CITY of ALBUQUERQUE TWENTY FOURTH COUNCIL

со	UNCIL	_ BILL NO O-20-7 ENACTMENT NO
SP	ONSO	RED BY: Isaac Benton
	1	ORDINANCE
	2	ENACTING AN ORDINANCE TO PROVIDE SPECIAL PROCEDURES FOR THE
	3	CITY OF ALBUQUERQUE FISCAL YEAR 2021 BUDGET; SUPERSEDING
[<u>Bracketed/Underscored Material]</u> - New [Bracketed/Strikethrough Material] - Deletion	4	CERTAIN PROVISIONS OF THE PRESENT CITY BUDGET ORDINANCE
	5	WHEREAS, Section 2-11-6 of the City of Albuquerque Budget Ordinance
	6	requires the Mayor to propose an operating budget to the City Council by no
	7	later than April 1 of each year; and
	8	WHEREAS, Section 2-11-10 of the City Budget Ordinance provides that the
	9	Council may amend the operating budget as proposed by the Mayor only
	10	through May 31 of each year in anticipation of the fiscal year commencing on
	11	July 1; and
	12	WHEREAS, the State of New Mexico, and the United States of America
	13	declared public health emergencies on March 11, 2020, and March 13, 2020,
	14	respectively relating to the COVID-19 global pandemic; and
	15	WHEREAS, these unprecedented events will likely result in unpredictable
	16	budget needs and revenues over at least the near term, which will impact the
	17	City's ability to reasonably meet the budget deadlines identified above; and
	18	WHEREAS, Section 2-11-12 of the City's budget Ordinance further provides
	19	that no public funds may be expended unless the expenditure is authorized in
	20	the budget and is made or encumbered in the fiscal year covered by the
	21	budget.
	22	BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
	23	ALBUQUERQUE:
	24	SECTION 1. SPECIAL BUDGET PROCEDURES FOR THE FISCAL YEAR
	25	2021 BUDGET.

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A. Notwithstanding the deadlines and limitations set forth by ROA 1994
§§ 2-11-6, 2-11-10, and 2-11-12, the City of Albuquerque may, by Resolution of
the Council, carry forward the appropriations and provisions of its Fiscal Year
2020 budget (F/S R-19-138, as amended) to serve as the Fiscal Year 2021
budget on a month-to-month basis, beginning July 1, 2021.

B. Under the circumstances described in subparagraph 'A', above, the
Mayor shall, as soon as practicable, propose a budget to the Council for
approval for the remainder of Fiscal Year 2021. The Council must finally
approve the budget as so proposed or as amended by the Council within
45 days of its receipt. If the Council fails to approve a budget within this time
limit, the budget proposal as submitted by the Mayor is deemed approved.

C. If for any reason the Mayor does not submit a proposed budget
within a practicable time as contemplated by subparagraph 'B', above, the City
Council may, by Resolution, direct the Mayor to propose a budget within 30
days. If the Mayor fails to propose a budget within this time limit, the Council
may enact its own budget to serve as the City Operating Budget for the
remainder of Fiscal Year 2021.

D. To the extent inconsistent herewith, Sections 2-11-6, 2-11-10, and 211-12 of the Revised Ordinances of Albuquerque are superseded by this
Ordinance. In the case of any other inconsistency, the provisions of this
Ordinance shall prevail.

E. The provisions of this Ordinance apply only for purposes the City of Albuquerque Fiscal Year 2021 budget process.

SECTION 2. 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 3. EMERGENCY MEASURE; EFFECTIVE DATE. This ordinance
32 is passed and approved as an emergency measure and takes effect
33 immediately upon publication by title and general summary.

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