

CITY of ALBUQUERQUE

TWENTY FOURTH COUNCIL

COUNCIL BILL NO. R-21-190 ENACTMENT NO. _____

SPONSORED BY: Brook Bassan & Klarissa Pena

1 RESOLUTION

2 APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY
3 OF ALBUQUERQUE, THE COUNTY OF BERNALILLO, AND THE
4 ALBUQUERQUE PUBLIC SCHOOL DISTRICT BOARD OF EDUCATION TO
5 REFORM THE ALBUQUERQUE BERNALILLO COUNTY GOVERNMENT
6 COMMISSION AS THE LOCAL GOVERNMENT COORDINATING COMMISSION
7 TO INCLUDE THE CITY OF ALBUQUERQUE, THE COUNTY OF BERNALILLO,
8 AND THE ALBUQUERQUE PUBLIC SCHOOLS AS THE VOTING MEMBERS.

9 WHEREAS, the City of Albuquerque and the County of Bernalillo created
10 the Albuquerque/Bernalillo County Government Commission (“ABCGC”) in
11 1999 to promote coordination and cooperation between the City and the Board
12 of County Commissioners; and

13 WHEREAS, the ABCGC operates through an Intergovernmental Agreement
14 (“IGA”) approved by the Mayor, the City Council, and the Board of County
15 Commissioners; and

16 WHEREAS, the City and County recognize the importance of the
17 Albuquerque Public Schools (APS) involvement in matters affecting the
18 community. The schools are paramount in educating students to exercise
19 their rights and responsibilities and to develop the vocational skills required
20 for a citizenry and a workforce that create equitably, thriving, and sustainable
21 communities; and

22 WHEREAS, the City, the County, and the School District have over the
23 years partnered to address an array of shared challenges, from providing
24 basic utilities, infrastructure, security, and fire protection for schools; to
25 sharing athletic facilities, providing community meeting spaces in schools,

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1 and jointly funding after school programs, and economic development
2 initiatives; and

3 WHEREAS, the City, the County and School District, at times, have
4 conflicting agendas, and absent a designated joint forum, it can become
5 challenging to reach a consensus on aligning goals and objectives; and

6 WHEREAS, the ABCGC wishes to add APS as a voting member on the
7 Commission; and

8 WHEREAS, this First IGA of the Local Government Coordinating
9 Commission (Attachment A) replaces and supersedes the Fourth Revised IGA
10 of the ABCGC and thereby formalizes the inclusion of APS as a voting
11 member; and

12 WHEREAS, the First IGA for the LGCC will require approval from the City
13 Council and the Mayor via this resolution, the Bernalillo County Commission,
14 and the Albuquerque Public Schools Board of Education.

15 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
16 ALBUQUERQUE:

17 Section 1. The Council hereby approves the First Intergovernmental
18 Agreement for the Local Government Coordinating Commission (LGCC),
19 as attached hereto.

20 Section 2. The Bernalillo County Commission and the Albuquerque
21 Public Schools Board of Education are encouraged to adopt the First IGA for
22 the LGCC.

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32 x/CL/users/CCOTGM/BASSAN/ABCGC/R-APS TO ABCGC

**FIRST INTERGOVERNMENTAL AGREEMENT
Local Government Commission**

THIS AGREEMENT is made and entered into this ____ day of _____, 2021, by and between the CITY OF ALBUQUERQUE, a municipal corporation (City), the COUNTY OF BERNALILLO, a political subdivision of New Mexico (County), and ALBUQUERQUE PUBLIC SCHOOLS (APS), a school district of Albuquerque, New Mexico;

WHEREAS, since August 16, 1999, the Albuquerque/Bernalillo County Government Commission (ABCGC) has worked to promote coordination and cooperation between the City and County; and

WHEREAS, the City and County have entered into numerous Joint Powers Agreements, Intergovernmental Agreements and Memoranda of Understanding to coordinate services; and

WHEREAS, the ABCGC is granted additional authority to serve as a body between the two governments; and

WHEREAS, the City and County recognize the importance of the District's involvement in matters affecting the community. The City, the County, and APS through a vote of their respective governing bodies, determined the inclusion of the APS as voting member would benefit the coordination of services between the three agencies; and

WHEREAS, this Agreement replaces and supersedes the Fourth Revised Intergovernmental Agreement of the Albuquerque Bernalillo County Government Commission.

