

Structuring A New Urban Government

A Report on the Unification of Bernalillo County
and the City of Albuquerque

Part 1 prepared by David Rusk

Part 2 prepared by the Unification Exploratory Group

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INTRODUCTION

Article X, Section 11 of the amended Constitution of the State of New Mexico enables Bernalillo County and the City of Albuquerque to form a single urban government pending the adoption of a voter-approved charter. A proposed unification charter will be drafted and presented to the eligible voters of Bernalillo County by an eleven-member charter commission.

In preparation to the formation of the charter commission, the Albuquerque-Bernalillo County Government Commission (ABCGC), a joint-governing body consisting of County Commissioners, City Councillors and the Mayor of Albuquerque, adopted a Unification Work Plan and Schedule. This work plan establishes a *preparatory phase* in which the scope of work will be to complete necessary studies and reviews that will provide information during the *drafting phase*. To carry out the preparatory phase, the ABCGC appointed an advisory task force known as the Unification Exploratory Group (UEG). The purpose of this task force was to explore all issues and matters germane to forming that single urban government. The result of this comprehensive information-gathering role will be to provide findings to both the ABCGC and the official Unification Charter Commission which will use those findings as a basis for decision-making in drafting the articles of the proposed unification charter. In addition, the ABCGC also contracted with David Rusk to provide a comprehensive review of city-county unifications and to provide information on the basic decisions about the structure of the new single urban government. ABCGC decided to contract with David Rusk because of the short time line given to the UEG to gather the information and because of David Rusk's experience in urban affairs and his familiarity with Albuquerque and Bernalillo County as a New Mexico legislator and mayor of Albuquerque.

This report contains both David Rusk's work and the UEG's findings. Part 1 includes David Rusk's review of government unifications. It sets forth the basic decisions about the structure of the new government, 2) summarizes the structural choices made for previous city-county unifications, and 3) analyzes the consequences of those choices. Rusk's approach was to identify 37 communities that have either unified their city and county governments or fall within a population range of 500,000 to 1,000,000 inhabitants and to provide a brief history and profile of each government. Each community reviewed summarizes the choices made and assessment of the results. His methodology includes reviewing charters, books, articles and conducting telephone and email interviews. In the final chapter, Rusk provides a "decision tree" where he lays out the sequence of choices to make about the structure of the new government including the form of government, the size and composition of the governing body, duties and compensation of governing body members, and transitional and other possible charter provisions.

Part 2 contains the work of the UEG and is divided into four sections. Part 2A reviews the legal parameters of city-county unification. This section discusses the formation of the single urban government and the powers of counties and municipalities. Part 2B reviews city and county financing including property and gross receipts taxes,

revenue sources, general obligation and revenue bonding, bonding capacity and bond ratings, and budgeting. Part 2C reviews the functions, services and operations of both city and county government. It also provides observations and issues that may arise from unification or during the transition period. In addition, this section includes a matrix that lists all city and county functions, services and operations as well as formal agreements, state statutes, city and county ordinances, staffing and budget. Part 2D provides a general demographic profile of Albuquerque and Bernalillo County, focusing on population and socio-economic characteristics of the community that is serviced by local government. It also offers a snapshot of who we are as a people today and what some of the trend lines are for the future. Several maps that illustrate major demographic changes are featured.

Part 1

GOVERNING GREATER ALBUQUERQUE

A Report to the
Unification Exploratory Group
of the
City of Albuquerque
and
Bernalillo County

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I. Introducing Greater Albuquerque

Sometime in a not distant future, the city of Albuquerque and Bernalillo County will probably merge into a single urban government.

Legally, this new government would be a county with full municipal powers.

However, this new government would also be listed officially as a city rather than as a county in the reports of the United States Bureau of the Census. This would open up vast new marketing opportunities for how the unified community projects itself to the world.

When compared just with other American counties, the unified county would still be only 99th in population size and only 518th in geographic area. (In fact, it would continue to be the third smallest county in land area in New Mexico.)

But marketed as a unified “city” (as the Census Bureau would list us), it would be a different story.

What would the profile of this new city look like in the eyes of our national census takers? What would it even be named?

As for an official name, it would probably be called some jaw-breaking mouthful like “the Metropolitan Government of Albuquerque and Bernalillo County” (like Nashville’s consolidated government) or “the Albuquerque-Bernalillo Urban County Government” (like Lexington’s consolidated government.)

For the purposes of this report (and to make my marketing point), let me just refer to the unified government as “Greater Albuquerque.”

Profile of Greater Albuquerque

How would government statisticians view “Greater Albuquerque?”

It would be a city of superlatives.

- With over 550,000 residents, Greater Albuquerque instantly would become the USA’s 26th largest city, leaping over such “big league” cities as Cleveland, New Orleans, Portland, and Charlotte to land just behind Seattle and Denver. Within a decade, Greater

Albuquerque would pass Milwaukee, Boston, Baltimore, and Washington, D.C.

- At 1,159 square miles, Greater Albuquerque would have the 4th largest land area of any municipality in the United States. Consolidated Jacksonville-Duval County (758 sq. mi.) has claimed for 35 years that it is “the biggest municipality in the world.” Greater Albuquerque might as well claim the crown from Jacksonville. (If local boosters are more factual than Floridians, they could trumpet the fact that “Albuquerque is the biggest municipality in the ‘Lower 48’.”)¹
- Within its city limits, Greater Albuquerque would contain more farmland by far (465,000 acres or 726 sq. mi.) than any American city. The new government would have a vital stake in supporting rural lifestyles. Agriculture would be a growing, \$30 million plus a year business in Greater Albuquerque, involving over 17,000 acres of cropland and about 20,000 sheep, lambs and head of cattle spread among almost 500 farms and ranches.
- In addition to its 305 parks, 17 libraries, 26 community centers, 16 public swimming pools, four public (and five private) golf courses, the delightful Rio Grande Zoo, Rio Grande Botanical Park, and Albuquerque Aquarium, 154 miles of grade separated bike trails, and many other urban recreational amenities, Greater Albuquerque’s city limits would contain 100,000 acres of forest land and natural areas, including the 37,877-acre Sandia Mountain National Wilderness. Greater Albuquerque would have more open space than any other city in America, and would be the only city containing a national wilderness. Within its city limits Greater Albuquerque would also contain five volcanoes (hopefully extinct).
- Greater Albuquerque would have one of the USA’s most educated city workforces. With over 30 percent of all working residents having college degrees, Greater Albuquerque would rank 18th among 68 cities with more than 250,000 residents. More than one out of every eight workers (13.1 percent) would have graduate or

¹ All three larger municipalities – Sitka (2,874 sq. mi.), Juneau (2,717 sq. mi), and Anchorage (1,697 sq. mi.) – are located in Alaska. They are “out of sight, out of mind.”

professional degrees, tying Greater Albuquerque with Minneapolis for tenth place behind Washington DC, Seattle, San Francisco, Boston, Austin, Lexington, Raleigh, Atlanta, and San Diego – not bad company to be keeping.

- Greater Albuquerque would be one of the most diverse, integrated, and tolerant cities in America. Its population would be about 42 percent Hispanic, 3 percent Black, 2 percent Asian, 5 percent Native American, and 48 percent Anglo. Greater Albuquerque would be the most integrated housing market for Hispanics among 15 large cities with more than a 30 percent Hispanic population. Though large numbers of Hispanics would still be concentrated in many historic Valley neighborhoods, Hispanics would be at least 10 percent of the residents in 108 of Greater Albuquerque's 110 census tracts. For African Americans, Greater Albuquerque's housing market would be the second most racially integrated (just behind Tucson) of America's 68 largest cities. For Asians, Greater Albuquerque would rank just behind Las Vegas and El Paso as an integrated housing market. Among 268 metropolitan regions Albuquerque ranks 14th as a place to live on the Gay Index – and tops among regions between 500,000 and 1,000,000 inhabitants. Greater Albuquerque would not be exempt from prejudice and discrimination based on race, ethnicity, gender, sexual preference, or economic class, but it would have traveled farther along the path towards social justice than most American communities.

Are some of these prospective superlatives just Chamber of Commerce hype? Perhaps. But Indianapolis, Jacksonville, and Nashville all leveraged their post-consolidation size into entry literally into the “big leagues” (for example, three National Football League franchises). With its consolidation going into effect this New Year's Day, Louisville-Jefferson County expects to throw open the door to similar opportunities as well.

The Road Ahead

When and how would all this happen for Albuquerque and Bernalillo County? Wouldn't local voters still have to approve unification?

Let's review the path that has been followed thus far. First, a solid majority of our city and county government leaders agreed to seek authority for unification.

They approached our Bernalillo County legislators, who, in turn, convinced over two-thirds of our state legislators to place a constitutional amendment on the ballot.

In the November 2000 general election, New Mexicans approved this constitutional amendment to authorize Albuquerque and Bernalillo County “to provide for a single urban government.” Statewide, the amendment was approved by a margin of 54 percent for and 46 percent against. Within Albuquerque-Bernalillo County, the amendment was approved by a slightly larger margin (96,867 voters, or 55 percent, for, and 78,637 voters, or 45 percent, against).

In other words, our local leadership, our state legislature, and a majority of the voters of the state and of Albuquerque-Bernalillo County have already expressed their will: they want a unified government for New Mexico’s largest urban area.

What is left to be decided by local voters is how that government will be organized. However, our amended constitution is very explicit about the process that must be followed (all *emphases* added).

“[B]y January 1, 2003, a charter commission, composed of eleven members, *shall be appointed* to draft a proposed charter.... [W]ithin one year after the appointment of the charter commission, the proposed charter *shall be submitted* to the qualified voters and, if adopted by a majority of those voters, the municipalities in that county greater than ten thousand [that is, only the city of Albuquerque] shall be disincorporated and the county shall be governed by a single urban government. If the proposed charter is not adopted by a majority of the qualified voters, *then another charter commission shall be appointed and another election, within twelve months of the previous election, shall be held.* If the proposed charter is not adopted by a majority of the qualified voters at the second or any subsequent election, then after at least two years have elapsed after the election, pursuant to this section another charter commission *may be appointed* and another proposed charter *may be submitted* to the qualified voters for approval or disapproval.

Thus, the state constitution now requires the citizens of Albuquerque-Bernalillo County to vote on a proposed unification charter before January 1, 2004; and to vote again by January 1, 2005, if the first proposal fails. Thereafter, if the second effort fails, the city and county governments may place new unification

proposals before the voters every two years until a majority of voters are presented with a proposed charter they approve.

In short, the unification process may continue until we “get it right.”

Greater Albuquerque’s Peers

Helping “get it right” is the purpose of *Governing Greater Albuquerque*. The City of Albuquerque and County of Bernalillo jointly commissioned this report as a background study for the work of the Unification Exploratory Group, a 17-member citizen advisory group appointed jointly by the two governments. They are charged with overseeing analysis of unification issues to lay the groundwork for the official charter commission, which will be appointed by the two governments this November.

This study will review the government structures adopted by other communities that generally are similar in size and circumstances to the prospective Greater Albuquerque. Greater Albuquerque initially would have over 550,000 residents. If the current rate of population growth continues, its population would fall just short of 1,000,000 by 2040. Thus, I have set a rough parameter of 500,000 to 1,000,000 residents for generally identifying Greater Albuquerque’s peers.

I have identified 37 peer communities.² They fall into five categories.

First are six comparable communities that, in the past fifty years, have created consolidated city and county governments. These are Honolulu (1959), Nashville-Davidson (1963), Virginia Beach (1964), Jacksonville-Duval (1968), Indianapolis-Marion (1970), and Louisville-Jefferson (2003).

A second category of city-county consolidations occurred in the 19th and early 20th centuries. These cities are so familiar that many don’t know they are the results of city-county consolidation. These are New Orleans (1805), San Francisco (1856), Washington, DC (1871), St Louis City (1876), Denver (1902), and Baltimore City (1918).^{3 4}

² Each peer community is profiled briefly in Appendix A.

³ Both St. Louis and Baltimore are consolidated governments in the sense that they achieved home rule powers, separated from their counties, became “independent cities, and carry out all county as well as municipal functions.

A third category is composed of city-county consolidations that have also occurred in recent decades but in smaller communities. However, there are useful lessons to be learned from these communities. These are Lexington-Fayette (1973), Anchorage-Anchorage Borough (1975), Kansas City (Kansas)-Wyandotte (1997), and three Georgia cities: Columbus-Muskogee (1971), Athens-Clarke (1991), and Augusta-Richmond (1996).

A fourth category contains five major metropolitan county governments that exercise full municipal powers over all or almost all of their geographic area.⁵ All five located in the Washington-Baltimore area: the Maryland counties of Anne Arundel, Baltimore County, Montgomery and Prince George's, and Fairfax County, Virginia.

Finally, a last category covers 14 cities that fall within 500,000 to 1,000,000 in population. These are (in descending population size) Detroit, San Jose, Columbus (Ohio), Austin, Memphis, Milwaukee, Boston, El Paso, Seattle, Fort Worth, Charlotte, Portland, Oklahoma City, and Tucson. All are located within counties (Oklahoma City within parts of five counties) where county government carries out a range of judicial, administrative, and often health and welfare functions within the cities.

Shaping the "Building"

My approach will be to analyze a series of issues the new charter must address in the context of how these 37 peer communities have handled the same issues. Over the last decade I have written extensively about urban policy and consulted locally in over 100 metropolitan areas, including in 26 of the 37 peer communities. I will try to add insights from my own experiences to what can be gleaned from reading documents.

⁴ Two other giant city-county consolidations – Philadelphia (1854) and New York City (1897), a combination of five counties – fall too far beyond my population parameters to be considered Greater Albuquerque's peers.

⁵ About 60 other urban counties have from 500,000 to 1,000,000 residents. However, they all have major central cities and suburban municipalities within them. In New England, Pennsylvania, New York, New Jersey, and parts of the Middle West, county governments provide no municipal-level services whatsoever.

I will also reflect on how these issues have played out in Albuquerque-Bernalillo County in recent decades. From 1971 to 1991, my wife Delcia and I lived in Albuquerque, where we raised our three children. From 1975 to 1977, I represented House District 19 (Southeast Heights) in the New Mexico legislature before becoming the second mayor of Albuquerque (1977-81). After my term as mayor, I remained active in civic and political affairs until we left in 1991 to pursue other career opportunities.

I will not offer my personal recommendations as part of this report. Instead, the concluding chapter organizes a “decision tree” by which members of the Unification Exploratory Group, the future charter commission, and other readers of this report are invited to draw up their own preferred form of government.

What I think is not important. What is important is what you, the citizens of Albuquerque-Bernalillo County, think ... and decide.

Winston Churchill once said: “First, we shape our buildings. Then, our buildings shape us.”

The citizens of Albuquerque and Bernalillo County have an opportunity to shape a new “building” – a new form of local government – to guide the future of Greater Albuquerque for decades to come.

It is my hope that *Governing Greater Albuquerque* will be a readable, informative, and constructive tool in shaping our new “building.”

II. Mayor or Manager?

The fundamental decision the people of Albuquerque-Bernalillo County must make is choosing between a mayor-council and a commission-manager form of government.⁶

The city of Albuquerque currently has the mayor-council form. The County of Bernalillo has the commission-manager form.

They are similar and, importantly, they are different.

The two forms of government are similar in that legislative power for both is vested in a multi-member council or commission. The legislative body (council or commission) sets tax rates and fees, enacts the budget, and passes local ordinances.

They are very different when it comes to executive power: who runs the government on a day-to-day basis? Under the mayor-council form, there is a separation of powers between the legislative branch (the council) and the executive branch (the mayor). Under the commission-manager form, both legislative authority and executive authority are combined within the commission; the commission hires a manager to whom it delegates day-to-day administration of the government.

In theory, there is no separation of powers within the commission-manager system. In practice, in communities with a long-established tradition of professional administration and a politically adept manager who maintains support of a majority of commissioners, a manager can carve out a substantial sphere of executive independence and successfully (but quietly) resist attempts at day-to-day micromanagement by commission members.

⁶ Local legislative bodies are called (variously) councils, commissions, boards of supervisors, boards of aldermen, boards of commissioners, fiscal courts, city or county legislatures, and surely other nomenclature that I have not yet encountered. I use *council* to indicate that form of government that separates legislative power from executive power in the form of an elected chief executive. I use *commission* to indicate that form of government that combines legislative and executive powers in one elected body that usually (but not always) delegates administrative powers to a hired manager.

Federal and State Precedents

If the choice were to be made on the basis of what our national and state governments do, it would be no contest.

Since 1789, under our national constitution, the federal government has separated power among three branches of government – the executive branch (the President), the legislative branch (the Congress), and the judicial branch (headed by the United States Supreme Court). The constitutionally devised system of “checks and balances” tilts more towards the executive branch or towards the legislative branch depending on circumstances and the abilities and personalities of Presidents and key Congressional leaders. Under our third (and longest-serving) Chief Justice, John Marshall, the Supreme Court asserted the power of judicial review to determine the constitutionality of actions of the other two branches and, occasionally, to referee power conflicts between them.

All fifty states adopted the same system – separation of powers among the executive branch (the Governor), the legislative branch (the state legislature), and the judicial branch (headed by the state Supreme Court).

Thus, national and state precedent uniformly would guide local citizens to adopt the mayor-council (separation of powers) system.

Creatures of the State

Local governments, however, are different. Our national constitution is silent on the topic of local government. Under the 10th Amendment, authority over local governments – how they are organized, what they are empowered to do – is a power reserved to the states. As constitutional scholar Gerald Frug argues:⁷

“Cities have only those powers delegated to them by state governments, and traditionally these powers have been rigorously limited by judicial interpretation. Even if cities act pursuant to an unquestionable delegation of power by the state, their actions remain subject to state control. Any city decision can be reversed by a contrary decision by the state, a process the legal system calls ‘preemption.’ Moreover, state power is not limited simply to the ability to determine the scope of city

⁷ Gerald E. Frug. *City Making: Building Communities without Walls*. Princeton University Press: Princeton, NJ (1999), p. 42 and thereafter p. 17.

decision-making authority or to second guess the exercise of that authority whenever it seems appropriate to do so. States have absolute power over cities, and the extent of that power has been extravagantly emphasized by the Supreme Court of the United States:

“The State ... at its pleasure may modify or withdraw all [city] powers, may take without compensation [city] property, hold it itself, or vest it in other agencies, expand or contract the territorial area, unite the whole or a part of it with another municipality, repeal the charter and destroy the corporation. All this may be done, conditionally or unconditionally, with or without the consent of the citizens, or even against their protest. In all these respects the State is supreme, and its legislative body, conforming its action to the state constitution, may do as it will, unrestrained by any provision of the Constitution of the United States.”

“In an attempt to limit this subservience to the state, [Frug continues] most state constitutions have been amended to grant cities the power to exercise ‘home rule.’ But cities are free of state control under home rule only on matters purely local in nature. And, nowadays, little if anything is sufficiently local to fall within such a definition of autonomy. As a result, cities are generally treated by American law as ‘creatures of the state.’”

The legislature may create municipalities,” says an old adage, “but only God can create a county.” County jurisdictions are remarkably stable. There are today 3,043 counties in the United States; fifty years ago there were 3,052 counties. Most of the missing nine counties disappeared only technically from the US Census of Government, which classifies as municipalities those entities that are the result of city-county consolidation.

If anything, however, counties are even more under the thumb of state government than are municipalities (or, at least, than “home rule” municipalities).⁸

⁸ Under a provision of New Mexico law, local voters elected to have the City of Albuquerque become a “home rule” municipality in 1971.

Bernalillo County, for example, has no local charter and must govern in accordance with the detailed directives of state law.⁹

State overlordship explains why, even in the context of the separation of powers between mayor and council, there is no third, judicial branch of municipal government to adjudicate disputes between the other two branches. (The Metropolitan Court is a lower court empowered by state law to handle only misdemeanors and small civil claims) Such a third branch does exist, but it is the *state* court system. There is little case law in New Mexico to help settle power struggles between mayors and councils. (Power struggles between managers and commissioners are settled simply. A majority of the commission fires the manager.)

I have made this long, somewhat legalistic argument to underscore a key point. Every one of the 37 communities that we shall look to for guidance in how to organize a new, unified urban government is still subordinate to their state governments just as our local city and county governments are – and just as Greater Albuquerque will be in the future.

How Our 37 Peers Chose

In the local face-off between mayor and manager, the mayor wins by majority decision – 23 to 13 with one draw (Portland). Hardly a knockout as at state and federal levels.

