

CITY of ALBUQUERQUE

TWENTY SEVENTH COUNCIL

COUNCIL BILL NO. O-26-44 ENACTMENT NO. _____

SPONSORED BY: Tammy Fiebelkorn, Dan Champine

1 **ORDINANCE**

2 **REPEALING ROA 1994, CHAPTER 2, ARTICLE 6, PART 3 TO REPLACE THE**
3 **“INFORMATION SERVICES COMMITTEE” WITH A NEW “EMERGING**
4 **TECHNOLOGY ADVISORY BOARD”.**

5 **WHEREAS, emerging technologies, including artificial intelligence,**
6 **automated decision systems, machine learning, biometric tools, and other**
7 **advanced analytics, are increasingly being used by public-sector**
8 **organizations and require thoughtful governance to ensure they are deployed**
9 **responsibly; and**

10 **WHEREAS, the City Council convened the Artificial Intelligence Working**
11 **Group through the enactment of R-24-81 to assess these technologies and**
12 **develop recommendations for their ethical, equitable, and effective use across**
13 **City Departments; and**

14 **WHEREAS, the Working Group delivered its recommendations on how to**
15 **develop artificial intelligence governance framework through EC-25-485,**
16 **outlining ethical standards, public engagement measures, risk assessment**
17 **methods, training expectations, and a multi-year implementation plan for the**
18 **City’s use of artificial intelligence as an emerging technology; and**

19 **WHEREAS, the Working Group identified the need for an advisory body to**
20 **act as a bridge between city operations and the community, and to support**
21 **ongoing evaluation, oversight, public engagement, and expert guidance on**
22 **emerging technologies that may significantly affect civil rights, public safety,**
23 **privacy, service delivery, or community trust; and**

24 **WHEREAS, the City of Albuquerque adopted enabling legislation in 1990 to**
25 **create the Information Services Committee (ISC), which is a committee**
26 **comprised of City employees and private sector professionals charged with**

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1 establishing the City’s overall information systems strategy and direction,
2 plus the review and approval of all large projects and purchases over
3 \$250,000; and

4 WHEREAS, large projects over \$250,000 go through the Technical Review
5 Committee (TRC) review process before being forwarded to the ISC, but
6 smaller projects and purchases may be forwarded by the TRC regardless of
7 their monetary value, while smaller projects and purchases that have a
8 monetary value that is less than the City’s “P-Card” limit do not require
9 approval; and

10 WHEREAS, establishing an Emerging Technology Advisory Board will help
11 the City to maintain a consistent, informed, and community-centered approach
12 to reviewing high-risk technologies such as artificial intelligence, advising on
13 policy and procurement decisions, and supporting responsible
14 implementation of Artificial Intelligence Ordinance (ROA 1994, Chapter 2,
15 Article 20).

16 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
17 ALBUQUERQUE:

18 SECTION 1. The Information Services Committee, Chapter 2, Article 6, Part
19 3 of the Revised Ordinances of Albuquerque, 1994, is repealed in its entirety.

20 SECTION 2. A new Part 3 in Chapter 2, Article 6 of the Revised Ordinances
21 of Albuquerque, 1994 is hereby created as follows:

22 § 2-6-3-1. SHORT TITLE. This ordinance may be cited as the “Emerging
23 Technology Advisory Board Ordinance.”

24 § 2-6-3-2. DEFINITIONS.

25 (A) “ARTIFICIAL INTELLIGENCE” or “AI” is any computer science that uses
26 computer systems to perform tasks which usually require human intelligence,
27 such as reasoning, problem solving, perception, and language.

28 (B) “EMERGING TECHNOLOGY” means artificial intelligence, automated
29 decision systems, machine learning, predictive analytics, biometric systems,
30 and any additional technologies evaluated by the Emerging Technology
31 Advisory Board or otherwise identified as significantly affecting City
32 operations, public services, privacy, or civil rights.

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1 (C) "EMERGING TECHNOLOGY ADVISORY BOARD" or "BOARD" is the
2 City advisory board responsible for helping the City maintain a consistent,
3 informed, and community-centered approach to reviewing high-risk and
4 emerging technologies, advising on policy and procurement decisions, and
5 supporting the City's responsible implementation of the Artificial Intelligence
6 Ordinance (ROA 1994, Chapter 2, Article 20) and the rules created by the
7 Department of Technology & Innovation ("DTI").

8 (D) "USE CASE" means a specific, documented application or function of a
9 Purchase that was deployed, including the purpose, users, data inputs,
10 expected outputs, and the City operation, service, or decision it supports.

11 **§ 2-6-3-3. CREATION OF THE EMERGING TECHNOLOGY ADVISORY BOARD.**

12 (A) There is hereby created the Emerging Technology Advisory Board,
13 which shall advise the Mayor, the City Council, the Department of Technology
14 and Innovation, and all other City Departments on the responsible, equitable,
15 and transparent adoption and oversight of emerging technologies.

16 (B) The Board shall serve as the City's primary advisory body for
17 governance, risk review, evaluation, and public engagement related to
18 emerging technologies, including artificial intelligence, consistent with the AI
19 governance framework developed pursuant to R-24-81 and recommended in
20 EC-25-485.

21 **§ 2-6-3-4. MISSION AND GOALS.**

22 (A) The mission of the Board is to advise the City on the ethical, equitable,
23 and effective use of emerging technologies. The goals of the Board are to:

- 24 (1) Support alignment between City practice and current AI-related
25 policies, including those developed by the City and applicable State and
26 Federal policy.
- 27 (2) Identify and analyze risks to civil rights, privacy, equity, and public
28 trust in the City's use of emerging technologies.
- 29 (3) Foster collaboration across City Departments to address technological
30 impacts.
- 31 (4) Advise on policy development, governance structures, operational
32 standards, and best practices.