WHEREAS, this agreement formalizes the inclusion of APS as voting members.

WHEREAS, the agreement renames the ABCGC the Local Government Coordinating Commission (LGCC).

ATTACHMENT A

NOW, THEREFORE in consideration of the promises and covenants contained herein, the parties agree by mutual consent to the following:

1. Purpose. The purpose of this Agreement is to rename the ABCGC as the Local Government Coordinating Commission, to affirm the purpose, role and authority of the Commission and to include APS as a voting member.
2. Naming. The ABCGC, is renamed the Local Government Coordinating Commission (LGCC).
3. Membership. The LGCC shall be comprised of four County Commissioners, four City Councilors and the Mayor, and two APS District Board Members. The members of the LGCC shall serve one-year terms. The presiding officer of the jurisdiction will fill vacancies.
4. Alternates. LGCC members may select other members of the respective bodies to serve as voting alternates for the members.
5. Chairmanship. The Chair of the LGCC shall be elected by the LGCC, and shall alternate among City, County, and the District representation, annually at the first meeting following January 1 of each year.
6. Operating Procedures. The LGCC shall operate under Robert's Rules of Order in the absence of any specific rules adopted by the LGCC. A procedural voting quorum shall be defined as two members from the County, three from the City, and one from the District. Passage of all non-procedural motions (items on the agenda for action) shall be by a majority vote of LGCC membership present at the vote on the motion.
7. LGCC Authority. The LGCC shall have the power to:

ATTACHMENT A

- a. Recommend a process to identify areas that can be more effectively coordinated;
 - b. Review and recommend any new or revised Joint Powers Agreement, Intergovernmental Agreement, or Memorandum of Understanding between the City, County, and the APS prior to any action by the initiating entity;
 - c. Provide policy guidance on any area which is governed by a Joint Powers Agreement, Intergovernmental Agreement or Memorandum of Understanding; and
 - d. Provide review of and recommend proposed legislation before the City, County and the APS, which affects all jurisdictions.
8. Meetings. The LGCC shall meet at least quarterly, unless otherwise determined, by a majority of the members, and shall adopt an annual schedule at the first meeting following January 1 of each year. All meetings shall comply with the Open Meetings Act as provided by State statute and may be televised on the Government Channel.
9. Staff Support. The work of the LGCC shall be supported with the following staff resources, or their designated representatives:
- a. The County Manager, Chief Administrative Officer, Director of Council Services and the Superintendent of APS shall serve as the primary staff to the LGCC to carry out any recommendations adopted by the City, County and APS;

ATTACHMENT A

- b. The County Manager, Chief Administrative Officer, Director of Council Services and the APS Superintendent shall meet on a monthly basis to maintain communication on issues of mutual concern;
 - c. The Council Services Office, the County Manager's Office, the Mayor's Office or the APS Superintendent's Office, dependent upon whether the Chair is a City Councilor, a County Commissioner, the Mayor or APS Board Member, shall provide a board secretary to support the meetings of the LGCC; and
 - d. Any direct expenses to carry out activities adopted by all entities should be shared equally or as determined by mutual consent.
10. Term of Agreement. This Agreement shall remain in force and effect until terminated by either the City, County, or APS. With respect to the County, termination shall only be permitted by a majority vote of the Board of County Commissioners. With respect to the City, termination shall only be permitted by the approval of a majority of the City Council together with approval by the Mayor. With respect to APS, termination shall only be permitted by a majority vote of the Albuquerque Public Schools Board of Education.
11. Modification. This Agreement may be modified only by mutual written agreement of the parties executed in the same manner as this Agreement.
12. Approval and Effective Date. This Agreement is subject to the approval of the City, County and the District and shall not be binding upon the parties until approved by all such parties.