Table 1 lists how each of our peer communities made this fundamental decision. Twenty-three communities opted for the mayor-council form; thirteen chose the commission-manager form. (Portland will be discussed separately.)

⁹ By a three-to-one margin in 2001, local voters rejected the County of Bernalillo's bid to acquire "home rule" powers as part of a proposed "urban county" charter.

TABLE 1 MAYOR OR MANAGER?

Mayor-Council

Commission-Manager

20th Century Large Consolidations

Honolulu HI (City & County)
 Indianapolis-Marion County IN
 Jacksonville-Duval County FL
 Louisville-Jefferson County KY
 Nashville-Davidson County TN

Virginia Beach VA (Princess Anne County)

19th Century Large Consolidations

San Francisco CA (City & County)
 Baltimore City MD (independent city)
 Washington DC (City & County)
 Denver CO (City & County)
 New Orleans LA (City & Parish)
 St Louis City MO (independent city)

20th Century Smaller Consolidations

Anchorage (City & Borough)
Lexington-Fayette County KY

Athens-Clarke County GA
 Augusta-Richmond County GA
 Columbus-Muskogee County GA
 Kansas City KS-Wyandotte County KS

Quasi-Municipal Urban Counties

Anne Arundel MD
 Baltimore County MD
 Montgomery County MD
 Prince George's County MD

Fairfax County VA

Central Cities (500k to 1m)

Detroit MI
 Columbus OH
 Memphis TN
 Milwaukee WI
 Boston MA
 Seattle WA

San Jose CA
 Austin TX
 El Paso TX
 Charlotte NC
 Fort Worth TX
 Oklahoma City OK
 Tucson AZ

Portland OR

Note: Lexington-Fayette KY is a "super mayor"/council government

Note: Portland OR is an administrative commission form of government

All eleven major city-county consolidations of the last two centuries selected the mayor-council system.¹⁰ However, four of the six smaller city-county consolidations of the past thirty years opted for commission-manager governments.

Four quasi-municipal urban counties in the Maryland portion of the Washington-Baltimore area are mayor-council governments, though their elected “mayors” are styled “county executives.” Fairfax County, Virginia’s commission hires a professional manager.

Among peer municipalities, five of the six mayor-council cities are located east of the Mississippi. By contrast, all seven commission-manager cities are located in the South (Charlotte) and West (the other six). By contrast with Boston, Columbus, Detroit, Milwaukee, Memphis, and Seattle, the commission-manager communities are younger cities that grew to maturity in an era where hiring professional city managers was more in vogue among municipal reformers and “good government” groups.¹¹

“Mayors” That Aren’t

Wait a minute! Pick up the paper or turn on the TV in San Jose, Austin, El Paso, Charlotte, Fort Worth, Oklahoma City, or Tucson and you will hear news about their mayors. What’s going on?

None of these mayors are elected chief executives that head up an independent executive branch. They are “mayors” who serve as presiding officers of the commission in commission-manager forms of government. The city commission delegates its collective executive authority to a city manager whom they hire. The city manager is accountable to the entire commission. The “mayor” is typically the ceremonial head of the city, its principal public spokesman, and oftentimes may be an effective leader of the commission. The city manager, however, is the chief administrator who supervises the day-to-day operations of the government.

¹⁰ (Virginia Beach was only technically a city-county consolidation. To inoculate itself from further annexations by Norfolk and Portsmouth, suburban Princess Anne County “merged” with the tiny, 2,000-resident city of Virginia Beach in 1964. Several neighboring counties followed suit thereafter. In all but name and law, Virginia Beach is a municipalized suburban county.)

¹¹ In 1940, when Albuquerque had only 35,449 residents and all of Bernalillo County less than twice that number, ten commission-manager cities averaged 155,000 residents. The seven major mayor-council cities averaged 690,000 residents – over four times as many.

From 1917 to 1974, Albuquerque operated under a commission-manager system with a five-member commission elected at-large. For over two decades, city government was controlled by “Mayor” Clyde Tingley. Now-US Senator Pete Domenici speaks fondly of his years as “Mayor of Albuquerque” in the late 1960s. Neither “Mayor” Tingley nor “Mayor” Domenici, however, were elected chief executives. They were chairmen of the five-member city commission, chosen for that post not by voters but by fellow commissioners. In practice, Tingley exercised the kind of political control and Domenici provided the kind of inspirational, visionary leadership that are popularly associated with the title of “mayor.”

All of which makes the point that, beyond the official form of government, the reality will be shaped by the abilities, personalities, and motivations of the individuals that the voters elevate to local leadership roles. (I shall return to this topic later.)

Super-Mayors and Administrative Commissioners

Somewhat obscured by the simple listing in Table 1 are two significant variations in the basic forms of government.

Lexington-Fayette elects a mayor who is a full-time chief executive *and* presides over the city council. Though the mayor cannot veto council actions, the mayor does decide tied votes. Let’s call this the Super Mayor-council form of government. The form of government may call for a separation of powers, but the mayor seemingly holds the reins of executive power and leadership of the legislative body in one pair of hands.

I can recall several conversations I had when I was mayor of Albuquerque with several prominent business leaders. They were complaining about apparent mayor-council conflict. The mayor should be both chief executive and chairman of the city council, they said. Chairman and CEO – that’s the way to run government like a business with a minimum of conflict and public disputes.

Precisely. That *is* the corporate model of governance. From today’s vantage point, should we entrust the public business to the corporate model?

Lexington does build in some checks and balances on their Super-Mayor’s powers. The charter requires hiring a Chief Administrative Officer as day-to-day manager of city operations; the CAOs must be confirmed by the council. (Indeed, it would appear that Lexington’s CAO can be hired by the council without being

recommended by the mayor and certainly can only be fired by a council majority.) The charter also limits its Super-Mayor to three four-year terms (for a maximum of twelve consecutive years).

Moreover, unlike a private corporation, government must function in the “sunshine.” Meeting agendas must be published and meetings held in public in accordance with open meetings laws. In New Mexico, local government’s financial accounts are supervised by the State Auditor as well as by hired accounting firms.

The ultimate check and balance is that no private corporation operates under the kind of constant media coverage and public scrutiny that surrounds a major urban government. So this model, in my view, continues to be an option.

The other variation is Portland’s city government. Portland elects a full-time mayor and four full-time commissioners. The five comprise the city commission, which is chaired by the mayor. However, rather than hiring a city manager, the commissioners themselves are assigned by the mayor to be the administrative heads of the five principal departments of city government. These are Finance and Management (headed by the current mayor), Public Safety, Public Affairs, Public Utilities, and Public Works. A sixth elected official is the City Auditor, who also serves as clerk of the council and administers municipal elections.

Portland adopted this “administrative commissioner” form of government in 1913, when it was a more common system. It has since disappeared almost everywhere. Portland, however, bills itself as “The City That Works,” and Portland’s city government has an excellent reputation. The city government, for example, has a blue chip, AAA credit rating.

Portland’s greatest distinctiveness, however, derives not from its city government but from its unique regional government. During the 1970s Portland Metro was created by the Oregon legislature and confirmed by the region’s voters. Its jurisdiction covers 24 municipalities (including Portland), Multnomah County, and major portions of Clackamas and Washington counties. Governed by a seven-member Metro Council and Executive Officer elected directly by the voters, Metro is charged with overall regional land use and transportation planning. Metro develops and adopts the region’s comprehensive plan (including the state-required Urban Growth Boundary) with which all local governments must comply. Metro sets density and development goals (generally negotiated) for all local communities. Metro sites highways, light rail lines and other major infrastructure. The Metro Council has the power to enact ordinances to enforce its policies that

can override, if necessary, municipal and county ordinances. Disputes between Metro and a local government are adjudicated administratively by the state Land Conservation and Development Commission or the state Land Use Board of Appeals.

The creation of Metro was opposed initially by the City of Portland, but approved by the three-county region's voters over strong objections by city officials. However, the Portland city commission and other local elected officials have generally recognized that Metro provides a valuable opportunity for their cities to exert influence over key land use and transportation decisions beyond their municipal boundaries.

In summary, though Portland is the only one of 37 peer communities that maintains the administrative commissioner form of government, and the system has all but vanished elsewhere, it has worked for Portland.

1973-1974: Albuquerque's Implosion

It may be instructive to examine the circumstances that caused Albuquerque to adopt its present mayor-council system.

I have noted that, from 1917 to 1974, the city of Albuquerque was governed under a commission-manager system. Five part-time commissioners were elected at-large (that is, city-wide) for four-year terms; they would select one of their number as chairman. For over two decades city government was dominated by "Boss" Tingley, whose political machine successfully controlled local elections.

By the early 1950s, Albuquerque's postwar population had increased four-fold, driven substantially by the creation of Sandia National Laboratories – an event that brought thousands of scientists, engineers, and technicians to Albuquerque. Championing the "good government" demands of such newcomers, a non-partisan Citizens Committee wrested political control from Boss Tingley, electing a majority of the City Commission in 1952. The new commission majority hired Ed Engel, Albuquerque's first professional city manager, and launched an era of greater professionalism in local government.

A decade later, the Citizens Committee itself was challenged by another non-partisan group, the People's Committee, who believed that the Citizens Committee (who had been in power just a decade) over-represented business interests and under-represented the "people's" interest, particularly, Hispanic voters. By July 1971, when I joined Albuquerque city government as a loaned

executive from the US Department of Labor, the city commission was split between partisans of the two non-partisan groups.

I served as a city department head under City Manager Richard Wilson. Dick was a fine, professionally trained city manager, who, some months after an election brought a new majority onto the city commission, was ousted. (Dick left Albuquerque quietly, moving to Dallas where he forged a distinguished career first with the city of Dallas, then with the US Department of Housing and Urban Development in Dallas and Chicago.) My colleague, Herb Smith, the city's relatively new planning director, was elevated to city manager.

Within about a year, the commission-manager system imploded. In December, by a 3-2 vote, a bitterly divided City Commission fired Smith. The decisive action was taken at a special commission meeting held before about 1,000 citizens and city employees (including myself). Most of the vocal citizens present vigorously supported Smith, whom they saw as a champion of well planned growth management challenging pro-developer interests (the "Linoleum Club") that they viewed as controlling City Hall.

Before casting their votes, each of the commissioners explained their positions. I remember, in particular, Commissioner Bob Poole's comments. As best I recall, in essence, he said that "the City Commission makes policy and a city manager must execute that policy. Instead, the present manager has taken upon himself the role of making policy and has publicly advocated positions that are opposed to the views of a majority of the commissioners. For that reason, it is necessary for us to fire him."

But then, most significantly, almost thinking aloud, Poole said "perhaps Albuquerque has outgrown our current commission-manager form of government. We do need a strong executive voice. Such leadership cannot be provided by a hired city manager. Perhaps that need could best be filled by electing a full-time mayor. And the scale and scope of the city's problems have gone beyond what one should expect five part-time, volunteer commissioners to try to deal with. Moreover, as the city grows larger and larger, a five-member commission elected at-large becomes less representative of the community.¹² Perhaps we need a larger council with some members elected by district to increase the citizens' sense of direct representation."

¹² Commissioner Poole memorably added that three of the five sitting commissioners lived on the same block – the 2600 block of Morrow Drive, NE near Netherwood Park.

Within a week or two, the commission majority had carried Commissioner Poole's thoughts into action. They appointed a citizen Charter Commission, who, taking advantage of work done just months before by a city-county consolidation effort that failed (and by a 1970 city charter revision effort that also largely failed), quickly proposed a mayor-council form of government.

The new charter was adopted in late February. In October, Herb Smith and former City Commissioner Harry Kinney, the survivors of a 33-candidate, non-partisan primary, faced off for mayor. Kinney won by a narrow margin. With nine new city councilors elected by district and two holdover commissioners, the new form of government was launched on December 1, 1974.

After 25 years under the mayor-council system, have Commissioner Poole's hopes been fulfilled? Should a merged Albuquerque-Bernalillo County continue under a mayor-council system? Or should the merged government adopt the county's commission-manager system?

That is the basic decision. However, "the devil is always in the details." I'll move on to examine many of the details in the next chapters.

III. Too Many? Too Few? Just Right?

Greater Albuquerque would be a public corporation with a \$950 million annual operating budget, a \$225 million annual construction program, over 8,000 employees, and an array of services it must provide its customers that in diversity and complexity exceeds any multi-national corporation's.¹³

Greater Albuquerque would also be a mosaic of over 250 identifiable neighborhoods – each with needs and aspirations that its residents will look to the local government to fulfill.

Final decisions on balancing community-wide and neighborhood needs would be made by the multi-member council or commission. How many members should there be? Should they be elected at-large (city-wide)? Should they be elected by district? Or should the legislative body be a combination of at-large and districted members?

Let's start by looking at what Greater Albuquerque's peer communities do.

Typical Councils

Table 2a summarizes the practices of the 23 mayor-council governments (which is the current city of Albuquerque's form of government). The average size of the council is 15 members. All recent, large, city-county consolidations (except Honolulu) have large councils, ranging from 19 members (Jacksonville-Duval) to 40 members (Nashville-Davidson). Twelve of the 23 elect all members by district. In Baltimore City and St. Louis City, the only at-large member is the council president, who is elected citywide. By contrast, the city councils of Columbus OH and Detroit are composed entirely of members elected at-large; both are small councils (seven and nine members, respectively).

¹³ Estimates of operating budget, capital budget and total employees are based on current city and county budgets for Fiscal Year 2003.

**TABLE 2A
SIZE OF COUNCIL IN 23 MAYOR-COUNCIL SYSTEMS**

	Total members	Elected by district	Elected at- large	Residents per district
City of Albuquerque	9	9	0	49,845
20th Century Large Consolidations				
Honolulu HI (City & County)	9	9	0	97,351
Indianapolis-Marion County IN	29	25	4	31,367
Jacksonville-Duval County FL	19	19#	0	52,544
Louisville-Jefferson County KY	26	26	0	26,277
Nashville-Davidson County TN	40	35	5	16,283
19th Century Large Consolidations				
San Francisco CA (City & County)	11	11	0	70,612
Baltimore City MD (independent city)	19	18##	1*	108,526
Washington DC (City & County)	13	8	5*	71,507
Denver CO (City & County)	13	11	2	50,421
New Orleans LA (City & Parish)	7	5	2	96,935
St Louis City MO (independent city)	28	27	1*	12,896
20th Century Smaller Consolidations				
Anchorage AK (City & Borough)	10	10	0	26,028
Lexington-Fayette County KY	16	12	4**^	21,709
Quasi-Municipal Urban Counties				
Anne Arundel MD	7	7	0	69,951
Baltimore County MD	7	7	0	107,756
Montgomery County MD	9	5	4	174,668
Prince George's County MD	9	9	0	89,057
Central Cities (400k to 1m)				
Detroit MI	9	0	9	na
Columbus OH	7	0	7	na
Memphis TN	15	15^^	0	43,340
Milwaukee WI	17	17	0	35,116
Boston MA	13	9	4	65,460
Seattle WA	9	9	0	62,597

Jacksonville has 5 members from 5 superdistricts into which 14 districts are aggregated

Baltimore City has 6 districts that elect 3 members each

* President of council elected at-large in Baltimore City, Washington DC, and St Louis City

** In Lexington at-large member with most votes is designated vice-mayor

^ Mayor-chief executive presides over city council

^^ Memphis has 11 single-member districts and 2 districts with two members

Several councils have multi-member districts. Jacksonville has five members elected from five super-districts into which the 14 single-member districts are amalgamated. Baltimore City is divided into six council districts from which three members each are elected. Memphis has two districts that elect two council members each.

In addition to Baltimore City and St Louis City (where the elected president is the only at-large member), eight of the councils have at-large as well as district members. However, with one exception, at-large members are a small percentage of total council membership. Indianapolis has four at-large members out of 29; Nashville, five of 40; Washington DC, five of 13; Denver, two of 13; New Orleans, two of seven; Lexington, three of 16; and Boston, four of 13. The exception is Montgomery County, Maryland (my personal choice for the USA's most progressive urban government); its county council is composed of five members elected by district and four members elected at-large. In all, of 342 members of the 23 councils, 294 (or 86 percent) are elected by district.

Among the 21 councils with members elected by district, the average district contains about 63,000 residents (about 25 percent more than current Albuquerque city council districts). The size of council districts ranges from slightly under 13,000 in St Louis City to about 175,000 in Montgomery County. (St Louis City, however, has lost 60 percent of its population since 1950. At its population peak, each council district would have had about 30,000 residents.)

Of the 23 councils with mayor-council systems, 19 select their own presiding officer by vote of the council members. In only three (Baltimore City, St. Louis City, and Washington, DC) is the council president elected as such by the voters. In Lexington, the person elected as mayor-chief executive ("Super-Mayor") also presides over council meetings; however, in Lexington, the top vote getter of the three at-large members automatically becomes the vice-mayor, presiding over the council in the mayor's absence (but not assuming the mayor's executive responsibilities).

Typical Commissions

The most striking contrast between council organization in mayor-council systems and commission organization in commission-manager systems is how the presiding officer is selected. As just noted, council members select the presiding officer from among their own ranks in 19 of 23 mayor-council systems. By contrast, voters elect the presiding officer (usually titled "mayor") in all thirteen commission-manager systems.

This means that, by contrast with Bernalillo County, these commission-manager systems do have a “mayor” elected by the voters as the political head of the community. In a sense, the mayor is “chief of state” while the manager is “chief of government.”

Commissions are typically smaller than councils. Among the thirteen with true commission-manager systems, two have seven members, three have nine members, one (Fairfax County) has ten members, and seven have eleven members. With its five administrative commissioners, Portland has the smallest commission. No commission approaches the size of the larger councils; 13 of the 23 mayor-council systems have councils equal to or substantially greater in size than the largest commission.

Their smaller size reflects the fact that commissions function more as boards of directors, interacting more intimately with their hired managers. They often conduct their business as committees-of-the-whole. (Portland’s administrative commission meets only as a group, gathering two and sometimes three times a week in regularly scheduled public sessions.) Councils (in particular, larger councils) operate more as legislative bodies, usually ratifying the recommendations of prior committee meetings.

Since commissions are typically smaller than councils, at-large members tend to pull somewhat more political weight on commissions. Portland, Austin, and Virginia Beach are elected entirely at-large (although seven of Virginia Beach’s 11 members must be residents of specified districts). Nine commissions are elected solely by district, except for the mayor/presiding officer, who typically exercises substantial influence. Charlotte has four at-large commissioners (including the mayor) out of 11 members. All three of Georgia’s three consolidated city-counties (Athens, Augusta, and Columbus) have 11-member commissions. Augusta’s commission has eight members elected by district and two at-large. Athens and Augusta’s commissions also have eight members elected by district, but two members elected from super-districts (of four regular districts each), with the mayor elected at-large. (Super-district commissioners might be considered quasi-at-large members.) Interestingly, half a continent away, Kansas City KS-Wyandotte has exactly the same system. In all, of the 128 members serving on the 13 commissions, 94 (or 73 percent) are elected by district. If members of super-districts are considered quasi-at-large members, one-third of commissioners are elected at-large.

Commission districts are somewhat larger than council districts. Excluding the four smaller communities (Athens, Augusta, Columbus, and Kansas City KS),

the average commission district has 79,000 residents. (Bernalillo County's commission districts average 111,000 residents.)

TABLE 2B
SIZE OF COMMISSION IN 13 COMMISSION-MANAGER SYSTEMS

	Total members	Elected by district	Elected at- large	Residents per district
Bernalillo County	5	5	0	111,336
20th Century Large Consolidations				
Virginia Beach VA (Princess Anne County)	11	0	11*#	na
19th Century Large Consolidations				
none				
20th Century Smaller Consolidations				
Athens-Clarke County GA	11	10##	1*	12,686
Augusta-Richmond County GA	11	10##	1*	24,972
Columbus-Muskogee County GA	11	8	3*	23,286
Kansas City KS-Wyandotte County KS	11	10##	1*	18,358
Quasi-Municipal Urban Counties				
Fairfax County VA	10	9	1*	107,750
Central Cities (400k to 1m)				
San Jose CA	11	10	1*	89,494
Austin TX	7	0	7	na
El Paso TX	9	8	1*	70,458
Charlotte NC	11	7	4*	77,261
Fort Worth TX	9	8	1*	66,837
Oklahoma City OK	9	8	1*	63,267
Tucson AZ	7	6	1*	81,117
<i>Portland OR</i>	5	0	5*	na

* Voters elect presiding officer of commission who is typically titled "mayor."

