



Legislation Text

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CITY of ALBUQUERQUE
TWENTY-FIRST COUNCIL

COUNCIL BILL NO. F/S R-14-34 ENACTMENT NO. _____

SPONSORED BY: Dan Lewis

RESOLUTION

F/S Establishing That The City Council Intends To Review The Downtown Albuquerque Business Improvement District At Its Next Opportunity To Consider Changes To Its Structure And Management Committee (Lewis)

ESTABLISHING THAT THE CITY COUNCIL INTENDS TO REVIEW THE DOWNTOWN ALBUQUERQUE BUSINESS IMPROVEMENT DISTRICT AT ITS NEXT OPPORTUNITY TO CONSIDER CHANGES TO ITS STRUCTURE AND MANAGEMENT COMMITTEE.

WHEREAS, the Downtown Albuquerque Business Improvement District (the "Downtown BID") was initiated on January 1, 2001; and

WHEREAS, since its inception, the Downtown Action Team (the "DAT") has continuously served as the management committee for the Downtown BID and has been charged with administering the obligations of the Downtown BID for the benefited properties; and

WHEREAS, over the past several years certain property owners within the Downtown BID have expressed dissatisfaction with the effectiveness of DAT management in fulfilling the Downtown BID's purpose; and

WHEREAS, this dissatisfaction has resulted in lawsuits and in the City's defense of those suits including its ongoing efforts to compel back payments for large portions of the Downtown BID assessments currently being withheld each year by the Plaintiffs in these suits; and

WHEREAS, the Downtown BID has the potential to provide great value to benefited

properties and, in turn, to the persons living downtown, visiting downtown, or seeking to do business downtown; and

WHEREAS, in light of the current challenges facing the Downtown BID, including disagreements within the Downtown BID membership, upon the next five year review it will be critical for the City Council to consider whether after thirteen years in existence the original purpose for which the district was created has been served and whether it is in the best interest for the district that the BID be terminated; and

WHEREAS, prior to that five year review, the City Council urges the members of the BID to work together to resolve any differences amongst its members and to prepare and submit a new BID petition to the City Council that resolves any issues relating to the Downtown BID's current structure, its management team, improvements plan, and any other issues; and

WHEREAS, upon the City Council's five year review, which will occur in or about December of 2015, if the members of the Downtown BID have not suggested such changes, the City Council will consider termination of the Downtown BID.

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

Section 1. POTENTIAL DOWNTOWN BID CHANGES. Upon the City Council's next five year review of the Downtown BID, or upon valid petition by the district's property owners, to the extent authorized by law the City Council will consider termination of the Downtown BID in its current form, and will consider any valid petition for the establishment of a new downtown business improvement district ordinance with one or more of the following changes from current:

A) Establishment of a new management committee through an open and competitive selection process;

B) Establishment of a Business Plan including a revised list of improvements to be provided by the district that is more responsive to current needs and issues;

C) Any other reasonable suggestions proposed by petitioners or a planning committee.

Section 2. SEVERABILITY. If any section, paragraph, sentence, clause, word, or phrase of this resolution 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 resolution. The Council hereby declares that it would have passed this resolution and each section, paragraph, sentence, clause, word or phrase irrespective of any provisions being declared unconstitutional or otherwise invalid.

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