CITY of ALBUQUERQUE
TWENTY SEVENTH COUNCIL

COUNCIL BILL NO. R-26-58 ENACTMENT NO. ________________________

SPONSORED BY: Klarissa J. Peña

RESOLUTION

ADOPTING A PROPOSITION TO BE SUBMITTED TO THE QUALIFIED VOTERS OF THE CITY OF ALBUQUERQUE AT THE 2026 GENERAL ELECTION CONCERNING THE IMPOSITION OF A 0.4875% MUNICIPAL GROSS RECEIPTS TAX, TO BE KNOWN AS THE "COMMUNITY INVESTMENT TAX"; PROVIDING THE PROPOSED FORM OF THE BALLOT QUESTION; AND DIRECTING THE CITY CLERK TO TAKE THE ACTIONS NECESSARY TO PLACE THE QUESTION ON THE BALLOT.

WHEREAS, the City seeks to provide a balanced, stable, and sustainable revenue source to support larger-scale generational municipal capital improvements and their necessary operational and maintenance costs, address documented compensation gaps affecting the City's workforce, and maintain access to essential City services, thereby strengthening infrastructure, workforce stability, and long-term fiscal health for the residents of Albuquerque; and

WHEREAS, revenues generated are necessary to support the ongoing operating and maintenance expenses of current and newly constructed City facilities, ensuring these public investments remain open, staffed, and fully functional for city residents through the annual budget process; and

WHEREAS, the City Council, as the legislative body of the City of Albuquerque, holds a fiduciary duty to steward and appropriate taxpayer dollars responsibly and in the highest regard for fiscal integrity, transparency, and long-term financial sustainability; and

WHEREAS, companion Ordinance O-26-57 proposes to impose a 0.4875% municipal gross receipts tax, to be known as the "Community Investment

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Tax," subject to approval by the qualified voters of the City of Albuquerque; and

WHEREAS, Ordinance O-26-57 dedicates fifty-three percent (53%) of the revenues from the Community Investment Tax to municipal operations and maintenance, including employee wages, and forty-seven percent (47%) of the revenues to municipal community enhancement projects and related debt service, as applicable; and

WHEREAS, Section 7-19D-9 NMSA 1978 requires that, when municipal gross receipts tax revenues are dedicated, the ballot clearly state the purpose for which the revenues will be used; and

WHEREAS, the Council desires to submit the proposition approving Ordinance O-26-57 to the qualified voters of the City of Albuquerque at the 2026 General Election.

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

SECTION 1. The City Clerk is instructed to place the following proposition on the 2026 General Election ballot, and the qualified voters of the City of Albuquerque shall be permitted to vote on the proposal. In consultation with the Bernalillo County Clerk and/or the Secretary of State, the City Clerk shall have the authority to modify the proposal as to form to conform with applicable law.

SECTION 2. QUESTION TO BE SUBMITTED. The City Clerk is instructed to coordinate with the Bernalillo County Clerk to submit the following summary, title, and complete text of the following proposition to the City's qualified, registered voters, who shall be permitted to vote on the proposal. The ballot face shall be in substantially the following form:

OFFICIAL ELECTION BALLOT

GENERAL ELECTION

HELD NOVEMBER 3, 2026

QUESTION NO. ________

CITY OF ALBUQUERQUE

COMMUNITY INVESTMENT TAX

Proposition to impose a four thousand eight hundred seventy-five ten-

thousandths of one percent (0.4875%) municipal gross receipts tax for essential services, to be known as the “Community Investment Tax.”

SUMMARY

This proposition would impose a 0.4875% municipal gross receipts tax, to be known as the “Community Investment Tax.” Fifty-three percent (53%) of the revenues would be dedicated to municipal operations and maintenance, including employee wages, and forty-seven percent (47%) of the revenues would be dedicated to municipal community enhancement projects and related debt service, as applicable. The forty-seven percent (47%) dedication would sunset after 21 years.

TITLE AND PROPOSITION

PROPOSING TO IMPOSE A 0.4875% MUNICIPAL GROSS RECEIPTS TAX IN THE CITY OF ALBUQUERQUE

Shall the City of Albuquerque impose a 0.4875% municipal gross receipts tax, to be known as the "Community Investment Tax," dedicated to municipal community enhancement projects, including the planning, design, acquisition, construction, reconstruction, improvement, renovation, rehabilitation, equipping, and furnishing of municipal capital facilities, infrastructure, parks, trails, open space, public safety facilities, cultural and recreational facilities, and transportation infrastructure which can be started within six months after the issuance of one or more bonds, and related debt service, as applicable, with the dedication for municipal community enhancement projects expiring twenty-one (21) years after the tax becomes effective, and to municipal operations and maintenance, including employee wages?

YES ________

NO ________

SECTION 3. USE OF REVENUES. Revenues generated by the Community Investment Tax shall be used as follows:

A. If passed by voters, fifty-three percent (53%) of the revenues shall be dedicated to municipal operations and maintenance, including employee wages. Revenues dedicated for employee wages shall be used for employee base wages. Revenues dedicated for employee wages to employees

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represented by a collective bargaining unit are subject to negotiations in accordance with applicable law.

B. If passed by voters, forty-seven percent (47%) of revenues shall be dedicated to municipal community enhancement projects and related debt service, as applicable, including the planning, design, acquisition, construction, reconstruction, improvement, renovation, rehabilitation, equipping, and furnishing of municipal capital facilities, infrastructure, parks, trails, open space, public safety facilities, cultural and recreational facilities, and transportation infrastructure.

C. If passed by voters, the forty-seven percent (47%) dedication for municipal community enhancement projects shall expire 21 years after its effective date unless continued or renewed in accordance with applicable law.

SECTION 4. FILING AND TRANSMITTAL. The City Clerk shall file this Resolution with the Bernalillo County Clerk immediately upon its effective date and within the time required by Section 1-16-3 NMSA 1978. The City Clerk shall promptly forward a copy of the filing and any related transmittal to the City Council President and the Director of Council Services. Upon receiving confirmation that the proposition has been certified for inclusion on the 2026 General Election ballot, the City Clerk shall provide that confirmation to the City Council President and the Director of Council Services.

SECTION 5. SEVERABILITY. If any section, paragraph, sentence, clause, word, or phrase of this Resolution is for any reason held invalid or unenforceable by a 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 adopted this Resolution and each section, paragraph, sentence, clause, word, and phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.