In Virginia Beach seven members must reside in single member districts but are elected at-large

Two members are elected from super-districts of four districts combined

Summing Up Peer Community Practices

What are the principal conclusions to be drawn from this review?

First, in mayor-council systems, the mayor-chief executive is often the only prominent political leader elected citywide. In over three-quarters of the cases,

council members select the president/chairperson of the council from within their ranks.

Second, in commission-manager systems, the voters always elect a non-executive “mayor” as presiding officer of the commission in order to provide for a popularly elected political leader. (Day-to-day executive authority rests in the hands of the hired manager.)

Third, councils tend to have larger memberships than commissions with council districts having slightly smaller numbers of residents.

Finally, commissions have a higher proportion of at-large members (about 27 percent, or 32 percent, if super-district members are considered quasi-at-large). By contrast, only 14 percent of council members are elected at-large (or 15 percent if super-district members are considered quasi-at-large members).

Who Runs? Who Wins? Who Serves?

What are the implications of the two roles of councils and commissions as a) popularly representative bodies, and b) as boards of directors of major service corporations for the issue of district vs. at-large membership? In my view, the question of district vs. at-large seats turns on the question of who typically serves in district and at-large seats.

Until the mid-1970s, the five-member Albuquerque City Commission, the three-member Bernalillo County Commission, and the five-member Albuquerque Board of Education were all elected at-large. In 1974, as I’ve discussed, city voters adopted a new charter, replacing the city commission with an executive mayor and nine-member districted council. In 1975, the New Mexico legislature expanded the county commission to five members elected by district. (As state representative from the Southeast Heights, I voted for that bill.) And in 1983, the legislature also converted the school board into a seven-member body elected by district.

All three bodies – the new city council, the expanded county commission, and the expanded school board – continued as part-time, “citizen” bodies. However, the shift from at-large membership to district membership immediately accelerated a fundamental change already underway in the backgrounds of the citizens serving on all three bodies.

The change can be illustrated by comparing the membership of the last Albuquerque City Commission (1973-74) with the membership of the current Albuquerque City Council.

Serving on the five-member City Commission (all elected at-large) were the founder and chief executive of the Albuquerque Technical-Vocational Institute, undoubtedly one of the region's most popular public institution; the director of the 600-employee regional Social Security Administration operations center; a senior partner in Albuquerque's third largest law firm; a senior partner in a sizeable engineering consulting firm; and the immediate past president of the Junior League of Albuquerque.

Serving on the current nine-member Albuquerque City Council (all elected by district) are a social services consultant (and former City Council staffer); a now-retired county vehicle maintenance director; a public affairs adviser and lecturer at UNM and T-VI; an assistant high school principal; two attorneys in small law firms; two real estate agents; and a part-time public relations consultant.

In May 1993, I examined the shift in the occupational and civic backgrounds of local elected officials in a report to the Greater Albuquerque Chamber of Commerce. The purpose was to document 1) how business leadership had basically vanished from public office since the conversion to districted membership, and 2) how local elected officials today had little prior experience in serving in major civic leadership roles. As measures of broad civic experience, I used prior service on the board of directors of the Chamber of Commerce, Albuquerque Economic Development (AED), and Industrial Foundation of Albuquerque (IFA); the United Way; and the New Mexico Symphony Orchestra. Though such criteria undoubtedly slight other significant leadership roles, these were (and remain) among the region's principal business, social welfare, and cultural institutions. In some respects, service on these boards helped define who might be labeled members of Albuquerque's "establishment."

The study highlighted points relevant to decisions the charter commission and local citizens face in shaping the unified government. The following sections are excerpted from the full report (in Appendix C):

To date [as of 1993], thirty-three persons have been elected to the City Council. The largest group has been in private business — six in ownership positions, six as corporate employees, and one in sales. The second largest group, however, has been composed of eleven public employees — seven educators, two county employees, a state employee,

and a retired city employee. Six — all women — were community volunteers prior to their election (although several have developed subsequent paid careers). Three have been lawyers.

Of the thirteen persons in private business only two served on the Chamber or AIDS/IFA boards prior to their terms of public service (and only one subsequently). These two served only five and one half years combined on the City Council. In short, over the last twenty years city councilors with prior experience as Chamber directors represent only about three percent of the total person-years of service on the Albuquerque City Council.

* * *

Since districting [the County Commission in 1975], of 17 commissioners [as of 1993], only six have been independent businessmen, and none has served on the business organization boards. Moreover, only two have served on the United Way board, and none on the symphony board.

* * *

Of the 16 persons elected to the school board by district [as of 1993] since the changeover [1983], seven have come out of governmental service, including six educators or retired educators; three have been attorneys; and two, housewife/volunteers. Only three have any private business background, and, as noted above, none have ever served as directors of the community's major business organizations.

* * *

[In conclusion] for a generation now the organized business community [which used to dominate the city commission and school board] has stood almost completely outside the ranks of the elected leadership of city government, county government, and the public school system. Few business people offer themselves as candidates. Even fewer are successfully elected. Thus, these bodies lack members who've had experience in community-wide business organizations. Furthermore, the proportion of members who have private business backgrounds has declined significantly.

Trends Since the 1993 Report

With regard to two of the three major local governments, the trends noted in the 1993 report have continued. I have already profiled the occupations of current city councilors. The present Albuquerque Board of Education consists of an attorney, a state government employee, director of a neighborhood advocacy group, a small businessman, a retired teacher, a trade association executive, and a long-time civic volunteer.

The Bernalillo County Commission, however, presents a different picture. While the current commissioners have no greater prior experience on the Chamber, United Way, or the Symphony board than past commissioners, they bring a wealth of *political* experience from prior public office. Commissioners Steve Gallegos and Tim Cummins moved from service on the City Council to the County Commission (continuing a trend begun by Pat Baca and Marion Cottrell, who had served many years on the City Council). Commissioners Les Houston and Tom Rutherford served many years in the New Mexico Senate. (In the 1980s, Lenton Malry also brought years of prior legislative experience to the County Commission.)

In fact, the current Bernalillo County Commission is the most politically experienced of any that I have encountered in the country. The County Commission's policy leadership and steady support of the current County Manager, now completing his twelfth consecutive year, have raised county government to a level of effectiveness and stability well above its stature during my twenty years as an Albuquerque resident.

The Vanishing Establishment

Why have established business and civic leaders largely vanished from local elected office? It is not a phenomenon limited to Albuquerque and was brilliantly outlined by the journalist Alan Ehrenhalt in *The United States of Ambition*. Ehrenhalt's principal points (seconded by my own experiences and observations) are

- Politics has changed. In generations past, major institutions – political parties, business groups, labor unions – were the gatekeepers to public office. An aspiring office seeker first served an apprenticeship in the trenches, rose through the ranks, was vetted

by the leadership, and could rely on major party/business/labor support to win the election. Now politics is much more broadly democratic, and seeking elected office has become an *entrepreneurial* enterprise. The role of political parties, business groups, and labor unions has become much weaker, and candidates largely nominate and elect themselves. For major state and national offices what has become paramount is a candidate's ability to raise large amounts of money outside the formal party structures to finance massive media advertising campaigns.

- At the local level, the shift from at-large to districted elections allows entrepreneurial candidates to overcome a lack of broad civic exposure and broad-based organizational support through energetic, door-to-door campaigning. Single-issue candidacies can trump a long record of career or civic achievement. Already busy business and civic leaders cannot afford the time (and may regrettably not have the inclination) for extensive door-to-door campaigning.
- Part-time elected offices have been converted into almost full-time (if often modestly compensated) occupations. Few council or commission seats are designed officially to be full-time posts.¹⁴ Yet, increasingly, some members – often retirees; single, community activists; or persons with gainfully employed spouses – transform their part-time offices into full-time roles. They set a pace that other members feel compelled to keep up with. The council/commission's workload expands inevitably.¹⁵ As a result, people with major business and professional careers feel increasingly that they cannot afford the time and energy to serve even if they are prepared to devote the time and effort to campaign to win.

¹⁴ Of the 475 councilors and commissioners among Greater Albuquerque's peer communities, only eight – Portland's five administrative commissioners, Lexington's "super-mayor," and the chair of the Washington, D.C. Council – officially require a full-time commitment with no other employment.

¹⁵ Parkinson's Law is that "work expands to fill the time available." Full-time councilors/commissioners create a full-time workload that creates an intolerable burden for part-time councilors/commissioners with successful careers or other significant civic responsibilities.

There is another factor that, while not unique to Albuquerque, greatly increases the time demands on Albuquerque city councilors: the committee structure. For large legislative bodies, committees are essential. They hold hearings and examine legislative proposals in depth. Committee actions are generally upheld by the full legislature “out of respect for the committee structure.” In fact, large legislatures count on committees to kill at least three-quarters of the bills introduced.

The Albuquerque City Council has only nine members, however, yet it divides its basic work among two, three, or four standing committees. It currently has two principal committees (Finance & Government Operations, and Land Use, Planning, & Zoning) with five members each. Many matters are heard fully by committee, then passed out to the full City Council that typically proceeds to go through the entire process again. Thus, for many major issues (in particular, for controversial matters), the council must do its work twice. (Neither the five-member county commission nor the former five-member city commission functioned through committees.)

Consequences: District Parochialism

Shifting from at-large to districted membership has certainly not eliminated persons of vision and talent from serving as local elected officials. I served with several city councilors who would have been outstanding members of any community’s council or commission.

And certainly the old systems badly needed to be democratized.¹⁶ The decline of the Establishment has been counterbalanced by new faces and new voices representing segments of the Albuquerque community that were greatly under-represented in the Good Old Days. (The Good Old Days were often only good as seen from the top.)

However, there are two developing trends as a consequence of the steadily lessening citywide credentials of Albuquerque city councilors from election to election.

¹⁶ I was told by one knowledgeable, long-time observer of the Albuquerque School Board that for forty years not only were non-incumbents never elected but, until independent candidate Jeannette Stromberg broke through the Establishment’s control in the mid-1950s, no person served on the school board who was not also a member of the Masonic Lodge! (I have not verified that statement independently.)

First, as a group, the city council becomes more and more a body of nine different members focused on the more parochial interests of their districts and functions less and less as a citywide policy body able to act in the larger community's interest. The central issue is not (as many average citizens feel) vote swapping over what streets get improved, which district gets a new park or community center, or where the next library branch gets built. Such traditional "log rolling" may slightly bend but does not break the larger public interest.

The real issue is planning and zoning policy. The city of Albuquerque has become a place where it is increasingly difficult to gain council approval for any new initiative that would benefit the city as a whole but faces strong local opposition from some neighborhoods within a given council district. Over 200 neighborhood associations have become powerful players in the development process. Some act occasionally with a view to citywide needs, but most are essentially nay-sayers to proposed development and certainly to proposed social services facilities. It is a rare city councilor that will buck the wishes of a strong group of neighborhood activists in that district, and other councilors increasingly defer to the affected councilor's demands (lest their ox be the next to be gored.)

I bear my share of responsibility for this development. When I became mayor in 1977, there were only 19 neighborhood associations (all offshoots of the federally funded Community Action and Model Cities programs). Feeling that, as the city grew larger, neighborhood associations could help restore that "small town atmosphere" that was being lost, I inaugurated the Mayor's Office of Neighborhood Development and actively encouraged the growth of neighborhood associations. There were over 90 by the time I left office in 1981. Since then, the number of associations has more than doubled.

Two other dimensions of my program, however, were not achieved that might have diminished the current neighborhood-based gridlock. I had begun quietly discussing with city councilors developing an informal "capital improvements program for obnoxious projects" – facilities that were essential for the entire community but strongly opposed by surrounding neighborhoods. In short, we would reach an informal understanding to locate such facilities in a balanced and equitable manner across the whole city. When the mayor publicly proposed locating some facility in a given district, that councilor could lead the charge of outraged local residents. However, asserting (regretfully) the larger community interest, the rest of the councilors would approve the proposal. Some months later, the process would move on to another facility in a different district; and so forth.

Those discrete discussions, however, were ended by my defeat for re-election. To my knowledge, no informal “capital improvements program for obnoxious projects” has ever been developed – to the detriment of the city’s ability to move forward with meeting essential community needs.¹⁷

A second initiative was one of only a handful of truly important proposals of my administration that was rejected by the city council. For the 1981 municipal bond election I proposed establishing a small fund (initially \$2 million) for “neighborhood initiative projects.” Allocated by formula among sub-areas of the city, this would provide bond funds for traffic calming projects, minor park improvements, beautification activities, and other modest investments that would improve neighborhood amenities. Neighborhood associations, working with city staff, would plan how the funds would be used in each area. The proposal would have provided a regular agenda for positive, constructive interaction between neighborhood associations and city governments.

Unfortunately, the council rejected my proposal unanimously. (Some councilors were already restless about the growing role of neighborhood associations. Neighborhood activists might become candidates themselves, challenging the incumbents in future elections.) The notion of a flexible city bond fund for such neighborhood-planned mini-projects has only been revived recently.

Consequences: Corporate Direction

The second significant issue raised by the increasing lack of prior citywide leadership experience of city councilors is the issue of corporate governance. As I stated at the outset of this chapter, Greater Albuquerque will be a municipal corporation with a \$1 billion a year budget. The City of Albuquerque itself is already 85 percent of that level now.

In one sense, to be elected to public office by one’s fellow citizens is the greatest honor a democracy can bestow. In another sense, should serving as a councilor/commissioner be by far the biggest thing that person has ever done? Or, more to the point, should that be true of *everyone* who serves on the governing body of a billion-dollar public corporation?

One can make too much of the mystique of big numbers. In important respects, the nature of the decisions that must be made by

¹⁷ A shameful example occurred in 1993 when the City Council was unable to agree on a location for just six townhouses for public housing families anywhere in Albuquerque!

councilors/commissioners, state legislators, and members of Congress are all the same: the number of zeros is just different.¹⁸

However, C. Northcote Parkinson's "Law of Diminishing Interest" also applies: "Time and attention are paid in inverse proportion to the amount of money involved." (During my mayoralty, I re-dubbed this as "the Law of the Finance Committee.") I have seen the city council argue over a \$10,000 budget item for an hour and a half while rubberstamping a \$10 million bond refinancing in two minutes in the same meeting. Anyone can have an opinion on \$10,000 budget expenditures; many feel intimidated by the intricacies of a multi-million dollar bond refunding. But is not the public interest best served by having some council/commission members whose own career experiences help them deal more knowledgeably and comfortably with multi-million dollar issues?

The Role of At-Large Members

By definition, at-large members have a broader constituency than district councilors and have a clearer obligation to weigh the entire community's interests. Do at-large members also typically have more prior experience in governance of community-wide institutions? Albuquerque's own history would suggest that the answer is yes.

I have compared the on-line resumes of at-large and district councilors/commissioners in a number of communities that have both types of members (Indianapolis, Nashville, Washington DC, Lexington, Boston, and Charlotte). My impression is that at-large members have somewhat broader resumes prior to elected office. More noticeable, however, are the many at-large members who had previously represented individual districts. Having at-large seats may be how a council/commission holds on to its more veteran members; it is more likely that some district members moved up to citywide contests in preparation for a run for the mayor's office.

In any event, it appears that there has been a sea change in who serves on councils/commissions that is more generational in nature than it is just a reflection of the shift from at-large to district elections.

The old system was too exclusionary. In many respects, the "little guy" was shut out of access to power and influence by the Establishment. But as it has worked out, the new system is exclusionary as well. Citizens with experience

¹⁸ As the legendary US Senator Everett McKinley Dirksen once growled, "a billion dollars here and a billion dollars there and pretty soon you're talking about real money."

leading major businesses and civic institutions are no longer holding local elective offices.

Whether structuring a new council/commission for Greater Albuquerque to include at-large seats would succeed in bringing experienced business and civic leaders back into public office is problematical at best. Certainly, a return to electing governing boards entirely at-large might result in stifling once again community voices that must be heard.

What is highly likely, however, is that having a council/commission of only district members where part-time civic service is steadily transformed into a full-time commitment will not be attractive to already busy, proven, business and community-wide leaders.

IV. The Revolving Door to the Mayor's Office

About a year after I was defeated for re-election in October 1981, a stranger stopped me as I was walking downtown on Central Avenue.

“Pardon me. Aren’t you Mayor Rusk?” he asked.

“Yes.”

“Well, I voted for you the first time,” he said, with great animation, “but I didn’t vote for you the second time.”

Wishing to say something profound, I said “Oh?”

“I really thought you were a darned good mayor,” he continued.

“Then why didn’t you vote for my re-election?”

“Oh, we just can’t leave you guys in there too long,” he responded, with a knowing grin.

Two decades later, it’s clear that in Albuquerque “too long” means anything more than four years. I was the second of what are now seven consecutive one-term mayors. Albuquerque voters have never re-elected an incumbent mayor, although (as Harry Kinney points out) they have “recycled” two (Kinney, 1974-77 and 1981-85, and Martin Chavez, 1993-97 and 2001 to present).

Prior to the 1997 city election, the charter provided that, if no candidate received more than 40 percent of the votes cast in an open, non-partisan primary, a run-off would pit the top two vote getters.¹⁹ In 1997, the New Mexico District Court found that provision of the city charter unconstitutional. For the last two mayoral elections, the candidate with the most votes (that is, receiving a plurality) is declared the winner.

The current city charter limits a mayor to two consecutive, four-year terms. Voters, however, seem to have their own term limits policy. No incumbent mayor

¹⁹ The same requirement applied to council elections.

has even made it into a run-off.²⁰ Table 3 summarizes the re-election fates of Albuquerque’s seven mayoral incumbents to date.

Table 3
Re-election Results for Albuquerque Mayors, 1977-2001

<u>Incumbent mayor</u>	<u>Re-election year</u>	<u>No. of primary candidates</u>	<u>Incumbent’s finish in field</u>	<u>Incumbent’s pct. of primary votes</u>
Harry Kinney (I)	1977	4	2nd	31%
David Rusk	1981	10	3rd	24%
Harry Kinney (II)	1985	8	3rd	23%
Ken Schultz	1989	8	4th	11%
Louis Saavedra	1993	na	DNR	na
Marty Chavez (I)	1997	7	DNR	na
Jim Baca	2001	7	4th	10%

Two incumbents did not run for re-election (DNR): Louis Saavedra (who was widely viewed as unelectable at the time) and Marty Chavez (who might have been re-electable, but chose to run unsuccessfully for governor).

Political savants elsewhere have always told me that under Albuquerque’s former non-partisan primary/general election formula, an incumbent mayor would be “sure” to be one of the top two finishers in the primary. But it never worked out that way. The issue seemed to be “Do you like the current mayor or would you rather have any one of the others above?” Only 20 percent or so backed the incumbent at the campaign’s outset. Support for other candidates might be initially spread around, but as Election Day neared, media polls would show the emergence of a couple of principal challengers. Since most voters don’t throw away their vote on hopeless candidacies, anti-incumbent sentiment would coalesce around the two viable alternatives. And the incumbent would be voted out of office.

Why should it matter? It matters because constant turnover has created great instability at the top of the executive branch of city government. Not only does the mayor (chief executive officer) change every four years, but, with one

²⁰ I defeated Harry Kinney outright in 1977 with 47 percent of the primary vote, eliminating any need for a run-off.

exception, so does the chief administrative officer (CAO).²¹ More recent mayors created the positions of deputy CAO, who now change as well. The turnover rate among department heads has also increased over time.

It was not always thus. During my administration (1977-81), eight of my 15 department heads had been department heads during Kinney I (1974-77);²² twelve of the 15 subsequently completed Kinney II (1981-85). Thus, there was substantial continuity in top management ranks under the first three mayoral administrations; indeed, several major department heads dated from the previous commission-manager period.

However, that continuity was broken thereafter. Only one of the 15 finished as a department head under the administration of Ken Schultz (1985-89); the others either were fired or chose to retire upon (or shortly after) Schultz's taking office. Mayor Saavedra, in turn, changed out almost all of Schultz's department heads. There was substantial turnover again during the Chavez I administration though an element of stability was restored by the fact that Lawrence Rael was CAO throughout Mayor Chavez's first term and Mayor Jim Baca's subsequent four years. At present, only one current department head holds the same position held under the previous administration.

