission but may do so.

**(B) The Mayor shall submit the proposed Capital Improvements Program, including any recommendations of the Environmental Planning Commission, to the Council by January 3 of each odd-numbered year, except as provided by division (C) of this section.**

1 (C) The Capital Improvements Programs for the Air Quality,  
2 Aviation Enterprise, Parking Enterprise, Refuse Disposal, and Golf Enterprise  
3 Funds shall be developed in accordance with the following procedure:

4 (1) The capital improvements appropriations for the above  
5 referenced funds shall be developed by the Mayor in conjunction with  
6 operating budgets and supporting rate proposals, if any, and shall be  
7 submitted to the Council no later than April 1 of each year.

8 (2) The Mayor shall submit to the Council any proposed  
9 rate increases required for the proposed Capital Improvements Programs of  
10 the above referenced funds along with the operating budget no later than April  
11 1st of each year. These Capital Improvement Program budgets shall be fully  
12 integrated into the proposed ten year program by the CIP Office.

13 (D) The Council shall approve the Capital Improvements Program  
14 as proposed or shall amend and approve it. Council action shall be within [60  
15 120] days after it has been submitted by the Mayor. This period begins on the  
16 date of introduction of the CIP bill at a City Council meeting. The Council shall  
17 hold at least one public hearing on the proposed program.

18 (E) The city shall promptly publish the Capital Improvements  
19 Program as approved.”

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

27 Section 3. COMPILATION. The ordinance amendment prescribed by  
28 Section 1 shall amend, be incorporated in and made part of the Revised  
29 ordinances of Albuquerque, New Mexico, 1994.

30 Section 4. EFFECTIVE DATE. Section 1 of this Ordinance shall take effect  
31 five days after publication by title and general summary.  
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