

CITY OF ALBUQUERQUE CODE OF ORDINANCES

CHAPTER 2

ARTICLE 11: CITY BUDGET

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§ 2-11-1 INTENT.

(A) Article IV, Section 10(b) of the City Charter specifies that the Council shall establish and adopt five-year goals and one-year objectives for the city, which goals and objectives shall be reviewed and revised annually by the Council. Article IV, Section 10(d), Article V, Section 4(f), and Article VII, Section 1 of the Charter specify that the city operating budget should be formulated by the Mayor, in consultation with the Council and consistent with the goals and objectives of the City. The Charter indicates that other legislation and policies of the City are to be consistent with these goals and objectives as well. Article VII, Section 3 of the Charter requires the Mayor to propose the budget to the Council by April 1 each year and the Council to approve the budget as proposed or amend and approve it within sixty days after it is proposed by the Mayor.

(B) To implement these City Charter provisions, §§ 2-11-1 et seq. a process for adopting goals and objectives which will be valuable in themselves and also will be major factors in determining funding for City programs and improvements in the operating budget and the capital improvements budget.

(C) To adopt a goals and objectives process that encourages active citizen participation, that is linked to the budget process, and that encourages performance measurement.

(Ord. 16-2001)

§ 2-11-2 DEFINITIONS.

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

COMMUNITY PLANNING AREAS. To the extent practicable, goals, strategies, and objective should vary depending on conditions within the different Community Planning Areas.

FIVE-YEAR GOALS. A concise statement that summarizes a set of related results or outcomes as defined by desired community or customer conditions. A goal can be a description of what Albuquerque would be like if the goal were achieved. It is achievable and lends itself to measurement. A goal represents a long-term purpose and direction that addresses the big picture. A goal is broad, but not vague. Goal measurement is based on tracking the changes in specific desired conditions.

ONE-YEAR OBJECTIVES. Objectives are specific steps taken by the City for achieving goals. For the most part, objectives should be tangible products rather than the activities that produce the products. Objectives are the results of explicit strategies to achieve the goals. An objective describes in specific and measurable terms the results a program is expected to achieve toward a certain goal. Each objective should be attainable within a specified period of time, preferably within a fiscal year or two consecutive fiscal years.

PERFORMANCE MEASUREMENT. Performance measurement is a systematic approach to quantify and analyze activities to determine the amount of service delivered and/or work performed, as well as how effective, efficient, and responsive services are and what impact they have on the community and customer. Goal Progress Indicators quantify the progress made towards achieving goals.

VISION. A short description of the future which is sought for the community.

(Ord. 16-2001)

§ 2-11-3 PROCESS AND SEQUENCE FOR ESTABLISHING GOALS AND OBJECTIVES.

(A) Criteria for selection. Five-year goals should be selected only if they are of priority importance to the welfare of the city. The five-year goals address improving the physical characteristics of the City, guiding the City's growth and meeting human needs. The Albuquerque Progress Report and the City/County Comprehensive Plan are guiding documents for developing the five year goals. The fact that an outcome directly addressed by city government service is not mentioned in the five-year goals does not imply that the service or function will not continue as usual; it means only that there is not a special effort to reach some goal-related outcome in that area during the coming five years. The Mayor and City Council will collaborate to establish the five-year goals. The City Council staff shall direct the goals and objectives review, formulation, and adoption process consistent with the City Charter, however, these tasks may be delegated to the Mayor's staff.

(B) Process to develop community perceptions/ expectations. The purpose of this phase is to obtain citizen involvement in setting long-term direction in the vision and goals process.

(1) A goals forum to present progress reports, revisit the vision, and review/develop goals shall be held every four years in July beginning in 1998. The outcome of the goals forum shall be utilized as input into the revision of the vision, five-year goals, and other City plans and policies, as they are developed or revised.

(2) A report shall be produced and presented to the Mayor and City Council within three months of the goals forum. This report shall recommend a vision and goals.

(3) This process shall be facilitated by Shared Vision, Inc. or other not-for-profit organization with a similar mission in partnership with the City and shall include the Indicators Progress Commission, Environmental Planning Commission and other City commissions which influence or track important community and customer conditions.

(4) Adoption of an objective by the City Council carries with it an obligation to carry out this objective in the referenced fiscal year or years and for the Administration to incorporate this objective into the Mayor's proposed budgets.