Certainly, any large and complex bureaucracy needs a periodic infusion of new blood. And a mayor's management team must be composed of persons in whom the mayor has confidence. Nothing that has occurred in city government in recent years presages a wholesale return to a political spoils system so institutionalized in New Mexico state government until the reform administration of Governor Jack Campbell (1966-67), who instituted a modern civil service system that covered most state employees.

But, to be effective, a large institution also needs a degree of continuity institutional from having experienced managers at the helm. With such constant changeover, Albuquerque city government is losing its institutional memory. At eight years, the longest serving senior officials now are Mark Sanchez, Director of Council Services; Bob White, City Attorney; and Debra Yoshimura, Internal Auditor (who reports to a joint administration-council committee).

²¹ Lawrence Rael, who was CAO Art Blumenfeld's top deputy during the Saavedra administration (1989-93), served as CAO during the Chavez I (1993-97) and Baca (1997-2001) administrations.

²² Four other department heads had been deputy directors under Kinney I; three were new recruits from outside the ranks of city employees.

Mayors in Peer Communities

What is the story with mayors in Greater Albuquerque's peer communities? Table 4a summarizes trends in the 23 mayor/council communities.²³ (Since we are looking at mayor/CEOs, I'll not address trends for "mayors" in commission-manager systems.) The column headed "Tenure of recent mayors" lists the sequence of terms since roughly 1974 when Albuquerque converted to the mayor-council system. The last listing in each sequence is the current incumbent's term and assumes that the incumbent will finish out the term. (However, if this is an incumbent's initial term, it is not counted in the calculation of average tenure.)

No mayor-council community has had the constant turnover that Albuquerque has experienced. Statistically, at least, the communities that otherwise come closest are the pre-consolidation city of Louisville (average term: 5.0 years), the city of St. Louis (average term: 5.6 years) and Washington, DC (average term: 6.0 years). The greatest continuity in the mayor's office is found in Milwaukee, where the legendary Henry Maier's seven terms were followed by John Norquist's four terms.

There is a slight but perceptible difference between the tenure of mayors elected in partisan elections and the tenure of mayors elected in non-partisan elections. "Partisan" mayors have averaged 10.7 years in office. The terms of the "non-partisan" mayors have averaged 9.4 years.

Are there different Democratic Party and Republican Party philosophies of local government? Not in my experience. Though demonstrably weaker with each passing decade, the two party structures do serve as "vetting" mechanisms for candidates. Rarely will a mayor who is perceived as reasonably competent be challenged successfully within a party primary. Thus, the general election will typically pit the incumbent mayor (Democratic or Republican) head-to-head against a single challenger (Republican or Democratic).

²³ The city of Albuquerque is shown for comparative purposes but is not included in the calculation of averages.

TABLE 4a
MAYORAL TENURE IN 23 MAYOR-COUNCIL SYSTEMS

	Length of term	Term limits	Tenure of recent mayors	Average tenure	Partisan or non-partisan
City of Albuquerque	4 years	two	4-4-4-4-4-4-4-4	4.0	non-partisan
20th Century Large Consolidations					
Honolulu HI (City & County)	4 years	none	8-4-12-8	8.0	non-partisan
Indianapolis-Marion County IN	4 years	none	8-12-8-4	9.3	partisan
Jacksonville-Duval County FL	4 years	none	12-8-8-8	9.3	partisan
Louisville-Jefferson County KY	4 years	none	4-4-4-12-4	5.0	partisan
Nashville-Davidson County TN	4 years	none	12-12-4-8-4	9.0	partisan
19th Century Large Consolidations					
San Francisco CA (City & County)	4 years	none	8-4-12-4-8	7.2	non-partisan
Baltimore City MD (independent city)	4 years	none	20-8-4	14.0	partisan
Washington DC (City & County)	4 years	none	4-12-4-4-4	6.0	partisan
Denver CO (City & County)	4 years	none	16-8-12	12.0	non-partisan
New Orleans LA (City & Parish)	4 years	none	8-8-8-12	9.0	partisan
St Louis City MO (independent city)	4 years	none	4-4-12-4-4-4	5.6	partisan
20th Century Smaller Consolidations					
Lexington-Fayette County	4 years	three	8-4-12-12	9.0	non-partisan
Anchorage AK (City & Borough)	4 years	none	na	na	partisan
Quasi-Municipal Urban Counties					
Anne Arundel MD	4 years	none	4		partisan
Baltimore County MD	4 years	two	8		partisan
Montgomery County MD	4 years	none	8-8-4-4-12	7.2	partisan
Prince George's County MD	4 years	two	8-4-4-12-8	7.2	partisan
Central Cities (500k to 1m)					
Detroit MI	4 years	none	20-8-4	14.0	partisan
Columbus OH	4 years	none	12-8-8-4	9.3	partisan
Memphis TN	4 years	none	[12-8-12]	10.7	partisan
Milwaukee WI	4 years	none	28-16	22.0	partisan
Boston MA	4 years	none	16-12-8	12.0	partisan
Seattle WA	4 years	none	8-12-8-4	9.3	non-partisan
Average tenure - partisan				10.7	
Average tenure - non-partisan				9.4	

Sources: ICMA. The Municipal Yearbook (1960-2002) and peer community websites

Partisan elections generally yielded the longest mayoralities, such as Milwaukee's Maier (28 years) and Norquist (16 years); Detroit's Coleman Young and Baltimore's William Donald Schaeffer (20 years); Boston's Kevin White and

Washington's Marion Barry (16 years)²⁴; and a dozen that have served three four-year terms.

By contrast, the senior “non-partisan” mayor was Denver's William McNichols (16 years), followed by Denver's Wellington Webb, Seattle's Chuck Royer, San Francisco's Diane Feinstein, and Lexington's Scotty Baesler and Pamela Miller (all 12 years).

Non-partisan elections pit the incumbent against “any one of the above.” Mix in the inclination of a sizeable number of New Mexico voters to “not leave you guys in there too long” and the two factors may be a built-in formula for constant turnover in the Albuquerque mayor's office.²⁵

Managers in Peer Communities

Do commission-manager systems bring more stability in the chief executive's role – the city or county manager? Table 4b summarizes the tenures of city and county managers in commission-manager governments.²⁶ Whenever it was possible to identify such a situation, I ignored short-term interim managers filling the gap between permanent hires. Also, I assumed that any manager serving in a given year served the entire year. Thus, if anything, the tenure of some managers is overstated. (Paralleling my approach to mayor/CEOs, I did not include any current manager who had served less than four years in the calculation of average tenure.)

Table 4b shows slightly greater turnover among professional managers than among executive mayors. The average tenure of managers under commissions chosen in partisan elections was 7.2 years. The average tenure of managers under non-partisan commissions was 6.8 years.

²⁴ What would have been a 20-year run for “Mayor for Life” Marion Barry was interrupted by jail time for a drug-related misdemeanor conviction.

²⁵ Until 1992, the New Mexico constitution had never allowed a governor to serve more than four consecutive years. In fact, no statewide office holders (attorney general, secretary of state, etc.) could run for re-election either for their own offices or for another. The sole exception was the lieutenant governor, who could run for governor. Virginia is now the only remaining state to limit its governor to one, four-year term.

²⁶ Bernalillo County is shown for comparative purposes but is not included in the calculation of averages. With its administrative commission system, Portland is also not included in the averages.

TABLE 4b
MANAGER TENURE IN 11 COMMISSION MANAGER SYSTEMS

	Tenure of recent managers	Average tenure	Partisan or non-partisan
Bernalillo County	2-3-7-2-1-1-12	4.0	partisan
20th Century Large Consolidations			
Virginia Beach VA (Princess Anne County)	8-6-3-12	7.3	non-partisan
19th Century Large Consolidations			
none	na	na	na
20th Century Smaller Consolidations			
Athens-Clarke County GA	2-8-4-9-2	5.8	partisan
Augusta-Richmond County GA	na	na	partisan
Columbus-Muskogee County GA	14-4-6-8	8.0	partisan
Kansas City KS-Wyandotte County KS	4-8-2-10-8	6.4	non-partisan
Quasi-Municipal Urban Counties			
Fairfax County VA	3-4-11-2-4-3-3	4.5	partisan
Central Cities (500k to 1m)			
San Jose CA	6-1-4-5-6-5	4.5	non-partisan
Austin TX	9-3-5-5-8-1	6.0	non-partisan
El Paso TX	[11-12-7]	10.0	non-partisan
Charlotte NC	[10-15-7]	10.7	partisan
Fort Worth TX	7-7-4-3-9-3	5.0	non-partisan
Oklahoma City OK	2-5-5-3-2-7-2-2	3.7	non-partisan
Tucson AZ	na	na	partisan
<i>Portland OR</i>	<i>8-4-8-12</i>	<i>8.0</i>	<i>non-partisan</i>
average tenure - partisan		7.2	
average tenure - non-partisan		6.8	

Sources: ICMA. The Municipal Yearbook (1960-2002) and peer community websites

Turnover in the manager's office occurs for many reasons. Some move on voluntarily to better career opportunities (although Albuquerque's peer communities are clustered towards the top of the professional manager's career ladder). Others retire after years of public service. And some, of course, are fired either for poor performance or because a new commission majority wants new blood.

There are long-serving managers. The city of Charlotte is notable for continuity in the manager's chair as D. A Burkhalter (1971-1980) was followed by

D. Wendell (“Wendy”) White (1981-1995) who was, in turn, succeeded by his chief deputy, Pamela Syfert (1996 to present). Other long-termers have been Virginia Beach’s James Spore (1991-present), Fairfax County’s J. Hamilton Lamert (11 years), and Kansas City’s (David T. Isabel (10 years). Bernalillo County itself has had only four county managers (Alex Abeyta, Juan Vigil, and, for shorter periods, Ron Olguin and Vickie Fischer) in the last 26 years. On the other hand, Oklahoma City has experienced a fairly steady succession of relatively short-term managers (average tenure: 3.7 years).

Summing Up

From the point of view of executive continuity, mayors elected in partisan elections average the longest tenures (10.7 years) followed by non-partisan mayors (9.4 years). Professional managers under partisan commissions average 7.2 years in office, while professional managers under non-partisan commissions average slightly shorter tenures (6.8 years). But none of these systems have brought about the kind of constant turnover that has occurred in Albuquerque City Hall.

What has brought about the revolving door to the Mayor’s office? Did five one-term incumbents (effectively, six) really deserve to be tossed out? Was it just happenstance – the product of timing, circumstances, personality, and other case-by-case factors? Or is there something systemically broken – an alignment of electoral rules that gives undue weight to those voters that, like my stranger on Central Avenue, as a matter of principle, “doesn’t want to leave you guys in there too long” – no more than four years, to be exact.²⁷

The People Have Spoken?

“Local government is that government closest to the people,” it is commonly proclaimed. It is also the level of government that draws the least interest, if voter participation is any indicator. Across the country voter turnout in non-partisan municipal elections is relatively low, and for electing school boards (charged with educating about 90 percent of America’s children) the minimal voter turnouts are positively shameful.

County elections are almost invariably partisan and held when state and national offices must also be filled, but even partisan municipal elections may not

²⁷ By contrast, voters tend to return city councilors to office about three-quarters of the time. By my count, of 36 incumbent councilors who stood for re-election from 1975 to 2001, 26 were re-elected. Two of the ten defeated incumbents were appointees filling vacancies who had never been elected to the post.

be held in conjunction with general elections, often being scheduled in “off-year” cycles. Electing presidents, governors, US senators and representatives – that’s what draws voters to the polls.

The difference between the proportion of potential Albuquerque voters who chose its non-partisan mayors and the proportion of Bernalillo County voters who chose its partisan county commissioners is illustrated by table 5a and 5b.

Every mayor has come into office supported by the votes of a distinct minority of Albuquerque voters. The high water mark was Harry Kinney’s 1981 run-off victory over Gordon Sanders, when Kinney received 55 percent of the votes cast in a 50 percent turnout of registered voters. In other words, Kinney entered the mayor’s office for the second time as the direct choice of 28 percent of Albuquerque’s registered voters. The low water mark was Jim Baca’s victory in 1997 (the first election after the courts had ruled that the city’s run-off elections were unconstitutional). Needing only a plurality of votes cast, Baca received about 29 percent of the votes in an election that drew only a 33 percent voter turnout. In effect, Baca took office as the expressed choice of only 9 percent of Albuquerque’s registered voters. Four years later, Martin Chavez’s second election as mayor nudged the bar up to 12 percent.

Table 5a
Percentage of Registered Voters Supporting
Winning Albuquerque Mayoral Candidates
From 1974 to 2001

Winner	Year	Percentage of votes cast	Percentage of all registered voters
Harry Kinney	1974	na	na
David Rusk	1977	47%*	18%
Harry Kinney	1981	54%	27%
Ken Schultz	1985	51%	23%
Louis Saavedra	1989	60%	21%
Martin Chavez	1993	50%	20%
Jim Baca	1997	29%**	9%
Martin Chavez	2001	31%**	12%

**Rusk won with 47% in primary election, thus eliminating need for a run-off election.*

***Winner needed only plurality of “primary” vote as New Mexico Supreme Court had declared run-off elections unconstitutional.*

Because county commissioners are elected on partisan tickets along with national and state candidates, their victories reflect much higher levels of active support. Garnering 69 percent of votes cast in a presidential year that saw a 67 percent voter turnout, Commissioners Steve Gallegos and Tim Cummins were the active choice of about 46 percent and 45 percent, respectively, of their district’s registered voters in 2000. In a gubernatorial election year with a 59 percent voter turnout, Commissioners Les Houston and Ken Sanchez were the choices of 40 percent and 35 percent, respectively, of their district’s registered voters in 1998.²⁸

By contrast, in the most recent city elections, five new councilors took office having received the active endorsement of 11 percent, 18 percent, 15 percent, 19 percent, and 23 percent of their district’s registered voters.

Does such a low level of active support negate the legitimacy of such elections? Legally, of course not. Political contests are decided by citizens sufficiently motivated to register and vote. In the absence of a national system of automatic voter registration and mandatory voting, our elected officials will always be the choice of a minority of registered voters. Over the last hundred years, as

²⁸ Incumbent county commissioners are returned to office about 70 percent of the time. Of 16 incumbents that have stood for re-election since 1978, five were defeated – four in the Democratic Party primary (all in District 1, the South Valley) and one in the general election.

the franchise expanded to cover women, blacks, and 18 year olds, probably no president, governor, US senator or representative has received an absolute majority vote of all registered voters – much less an absolute majority of all *potential* voters (that is, including

Table 5b
Percentage of Registered Voters Supporting
Winning Bernalillo County Commission Candidates
From 1998 to 2000

Winner	Year	Percentage of votes cast	Percentage of registered voters
Al Valdez	1992	63%	54%
Gene Gilbert		55%	48%
Barbara Seward		60%	52%
Ken Sanchez	1994	57%	34%
Les Houston		56%	33%
Steve Gallegos (unopposed)	1996	na	na
Tom Rutherford (unopposed)		na	na
Barbara Seward (unopposed)		na	na
Ken Sanchez	1998	61%	35%
Les Houston		68%	40%
Steve Gallegos	2000	69%	46%
Tom Rutherford (unopposed)		na	na
Tim Cummins		67%	45%

those who don't bother to register to vote.)²⁹ Meeting the latter standard would require getting about 75 percent of the votes cast with a voter turnout of 70 percent in a community with a registration of 90 percent of all voting age citizens.

Legally, the count at the polls decides, regardless of how few voters turn out. But a local government whose elected leaders are the active choices of less than one out of five registered voters may well suffer from a broad base of support.

Without a constitutional amendment that would authorize run-off elections for non-partisan races, a non-partisan government for Greater Albuquerque will be

²⁹ Roughly one in five Bernalillo County residents who are citizens and of voting age are not registered to vote.

condemned to have its elected leaders take office with the expressed support at the polls of tiny percentages of the electorate.

On both concerns I have expressed in this chapter – executive continuity and breadth of support – the citizens of Albuquerque-Bernalillo County should assess whether a unified government should be elected on a partisan or non-partisan basis.

V. Of Sheriffs and Other County Officials

“I shot the sheriff, but I didn’t shoot the deputy down.”
--- Doctor John

The constitutional amendment authorizing creation of a single urban government calls for the charter to “designate those officers that shall be elected and those officers and employees that shall perform the duties assigned by law to county officers (Section 2.A(2)(b)).” For Bernalillo County, that means the five county commissioners, sheriff, assessor, treasurer, and county clerk (setting aside all the judicial officers).

This has been one of the knottiest issues in other city-county consolidations. The solutions have been so diverse that they defy easy summarization in simple tables such as have been used in previous chapters. The options are best understood through brief case studies of other mergers. I will group these case studies by state, starting with the most recent, and limiting the review to mergers that have occurred within the last fifty years.

Kentucky: Louisville-Jefferson County (2003)

The about-to-be merged government of Greater Louisville (its official name) has no local charter. It was brought into being by a state statute enacted by the Kentucky General Assembly and subsequently ratified by a majority of voters in Jefferson County in November 2000. Under the statute’s terms, all the functions, powers, and privileges of “any city of the first class” (only Louisville among Kentucky’s 438 cities) and of “the county containing the city” (that is, only Jefferson County) are vested in a “single government [that] replaces and supercedes the governments of the pre-existing city of the first class city and its county.” The merger plan leaves untouched the 93 other municipalities within Jefferson County.³⁰

³⁰ The 93 other municipalities range in population from Jeffersontown city (25,641) to Ten Broeck city (137); 83 have less than 2,000 residents (66 less than 1,000). In effect, most are suburban sub-divisions that incorporated to prevent annexation by Louisville. The merger law puts a halt to any further incorporations and prevents existing cities from proposing any annexation to the consolidated government for the next twelve years. The merged government will have a “municipal” population of about 530,000 (about three-quarters of the county’s population).

A “metropolitan” mayor and 26-member council (all elected by district) replace the current mayor and 12-member board of aldermen of Louisville and the four-member Jefferson County fiscal court, headed by the county judge-executive, with three county commissioners. “To the extent permitted by the Constitution of Kentucky, the office of county judge/executive, justices of the peace, and county commissioners may be statutorily limited in a consolidated government (Section 11(1)).” In short, these posts will either be eliminated or reduced to sinecures.

However, with regard to the other county offices, the statute provides that all constitutional offices “remain in existence upon consolidation.” Nothing in the merger plan

“shall alter or affect the election or term of any county court clerk, county attorney, sheriff, jailer, coroner, surveyor, or assessor. Nor shall any provisions [of the merger statute] be construed to alter or affect the powers, duties, or responsibilities of these officers as prescribed by the Constitution and laws of the Commonwealth of Kentucky. Any funding responsibilities or oversight of any constitutional officers previously exercised by the county, which shall include the approval of the annual budget of the sheriff’s and the county clerk’s offices, shall be transferred to the consolidated local government (Section 11(2)).”

Somewhat enigmatically, the merger law also states that “*However, all existing powers and duties of these offices shall be assigned to the consolidated local government* (Section 11(1)).”

In short, the state legislature and local merger leadership punted on the question of the future of these county officials.³¹ “We’ll let the future mayor and consolidated council deal with that *after* the merger” seems to be the solution.

That future outcome may be foreshadowed by the “Key Facts about Merger” on the City of Louisville website. “These officials and their duties will not change: county court clerk, county attorney, commonwealth’s attorney [district attorney], sheriff, property valuation administrator [assessor] and coroner.”

³¹ There will certainly be an interim role for the County Attorney who “shall serve as the legal advisor and representative to the consolidated local government (Section 8(3))” and is assigned the initial task of identifying any conflicts between carry-over city and county ordinances (Section 8(4)).

Time will tell.

Kentucky: Lexington-Fayette (1974)

The Lexington-Fayette Urban County Government operates under a locally-adopted charter (though it was undoubtedly authorized by state statute). The single urban county government supercedes the second-class city of Lexington and County of Fayette. It is governed by a 15-member Urban County Council (12 by district, 3 at-large), which is, however, chaired by the mayor, who can break tie votes, but also exercises veto power. The mayor is also the chief executive officer (though the “Super-Mayor” receives day-to-day administrative assistance from a charter-required chief administrative officer *who is selected and employed by the council*).

Although the Urban County Government superceded the prior county government, all the county officers remain (though with greatly reduced powers in some cases).