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1 (5) Support community engagement and education around the City’s use
2 of emerging technology.

3 (6) Identify opportunities for innovation, modernization, and improved
4 delivery of public services through new purchases of emerging technologies
5 and Use Cases of those technologies.

6 (7) Provide expert review of emerging technology proposed for
7 procurement or deployment by City Departments, pursuant to the
8 Prioritization Matrix included in EC-25-485.

9 (8) Advise on the City’s alignment with best practices surrounding
10 cybersecurity policies and IT policies, standards, and procedures.

11 (9) Deliberate over any matters DTI deems necessary to evaluate for the
12 responsible use of emerging technology in City of Albuquerque operations.

13 **§ 2-6-3-5. MEMBERSHIP AND COMPOSITION.**

14 (A) The Board shall consist of eleven (11) voting members who shall be
15 knowledgeable in emerging technologies, and who do not have a conflict of
16 interest or likely future conflict of interest in making recommendations and
17 decisions as members of the Board. Members shall be appointed by the Mayor
18 and approved by the City Council through Executive Communication. The
19 representation on the Board shall be appointed as follows:

20 (1) Five (5) members appointed by the Mayor, with advice and consent
21 from City Council, representing the following stakeholder groups:

22 (a) An academic expert in emerging technology, artificial intelligence,
23 computer science, data ethics, and/or related fields;

24 (b) A civil rights advocate;

25 (c) A community member with experience in technology policy or
26 civic engagement;

27 (d) A representative from a local labor union whose members may be
28 impacted by emerging technologies; and

29 (e) A representative with professional experience in cybersecurity,
30 information governance, or data protection.

31 (2) Six (6) ex officio members:

32 (a) The Department of Technology and Innovation (DTI) Director or
33 their designee;

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- 1 (b) The Office of Equity and Inclusion (OEI) Director or their
- 2 designee;
- 3 (c) The Aviation Department Director or their designee;
- 4 (d) The Chief Administrative Officer (CAO) or their designee;
- 5 (e) The Department of Finance and Administrative Services Director
- 6 or their designee; and
- 7 (f) The Council Services Director or their designee.

8 (B) The Board may invite non-voting subject-matter experts or liaisons
9 from other Departments or external organizations as needed.

10 **§ 2-6-3-6. TERMS AND VACANCIES.**

- 11 (A) Board members shall serve three-year terms.
- 12 (B) Members may serve no more than two consecutive terms. This
- 13 limitation does not apply to ex-officio members.
- 14 (C) Terms shall be staggered to ensure continuity.
- 15 (D) Vacancies for stakeholder groups shall be filled in the same manner as
- 16 the original appointment and for the remainder of the unexpired term.

17 **§ 2-6-3-7. ORGANIZATION AND MEETINGS.**

- 18 (A) At its first meeting each calendar year, the Board shall elect from
- 19 among its voting members:
 - 20 (1) A Chair, who shall preside over meetings;
 - 21 (2) A Vice-Chair, who shall act in the Chair’s absence; and
 - 22 (3) Any additional officers deemed necessary by the Board.
- 23 (B) The Board shall meet monthly unless otherwise determined by the
- 24 Chairperson or requested by three (3) or more voting members.
- 25 (C) Decisions of the Board shall be made by a majority vote of those voting
- 26 members present.
- 27 (D) A quorum shall consist of a majority of the members currently serving
- 28 on the Board.
- 29 (E) Meetings shall comply with the New Mexico Open Meetings Act (OMA)
- 30 and the City’s open government requirements.

31 **§ 2-6-3-8. DUTIES AND POWERS OF THE BOARD.** The Board shall have the
32 following duties and powers:

- 33 (A) Policy and Governance Review.

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1 (1) Guide, review, and advise on Rules related to AI and emerging
2 technologies and support all significant emerging technology decisions made
3 by the City of Albuquerque;

4 (2) Provide a space for community stakeholders to provide input on AI
5 and emerging technologies the City is considering to utilize;

6 (3) Advise the Mayor, CAO, and City Council on emerging technology
7 policies and regulations; and

8 (4) Review purchases that are reported to utilize emerging technologies
9 and how they are being utilized.

10 (B) Public Engagement and Transparency.

11 (1) Support DTI in providing public education and community
12 engagement around emerging technologies by recommending local tech
13 experts to attend meetings and/or make presentations at meetings; and

14 (2) Regularly review and promote DTI’s public-facing AI Purchase
15 inventory and related disclosures by City Departments.

16 § 2-6-3-9. STAFF SUPPORT.

17 (A) DTI shall provide staff support to the Board, including meeting
18 coordination, document preparation, and maintenance of records.

19 (B) DTI shall maintain a public-facing webpage for the Board and the
20 broader community, including agendas, minutes, reports, and all other
21 relevant documents.

22 SECTION 3. COMPILATION. SECTION 1 of this Ordinance shall amend, be
23 incorporated in, and compiled as part of the Revised Ordinances of
24 Albuquerque, New Mexico, 1994. SECTION 2 of this Ordinance is to be
25 compiled as a new Part 3 in Chapter 2, Article 6, titled, “Emerging Technology
26 Advisory Board.”

27 SECTION 4. SEVERABILITY. If any section, paragraph, sentence, clause,
28 word or phrase of this Ordinance is for any reason held to be invalid or
29 unenforceable by any court of competent jurisdiction, such decision shall not
30 affect the validity of the remaining provisions of this Ordinance. The Council
31 hereby declares that it would have passed this Ordinance and each section,
32 paragraph, sentence, clause, word or phrase thereof irrespective of any
33 provision being declared unconstitutional or otherwise invalid.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect five days after publication by title and general summary.

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