(C) Process to develop and adopt five-year goals. The purpose of this phase is to review the vision and goals, recommend revisions reflecting community consensus and conditions, and act on these recommendations.

(1) Every four years, the Mayor and City Council shall review the goals forum report, conduct a public hearing, and adopt a vision and goals within six months of the goals forum.

(D) Process to determine one-year objectives. The purpose of this phase is to establish measurable objectives to carry out the five-year goals by integrating such objectives into the annual City budget.

(1) The City Council and the Mayor shall develop annual objectives consistent with the five-year goals. These objectives may have up to a two year implementation cycle. New objectives will be contained in a biennial new priority objectives resolution beginning for Fiscal Year 2003. Regarding the resolution for Fiscal Year 2004 and biennially thereafter, objectives will be updated based on progress made in the first year and contained in a revised priority objectives resolution.

(2) The City Council shall hold at least one public hearing, meeting as the Committee of the Whole, at which the public can propose objectives and comment on proposed or revised objectives respectively for the coming year.

(3) The City Council shall annually adopt or revise and adopt objectives aimed to accomplish each of the goals and objectives to be reflected in the operating and capital budgets of the city.

(E) Timing. In sufficient time for consideration in the formulation of the Mayor's proposed budget and, in any case, prior to November 30 of each year, except in years in which there is a Mayoral election, in which case prior to December 31, the Council shall review existing goals and objectives and proposals for revisions of objectives and shall adopt objectives for the following year. The purpose of this phase is to enable the Mayor and City Council to integrate the five-year goals and one-year objectives into the City's budgeting process.

(F) Progress reports. The purpose of this phase is to have a mechanism for accountability and monitoring of the Goals and Objectives Process. It is intended that such progress reports will include performance measurements of the Goals and Objectives Process as well as the budget process.

(1) By September 1 of each year, a status report on the prior year's one-year objectives will be presented to the Mayor and City Council. Each year a status report on the current one-year objectives will be prepared and presented by the Mayor to the City Council at a Committee of the Whole meeting held each year as required in §2-11-6(B) ROA 1994.

(2) Biennially in January of even numbered years, a roundtable discussion shall be held among the City Administration, City Council, Indicators Progress Commission, the Environmental Planning Commission and other appropriate commissions to review progress on achieving the five-year goals.

(3) The roundtable meeting held immediately prior to the conduct of the goals forum will discuss the structure of the forum.

(4) Shared Vision, Inc. or similar not-for-profit organization as determined by the Mayor and City Council shall provide the leadership to schedule and facilitate the roundtable meetings.

(5) On an annual basis, the City shall conduct a “Citizens Perception of Conditions Survey” to poll the residents on the perception of City governmental services and community conditions related to the Goals.

(6) At least every two years, a progress report shall be generated. This report will provide measurements of desired community conditions related to the goals data through a review of census data, locally generated socioeconomic data, citizen survey information, goal progress indicators, and other information indicating the current situation and progress towards the goals to date. For each measurement, the report shall include historical data for at least ten years, if such data are available and reliable.

(7) The Indicators Progress Commission shall have the lead responsibility to facilitate the production of this report for presentation to the Mayor and City Council every two years and to the goals forum participants every four years.

(8) On an annual basis, during the month of September, City Administration including key departmental staff and City Council shall meet to review the five-year goals, community conditions, strategies, programs, and one-year objectives.

(G) Staffing. Both the Mayor and City Council shall identify appropriate staff to collaborate in the development and implementation of the Goals and Objectives Process.

(Ord. 16-2001)

§ 2-11-4 PROGRAM REVIEWS BY THE CITY COUNCIL.

The City Council, meeting as a Committee of the Whole, may hold up to three public hearings which shall be programmatic reviews of city operations or departments which are Council priorities, especially as identified in the adopted city goals and objectives. Since these reviews shall focus in part on city goals, they may be cross departmental and involve public agencies external to city government. These hearings shall be held between September 15 and January 15. The subjects of these Council reviews shall be determined by the Chairperson of the Committee of the Whole, the Council President, and other members of the Council. This group and the Mayor shall provide input on the topics of the program reviews to the Council President.