- The elected county judge serves as administrator of the urban county courts, though budgetary control rests with the urban county council. The county judge also a) retains the power to fill vacancies in the office of sheriff, coroner, surveyor, county clerk, county attorney, jailer, and property valuation administrator; b) conduct certain elections; c) appoint a three-member board of supervisors; d) serve on the county budget commission (along with the county attorney and another member appointed by the county fiscal court; and e) chair the county fiscal court.
- The county fiscal court is composed of the county judge and three commissioners elected at-large. While its pre-merger powers were equivalent to the Bernalillo County Commission’s, the fiscal court effectively serves as the taxing body to support the Fayette County School District. It also advises the Kentucky Department of Highways on construction and maintenance of rural roads. However, “the Fiscal Court is hereby deprived of the power to levy taxes [other than school taxes], to approve or disapprove local acts or otherwise administer the governmental affairs of the Merged Government. Said powers are hereby transferred to the Urban County Government (Sec. 11.02(3)).”

- “While the Sheriff shall retain all powers as a peace officer . . . , it is the intent of the Charter that the Sheriff shall not be the principal conservator of the peace for the Merged Government. The function of principal conservator of the peace is hereby transferred and assigned to the Chief of Police . . . (Sec. 11.05).” In effect, the sheriff is an officer of the court system and administrator of the county jail. (The sheriff and jailer were merged by state statute in 1994.)
- The property valuation administrator [county assessor] “shall be the chief assessing officer of the Urban County Government (Sec. 11.06).”
- In general, all other elected constitutional county officers (county court clerk, county attorney, commonwealth attorney, justices of the peace, constable, coroner, and surveyor) “are hereby recognized as officers of the Merged Government in the exercise of their functions, having the same relationship to the Merged Government in performance of said functions as previously existed between these officers and the County of Fayette (Sec. 11.07).”

Thus, the merger transferred to the Urban County Government all legislative powers and control over those executive powers necessary for providing a broad range of public services. However, several “ministerial” functions of county government (e.g. levying school taxes, conducting elections, assessing property taxes) remained with the constitutional officers.

Georgia: Augusta-Richmond (1996)

Georgia: Athens-Clarke (1991)

Georgia: Columbus-Muskogee (1971)

Operating under the same state “rules of the game,” all three Georgia communities have similar consolidated governments, but there are important differences, including the role of constitutional county officers.

First, for all three communities a consolidated, county-wide, general government has replaced separate city and county governments. In effect, the boundaries of the city were expanded to be coterminous with the county.

Second, all three have small municipal enclaves that have maintained their status as unconsolidated municipalities: Athens-Clarke County (Winterville:

population 984); Augusta-Richmond County (Hephzibah: 3,691); and Columbus-Muskogee County (Bibb: 511).

Third, all three have, in essence, commission-manager forms of government, though all three elect mayors that typically serve full-time. However, administrative authority and responsibility are concentrated in professional managers who must be confirmed by and can only be dismissed by a majority of the commissioners.

Fourth, all three have eleven member commissions with the mayor serving as chair but casting a vote only to break ties. Athens-Clarke and Augusta-Richmond have eight members elected by district and two members elected from super-districts (combinations of four districts each). Columbus-Muskogee has eight members elected by district and two at-large.³²

Fifth, though the former county commissions have been transformed into city-county commissions, all three communities continue to elect all constitutional county officers (excluding judicial posts): sheriff, tax commissioner, and coroner.

However, the functions of the sheriff differ somewhat among the three communities. In Augusta-Richmond, “the Sheriff is the chief law enforcement officer of Richmond County;” there is no separate police force. In Athens-Clarke, the former city police department now provides police protection county-wide; the sheriff “shall be responsible for the operation of the jail, the transport of prisoners, the service of process, and such other [court-related] duties.”

In Columbus-Muskogee, the picture is more complex. The official website’s history of consolidation states that “county commissioners were opposed to consolidating all police forces into one but the sheriff [in an act of highly professional statesmanship] subsequently suggested that all police patrol units be under the new [consolidated city] police department. The sheriff’s department still retains a criminal investigative unit that is totally separate from the Columbus Police Department” – and a very large unit it is. Though the Columbus Police Department provides all field patrols city/county-wide, with its jail, court, and investigative duties, the Muskogee County Sheriff’s Office has almost the same personnel complement.

³² Columbus began with four members by district and six at-large with the goal of assuring at least two African American members (which it did). Subsequently, the charter was revised to provide for eight by district and two at-large; the current commission has three African American members.

Kansas: Kansas City-Wyandotte (1997)

Unlike all other city-county consolidations (except Honolulu, which never had a city government), the unification of the city of Kansas City, Kansas and Wyandotte County did not add additional population, land, and tax base to the former city jurisdiction. Kansas City (along with Bonner Springs and Edwardsville, two much smaller municipalities) had already annexed all of Wyandotte County. The goal of unification was to merge two duplicative tiers of government into the Unified Government of Kansas City and Wyandotte. (The two smaller cities, naturally, remained outside the unification.)

Governing the Unified Government are a mayor/CEO, county administrator, and a ten-member Unified Board of Commissioners (eight by district, two at-large but each resident in a super-district). The mayor/CEO chairs the commission, having both a vote (to break ties) and veto power (that can be overridden by a 2/3 vote). The full-time mayor/CEO has substantial powers, including nominating the county administrator (who must be confirmed by the commission). However, because the county administrator appoints all department heads (without commission confirmation) and does *not* work “at the pleasure of the mayor” but is subject to an annual performance review “for retention” by the commission and can only be dismissed with the commission’s concurrence, I have classified Kansas City-Wyandotte as a commission/manager form of government rather than as a Super Mayor/council form. It is, however, a close call.

This unification, however, did more to reshape county officers than any other. Although the elected, non-partisan sheriff is presented as the “Chief Law Enforcement Officer in the County and retains all *current* responsibilities [emphasis added],” in reality, the sheriff’s office carries out no patrol operations nor criminal investigations; public safety is the responsibility of the police department under an appointed chief of police. Through a statutorily required undersheriff, the sheriff’s office runs the adult and juvenile detention centers, transports prisoners, serves civil process and criminal warrants, collects delinquent taxes, carries out evictions, and other civil functions.

The district attorney (partisan) and register of deeds (non-partisan) continue as elected positions because they “provide unique functions for the county as a whole and were not duplication with Kansas City’s municipal structure.”

However, the formerly elected county clerk, treasurer, and surveyor were consolidated with the municipal counterparts and became appointed positions under the county administrator.

Indiana: Indianapolis-Marion (1970)

Indianapolis's well-advertised "Unigov" is a major misnomer. There are actually 46 different governmental units in Marion County that provide services and impose taxes. They are

- nine townships that a) are governed by seven-member Township Advisory Boards that levy taxes for "poor relief" administered through the county Office of Family and Children (for on-going programs) and through the township trustee (for emergency aid); b) elect a township constable that serves summonses, warrants, and subpoenas of the township Small Claims Court; and c) elect a township assessor who assesses real and personal property (and collects county dog taxes).
- eleven school districts;
- twelve included towns that are part of Unigov but carry out some independent functions;
- one conservancy district (whose function needs no explanation to residents of Bernalillo County);
- two separate library boards;
- five independent municipal corporations (Capital Improvement Board, Health and Hospital Corporation, Indianapolis Airport Authority; Indianapolis-Marion County Building Authority; and the Indianapolis Public Transportation Corporation – "IndyGo");
- four excluded cities and towns (Beech Grove, Lawrence, Southport, and Speedway);
- Marion County; and
- The "Consolidated City of Indianapolis."

Indeed, when Indianapolis Mayor William Hudnut spoke on Unigov at a luncheon sponsored by Albuquerque's Good Government Group in 1989, sitting out in the audience, I concluded that the mayor of unconsolidated Albuquerque actually had more executive control over more important public services than did the mayor of consolidated Indianapolis.

The key to understanding the Indianapolis model, however, is that unlike the Kentucky mergers, for example, where a unified government replaced two existing governments, Indianapolis city government and Marion county government co-exist side-by-side. However, the boundaries of the city of Indianapolis were expanded to include all remaining unincorporated land within Marion County.³³ (The nine existing townships are unincorporated.)

The mayor and 29-member city-county council (25 by district, four at-large) direct Unigov, which provides most urban services to the county's residents (except within the four excluded municipalities).

However, the county offices of assessor, auditor, coroner, prosecutor, sheriff, surveyor, recorder, treasurer, and county clerk all have been continued. As the League of Women Voters explains, "all of these offices, except the Assessor, are written into the state constitution and cannot be eliminated unless the constitution is amended – a difficult and time-consuming process. Thus, when Unigov was formed," the League concludes, "Marion County government did not fade away, and the county still exists as a separate entity."³⁴

The status of key Marion County officers (that is, that have their Bernalillo County counterparts) is as follows:

* The board of county commissioners is composed of the elected county assessor, county auditor, and county treasurer. (The former county council was merged into the city-county council.) It makes appointments to county boards, and administers the Children's Guardian Home, the county human resources office, and the issuance and payment of county bonds.

* The geographic area of the elected county sheriff's responsibility is all of Marion County. However, the sheriff's deputies do not provide normal public

³³ With Republicans in control of every level of the process (City Hall, the County Courthouse, State House and State Senate, and the Governor's Mansion), Unigov was created by direct act of the legislature without any popular referendum. In short, beyond its city revival goals, Unigov was a super-annexation that added tens of thousands of suburban voters to the city's election rolls.

³⁴ League of Women Voters of Indianapolis website, *Unigov Handbook*, page 7.

safety services within the jurisdictions of the Indianapolis police, Beech Grove, Lawrence, and Speedway.³⁵

* The county treasurer both collects and distributes county funds, principally property taxes, to different county agencies and is ex officio treasurer of the City of Indianapolis.

* The county clerk keeps all records for the Circuit and Superior Court. The county clerk is also secretary of the county election board that conducts all elections.

Thus, the primary impact of the creation of Unigov on county government was to remove county government from providing many public services to formerly unincorporated areas of the county.

Florida: Jacksonville-Duval (1968)

The first legal steps towards city-county consolidation occurred in 1934 when the Florida constitution was amended to permit merger of Duval County and all of its municipalities. However, no action was taken until over thirty years later when local government was clearly in crisis: almost a dozen city and county elected officials had been jailed for corruption; local high schools had lost their certification; county government was incapable of bringing rampant pollution of the water supply from unregulated septic tanks under control; and other clear evidence of a governance system that was “broke.” Spurred on by the business community, the Duval County legislative delegation convened a charter study commission. Its proposed charter, amended by legislative leaders, was approved by the Florida legislature and activated by referendum of Duval County voters.

The charter essentially eliminated two governments (city and county) and replaced it with a consolidated City of Jacksonville with full municipal and county powers. The new government was headed by a mayor/CEO and 19-member council (15 by district, 4 at-large). However, four existing municipalities – Baldwin and the three “beaches” (Jacksonville Beach, Atlantic Beach, and Neptune Beach) opted not to consolidate. The City of Jacksonville stands in the relationship of a county government to them, and they continue to function as municipalities.

³⁵The jurisdictions of the Indianapolis police and fire departments were changed very little by the Unigov Act, although the Unigov law does allow for periodic expansion of these “Special Service Districts.”

To conform to the traditional organization of Florida state government, Jacksonville retained the elected offices of sheriff, property appraiser, tax collector, supervisor of elections, and clerk of the Circuit Court. These officers are now considered not only as county officers but officers of the consolidated government. The consolidated government exercises budgetary control over their functions, including setting salaries of these independently elected officials (subject to certain state guidelines).

One of the goals sought during the debate over consolidation was unification of police protection. The citizen charter study commission preferred to eliminate the sheriff's powers as conservator of the peace and unify responsibility under a chief of police accountable to the new mayor. However, the legislators, fearing the incumbent sheriff was sufficiently powerful politically to kill consolidation, chose to unify police protection under the elected sheriff. The charter was approved with all police enforcement under the sheriff, independent of the mayor's direction. That has remained unchanged for 32 years.

Tennessee: Nashville-Davidson (1963)

Consolidation combined the city of Nashville and Davidson County into "a new metropolitan government to perform all, or substantially all, of the governmental and corporate functions previously performed by the county and by the city (Sec. 1.01)." Nashville-Davidson is governed by a mayor/CEO and 40-member metropolitan county council (35 by district, five at-large).

The county judge and the county court clerk continue with their judicial responsibilities. However, the merchants' ad valorem tax, that had been previously collected by, and supported the functions of, the county court clerk (including court officers, bailiffs, secretaries, and other court personnel), is now collected by the metropolitan government.

The sheriff is recognized as "an officer of the metropolitan government," maintaining all other powers

"except that within the area of the metropolitan government the sheriff shall not be the principal conservator of the peace. The function of principal conservator of the peace is hereby transferred and assigned to the metropolitan chief of police.... The sheriff shall have custody and control of the metropolitan jail and of the metropolitan workhouse to which persons are sentenced for violation of state law, but the urban jail and workhouse in which persons are confined for violation of ordinances of the metropolitan government, or while awaiting trial for such violation, shall be under the custody and control of the metropolitan chief of police.

“By ordinance the urban jail may be consolidated with the metropolitan jail and the urban workhouse may be consolidated with the metropolitan workhouse. After either or both consolidations [which appear to have occurred in 1988] the jail and the workhouse shall be under the custody and control of the sheriff (Sec. 16.05).”

Thus, the sheriff is not the chief policeman but the chief jailer of Nashville-Davidson County.

Virginia: Virginia Beach (1963)

On New Year’s Eve, 1963, the second class city of Virginia Beach, with slightly over 5,000 inhabitants within its two square miles, suddenly exploded into a first class city with over 75,000 residents and 310 square miles of municipal territory (51 square miles of which was the Great Dismal Swamp). Since that time, Virginia Beach has grown to over 425,000 residents, becoming (by far) Virginia’s most populous city.

This municipal supernova was the brainchild of the long-time political boss of Princess Anne County. Converting all of Princess Anne County into its own municipality would forestall any further annexation of county territory by the cities of Norfolk and Portsmouth. So he maneuvered, in effect, the annexation of the entire county by the little City of Virginia Beach.

As a first-class city, Virginia Beach joined the ranks of Virginia’s unique system of 41 “independent cities.” They are “independent” in the sense that they are not part of any county; the municipalities themselves perform all county-type functions.³⁶ They have seceded from their surrounding counties (secession being a time-hallowed tradition in Virginia). In effect, all the county officials disappear from the municipal scene.

But wait! The Virginia constitution still requires the election of certain constitutional officers within an independent city. These are the clerk of the Circuit Court, commonwealth attorney (district attorney), commissioner of revenue, city treasurer, and city sergeant (!!). Though independently elected officials in their own right, the commissioner of revenue and city treasurer must perform their duties under the direction of the city’s director of finance (“who may also be the city manager”) and the city council.

³⁶ However, Virginia cities are certainly not “independent” of the state legislature. As a “Dillon’s Rule” state, the Virginia General Assembly allows local governments no “home rule” powers. The scope of a municipality’s powers are dependent on specific authorization from the General Assembly

Hawaii: Honolulu (1959)

A county government existed for only two years before Honolulu was organized by the territorial legislature as the City and County of Honolulu in 1907. After statehood, the state legislature granted home rule in 1959 and a city charter was adopted, giving Honolulu a mayor-council type of government. The nine council members are elected by district and elect a president and vice-president from among the membership. Under the charter, the council has legislative and investigative power. The mayor is the chief executive officer. The mayor is assisted by the managing director who is appointed by the mayor with council approval (but who serves at the pleasure of the mayor); most department heads report to the managing director. In similar fashion, all department heads (with three exceptions) are appointed by the mayor, confirmed by the council, and work at the mayor's pleasure with the exception of the director of human resources (who can be removed only for cause).

The mayor and council members are elected in nonpartisan elections. There are no other elected officials. However, the police chief, the fire chief, and the manager and chief engineer of the water supply department are appointed by and can only be removed by multi-member commissions. Commissioners are appointed by the mayor and confirmed by the council.

Thus, on the island of Oahu, there have never been elected county officials other than the board of supervisors. The board of supervisors was superseded by the council under the 1959 charter.

Summary

From this brief review, one can see that different communities have dealt with the existence and roles of constitutional county officials in different ways.

As general legislative bodies, county commissions have merged with city councils into new city-county councils in every case. However, vestiges of county commissions with limited authority remain in places like Lexington-Fayette and Indianapolis-Marion.

County clerks most often maintain their array of duties in support of the court system. A notable exception is Kansas City KS-Wyandotte, where the functions of an elected county clerk were melded into an appointed unified clerk.

The status of various assessors, treasurers, tax commissioners, etc. varies so widely that it defies coherent characterization.

The real touchstone is the status and role of the elected county sheriff.

Sheriff's deputies may have a constitutional aversion to salt water. At least they don't patrol ocean beaches in Honolulu, Virginia Beach, or Jacksonville (where, despite being the chief law enforcement officer for Jacksonville-Duval County, the sheriff's jurisdiction doesn't extend to the three "beach" cities.)

In addition to Jacksonville, however, the sheriff is the chief law enforcement officer in Augusta-Richmond.

Indianapolis-Marion seems to be a case of "same old/same old." Unigov's police force patrols the urban service district (the pre-consolidation city of Indianapolis); Marion County sheriff's deputies patrol the "county." In Columbus-Muskogee, though the unified government's police force responds to all 911 calls, two sets of detectives may turn up at the crime scene – one from the Columbus Police Department, the other from the Muskogee County Sheriff's Office.

On the other hand, the sheriff is explicitly no longer the "principal conservator of the peace" in Lexington-Fayette or Nashville-Davidson, but has become the chief jailer. Kansas City KS-Wyandotte didn't downgrade the sheriff as a matter of terminology, but the sheriff is only chief jailer and process server.

Louisville-Jefferson County managed to gain legislative and citizen approval of its forthcoming merger without biting the sheriff bullet at all.

Some civic activists in Albuquerque-Bernalillo County may harbor the hope that the county "line officials" can be eliminated outright in the unification process. Failure to do so is cited as one reason for the overwhelming rejection of the proposed "home rule" urban county charter for Bernalillo County last year.

Whether abolishing the county "line" officers would be permissible under the constitution and laws of New Mexico is a question that I am not competent to address.

However, of the eleven city-county consolidations just reviewed, only in Jacksonville-Duval was the decision to keep an elected sheriff (and as chief law enforcement officer, to boot!) based clearly on a political judgment that a powerful incumbent sheriff might rally sufficient voters to defeat the entire consolidation charter. Elsewhere, legal complications may have been the primary consideration.

There is perhaps only one clear lesson from this review of peer communities.

Contrary to the pop wisdom of rock singer Doctor John, if there's a sheriff in town, some deputies may go down but nobody has shot the sheriff.

VI. Separation of Powers?

The Council shall have the power to adopt all ordinances, resolutions or other legislation conducive to the welfare of the people of the city and not inconsistent with this Charter, *and the Council shall not perform any executive functions except those functions assigned to the Council by this Charter* [emphasis added].

--- Article IV, Section 8 of the Albuquerque City Charter

The 1974 Albuquerque city charter generally envisioned a distinct separation of powers between the mayor (executive branch) and the city council (legislative branch).

In reality, any six of the nine councilors (sufficient to override a mayoral veto) can determine where that dividing line is drawn at any time – a political reality reinforced by the charter’s own language which identified the council as both the “legislative branch” and the “governing body” of the city in the same sentence (Article IV, Section 1).

I was Albuquerque’s second mayor (1977-81), taking office only three years after the mayor-council form of government was re-instituted after 57 years under the commission-manager system. In the two decades since, the mayor’s executive discretion has eroded somewhat.

The council’s budget resolution for Fiscal Year 1979 (my first as mayor) appropriated about \$70 million for the General Fund, the city’s basic operating budget, organized as lump sum appropriations for 92 different programs. For example, the total Police Department budget was expressed in just three appropriations: administration (\$4,765,789), field services (\$7,662,646), and investigations (\$2,581,737).

The council’s budget resolution for Fiscal Year 2003 (the current budget) appropriated about \$316 million, still adhering to the “program budget” structure. Though the increase in total dollars seems great, adjusted for inflation (180 percent) and population growth (45 percent), the real cost of city government increased only about 11 percent per resident in 24 years. That increase occurred primarily through

adding new facilities, like the aquarium and botanical gardens, and adding new social service programs.³⁷

Item: However, within the FY 2003 budget resolution was specific language stating that “the Recreation Services Program Supervisor, Sports Tennis & League, is restored” – an attempted “personnel directive” by the council either seeking to retain or to eliminate specific jobs within city departments that was unheard of in my day.

