

CITY of ALBUQUERQUE

TWENTY FOURTH COUNCIL

COUNCIL BILL NO. O-20-7 ENACTMENT NO. O-2020-013

SPONSORED BY: Isaac Benton

1 **ORDINANCE**

2 **ENACTING AN ORDINANCE TO PROVIDE SPECIAL PROCEDURES FOR THE**
3 **CITY OF ALBUQUERQUE FISCAL YEAR 2021 BUDGET; SUPERSEDING**
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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1 A. Notwithstanding the deadlines and limitations set forth by ROA 1994
2 §§ 2-11-6, 2-11-10, and 2-11-12, the City of Albuquerque may, by Resolution of
3 the Council, carry forward the appropriations and provisions of its Fiscal Year
4 2020 budget (F/S R-19-138, as amended) to serve as the Fiscal Year 2021
5 budget on a month-to-month basis, beginning July 1, 2021.

6 B. Under the circumstances described in subparagraph 'A', above, the
7 Mayor shall, as soon as practicable, propose a budget to the Council for
8 approval for the remainder of Fiscal Year 2021. The Council must finally
9 approve the budget as so proposed or as amended by the Council within
10 45 days of its receipt. If the Council fails to approve a budget within this time
11 limit, the budget proposal as submitted by the Mayor is deemed approved.

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

18 D. To the extent inconsistent herewith, Sections 2-11-6, 2-11-10, and 2-
19 11-12 of the Revised Ordinances of Albuquerque are superseded by this
20 Ordinance. In the case of any other inconsistency, the provisions of this
21 Ordinance shall prevail.

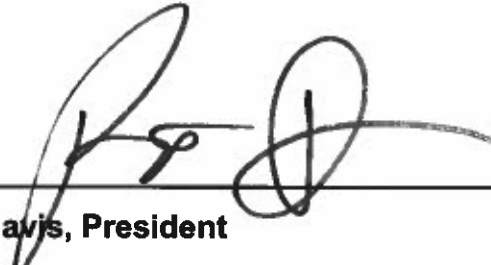
22 E. The provisions of this Ordinance apply only for purposes the City of
23 Albuquerque Fiscal Year 2021 budget process.

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

1 PASSED AND ADOPTED THIS 6th DAY OF April, 2020
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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Patrick Davis, President
City Council

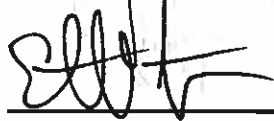
APPROVED THIS 10 DAY OF April, 2020

Bill No. O-20-7



Timothy M. Keller, Mayor
City of Albuquerque

ATTEST:



Ethan Watson, City Clerk