(Ord. 35-1994; Am. Ord. 16-2001)

§ 2-11-5 PARTICIPATION OF THE COUNCIL IN PUBLIC PRESENTATIONS ON BUDGET-RELATED MATTERS.

The public shall be encouraged to participate in the city budget review and adoption process. The Council and the Mayor are encouraged to discuss budget and budget-related policy issues at community forums. Whenever the Mayor expends public funds to inform the public about his proposed budget or budget-related programs, the Council shall be invited to participate in such forum. The Mayor shall extend the invitation to the City Council through the President of the Council.

(Ord. 35-1994)

§ 2-11-6 PREPARATION OF CITY BUDGET; DEPARTMENTAL REQUESTS; BUDGET PROPOSAL.

(A) The Mayor shall prepare a proposed city operating budget from the departmental requests, taking into consideration the requests of the departments, and the resources anticipated to be available to the city for the fiscal year for which the budget is prepared.

(B) Each year, between the first day of December and the first City Council meeting in January, the Mayor, or his appointed representative, shall hold a

series of meetings, not less than two in number, with the City Council to discuss the preparation of the budget for the next fiscal year.

(C) During the preparation of the proposed City Budget by the Mayor, he shall furnish any requested information on departmental requests to the staff of the City Council and shall cooperate with City Council staff so that it may monitor the budget process and prepare preliminary analyses and other information for the City Council.

(D) The Mayor shall propose an operating budget to the Council no later than April 1 of each year. The combined budget, capital program, and rate proposal for the following enterprise funds which may propose changes in rates and fees shall be delivered to the Council no later than March 1 of each year. These funds include the Air Quality Fund, Aviation Enterprise, Joint Water and Sewer Enterprise, Parking Enterprise, Refuse Disposal Enterprise, and Golf Enterprise.

('74 Code, §1-8-4) (Ord. 64-1974; Am. Ord. 7-1988; Am. Ord. 54-1988; Am. Ord. 1-1991; Am. Ord. 35-1994; Am. Ord. 40-1995; Am. Ord. 16-2001)

§ 2-11-7 BUDGET — CONTENTS AND FORMAT.

(A) The Mayor's operating budget proposal submitted to the Council shall include:

- (1) The Mayor's budget message;
- (2) An annual appropriation resolution recommended by the Mayor;
- (3) A complete statement of the non-capital project financial operation of the city for the fiscal year last completed;
- (4) A comparable statement for the current fiscal year including expenditures to date and anticipated expenditures to the end of that year;
- (5) A financial plan in comparable form for the fiscal year commencing on July 1 of the year in which the budget proposal is submitted. Except as otherwise provided by §2-11-11, the Non-Capital Project Financial Plan for the ensuing fiscal year shall include:
 - (a) All proposed expenditures for the administration, operation and maintenance of all departments of city government;
 - (b) All interest and debt redemption charges;

(c) All anticipated revenues and other available resources by source and amount;

(d) The proposed means of financing all proposed expenditures.

(6) A performance plan in comparable form for the fiscal year commencing on July 1 of the year in which the budget proposal is submitted to include:

(a) Descriptions of all programs, services, and activities to include strategies, missions, customers, key initiatives, and desired results, organized by Five Year Goal, that are proposed in the Mayor's Budget;

(b) Performance measures, as defined in §2-11-2, associated with all programs, services, and activities;

(c) Consistent with the Financial Plan defined in §2-11-7(A)(5), all proposed expenditures for the administration, operation, and maintenance of all programs, services, and activities, organized by Five Year Goal and identified by Fund.

(B) A full-program budget will be prepared for all city departments each year. The program budget shall clearly identify each program that is proposed to be implemented or continued in the ensuing fiscal year and shall include the projected costs of each program.

(C) The budget proposal shall not propose expenditures in excess of resources anticipated to be available to the city for the fiscal year for which the budget is proposed. If new programs are proposed, a detailed recommendation and justification of the program shall be provided which must include the estimated annual costs of the program and the source of revenues and other resources for financing the program. All new programs must be identified as such in the budget proposal.

(D) Along with publication of the proposed budget, the Office of Management and Budget shall produce a

separate document to serve as a citizen's guide to understanding the budget process and the financial plan for the upcoming fiscal year. This guide shall explain how the budget is organized, justify significant expenditures that are included in the proposed budget, and outline revenue sources. This document shall be made available to the general public in an effort to encourage public awareness and citizen involvement in the budget process.