That example was a faint echo of “personnel directives” that had created, eliminated, or upgraded ten specific individual positions in FY 2001 or affected 29 positions (mostly within entire operational units) in FY 2002, Mayor Jim Baca’s last budget. These actions were taken despite the fact that the charter prohibits councilors “from becoming involved in the hiring, promotion, demotion, or discharge of any city employee, except those positions for which the charter requires the advice and consent of the Council and those personnel who are hired by and directly responsible to the Council (Article X, Section 2(a)).”³⁸

Item: During my term, the council confirmed only the mayor’s choice for chief administrative officer (CAO). Council confirmation is now required for the CAO, three Deputy CAOs, and the city attorney.³⁹

Item: Despite the charter’s directive that “the Mayor shall [o]rganize the executive branch of the city (Article V, Section 4(a)),” the council has also sought to establish, abolish, or reorganize specific departments from time to time over the past two decades.

Item: Contracts above \$55,000 for any “professional services” – architects, engineers, municipal bond counsel, other legal services, etc. – must be submitted, however, by the mayor for the council’s approval – certainly, an executive function that neither state legislatures nor the Congress exercise (though an improvement from

³⁷ In 24 years a General Fund appropriation of \$623,000 for “special human needs” in FY 1979 grew into a \$23 million Family and Community Services Department (though it appears to have absorbed the Parks and Recreation Department’s traditional community centers along the way.)

³⁸ A similar prohibition applies to the Mayor “except for those personnel hired for unclassified positions directly responsible to the Mayor.”

³⁹ Admittedly, the Council exercises this expanded confirmation power pursuant to a charter amendment adopted in 1989.

the \$10,000 ceiling when my term began 25 years ago and the \$25,000 ceiling when it ended).⁴⁰

In some respects, seen up close, the mayor's job "ain't quite what it used to be." But perhaps all this is just the mutterings of an Old Hand. Seen from a comparative vantage point, Albuquerque's mayor/CEO retains considerably greater executive authority and flexibility than mayor/CEOs in many peer communities.

1. Determining Departmental Structure

Albuquerque's charter does not give charter status to *any* city departments. From the charter's perspective each generation of officials is free to organize the functions of city government in the way seems most effective and efficient for the times.

By contrast, take the Metropolitan Government of Nashville-Davidson, for example, the earliest of the "modern" city-county consolidations in 1963. As Table 6 shows, the Nashville charter gives charter status to 21 different agencies (30 agencies, if six different divisions within the Department of Metropolitan Finance, two within Public Works, and the deputy director of law are included). This has two implications.

First, the charter sets the local government's organizational structure in concrete. How the functions of local government are organized to provide the most effective and efficient services can only be changed by amending the charter through a public referendum.

Second, though only two department heads directly under the mayor's control require council confirmation (finance director and metropolitan attorney), in accordance with the charter, the administrators of 14 different programs of the Nashville-Davidson government are answerable not to the mayor but to administrative boards. The members of these boards are nominated by the mayor and confirmed by the 40-member council. (Most appointments are for five years such that a mayor may go through most of a first term with boards having a majority of members appointed by a previous administration.).

⁴⁰ The executive branch still executes any purchasing contracts and construction contracts awarded by competitive process under the city's purchasing ordinance. (By contrast, half the old City Commission's agenda used to be filled with routine contract approvals.)

**TABLE 6
CHARTER DEPARTMENTS AND DIVISIONS
AND ADMINISTRATIVE BOARDS
UNDER NASHVILLE-DAVIDSON CHARTER**

Charter departments	Administrative boards	Term of office
Metropolitan Finance*	Public Health	5
Budget Division	Public Hospitals	5
Accounting Division	Board of Equalization	2
Treasury Division	Electric Power Board	5
Collections Division	Nashville Housing Authority	5
Purchasing Division	Planning	5
Public Property Management Division	Traffic and Parking	5
Metropolitan Police	Chief traffic engineer	
Metropolitan Fire	Parks and Recreation	5
Public Works	Social services	5
Water & Sewer Services Division	Library	7
Billing & Collections Division	Civil Service Commission	5
Metropolitan attorney*	Board of fair commissioners	5
Deputy Law Director	Farmers market board	5
Aviation	Agricultural extension board	3
Metropolitan Clerk		
	Independent Offices	
	County Tax Assessor	
	County Property Tax Collector	
	County Court Clerk	
	Sheriff	
	All judicial officers	

*Director subject to council confirmation

These administrative boards hire, supervise, and fire the departmental directors. In Nashville-Davidson, these include such key departments as planning, traffic and parking, library, parks and recreation, and personnel – key posts whose directors report directly to the chief executive’s office in Albuquerque (usually, to the CAO or deputy CAOs) rather than to administrative boards.

Finally, there are four county officers (assessor, property tax collector, court clerk, and sheriff) who are separately elected and maintained as independent agencies within the metropolitan government.

It is not uncommon for charters to establish the administrative structure of local government. Though Nashville-Davidson is the extreme, other peer communities

have charter-established departments, and somewhat fewer utilize administrative boards for some functions. The department that most often functions under an independent administrative board is the police department.⁴¹

Thus, at least from the charter’s perspective, in reality, Albuquerque’s mayor has much greater flexibility in organizing the departments of city government than do mayors in most mayor/council systems. Because Bernalillo County operates directly under state law (without a local charter) the county commission and county manager also have full discretion in organizing the functions of county government except for the constitutional offices (that will be discussed later).

2. Defining Executive and Legislative Powers

Charters for mayor-council governments often go to considerable lengths to try to define the separation of powers. In concept, Albuquerque’s 1974 charter envisioned the mayor as “chief executive officer” and the “ceremonial head of the city.” It further gave the mayor the specific responsibility of selecting a chief administrative officer, confirmed by the council, but who would work “at the pleasure of the Mayor.”⁴² The mayor was also given specific authority to formulate the annual operating budget (Article VII, Sec. 1), veto council ordinances and resolutions (Article V, Sec. 3), and nominate persons to serve on city boards – some of which had major substantive policy powers (like the Environmental Planning Commission and the Personnel Board) but most of which were purely advisory.

In 1989, amendments to the city charter abolished the charter status position of chief administrative officer and incorporated an expanded definition of the mayor’s duties as:

- a) Organize the executive branch of the city;
- b) Exercise administrative control and supervision over and hire or appoint directors of all city departments, which appointments shall not require the advice and consent of the Council except as provided in (d) of this Section;
- c) Be responsible for the administration and protection of the merit system;
- d) With the advise and consent of the Council, hire or appoint the City Attorney, an officer to administer the merit system, and all other senior administrative or cabinet level

⁴¹ In St. Louis, the police chief is appointed by and reports to the governor of Missouri – an extraordinary arrangement born during the Civil War when a pro-Union governor acted to forestall a pro-Confederate City Hall that still endures.

⁴² By the 1974 charter, the Chief Administrative Officer was designated as “the head of the merit system and responsible for the day-to-day operations of the city.”

officers of the city, including without limitation any chief, assistant or deputy administrative officers, and specify the duties and responsibilities of those officers;

- e) With the advice and consent of the Council, appoint the members of all city committees, commissions, and boards;
- f) Formulate the budgets of the city consistent with the city's goals and objectives, as provided in this Charter;
- g) Establish and maintain a procedure for investigation and resolution of citizen complaints;
- h) Prepare a written state of the city report annually within thirty days after final approval of the operating budget of the city, which report shall be filed with the City Clerk, made part of the permanent records of the city and available to the public;
- i) Perform other duties not inconsistent with or as provided in this Charter; and
- j) Faithfully execute and comply with all laws, ordinances, regulations and resolutions of the city and all laws of the State of New Mexico and the United States of America which apply to the city.

--- Article V, Section 4

The Albuquerque City Council's powers were defined as quoted above on page 2. In 1989 as well, a lengthy list of the council's duties were added to the city charter, as follows:

- a) Be the judge of the election and qualification of its members;
- b) Establish and adopt by ordinance or resolution five-year goals and one-year objectives for the city, which goals and objectives shall be reviewed and revised annually by the Council;
- c) Consult with the Mayor, seek advice from appropriate committees, commissions and boards, and hold one or more public hearings before adopting or revising the goals and objectives of the city;
- d) Review, approve or amend and approve all budgets of the city and adopt policies, plans, programs and legislation consistent with the goals and objectives established by the Council;
- e) Preserve a merit system by ordinance;
- f) Hire the personnel necessary to enable the Council to adequately perform its duties;
- g) Perform other duties not inconsistent with or as provided in this Charter; and

- h) Faithfully execute and comply with all laws, ordinances, regulations and resolutions of the city and all laws of the State of New Mexico and the United States of America which apply to the city. .

--- Article IV, Section 10

To assure a mayor/council form of government that functions with an appropriate separation of powers, are these charter provisions enough, too little, or too much? Other charters attempt to create “firewalls” between the executive and legislative branches either through more detailed definition of powers and duties or through charter language attempting to prohibit the one branch from infringing on the duties and responsibilities of the other.

My father once said to me that “if each of the three branches of the federal government pursued their constitutional powers and prerogatives to the limit, we would have absolute deadlock. For government to work, there must ultimately be a spirit of compromise and accommodation among the three branches.”

As mayor, I was fortunate to serve with city councilors, such as Pat Baca, Marion Cottrell, and Tom Hoover, who had a basic understanding and respect for the separation of powers between the executive and legislative branches. Though I may have been too vigorous an innovator and policy advocate for individual councilors’ comfort levels from time to time, I, in turn, always understood that the council was the “governing body” and never presumed upon their independence.

That climate changed several years later, however, when a veteran council became wary of the motivations and methods of the administration of Mayor Ken Schultz. The level of *substantive* conflict (as opposed to *rhetorical* conflict) heightened, and has continued throughout subsequent administrations to varying degrees.

The Founding Fathers set as a goal “a government of laws and not of men.” But who is elected to serve in the key offices is vital. The provisions of Greater Albuquerque’s charter influencing those who are elected to serve will be as important as more formal arrangements for defining the separation of powers.

VII. Odds and Ends

This chapter will discuss a variety of other issues that could be addressed in the unification charter. I say *could* because limiting the document just to resolving the issues targeted in the preceding five chapters would result in a very workable charter. In that sense, the topics discussed in this chapter are “odds and ends.” However, some may need to be addressed to provide reassurance to important constituencies.

Service Districts

A major fear of “county” residents is that unification means that they will automatically be paying higher “city” taxes. Most city-county consolidations have resulted in unifying a highly urbanized area served by more intensive, and costlier, municipal services with unincorporated rural and semi-urban areas receiving less intensive, less costly services from county government. Though considered separately, the balance of Bernalillo County constitutes the second largest “city” in New Mexico, that fear of “county” residents is very prevalent.

To forestall political opposition and serve residents equitably, Nashville-Davidson pioneered the concept of different service and taxing districts – a “General Services District” and an “Urban Services District.” In fact, that charter’s first article set forth the concept of these districts.

The General Services District (GSD) was the entire county; taxes paid and services provided were those customarily associated with county government. These included “general county administration; police, courts, jail; property assessment; health; welfare; hospitals; housing for the aged; streets and roads; traffic; schools; parks and recreation; library; auditorium, fairgrounds; airport; public housing; urban redevelopment; urban renewal; planning; electrical code; building code; plumbing code; housing code; electricity; transit; refuse disposal; taxicab regulation; and beer supervision.”

The Urban Services District (USD) was originally designated as the city of Nashville at the time of unification. While paying for and receiving GSD services, USD residents paid for and received “additional police protection; fire protection; water; sanitary sewers; storm sewers; street lighting; street cleaning; refuse collections; and wine and whiskey supervision” – city residents being allowed to sin at a higher level than county residents.

The USD could be extended by a formal annexation process “whenever particular areas of the [GSD] come to need urban services, and the metropolitan government becomes able to provide such services within a reasonable period, which

shall not be greater than one (1) year after *ad valorem* taxes in the annexed area become due.” Furthermore, the tax levy for newly annexed areas could not include any funds to cover past deficits in the former city’s pension or retirement funds or retirement of outstanding municipal bonds.

The guiding philosophy for having different service districts was best expressed by the Augusta-Richmond charter over three decades later. “It is the purpose [of different service districts] that property shall be subject to taxation in relation to service received.”

Of the ten consolidated communities profiled in the previous chapter, seven have adopted variations of the GSD and USD. The three exceptions are

- Honolulu, which has always been a co-terminous city and county;
- Kansas City KS-Wyandotte, all of whose residents were already served by one of three cities prior to unification in this relatively small, totally urbanized county; and
- Indianapolis-Marion, with its 46 different governmental units and eleven more taxing units (such as police, fire, and solid waste services districts) within the Consolidated City. As the League of Women Voters explains, “All of these 57 units levy taxes and provide services to one or more geographic areas. The location of an individual’s property governs what set of governmental services it receives and what total tax rate it pays. There are 63 [different combinations of] taxing districts in the county, each one receiving a unique combination of services and, therefore, paying a different total tax rate.” Unigov, indeed!

There are different wrinkles on the Nashville-Davidson model. Athens-Clarke, Augusta-Richmond, and Lexington-Fayette provide for “special” or “partial” service districts where some, but not all, urban services will be provided. When specifically enumerated, each community has a slightly different breakdown of GSD and USD services. Athens-Clarke relies on more generic definitions, as follows:

Section 1-105(g): The unified government shall perform within the [GSD] those governmental duties, functions and services which are generally available and accessible to all residents throughout the total area of said government.

Section 1-105(h): The unified government shall perform within its [USDs] those additional, more comprehensive and intensive and higher level of governmental duties, functions and services which benefit primarily the resident of such [USDs].”

Though I have classified including different service districts as optional, political prudence suggests that they should be established by the charter for Greater Albuquerque. The primary decision then is whether to define GSD and USD services in detail (like Nashville-Davidson) or more generically (like Athens-Clarke).

Merit system

Everyone has a merit or civil service system, and everyone has included reference to such in their charter. Today it is inconceivable that any local government of the size of Greater Albuquerque would not have a merit or civil service system, even without a charter mandate. Indeed, many states' local government codes require such. Again, however, including specific charter provisions covering the merit system will probably be essential political reassurance for city and county employees.

The city of Albuquerque's charter contains a short provision mandating a merit system, as follows:⁴³

ARTICLE X. MERIT SYSTEM

Section 1. MAINTENANCE OF THE MERIT SYSTEM.

It is necessary for the optimum functioning of the Mayor-Council form of government that the city maintain a merit system governing the hiring, promotion, discharge and general regulations of employees. The Mayor and Council shall maintain by ordinance, and the Mayor administer, a merit system which shall include as a minimum, reasonable provisions establishing:

- (a) Classified and unclassified service;
- (b) Methods of service rating of classified employees;
- (c) Methods of initial employment, continuation thereof and promotion, recognizing efficiency and ability as the applicable standards;
- (d) Appropriate grievance and appeal procedures for classified employees; and
- (e) An active personnel board composed of individuals not employed by the city.

The 1974 city charter assigned responsibility for supervising the merit system to the chief administrative officer. When the CAO was removed from the charter in

⁴³ A reminder: Since Bernalillo County has no home rule charter, its merit system has been established in accordance with state law.

1989, that responsibility was re-assigned to the mayor by the charter. However, the city's detailed personnel ordinance assumes that the position of a "chief administrative officer for personnel functions" continues and assigns overall responsibility for the merit system to the CAO. The merit ordinance does establish a city personnel board that both recommends policy and acts as a hearing board for employee grievances. However, administrative responsibility remains with the CAO.

Many charters include much more extensive directives for the merit system than Albuquerque's. Nashville-Davidson's charter devotes 13 lengthy sections to establishing a civil service commission and laying out the basic provisions of the civil service system. While the Albuquerque charter simply directs that Albuquerque's merit ordinance include "reasonable provisions establishing [a] classified and [an] unclassified service," Nashville-Davidson's charter devotes a 488-word section to defining classified and unclassified positions.

Since the unification charter will undoubtedly provide for a merit system, the key decisions are

a) should the merit system be administered by the executive branch (mayor, CAO, or manager) or by an appointed civil service commission? and

b) should the charter's provisions for the merit system be general and brief or specific and extensive?

Recall, Referendum, and Initiative

Recall, referendum, and initiative are commonly viewed as instruments of direct democracy. The Federal Constitution makes no provision for national referenda on issues, substitutes a Congressional impeachment process for direct recall by voters, and provides only a limited type of initiative by allowing the Constitution to be amended by special convention called by at least three-quarters of the states. (The Constitution has never been successfully amended in this manner.)

The pattern among state constitutions varies greatly with recall, referendum, and initiative more common in western states than the rest of the country. High profile, big dollar initiative campaigns in states like California, Oregon, and Washington regularly captivate national media.

The Albuquerque charter provides for all three actions. In 28 years, there has been only one recall election (that failed), although, with only five signatures required to officially begin a recall petition signature drive, many recall petition drives have been launched.⁴⁴ A referendum election can only be called as a “negative” referendum to repeal an action of the council and mayor. To my knowledge, there has only been one negative referendum.⁴⁵ The initiative was not used until 1989, when it became a favored instrument of a conservative citizens group. Between 1989 and 1993 initiatives placed seven proposed charter amendments on the ballot, five of which were approved. (These will be discussed below in the section on special provisions.)

Recall, referendum, and initiative have become common in local government charters in the last half century. Whether they are provisions that are beneficial to the public interest is open to debate. Citizens who believe strongly in representative government generally oppose such measures; if they are displeased with specific policies or with the general performance of incumbent officeholders, they believe the incumbents should be voted out of office at the next regular election. Proponents of the three measures, on the other hand, argue that such “direct democracy” is necessary to open up an unresponsive political system to “the will of the people.”

Compensation of top officials

a. Mayor-Council

October 4, 1977	charter amendment to increase council salaries	defeated
October 2, 1979	charter amendment to increase council salaries	defeated
October 6, 1981	charter amendment to increase council salaries	defeated
October 8, 1985	charter amendment to increase council salaries	defeated
	charter amendment to increase mayor’s salary	defeated
October 6, 1987	charter amendment to increase council salaries	defeated
October 3, 1989	charter amendment to increase council salaries	defeated
	charter amendment to increase mayor’s salary	defeated

⁴⁴ I was the target of four such recall petition drives during my mayoralty – two of which never collected any signatures after their initial media splash.

⁴⁵ In November 1979 a negative referendum was held on a quarter-cent increase in the city’s gross receipts tax. As mayor, I initiated the negative referendum myself, believing that it was sure to be protested by some grassroots group in the anti-tax climate of the time. (California’s Proposition 13 capping property taxes had just been enacted with great national attention.) To my disappointment, the tax increase was voted down by a 60-40 margin in a special city election held only six days after the national election.

October 5, 1993	charter amendment to increase council salaries	defeated
October 3, 1995	charter amendment to increase council salaries	defeated
October 5, 1999	charter amendment to increase council salaries	defeated
	charter amendment to increase mayor's salary	defeated

0 for 12. That's the city elected officials' batting average when they've sought voter approval for salary increases.

However one interprets voter attitudes, there is a simple message for those who believe that elected officials should be appropriately compensated for their service: we'd better get it right the first time, because there will be only one bite of the apple.

The 1974 charter set the mayor's annual salary at \$34,000 with city councilors to be paid one-tenth of the mayor's salary, or \$3,400 per year. (The council president receives twice that amount.) Article V, Section 2 provides that "the Council may approve a percentage increase [in the mayor's salary] up to the average percentage increase provided for employees of the city."

Effective at the end of Kinney I (December, 1977), the Council raised the mayor's salary (and, automatically, their own) to \$39,000. During the next four years (my term of office) no further adjustments were made while the national cost-of-living increased 50 percent. Another adjustment raising the mayor's salary to \$46,000 went into effect for Kinney II, and the Council enacted an ordinance that provided automatic annual increases equal to the annual increases received by the "M-series" (the city's classified management and professional personnel). The mayor's current salary is \$90,313; councilors continued to receive one-tenth, or \$9,031.

If we assume that the charter established an appropriate salary for the mayor in 1974, salary adjustments have lagged seriously behind inflation, particularly in the first decade. From 1974 through 2001, the national cost-of-living increased 275 percent. Just to maintain its real buying power since 1974, the mayor's salary should have been \$127,500 last year. Instead, at \$90,313 the mayor's post has taken about a 30 percent pay cut (as have city councilors).

The current salary of Albuquerque's CAO is \$115,000 a salary that also has not kept up with inflation since 1974.

