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1 WHEREAS, periodic evaluation of boards, commissions, and committees is
2 necessary to ensure that such entities remain purposeful, effective, and
3 aligned with current City needs and policy goals; and

4 WHEREAS, the adoption of sunset clauses for newly established boards,
5 commissions, and committees promotes accountability by ensuring that
6 entities are created with defined objectives, timelines, and mechanisms for
7 timely dissolution or renewal; and

8 WHEREAS, the Task Force conducted a review of existing boards,
9 commissions, and committees and identified certain entities that have fulfilled
10 their intended purpose, overlap in mission, or are no longer functioning in a
11 manner consistent with their original mandate; and

12 WHEREAS, the Task Force further recommended dissolution, restructuring,
13 or consolidation of certain entities to reduce duplication, improve
14 coordination, and strengthen advisory effectiveness; and

15 WHEREAS, the City Council finds that the actions set forth in this
16 ordinance are necessary and appropriate to ensure that boards, commissions,
17 and committees remain effective tools of public governance and stewardship
18 of public resources.

19 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
20 ALBUQUERQUE:

21 SECTION 1. A new Section 9, Part 1, Article 6 of Chapter 2, being Section 2-
22 6-1-9, is hereby created in the Revised Ordinances of Albuquerque, 1994, as
23 follows:

24 § 2-6-1-9 SUNSET CLAUSES REQUIRED FOR ESTABLISHED BOARDS,
25 COMMISSIONS, AND COMMITTEES.

26 (A) Automatic Termination. Every board, commission, or committee
27 established by the City Council under ordinance or resolution shall
28 automatically terminate on December 31, 2030 and every five calendar years
29 thereafter (the “Sunset Date”), unless the board, commission or committee is
30 required under New Mexico statute, federal law, City of Albuquerque Charter,
31 or intergovernmental agreement or if City Council specifies a different
32 duration at the time of establishment by resolution or ordinance. The Council

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1 may extend or renew the term of such body by ordinance or resolution
2 adopted prior to its Sunset Date or thereafter.

3 (1) Upon expiration of the Sunset Date, the board, commission, or
4 committee shall automatically dissolve and shall have no authority to meet,
5 conduct business, issue recommendations, or receive staff support unless the
6 City Council has renewed or extended its term prior to the expiration date or
7 has reestablished the body by ordinance or resolution after the body's
8 expiration date.

9 (2) Failure to submit the required report as specified in Section B,
10 below, within the stated timeframe shall not alter or delay the automatic
11 termination of the board, commission, or committee.

12 (B) Sunset Review Report.

13 (1) No later than six calendar months prior to the scheduled Sunset
14 Date, each board, commission, or committee subject to the Sunset Date, shall
15 submit a written report to the Mayor and City Council evaluating its
16 effectiveness and recommending whether it should be continued, modified or
17 terminated. At a minimum, the report shall include:

- 18 (a) A summary of the board, commission, or committee's
19 record of meeting dates, attendance, and quorum compliance;
- 20 (b) A summary of major actions, recommendations, or
21 achievements;
- 22 (c) Identification of unfulfilled objectives or outstanding
23 issues; and
- 24 (d) A recommendation regarding continuation, modification, or
25 termination, with supporting rationale.

26 (C) Renewal of Advisory Bodies. Board, commission, and committee
27 mandates may be renewed or reestablished by the Council. If so, the board,
28 commission, or committee shall continue to meet and conduct business for a
29 successive five years, unless a shorter or longer term is otherwise specified
30 by the Council.

31 (D) Administrative Tracking and Notification.

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(1) The City Clerk shall maintain an official list of all boards, commissions, and committees subject to a sunset provision, including their dates of creation and scheduled termination.

(2) By the first regular meeting of the City Council in March of each Automatic Termination calendar year, as established under ROA 1994, Section 2-6-1-9 (A), the City Clerk shall provide written notice to the Mayor and to the City Council, by Other Communication (“OC”), identifying all boards, commissions, and committees scheduled to reach their Sunset Date during the calendar year. The notice shall include the scheduled expiration date of each body and identify those required to submit a sunset review report.

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.

SECTION 3. COMPILATION. SECTION 1 of this Ordinance is to be compiled as a new Section 9, Part 1, Article 6 of Chapter 2, being Section 2-6-1-9, of the Revised Ordinances of Albuquerque, New Mexico, 1994, titled “THE SUNSET REVIEW CLAUSE.”

SECTION 4. EFFECTIVE DATE. This Ordinance takes effect five days after publication by title and general summary.