('74 Code, §1-8-5) (Ord. 64-1974; Am. Ord. 17-1975; Am. Ord. 22-1977; Am. Ord. 35-1994; Am. Ord. 40-1995; Am. Ord. 16-2001)

§ 2-11-8 BUDGET REVIEW COMMITTEE.

The Mayor, the Chief Administrative Officer, the Chairperson of the Council Committee of the Whole, and the Council President shall constitute a joint review committee of the Budget. This committee shall meet at least quarterly or at the call of either the Mayor or the Council President. The committee shall review preliminary year end reports, summary financial and management reports, revenue forecasts, status of the current year budget and budget issues, and discuss all matters concerning the contents and format of the city annual operating budget and the city's goals and objectives, prior to introduction to the City Council.

(Ord. 40-1995; Am. Ord. 16-2001)

§ 2-11-9 BUDGET PROPOSAL — PRINTING AND INDEXING.

The budget proposal shall be printed and indexed prior to its submittal to the Council. Sufficient copies of the budget proposal shall be prepared to allow for distribution to members of the Council, city department heads, and other interested parties as may be deemed reasonable by the Chief Administrative Officer or his designee.

('74 Code, § 1-8-6) (Ord. 64-1974; Am. Ord. 22-1977; Am. Ord. 35-1994; Am. Ord. 40-1995; Am. Ord. 16-2001)

§ 2-11-10 CONSIDERATION OF BUDGET PROPOSAL BY THE COUNCIL.

(A) After receiving the budget proposal from the Mayor the Council shall schedule at least three public hearings on it. As a result of its deliberations and the information gathered at the public hearings, the Council may amend the budget proposal at any time within 60 days from the date it is received from the Mayor. If the Council fails to approve a budget proposal, unamended or amended, within that time limit, the budget proposal as submitted by the Mayor is deemed approved.

(B) The Mayor or his representative shall be present at all public hearings on the budget proposal. The Chief Administrative Officer, or his representative, shall be available to the Council at its request during any of its deliberations on the budget proposal.

(C) Definition. As used in this section AMEND includes complete revision or substitution.

('74 Code, § 1-8-7) (Ord. 64-1974; Am. Ord. 35-1994; Am. Ord. 40-1995; Am. Ord. 16-2001)

§ 2-11-11 CONFERENCE COMMITTEE ON THE BUDGET.

(A) A Conference Committee on the Budget shall meet to help resolve any disagreements between the Mayor and the Council concerning the city budget. The Conference Committee on the Budget shall consist of the members of the Budget Review Committee.

(B) In the period from March 1 through the adoption of the annual operating budget, the Conference Committee on the Budget shall meet at the request of the Mayor or any Councillor. The following procedures shall govern this process:

(1) Issues presented to the Conference Committee on the Budget should be of a significant or critical nature concerning the City Budget;

(2) Issues presented to the Conference Committee on the Budget should be issues about which the development or clarification of performance measurement data or other information can contribute significantly to the formation of options or recommendations;

(3) After consideration of the issues, the Council-designated members of the Conference Committee on the Budget may present recommendations or options to the City Council for action;

(4) A meeting of the Conference Committee shall occur prior to final adoption of both the operating and enterprise budgets;

(5) The Conference Committee on the Budget shall be chaired by one of the Council-designated members.

('74 Code, §1-8-8) (Ord. 3-1992; Am. Ord. 35-1994; Am. Ord. 40-1995; Am. Ord. 16-2001)

**§ 2-11-12 APPROVAL CONSTITUTES PROPOSAL AS BUDGET;
EXPENDITURES MUST BE AUTHORIZED.**

(A) The annual operating budget appropriation resolution, as approved, in addition to other approved appropriations for operating purposes shall constitute the city's operating budget for the ensuing fiscal year. The city shall not expend any public funds, except for capital project expenditures, special assessment district expenditures, and trust and agency fund expenditures, unless the expenditure is authorized in the budget and is made or encumbered in the fiscal year covered by the budget.

(B) The amount encumbered but not expended at the end of this fiscal year is appropriated to the subsequent fiscal year without further action by the Council. A report of the amounts and individual purchase orders will be reported to the Council by October 1.