What are compensation levels for elected officials and chief administrators in comparable communities to Greater Albuquerque with mayor-council systems?

First, the International City/County Management Association (ICMA) conducts annual salary surveys. For mayors in mayor/council systems in six cities between 500,000 and 1,000,000 residents (Greater Albuquerque's range), the mean salary was \$99,916 for 2001; for five chief administrative officers, \$127,359. For elected county executives in four counties in the same population range, the mean salary was \$93,584; the mean salary for county administrators acting under elected county executives was \$133,381.

Dropping down in population size to 250,000 to 499,999 residents (the City of Albuquerque's current category), the mean salary for mayors in seven mayor-council city governments was \$110,700 in 2001; for CAOs, \$120,613. For elected county executives in eleven metropolitan counties of the same population size, the mean salary was \$62,296; the mean salary for ten appointed county administrators acting under elected county executives was \$113,374.

I have conducted my own survey of Greater Albuquerque's peer communities (in particular, to ascertain council members' compensation which is not covered by the ICMA survey). Table 7a shows the results for the 23 mayor-council communities.

TABLE 7a
TOP OFFICIAL SALARIES IN MAYOR-COUNCIL COMMUNITIES

	Mayor's salary	CAO's salary	Chair's salary	Councilor's salary
City of Albuquerque	\$90,313	\$115,000	\$18,062	\$9,031
20th Century Large Consolidations				
Indianapolis-Marion County IN*	\$102,000		\$18,214	\$16,232
Jacksonville-Duval County FL	\$149,407		\$51,036	\$38,277
Louisville-Jefferson County KY**	\$88,943		\$34,838	\$34,838
Nashville-Davidson County TN	\$75,000		\$8,900	\$6,900
19th Century Large Consolidations				
Honolulu HI (City & County)	\$112,000	\$107,100	\$48,450	\$43,350
San Francisco CA (City & County)	\$166,556		\$37,585	\$37,585
Baltimore City MD (independent city)	\$125,000		\$80,000	\$48,000
Washington DC (City & County)	\$138,200	\$132,395	\$128,200	\$92,520
Denver CO (City & County)	\$118,512		\$67,344	\$60,132
New Orleans LA (City & Parish)	\$110,000		\$43,800	\$43,800
St Louis City MO (independent city)	\$116,142		\$50,000	\$21,000
Quasi-Municipal Urban Counties				
Anne Arundel MD	\$101,999		\$33,001	\$28,660
Baltimore County MD	\$125,000		\$50,000	\$43,000
Montgomery County MD	\$136,732		\$74,314	\$72,557
Prince George's County MD	\$130,000		\$75,000	\$70,000
Central Cities (500k to 1m)				
Detroit MI	\$176,176		\$85,456	\$81,312
Columbus OH	\$124,072		\$42,744	\$35,562
Memphis TN	\$140,000		\$21,100	\$20,100
Milwaukee WI	\$128,489		\$72,164	\$63,854
Boston MA	\$125,000		\$65,000	\$65,000
Seattle WA	\$135,637		\$93,600	\$93,600
20th Century Smaller Consolidations				
Anchorage (City & Borough), AK	\$105,402	\$96,382	\$25,891	\$22,884
Lexington-Fayette County KY	\$99,718	\$112,863	\$23,932	\$22,139
average (excluding smaller communities)	\$124,994	\$119,748	\$56,226	\$48,394

* One-third of council members' compensation is based on meeting attendance;
\$7,000 of mayor's salary is deferred compensation.

** Salaries of current mayor and city council members

The mayor/CEO salaries averaged \$124,994, ranging from \$75,000 (Nashville-Davidson) to \$176,176 (Detroit).

The average council member received \$48,394 while the council chair averaged slightly more (\$56,226). The low end of the scale was again Nashville (\$6,900 and \$8,900 for members and chair, respectively) while the District of Columbia paid \$128,200 to the chair and \$92,250 to all other council members.⁴⁶

Thus, when measured against practices elsewhere, Albuquerque's mayoral salary in 2001 fell 12 percent below the average for ICMA's four larger cities; 6 percent below ICMA's four larger counties; 21 percent below ICMA's seven smaller cities; but 41 percent above elected county executives' average salary in ICMA's eleven smaller counties (which typically do not provide major municipal services).

Turning to my own survey, Albuquerque's mayoral salary is about 28 percent below the average of 21 other mayor/CEOs. (The sample was too small to assess the Albuquerque CAO's salary.).

The compensation gap between Albuquerque city councilors and their counterparts elsewhere is much larger. Albuquerque councilors receive only about one-fifth of the average compensation level of their counterparts, while Albuquerque's council president barely misses one-third of the average compensation of council chairs elsewhere.

b. Commission-manager

Bernalillo County commissioners, whose compensation is set by the state legislature, now receive \$25,712 per year. Their compensation has also lagged the rate of inflation through the years. The county manager's salary is currently \$110,000.

What are compensation levels for elected commissioners and appointed managers in comparable communities to Greater Albuquerque with commission-manager systems?

In the ICMA survey, there were no large commission-manager cities (that is, between 500,000 and 1,000,000 residents). For eight larger commission-manager counties, the average compensation of the commission chair was \$49,191 in 2001; the average county manager was paid \$156,824.

⁴⁶ With the responsibilities of a city council, county commission, and, in many respects, state legislature rolled into one, DC Council seats are expected to be full-time positions. However, only the Council Chair is legally precluded from having other employment.

In the ICMA survey, for the commission president (or “mayor”) in nine commission-manager cities of 250,000-499,999, the mean salary was \$67,511 in 2001; for eleven managers, \$162,870.

In my survey of nine commission-manager peer communities of comparable size (table 7b), the average compensation of appointed managers is \$178,020. Commissioners’ compensation averages \$29,492, ranging from \$3,900 in Fort Worth to \$75,005 in San Jose. The commission chair or “mayor’s” salary averages \$39,203 (or \$43,616, discounting Fort Worth).

In this context as well, local officials are somewhat underpaid. Bernalillo County commissioners receive about 87 percent of the average compensation of their counterparts. The current county manager’s salary is just 60 to 70 percent of the salary of counterparts in both my and the ICMA’s surveys.

c. Administrative Commission

Portland’s administrative commission form of government is so rare that there are little data available. As shown in Table 7b, Portland’s full-time commissioners receive \$83,158, with the mayor/commissioner receiving \$98,738. This latter figure compares with average compensation of \$85,395 for the “chief elected official” in four responding “county commission” forms of government. County administrators in these four counties averaged \$130,384 in annual salary.

TABLE 7b
TOP OFFICIAL SALARIES IN COMMISSION-MANAGER COMMUNITIES

	Manager's salary	Chair/mayor's salary	Commissioner's salary
Bernalillo County	\$110,000	\$25,712	\$25,712
20th Century Large Consolidations			
Virginia Beach VA (Princess Anne County)	\$173,052	\$20,000	\$18,000
19th Century Large Consolidations			
none			
Quasi-Municipal Urban Counties			
Fairfax County VA	\$180,282	\$59,000	\$59,000
Central Cities (500k to 1m)			
San Jose CA	\$209,186	\$105,109	\$75,005
Austin TX	\$188,115	\$53,000	\$45,000
Fort Worth TX	\$189,000	\$3,900	\$3,900
Charlotte NC	\$163,768	\$18,262	\$12,000
Oklahoma City OK	\$156,000	\$24,000	\$12,000
Tucson, AZ	\$178,089	\$41,995	\$23,982
El Paso, TX	\$164,684	\$27,563	\$16,538
20th Century Smaller Consolidations			
Athens-Clarke County GA	\$126,835	\$45,000	\$15,000
Augusta-Richmond County GA	\$125,000	\$68,517	\$13,662
Columbus-Muskogee County GA	\$103,273	\$67,275	\$12,419
Kansas City KS-Wyandotte County KS	\$113,277	\$67,829	\$11,988
<i>Portland OR</i>	na	\$98,738	\$83,158
Average (excluding Portland and smaller communities)	\$178,020	\$39,203	\$29,492

Notes: Austin provides commissioners with \$5,400 annual auto allowance; Charlotte provides commissioners with \$4,000 annual expenses allowances plus \$4,800 annual auto allowance and \$3,100 annual technology allowance for mayor

Summing Up: the Salary Dilemma

What are we to make of these patterns, particularly in light of Albuquerqueans' consistent refusal to raise mayoral and council salaries?

First, the large gap between top officials' compensation in Albuquerque-Bernalillo County and peer communities elsewhere cannot be justified on the basis of an argument that Albuquerque is a "low cost-of-living community." The fact is that, in the 4th quarter of 2000, Albuquerque's cost-of-living index stood at 101.8 – less than two percent above the national metropolitan average.

Second, it is important to note that, in both my and the ICMA's surveys, professional managers' salaries were well above that of elected officials – typically, 25 to 50 percent higher than mayors in mayor-council systems and several multiples of commissioners' compensation in commission-manager systems. It would be tragic for a mayor's salary, for example, to set some informal ceiling on salaries paid top administrators.⁴⁷ Both of our local governments have tended to rely on home grown talent, but even holding onto our own best and brightest managers requires offering reasonably competitive salaries and benefits. As Greater Albuquerque continues to rise in the world, it will become increasingly important to be able to attract top professional talent from outside New Mexico.

Another issue, of course, is the appropriate compensation level for elected officials. The answer is clearer for full-time, elected chief executives (mayor/CEOs and county executives), although their salary levels are usually below one or more senior professional administrators within their administrations.

But what is the appropriate level of compensation for councilors or commissioners in what are intended to be part-time positions? Among Greater Albuquerque's peers, in mayor-council systems, every community except Nashville-Davidson (with its 40-member council) and Indianapolis provides, at least, twice as much compensation for councilors as Albuquerque does. Among commission-manager governments of comparable size, Charlotte, Oklahoma City, Tucson, El Paso, and Fort Worth (who are true skinflints) provide less compensation for commissioners than Bernalillo County, but Austin, Fairfax County, and San Jose provide two and three times more.

On the other hand, are \$70,000, \$80,000, \$90,000 salaries in San Jose, Detroit, and Seattle truly intended to compensate commissioners and councilors for only part-time service?

⁴⁷ I encountered such a situation upon becoming mayor in 1977. The compression effect among the city's managerial ranks had become acute. I announced a policy that the city's management and professional personnel would be paid at competitive levels regardless of the relationship of such salaries to the mayor's salary, though I was the chief executive officer. After four years, when the national cost-of-living had risen by 50 percent but the mayor's \$39,000 salary had been frozen, an Albuquerque *Tribune* story (intended to justify a mayoral salary increase) revealed that 46 city administrators and professional personnel had salaries higher than the mayor's. The story was transformed into a rallying cry against "fat cat bureaucrats" by one of the mayoral candidates, which probably had as much to do with my re-election defeat as a sudden proliferation of weeds along street medians and sidewalks.

Given the clash between a rock (voter opposition to pay increases) and a hard place (a world of steady inflation), there are at least four options to consider for Greater Albuquerque's charter:

1) have the charter leave setting compensation levels up to the legislative body, though such an approach might jeopardize the charter's approval. (This is an approach taken by several local charters.);

2) set appropriate initial compensation levels in the charter and direct that they shall be automatically adjusted annually based on the smaller of the increase in the national consumer price index or the average increase in city employee compensation;

3) relate local compensation to some external standard such as the average compensation of peer communities; or

4) place the issue in the hands of some independent, third-party, such as a compensation commission, whose periodic recommendations would automatically go into effect unless rejected by the legislative body. (This is the approach now used by the Congress.)

Special Charter Provisions

Most charters have been amended to introduce subjects that were not considered (or rejected) at the time of the charter was originally written. Some reflect fundamental changes in society's concerns and values, such as civil rights, environmental protection, ethical standards in government, or election reform. Others are the product often of controversies of the moment that are (perhaps temporarily) imbedded in the charter. (Enacted as the 18th amendment in 1919 and repealed by the 21st amendment just fourteen years later, Prohibition would be such an example in the Federal Constitution.) Here is a list of such special provisions adopted as amendments to Albuquerque's charter:

- Article VIII: Human Rights – adopted in 1971;
- Article IX: Environmental Protection – adopted in 1971;
- Article XII: Code of Ethics – adopted in 1974;
- Article XIII: Election Code – adopted in 1974;
- Article IV: Section 12: [No councilor shall be] Officer or Employee of County – adopted in 1989;

- Article X: Section 3: [No city employee shall hold] Dual Positions [as elected state or local government official] – adopted in 1989;
- Article XV: Competitive Bidding of Electrical Franchises – initiative amendment adopted in 1989; repeal rejected in 1999;
- Article XI: Section 7 – Public Vote [required] on Performing Arts Center – successor to 1989 initiative amendment adopted in 1991; repeal rejected in 1999; and
- Article IV: Section 13 – Term Limits [set at two consecutive terms for councilors] – initiative amendment adopted in 1994; declared unconstitutional by state courts in 1995

Should any or all of these provisions be included in a new charter for Greater Albuquerque, particularly in light of the fact that “county” residents never voted on these?

Is Less More?

As charter writers, the Founding Fathers were concise and to the point. They created a new government – new on the face of the earth – through a constitution with a preamble, seven articles, 21 sections, and 4,379 words. Twenty-seven amendments since have brought the Constitution of the United States up to 7,267 words.

Albuquerque’s City Fathers and Mothers have been considerably more verbose. The Albuquerque city charter currently contains a preamble, 15 articles, 66 sections, and 12,418 words.

James Madison and his colleagues laid out the Bill of Rights that has protected our freedoms for 210 years in only 482 carefully chosen words.

Albuquerque’s charter utilizes exactly the same number of words to spell out procedures for recalling an elected official – a procedure that has been invoked only once (and unsuccessfully) in 28 years.

Yet Albuquerque is a model of brevity within the world of local government charters. Of the 37 peer community charters that I have reviewed, only Virginia Beach’s seemed shorter (13 chapters, 83 sections, under 10,000 words).

At the other extreme, with 21 articles and 330 sections, just the table of contents of Nashville-Davidson’s charter totals 2,945 words – two-thirds of the original U.S. Constitution!

Almost half of Nashville-Davidson’s charter is devoted to detailed provisions regarding the thirty different agencies explicitly established by charter. Albuquerque’s charter follows the federal example by mentioning no administrative agencies with the exception of the board of ethics (that doubles as the election board).⁴⁸

But over half of Albuquerque’s charter is devoted to a code of ethics (Article VII: 1,783 words) and an election code (Article VIII: 4,569 words).

There certainly are communities whose history justifies a major effort to regulate the conduct of office holders and candidates. Amidst the legendary corruption of Louisiana politics, the New Orleans charter includes detailed instructions about the status of city officeholders at various stages of felony indictment, trial, conviction, and appeal.⁴⁹ The voters of prosperous (but recently bankrupt) Orange County, California would have been well served by a charter provision instructing the county treasurer not to speculate in high-risk derivatives.

But there have no cases of corruption among Albuquerque’s local elected officials for over three decades. And the most significant feature of Albuquerque’s election code – the attempt to limit campaign expenditures – is constitutionally unenforceable and now is now “more honour’d in the breach than in the observance.”

One wonders as one reads through these lengthy charter provisions “why isn’t this just handled by city ordinance?” And, in effect, the election code is handled by city ordinance since the original charter provisions (thrice amended by ordinance) were replaced entirely by ordinance in 1993.⁵⁰ The ordinance is inserted into the charter, almost doubling the charter’s size.⁵¹

⁴⁸ The Federal Constitution didn’t even hint at a cabinet to help George Washington.

⁴⁹ Barely a decade ago, when a much indicted (but never yet convicted) Edward Edwards defeated Ku Klux Klan leader David Duke for governor of Louisiana, the most ubiquitous bumper sticker urged “Vote for the Crook!” Edwards has since been convicted and jailed for receiving subsequent payoffs for state-issued gambling licenses.

⁵⁰ Article VII, Section 12 provides that the “Election Code may be amended ... by ordinance adopted by a majority plus two of the entire membership of the Council voting in favor of such amendment or amendments....”)

⁵¹ For decades powerful business interests (railroads, utilities, timber companies, steel companies, etc.) have regularly had state statutes providing special tax breaks, lucrative franchises, etc. written into the Alabama constitution. As a result, the Alabama constitution is now over 200,000 words – longer than *The Federalist Papers* but hardly as enlightening!

It comes down to a matter of philosophy. Should a constitution or charter be a broad but succinct statement of powers and principles, leaving future office holders the flexibility of enacting laws to adjust to new circumstances? Or is such “flexibility” exactly what the citizen should fear, to be constrained by detailed charter directives?

Is less more ... or too little?

VIII. Designing Your Own Charter

In the previous seven chapters I have tried to suggest what are key decisions and issues that the charter commission and the citizens of Albuquerque-Bernalillo County will face in shaping Greater Albuquerque's future government.

This final chapter is a sort of “do it yourself” kit to help you “shape our building” – your own design for a new government. But before beginning to hammer and saw away, it would be worth thinking about the qualities of this new house that you probably must live in for many years.

Trying to list such qualities runs the risk of sounding like a local government equivalent of a Cub Scout handbook. Besides, in framing a new charter, you will most often have to balance alternative values.

For example, do you want a government structure that facilitates continuity or steady turnover among elected officials? Providing for four-year (or even six-year) terms without term limits advances the former goal. The United States Senate would be a good example. The current 100 senators (including 38 first-termers) will average almost 15 years of service upon completing their current terms. Forty-two senators will have completed three or more terms (that is, at least 18 years), including nine with more than 30 years' service in the Senate.

Or, if you prefer steady turnover, few electoral systems have produced better results than New Mexico's constitutional provisions for its first 80 years of statehood. Limiting a governor to no more than two consecutive, two-year terms (until 1971) or one, four-year term thereafter (until 1995), New Mexico had 26 different governors during those eight decades.⁵²

In addition to 26 changes of administration, there were 16 changes of party control of the governor's mansion.⁵³ The result was revolving door state government for decades.

⁵² I am counting Republican Governor Edwin Mechem (1951-55, 1957-59, and 1961-62) and Democratic Governor Bruce King (1971-75 and 1979-1983) three and two times, respectively. I have omitted Governor Tom Bolack (1962), who served the final month of Mechem's third term.

⁵³ The longest periods of unbroken party control were 1935-1951 (Democratic Governors Clyde Tingley, John E. Miles, John Dempsey, and Thomas Mabry) and 1971-1987 (Democratic

So I would suggest that, before designing your own charter, you go back and read through the preceding chapters. List what would seem to be the paired values imbedded in different arrangements (for example, “continuity” vs. “turnover”). On a scale of 1-10 with, let’s say, US Senate-like “continuity” being placed at 1 and old New Mexico-style “turnover” being placed at 10, rate where you would like to see Greater Albuquerque’s new government.

Continue this process until you have identified and rated a half dozen or more basic qualities that you would like to see embodied in the structure of the new unified government. (Structure, of course, cannot guarantee successful outcomes. The goals, abilities, and personalities of those whom the voters put in public office will also shape the reality of how well the new government works.)

With your basic goals in hand, work through this “decision tree” in which I have tried to organize systematically choices that must be made for the new charter. Some choices will lead farther and farther out on a branch and may preclude jumping from one branch to another branch. Other choices will be part of the main trunk – common to whatever branch you select. Your choices are laid out below. Check your preference and proceed to the next branch of the decision tree indicated.

Governors Bruce King, Jerry Apodaca, King again, and Toney Anaya). Only in 1995, when King was defeated by Governor Gary Johnston in a bid for a second consecutive four term (his fourth overall) could a New Mexico governor look to an administration of more than four years. Governor Johnston (1995-2003) is the only New Mexico governor who has served eight consecutive years, which is typically the norm in most other states.

Section 1: Unification of Powers or Separation of Powers?

- [] unification of executive and legislative powers on one elected body like 12 peer communities – go to section 2; or
- [] separation of executive and legislative powers between a mayor/CEO and council like 23 peers – go to section 5.

Section 2: Commission-Manager or Administrative Commission?

- [] commission-manager form like eleven peers and Bernalillo County – go to section 3; or
- [] administrative commission like Portland – go to section 4.

Section 3: Basic Structure of Commission-Manager Form

Section 3.1: Composition of Commission (part a)

- [] commissioners elected all at-large like Virginia Beach and Austin – go to section 3.2; or
- [] commissioners elected all by district (excluding chair) like eight peers, including San Jose, Fort Worth, and Oklahoma City – go to section 3.3; or
- [] commissioners elected as mix of by district and at-large (excluding chair) like Charlotte – go to section 3.2.

