

CITY of ALBUQUERQUE

TWENTY SIXTH COUNCIL

COUNCIL BILL NO. O-24-55

ENACTMENT NO. 0. 2024. 045

SPONSORED BY: Renée Grout

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ORDINANCE

AMENDING CHAPTER 2, ARTICLE 12 OF THE CITY CODE OF ORDINANCES TO ADD PROCEDURES TO ADOPT THE CITY OF ALBUQUERQUE'S INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN.

WHEREAS, Section 6-4-1 NMSA 1978 and the Governor's Executive Order 2012-023 requires governmental entities requesting capital funds from the State of New Mexico to submit by July 1, of the calendar year a list of their capital projects to the State of New Mexico Department of Finance and Administration (NMDFA); and

WHEREAS, the NMDFA has designated these lists as Infrastructure Capital Improvement Plan (ICIP) Lists; and

WHEREAS, Section 6-4-1 NMSA 1978 and the Governor's Executive Order 2012-023 requires that these ICIP Lists be classified/prioritized by urgency and need; and

WHEREAS, the City of Albuquerque annually submits its ICIP List to the NMDFA ranked by urgency and need.

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

SECTION 1. Delete Section 2-12-2 Definitions of the Capital Improvements Program (CIP) Ordinance and insert a new section as follows:

§ 2-12-2 DEFINITIONS.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***BEST ENERGY PRACTICES.* Management of energy production and consumption to reduce energy use and costs, implement renewable energy,**

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1 promote clean energy sources and the efficiency and maintenance of the
2 City's energy infrastructure.

3 ***ENERGY CONSERVATION.*** Building materials, equipment and machinery
4 and supplies that reduce energy costs for Enterprise and General
5 Fund Programs by demonstrably reducing energy consumption or by
6 furthering the implementation of renewable energy sources.

7 ***INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP).*** A plan
8 established under the provisions of Section 6-4-1 (A) and (B) NMSA 1978 and
9 the Governor's Executive Order 2012-023 that identifies the City of
10 Albuquerque's capital projects submitted to the State of New Mexico for
11 funding.

12 ***RENEWABLE ENERGY.*** Any energy resource that is naturally regenerated
13 over a short time scale and is generated by use of low- or zero-emissions
14 technology with substantial long-term production potential or generated by
15 renewable energy sources that may include (1) solar, wind, hydropower and
16 geothermal resources; (2) fuel cells that are not fossil fueled; and (3) biomass
17 resources, such as agricultural or animal waste, small diameter timber, salt
18 cedar and other phreatophyte or woody vegetation, landfill gas and
19 anaerobically digested waste biomass and new technologies as they
20 emerge. ***RENEWABLE ENERGY*** does not include electric energy generated
21 using fossil fuel, waste products from fossil sources or nuclear energy.

22 **SECTION 2.** Insert Section 9 to Chapter 2, Article 12, as follows:

23 **§ 2-12-9 Infrastructure Capital Improvement Plan (ICIP).**

24 The Mayor shall annually submit by Resolution to the City Council the City
25 of Albuquerque's ICIP List for review and adoption by March 1st, of each
26 calendar year. Projects included in the ICIP List shall be ranked by urgency
27 and need to comply with Section 6-4-1 NMSA 1978 (A) and (B) and State
28 Executive Order 2012-023. The Council may amend the list if such
29 amendments comply with the provisions of Section 6-4-1 NMSA 1978 (A) and
30 (B) and State Executive Order 2012-023. The ICIP List approved by the City
31 Council shall be submitted to the State of New Mexico Department of Finance
32 and Administration.

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1 **SECTION 3. SEVERABILITY CLAUSE.** If any section, paragraph, sentence,
2 clause, word or phrase of this Ordinance is for any reason held to be invalid or
3 unenforceable by any court of competent jurisdiction, such a decision shall
4 not affect the validity of the remaining provisions of this Ordinance. The
5 Council hereby declares that it would have passed this Ordinance and each
6 section, paragraph, sentence, clause, word or phrase thereof irrespective of
7 any provision being declared unconstitutional or otherwise invalid.

8 **SECTION 4. COMPILATION.** SECTIONS 1 and 2 of this Ordinance shall
9 amend, be incorporated in, and made part of the Revised Ordinances of
10 Albuquerque, New Mexico, 1994.

11 **SECTION 5. EFFECTIVE DATE.** This Ordinance shall take effect five (5)
12 days after publication by title and general summary.

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1 PASSED AND ADOPTED THIS 16th DAY OF December, 2024
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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Dan Lewis, President
City Council

APPROVED THIS _____ DAY OF _____, 20____

Bill No. O-24-55

Timothy M. Keller, Mayor
City of Albuquerque

ATTEST:



Ethan Watson, City Clerk

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