('74 Code, § 1-8-9) (Ord. 64-1974; Am. Ord. 55-1979; Am. Ord. 51-1990; Am. Ord. 3-1992; Am. Ord. 35-1994; Am. Ord. 40-1995)

§ 2-11-13 COUNCIL COMMITTEE OF THE WHOLE.

The City Council shall meet as a Committee of the Whole to hold public hearings for the following purposes:

(A) Review and adopt five-year goals and one- year objectives.

(B) Conduct program reviews of city operations or departments.

(C) Review the cleanup of the annual operating budget.

(D) Review the midyear report for the current fiscal year and the midyear budget appropriation resolution.

(E) Review all components of the Mayor's proposed annual operating budget.

(Ord. 35-1994; Am. Ord. 40-1995)

§ 2-11-14 FISCAL YEAR.

The fiscal year of the city begins on July 1 of each calendar year and ends on June 30 of the following calendar year.

('74 Code, § 1-8-10) (Ord. 64-1974; Am. Ord. 3-1992; Am. Ord. 35-1994; Am. Ord. 40-1995)

§ 2-11-15 BUDGET AMENDMENTS BY COUNCIL DURING FISCAL YEAR.

Upon its own initiative or upon a recommendation by the Mayor, the Council may amend the budget during the fiscal year to which it applies. No amendment to the budget shall be made without a public hearing prior to the meeting at which action is taken on the proposed amendment. Amendments to the budget effect the pertinent fiscal year's Performance Plan, which effect shall be estimated by Administration staff and incorporated into the Plan. No amendment to the budget shall result in total authorized expenditures that exceed resources to be available for the fiscal year to which the budget is applicable.

('74 Code, § 1-8-11) (Ord. 64-1974; Am. Ord. 17-1975; Am. Ord. 3-1992; Am. Ord. 35-1994; Am. Ord. 40-1995; Am. Ord. 16-2001)

§ 2-11-16 TRANSFER OF FUNDS AND EXPENDITURE AUTHORITY WITHIN BUDGET.

(A) (1) During the fiscal year, the Mayor is authorized to transfer funds or change expenditure authority within and among line-item authority, as established by the annual appropriation resolution and other approved appropriations for operating purposes, if the transfer or change does not result in the increase or decrease in that line-item expenditure authority in excess of the cumulative amount of \$100,000 or 5% of the line-item authority, whichever is lower.

(2) LINE-ITEM AUTHORITY refers to the line in the budget appropriation resolution approved by the Council. The lines of the budget appropriation resolution shall include the title and cost of each program of the city's operating budget. The transfer of funds or change in expenditure authority "among" line-item authority refers to such transfers or changes between lines in the budget appropriation resolution which contain dollar amounts. The transfer of funds or change in expenditure authority "within"

line-item authority shall be defined as transfers or changes between budget activities within programs in instances where the budget of an activity is \$500,000 or more. A decrease in line-item expenditure authority means preventing resources appropriated by Council to a budget program or allocated to an activity as specified above from being spent. RESERVED APPROPRIATIONS, and other similar techniques, are reductions in expenditure authority.

(3) No actions are authorized which would result in exceeding the total expenditures authorized in the operating budget for the city government as a whole. Actions taken by the Mayor under this division (A) shall be reported in detail to the City Council within ten days of the approval of transfer or change by the Mayor or his designated representative.

(B) The transfer of funds or changes in expenditure authority in the operation budget, other than those authorized by division (A) of this section, may be made only by amendment of the budget by the City Council under §2-11-15. No new program not already authorized in the budget shall be implemented by actions authorized under division (A) of this section, nor shall any existing program authorized in the budget be terminated by such actions.

(C) The Mayor shall provide a written report on all reorganization plans with an annual budgetary impact in excess of a cumulative amount of \$100,000 or 5% of the line-item authority, whichever is lower. The report shall provide justification for the reorganization which contains its rationale, financial and service benefits, the method for determining these benefits, a work plan for the newly reorganized unit, and an organization chart of the affected department or departments showing the results of the proposed reorganization. The Mayor also shall specify the affected positions and appropriations. Such report shall be provided prior to any necessary approval by Council.

('74 Code, § 1-8-12) (Ord. 64-1974; Am. Ord. 19-1991; Am. Ord. 3-1992; Am. Ord. 6-1992; Am. Ord. 35-1994; Am. Ord. 40-1995)

§ 2-11-17 APPLICATION FOR FEDERAL AND STATE GRANTS; BUDGETING FEDERAL FUNDS.

