

# CITY of ALBUQUERQUE

## TWENTY THIRD COUNCIL

COUNCIL BILL NO. O-19-76 ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Isaac Benton

1 **ORDINANCE**

2 **AMENDING CHAPTER 2, ARTICLE 6, PART 11 OF THE REVISED ORDINANCES**  
3 **OF ALBUQUERQUE, THE “PUBLIC SAFETY TAX ADVISORY BOARD**  
4 **ORDINANCE”, TO REDEFINE THE COMPOSITION, AND ROLES AND**  
5 **RESPONSIBILITIES OF THE PUBLIC SAFETY TAX REVIEW BOARD.**

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

8 **SECTION 1. Chapter 2-6-11 ROA 1994 is hereby deleted in its entirety, and**  
9 **replaced with the following:**

10 **“Section 1. SHORT TITLE.**

11 **This ordinance may be cited as the “Public Safety Tax Advisory Board**  
12 **Ordinance”.**

13 **Section 2. FINDINGS**

14 **The City Council finds that an ongoing review is needed to ensure that the**  
15 **use of the Public Safety Tax most effectively meets the needs of the City and**  
16 **its residents. The City Council also finds that an advisory board consisting of**  
17 **key City and citizen public safety stakeholders is the most appropriate vehicle**  
18 **to review the use of the tax, and suggest changes, if necessary, in the**  
19 **distribution of Public Safety Tax revenue.**

20 **Section 3. MEMBERSHIP, TERMS AND APPOINTMENTS**

21 **There is hereby created a Public Safety Tax Advisory Board to review and**  
22 **recommend to the Council the use and distribution of the Public Safety Tax**  
23 **imposed at §4-3-8-1 et seq. ROA 1994.**

24 **A. The Board shall consist of five members as follows: One member with**  
25 **experience or financial expertise in in crime prevention and intervention**  
26 **appointed by the Mayor with the advice and consent of the Council, one**

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1 member with experience or financial expertise in law enforcement  
2 appointed by the Mayor with the advice and consent of the Council, one  
3 member with experience or financial expertise in emergency medical  
4 services appointed by the Mayor with the advice and consent of the  
5 Council, [~~of the Civilian Police Oversight Board appointed by its~~  
6 ~~chairperson, two members of the City's Citizen Policing Councils~~  
7 ~~appointed by the Mayor with the advice and consent of the City Council,~~  
8 ~~one At-Large member appointed by the Mayor,]~~ and two At-Large  
9 members appointed by the City Council. The Board shall elect a chair  
10 from its members.

11 B. The term of office for members of the Board shall be for three years  
12 unless the appointment is to fill a vacancy. Each member may serve a  
13 maximum of two terms.

#### 14 Section 4. DUTIES

15 The duties of the Board shall be as follows:

- 16 A. Review the use of the Public Safety Tax revenue for the previous fiscal  
17 year.
- 18 B. Review the distribution of revenue among the three funded City  
19 Departments and recommend changes, if necessary, to the percentage  
20 of revenue distributed, based on community conditions.
- 21 C. Provide recommendations to the Mayor and City Council by January 1  
22 for the proposed use of Public Safety Tax revenues for the upcoming  
23 fiscal year."

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

31 SECTION 3. COMPILATION. The amendments set forth in Section 1  
32 above shall amend, be incorporated in and made part of the Revised  
33 Ordinances of Albuquerque, New Mexico, 1994.

1       **SECTION 4. EFFECTIVE DATE. This ordinance shall take effect five**  
2 **days after publication by title and general summary.**

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