(A) Any application or proposal for a federal or state grant shall be submitted to the City Council for review and approval prior to the submittal of such application or proposal to any federal or state agency; provided, however, that these requirements shall not apply to those grants fulfilling any of the exceptions listed below:

(1) If any application or proposal is required by the federal or state agency prior to the next regular meeting of the Council, it may be submitted prior to approval by the Council subject to subsequent approval. The application shall be submitted to the Council for approval at its next regular meeting. If the application or proposal should be disapproved by the Council, it shall be withdrawn.

(2) If the application or proposal is for a federal or state grant amounting to less than \$1,500 and the required matching funds have previously been budgeted, Council approval is not required.

(3) Applications or proposals for any federal or state grant amounting to less than \$1,500 and requiring only an in-kind match and having no future financial implications for the city as determined by the Chief Administrative Officer shall not require Council approval.

(4) Applications or proposals for federal or state grants amounting to less than \$1,500 and requiring no matching city funds and having no future financial implications for the city as determined by the Chief Administrative Officer shall not require Council approval.

(B) If, after Council approval of the application, conditions are added to the grant award which have not

been approved by the Council and which have major financial or policy implications for the city, the final grant agreement shall be submitted to the Council for approval in accordance with the following procedures:

(1) The Council may approve, take no action, disapprove the proposed agreement, or recommend revisions thereof with or without conditioning approval on the adoption of such revisions.

(2) If no action is taken by the Council within 21 days from the date of the Council meeting which immediately follows receipt of the proposed agreement in the Council offices, the Mayor may proceed to execute and deliver the agreement and to effectuate its provisions.

(3) If the Council disapproves by majority vote of the members present and voting, the agreement may not be entered into.

(4) The Mayor may withdraw the proposed agreement at any time from the Council and may present revisions thereof. In the event of withdrawal, the proposed agreement shall be a nullity. In the event of revision, the provisions set forth in divisions

(A) and (B) of this section shall apply to the same extent as if a new proposal were being made.

(C) The Mayor is authorized to expend, without further authorization from the City Council, any federal or state funds awarded as a result of a federal or state grant application if such grant does not require the city's commitment of funds or resources which were approved by the City Council to be increased by more than 10%, and if the goals, objectives and proposed programs included in the application approved by the Council have not changed. If such changes occur, and the Mayor desires to accept the grant, the grant application shall be resubmitted to the City Council.

(D) The Mayor, upon receiving notification that the city has been awarded a federal or state grant, shall report the details of the grant award to the City Council quarterly.

('74 Code, § 1-8-13) (Ord. 17-1975; Am. Ord. 87-1978; Am. Ord. 13-1980; Am. Ord. 3-1992; Am. Ord. 35-1994; Am. Ord. 40-1995; Am. Ord. 16-2001)

§ 2-11-18 FINANCIAL AND MANAGEMENT REPORTS.

(A) The Mayor shall submit on a quarterly basis summary financial and management status reports of all operating funds to the City Council. These reports shall include:

- (1) Current annual revenue estimates for each fund;
- (2) Brief analysis explaining revenue trends for each fund;
- (3) A midyear programmatic review of each program and department and the progress made year-to-date in achieving its goals and objectives.

(B) The Office of Internal Audit shall submit on a quarterly basis summary financial status reports of all operating funds to the City Council, identifying funds, departments, and program strategies that are projected to exceed or underspend their appropriated budgets for that fiscal year by \$100,000 or five percent of the line item authority whichever is lower. This report shall include explanations provided by the Chief Administrative Officer identifying the cause of the over- or underspending and setting forth a plan to bring each item back into compliance with the adopted budget.

(C) Reports shall be received by the Council on a timely basis according to the following schedule:

(1) The preliminary year-end report shall be received for introduction at the first City Council meeting in October following the close of the fiscal year;

(2) The report of the first quarter of the fiscal year shall be received for introduction at the first City Council meeting in November;

(3) The final year-end report shall be received for introduction at the first City Council meeting in December;

(4) The midyear report shall be received for introduction at the first City Council meeting in February. The midyear report shall be accompanied by a midyear appropriation resolution for those programs which are projected to be overspent and which the Mayor determines that expenditure controls cannot

bring the programs within the limits of administration expenditure authority as defined by §§2-7-1-1 et seq., the Administrative Code. Mid-year appropriation adjustments shall be proposed only when caused by unexpected circumstances such as a natural disaster, unforeseen shifts in the national economy, and other events that constitute an emergency. Except as otherwise provided, the Mayor and Council shall confine budget adjustments to the midyear resolution. The midyear report and midyear appropriation resolution shall be reviewed by the City Council at a minimum of one public hearing by a Committee of the Whole.

('74 Code, § 1-8-16) (Ord. 70-1977; Am. Ord. 18-1981; Am. Ord. 51-1990; Am. Ord. 3-1992; Am. Ord. 35-1994; Am. Ord. 40-1995; Am. Ord. 16-2001)

§ 2-11-19 CONSIDERATION BY THE COUNCIL OF COMBINED BUDGETS FOR SELECTED ENTERPRISE FUNDS.

(A) Definition. As used in the section AMEND includes complete revision or substitution.

(B) Air Quality Fund, Aviation Enterprise, Joint Water and Sewer Enterprise, Parking Enterprise, Refuse Disposal Enterprise, and Golf Enterprise. The combined budget, capital program, Performance Plan, and rate proposal for the Air Quality Fund, Aviation Enterprise, Joint Water and Sewer Enterprise, Parking Enterprise, Refuse Disposal Enterprise, and Golf Enterprise shall be delivered to the Council no later than March 1 of each year. The Council shall hold at least two public hearings on these budgets. As a result of its deliberations and the information gathered at the public hearings, the Council may amend the budgets of these departments at any time within 60

days from the date received from the Mayor. If the Council fails to approve any of the budgets of these departments, amended or unamended, within that time limit, the proposal as submitted by the Mayor is deemed approved.

(C) The Mayor shall submit the proposed Joint Water and Sewer Enterprise combined budget, capital program, Performance Plan, and rate proposal also to the Albuquerque Metropolitan Area Water and Wastewater Board on March 1 for review and recommendations to the full City Council within 30 days.

(D) The Mayor or his representative shall be present at all public hearings on the combined budget and rate proposal(s). The Chief Administrative Officer, or his representative, shall be available to the Council at its request during any of its deliberations on the combined budget and rate proposal.

(E) At the time of the hearings on the proposal for the Air Quality Fund, Aviation Enterprise, Joint Water and Sewer Enterprise, Parking Enterprise, Refuse Disposal Enterprise, and Golf Enterprise the Mayor or his designee shall present to the Council any fee or rate adjustment proposals for the upcoming fiscal year and projected revenue requirements for the following two fiscal years.

('74 Code, § 1-8-17) (Ord. 62-1984; Am. Ord. 3-1992; Am. Ord. 35-1994; Am. Ord. 40-1995; Am. Ord. 16-2001)

Cross-reference:

Department of Finance; Director established,

see §§ 2-7-3-1 et seq.

§ 2-11-20 BUDGET MODIFICATIONS IN FISCAL YEAR OUTSIDE ADOPTION OF ANNUAL BUDGET.

(A) The Mayor shall be responsible for identifying and proposing expenditure reductions or revenue enhancements to the operating budget of the city when it is determined, in the period between adoption of the annual operating budget [i.e., the fiscal year], that city revenues are not expected to equal city expenditures.

(B) When the Mayor engages in planned mid- fiscal year reductions of the annual operating budget in excess of \$250,000 cumulative for the fiscal year, the Mayor shall cooperate with the Council staff so that it may monitor this budget process and prepare

analyses and other information required by the City Council. A representative of the Council shall be allowed to participate in all meetings and have access to all information related to the formulation of this budget reduction program.

(C) When the Mayor engages in a planned mid- fiscal year reduction of the annual operating budget in excess of \$250,000 cumulative in the fiscal year, this effort shall be consistent with Ordinance No. 51-1990. Any redirection or reclassification of appropriations into sequestered or reserved budget categories by the Mayor shall be considered a transfer of funds between

budget line-items. Such transfers shall be subject to the regulations contained in §2-11-16.

('74 Code, § 1-8-18) (Ord. 19-1991; Am. Ord. 3-1992; Am. Ord. 35-1994; Am. Ord. 40-1995)