Section 3.2: Requirements for At-Large Commissioners

- commissioners elected at-large but must live in specified districts like Virginia Beach and Kansas City – go to section 3.3; or
- commissioners elected at large without district residency requirements like Austin and Charlotte – go to section 3.3.

Section 3.3: Method of Selecting Commission Chair

- chair (“mayor”) campaigns for position as such and is elected at-large like all eleven peers – go to section 3.4; or
- chair is elected by commissioners from among membership like Bernalillo County – go to section 3.4.

Section 3.4: Size of Commission

- 5 members like Bernalillo County – go to section 3.5; or
- 7 members like Austin – go to section 3.5; or
- 9 members like Fort Worth and Oklahoma City – go to section 3.5; or
- 11 members like seven peers including Virginia Beach, San Jose, and Charlotte – go to section 3.5; or
- more than 11 members (pick your number __) – go to section 3.5

Section 3.5: Composition of Commission (part b)

Number of at-large commissioners (if any)

[] plus

Number of district commissioners (if any) – see note

[] plus

Number of super-district commissioners like Athens, Augusta, and Kansas City KS (if any)

[] plus

Chair (“mayor”) if elected by voters like all eleven peers

[]

Total commission members – go to section 6

Note: initial number of residents per district would be (peers are listed based on district size and not number of districts)

3 districts – 183,500	Montgomery County
4 districts – 137,500	
5 districts – 110,000	Bernalillo, Fairfax, and Baltimore counties; and Baltimore City
6 districts – 92,000	Honolulu, New Orleans, San Jose, and Prince George’s County
7 districts – 78,500	Charlotte
8 districts – 68,500	San Francisco, Washington DC, Fort Worth, Boston, El Paso, and Anne Arundel County
9 districts – 61,000	Seattle, Oklahoma City
10 districts – 55,000	Jacksonville
11 districts – 50,000	Albuquerque, Denver

Section 4: Administrative Commission

With “mayor” elected at-large by voters and presiding as chair with voting powers and power of assignment of administrative responsibilities among other commissioners (like Portland), the number of other commissioners elected at-large should be:

- 2, or a 3-member commission like some county governments
- 4, or a 5-member commission like Portland
- 6, or a 7-member commission (stretching feasibility limit)

Go to section 6

Section 5: Basic Structure of Mayor-Council Form

Section 5.1: Mayor/CEO as presiding officer of Council?

- Mayor/CEO should be presiding officer of Council
 - with power to break tie votes but no veto like El Paso; or
 - with full voting powers plus veto like Lexington and Kansas City KS

- Mayor/CEO should not be presiding officer or councilmember like Albuquerque and all other Mayor/Council peers

Go to section 5.2

Section 5.2: Composition of Council (part a)

- [] all councilors elected at-large like Detroit and Columbus OH – go to section 5.3; or
- [] all councilors elected by district (excluding chair) like 13 peers (Jacksonville*, Louisville, Honolulu, San Francisco, Baltimore City, St Louis, Memphis, Milwaukee, Seattle, El Paso, and Anne Arundel, Baltimore, and Prince George’s counties) – go to section 5.4; or
 - *[] some super-districts like Jacksonville (yes/no)
- [] councilors elected as mix of district and at-large (excluding chair) like Indianapolis, Nashville, Washington DC, Denver, New Orleans, Lexington, Montgomery County, and Boston – go to section 5.3

Section 5.3: Requirements for At-Large Commissioners

- [] at-large councilors must live in specified districts (like Virginia Beach and Kansas City KS) – go to section 5.4; or
- [] at-large councilors have no specific district residency requirements like eight peers listed in section 5.2 – go to section 5.4.

Section 5.4: Method of Selecting Commission Chair

- [] chair (“president”) campaigns for position as such and is elected at-large like Baltimore City, St Louis City, and Washington, DC; or
- [] chair is elected by councilors from among membership like Albuquerque and 18 peers; or
- [] “Super-Mayor” is chair, and councilors elect vice-chair (“Vice Mayor] like Lexington and El Paso –

Go to section 5.5

Section 5.5: Size of Council

- [] 7 members like New Orleans
- [] 9 members like Albuquerque, Honolulu, Detroit, Seattle, El Paso, and Montgomery and Prince George’s counties
- [] 11 members like San Francisco
- [] 13 members like Boston, Denver, and Washington, DC
- [] 15 members like Memphis
- [] 16 members like Lexington
- [] 17 members like Milwaukee
- [] 19 members like Jacksonville and Baltimore City
- [] 20 or more members like Louisville (26), St Louis (28), Indianapolis (29), and Nashville (40)

Go to section 5.6

Section 5.6: Composition of Council (part b)

Number of at-large councilors (if any)

[] plus

Number of district councilors (if any) – see note

[] plus

Number of super-district councilors like Jacksonville (if any)

[] plus

Chair (“mayor”) if elected by voters like Washington DC, Baltimore, and St Louis or (“Super-Mayor”) like Lexington and El Paso

[]

Total commission members – go to section 6

Note: initial number of residents per district would be (peers are listed based on district size and not number of districts)

3 districts – 183,500	Montgomery County
4 districts – 137,500	
5 districts – 110,000	Bernalillo, Fairfax, and Baltimore counties; and Baltimore City
6 districts – 92,000	Honolulu, New Orleans, San Jose, and Prince George’s County
7 districts – 78,500	Charlotte
8 districts – 68,500	San Francisco, Washington DC, Fort Worth, Boston, El Paso, and Anne Arundel County
9 districts – 61,000	Seattle, Oklahoma City
10 districts – 55,000	Jacksonville
11 districts – 50,000	Albuquerque, Denver
less than 50,000	Indianapolis, Louisville, Nashville, Memphis, St Louis, and Milwaukee

Section 6: Structure of Executive Branch in Mayor/Council Form

- [] Mayor as Chief Executive Officer without charter-required Chief Administrative Officer, like current Albuquerque charter and like 20 peers – go to section 7
- [] Mayor as Chief Executive Officer with charter-required Chief Administrative Office, like 1974 Albuquerque charter and like Honolulu, Lexington, and El Paso – go to section 6.1

Section 6.1: Selection of Chief Administrative Officer

- [] Mayor nominates and Council confirms CAO, like Honolulu and El Paso – go to section 6.2
- [] Council selects CAO without prior mayoral nomination, like Lexington – go to section 6.2

Section 6.2: Dismissal of Chief Administrative Officer

- [] CAO serves at pleasure of Mayor, like Honolulu and El Paso – go to section 7
- [] only Council can dismiss CAO – go to section 7

Section 7: Partisan or Non-Partisan Elections?

- [] Elect officials in partisan elections, including party primaries, like 23 peer and Bernalillo County – go to section 8
- [] Elect officials in non-partisan elections, like 12 peers and City of Albuquerque – go to section 7.1

Section 7.1: Run-off, non-partisan elections

- candidate with most votes wins, regardless of percentage of total vote (that is, wins by plurality vote) – go to section 8
- Require run-off election between top two vote getters if no candidate receives percent – (1974 Albuquerque charter required 40 percent) – go to section 8

NOTE: Re-instituting local run-off elections would require enactment of an amendment to the New Mexico constitution

Section 8: Legislative Powers

- Charter provides general definition of legislative powers;
or
- Charter provides detailed definition of legislative powers,

Go to section 9

Section 9: Executive Powers

- Charter provides general definition of executive powers;
or
- Charter provides detailed definition of executive powers.

Go to section 10

Section 10: Status of Other Elected County Officers

- Charter leaves future status of Sheriff, Clerk, Assessor, and Treasurer up to new government (like Louisville) – go to section 11; or
- Charter provides for future status of Sheriff, Clerk, Assessor and Treasurer (like all other unification charters) – go to section 10.1

Section 10.1: Status of County Sheriff

- [] abolish Sheriff's position (if it is permitted by the New Mexico constitution) and have functions carried out by appointed personnel;
- [] make elected Sheriff chief (and only) law enforcement officer for Greater Albuquerque (that is, Sheriff's Office absorbs Albuquerque Police Department), like Jacksonville;
- [] maintain *de facto* division of police protection responsibility between Police Department and elected Sheriff's Office (like Indianapolis);
- [] make appointed head of expanded Police Department (accountable to mayor or manager) chief law enforcement officer and maintain elected Sheriff only as officer of court system and not "conservator of the peace" (like);

Go to section 10.2

Section 10.2: Status of County Clerk

- [] abolish elected Clerk's position (if it is permitted by the New Mexico constitution) and have functions carried out by appointed personnel (like); or
- [] maintain elected Clerk with all current powers and duties, including conduct of all elections (like);
- [] maintain division of Clerk-type responsibilities between elected Clerk and appointed personnel (like);

Go to section 10.3

Section 10.3: Status of County Assessor

- [] abolish elected Assessor's position (if it is permitted by the New Mexico constitution) and have functions carried out by appointed personnel (like); or
- [] maintain elected Assessor with all current powers and duties (like).

Go to section 10.4

Section 10.4: Status of County Treasurer

- [] abolish elected Treasurer's position (if it is permitted by the New Mexico constitution) and have functions carried out by appointed personnel (like); or
- [] maintain elected Treasurer's with all current powers and duties (like) and absorbing similar functions from current appointed city treasurer's office; or
- [] maintain division of Treasurer-type responsibilities between elected treasurer and appointed personnel (like);

Go to section 11.

Section 11: Organization of Executive Branch

- [] Charter defines detailed departmental structure of unified government – so to section 11.1; or
- [] Charter assigns responsibility for determining departmental structure to legislative body by ordinance, but only on basis of recommendations by chief executive (like Honolulu) – go to section 12; or
- [] Charter assigns full responsibility for determining departmental structure the mayor/CEO, CAO, or manager, including selection of department heads without council/commission confirmation (like Albuquerque and most county governments) – go to section 12.

Section 11.1: Charter-established Departmental Structure

- [] define departments whose heads are selected by chief executive and confirmed by council/commission (like)

if so, list which functions _____

_____ ; or

- [] define department that report to administrative boards whose membership is nominated by executive and confirmed by council/commission, but which hires, supervises, and fires department head (like many of Nashville's departments)

if so, list which functions _____

Go to section 12

Section 12: Odds and Ends

Section 12.1: Service Districts

- [] define functions of General Services District (GSD) and Urban Services District (USD) in detail (like Nashville-Davidson), or;
- [] define functions of GSD and USD more generically (like Athens-Clarke)

Section 12.2: Merit System

- [] charter's provisions for merit system should be general and brief;
or
 - [] charter's provisions for merit system should be specific and
extensive
- and
- [] merit system should be administered by executive branch
(mayor/CAO/manager); or
 - [] merit system should be administered by a civil service
commission

Section 12.3: Recall

- [] a method of recalling elected officials between elections should be
provided by the charter; or
- [] a method of recalling elected officials between elections should
not be provided by the charter.

Section 12.4: Referendum

- [] a method of permitting a negative referendum to repeal an
ordinance within a short time after enactment should be provided
by the charter; or
- [] a method of permitting a negative referendum to repeal an
ordinance should *not* be provided by the charter

Section 12.5: Initiative

- [] a method of permitting proposed charter amendments to be placed
on the ballot by citizen petition ("initiative") should be provided
by the charter; or
- [] a method of permitting charter amendments by initiative should
not be provided by the charter

Section 12.5: Initiative

- [] a method of permitting proposed charter amendments to be placed on the ballot by citizen petition (“initiative”) should be provided by the charter; or
- [] a method of permitting charter amendments by initiative should *not* be provided by the charter

Section 12.6: Compensation of Elected Officials

- [] the charter should authorize the legislative body to set compensation for elected officials by ordinance without specifying an initial amount; or
- [] the charter should specify initial compensation levels for elected officials and direct that they be automatically adjusted annually based on the smaller of the increase in the national consumer price index or the average increase in employee compensation; or
- [] the charter should relate local compensation to some external standard such as the average compensation of elected officials in similar governmental units in size and responsibility; or
- [] the charter should place the issue in the hands of some independent third party, such as a compensation commission, whose periodic recommendations would automatically go into effect unless rejected by the legislative body.

Section 12.7: Special Charter Provisions

The following are provisions of the current Albuquerque City Charter that have been adopted since 1971. The charter should/should not continue them in effect.

- Article VIII: Human Rights – adopted in 1971;
 include do not include
- Article IX: Environmental Protection – adopted in 1971;
 include do not include
- Article XII: Code of Ethics – adopted in 1974;
 include do not include
- Article XIII: Election Code – adopted in 1974;
 include do not include
- Article IV: Section 12: [No councilor shall be] Officer or Employee of County –
adopted in 1989;
 include do not include
- Article X: Section 3: [No city employee shall hold] Dual Positions [as elected
state or local government official] – adopted in 1989;
 include do not include
- Article XV: Competitive Bidding of Electrical Franchises – initiative amendment
adopted in 1989; repeal rejected in 1999;
 include do not include
- Article XI: Section 7 – Public Vote [required] on Performing Arts Center –
successor to 1989 initiative amendment adopted in 1991; repeal rejected in 1999;
and
 include do not include
- Article IV: Section 13 – Term Limits [set at two consecutive terms for councilors]
– initiative amendment adopted in 1994; declared unconstitutional by state courts
in 1995
 include do not include

Summing Up

What kind of charter decisions have you made? How well do they fulfill the five or six overriding goals that I suggested you adopt before plunging into the details?

And what is the nature of the charter that your choices dictate? Will it be very specific and detailed like many state constitutions and city charters? Or will it be a broad statement of principles and assignment of responsibilities like the United States Constitution?

Can the charter that you envision be picked up by any citizen and, in clear, straightforward language, be read in one sitting.

Several years ago, I appeared with Mike Burton, the elected Executive Officer of Portland Metro, the elected regional government, at a meeting of the board of directors of the Greater Albuquerque Chamber of Commerce. One of the chamber board members expressed frustration with the Goals for Albuquerque program to which he had devoted many volunteer hours coming up with a Vision Statement for Albuquerque. After thanking the hundred of citizen volunteers who had participated, the mayor and city council, he complained, had simply filed the document away.

“How long was your Vision Statement?” Mike asked.

“About 200 pages.”

“That’s 199 pages too many,” Mike responded. “In Portland, we express our official Vision Statement in just two sentences:

“Everyone can always see Mount Hood.”

“Every child can walk to a library.”

In 1787, the Constitutional Convention expressed a Vision Statement for our new nation in a few more than just two sentences.

But not many more.

APPENDIX A

PROFILES OF 37 PEER COMMUNITIES

This brief introduction will serve as an interpretative guide to the thumbnail profiles of Albuquerque, Bernalillo County, and their 37 peer communities. I will organize the discussion by each line of the profile. Unless otherwise indicated, all data refer to the specific jurisdiction listed in the title. Also, unless otherwise indicated, the sources for all data are reports from the US Bureau of the Census for the years indicated. (The notation “na” means “not available” or, in some contexts, “not applicable.”)

Line 1 – 50-year change: 100% indicates that population doubled, so the fact that Albuquerque’s municipal population increased by 354% from 1950 to 2000 means that its population more than *quadrupled* (not tripled).

Line 2 – for counties (“cnty”), I have shown only a county’s area for 2000 since county boundaries almost never change (though Cibola County was carved out of Valencia County two decades ago). Thus, county profiles don’t show growth rates for county area.

Line 3 – “Black: 3% (32)” The first number is that group’s percentage of the jurisdiction’s population. The number in parenthesis is a segregation index value based on a scale of 0 to 100 in which 100 would mean total racial apartheid. Thus, the lower the number, the greater the level of integration. (The measure used is a common “dissimilarity index.”) The same measure is used for economic segregation on the next line.

Line 4 – “Pct of metro inc (1999): 104%” This measures the jurisdiction’s per capita income in 1999 as a percentage of its metropolitan area’s per capita income. Thus “104%” means that Albuquerque’s per capita income is 4% higher than the combined value for the whole metropolitan area (Bernalillo, Sandoval, and Valencia counties.) By contrast, Detroit’s per capita income is only 60% of its metro average.

Line 5 – “Metro jobs (1969-99)” This measures the growth in employment for the entire metro area over 30 years. “Metro real inc (1969-99): 42%” This measures the growth in personal income per capita as adjusted for the national rate of inflation over 30 years. (Date for both are provided by the US Commerce Department’s on-line Regional Economic Information System.) These mean that the total number of jobs in

Albuquerque's three-county metro area grew 199% in 30 years, and that the average person experienced a 42% increase in income after taking a rising cost of living into account.

“Real inc (1999): \$20,355” This adjusts what the Census Bureau reported as nominal per capita income in 1999 for differences in regional cost-of-living. Regions with high costs of living like San Francisco will see the value of real income shrink; regions with low costs of living like El Paso will see the value of real income grow. Metro Albuquerque's cost of living was about 2% above the national metropolitan average in 1999. Cost of living estimates are provided by the American Chambers of Commerce research Association (ACCRA).

Line 6 – “Bond rating: Aa3” These are credit ratings assigned by Moody's Investor Services to municipal or other public agency bonds. From best to worst, Moody's scale (and the numerical value that, with the guidance of a Moody's analyst, I established) is Aaa (10), Aa1(8.5), Aa2(8.0), Aa3(7.5), A1(6.5), A2(6.0), A3(5.5), Baa1(4.5), Baa2(4.0), Baa3(3.5), and Ba (2.0). “Aaa” is blue chip. Anything in the Aa range is very good. Ratings in the A and Baa ranges are mediocre, but still investment grade. “Ba” and below are “junk bonds.”

Line 6 also summarizes the information on form of government provided elsewhere in the report.

Line 7 – just my attempt to summarize the essence of a community (from my perspective) in a dozen words or less.

City of Albuquerque, NM

Population (2000): **448,607** (1950): **98,815** 50-yr change: **+354%**
Area (sq mi): Metro: **5,944** City (2000): **181** City (1950): **48** 50-yr change: **+277%**
Racial mix/seg index (2000): Black: **3% (32)** Hispanic: **40% (41)** Asian: **2% (25)**
Poverty pct (1999): **14%** Poor seg index (1989): **34** Pct of metro inc (1999): **104%**
Metro jobs (1969-99): **199%** Metro real inc (1969-99): **42%** Real inc (1999): **\$20,355**
Type of gov't: **mayor-council (9 by district)** Bond rating: **Aa3**
Comments: **UNM, high tech make very "elastic" city better off than region and state**

Bernalillo County, NM

Population (2000): **556,678** (1950): **145,673** 50-yr change: **+282%**
Area (sq mi): Metro: **5,944** Cnty (2000): **1,166** Cnty (1950): **na** 50-yr change: **na**
Racial mix/seg index (2000): Black: **3% (32)** Hispanic: **42% (41)** Asian: **2% (25)**
Poverty pct (1999): **14%** Poor seg index (1989): **34** Pct of metro inc (1999): **104%**
Metro jobs (1969-99): **199%** Metro real inc (1969-99): **42%** Real inc (1999): **\$20,184**
Type of gov't: **commission-manager (5 by district)** Bond rating: **na**
Comments: **balance of county poorer than city but Sandia Heights *et al* narrow gap**

Anchorage-Anchorage Borough, AK

Population (2000): **260,283** (1950): **11,254** 50-yr change: **+2,213%**
Area (sq mi): Metro: **1,698** City (2000): **1,698** City (1950): **12** 50-yr change: **+13,484%**
Racial mix/seg index (2000): Black: **7% (36)** Hispanic: **6% (26)** Asian: **8% (29)**
Poverty pct (1999): **7%** Poor seg index (1989): **na** Pct of metro inc (1999): **100%**
Metro jobs (1969-99): **174%** Metro real inc (1969-99): **4%** Real inc (1999): **\$20,575**
Type of gov't: **mayor-council (10 by district)** Bond rating: **Aa3**
Comments: **rebuilt since 1956 earthquake, frontier/military town is highly integrated**

Anne Arundel County, MD

Population (2000): **489,656** (1950): **117,392** 50-yr change: **+317%**
Area (sq mi): Metro: **6,509** Cnty (2000): **416** Cnty (1950): **na** 50-yr change: **na**
Racial mix/seg index (2000): Black: **14% (68)** Hispanic: **3% (36)** Asian: **3% (39)**
Poverty pct (1999): **5%** Poor seg index (1989): **46** Pct of metro inc (1999): **113%**
Metro jobs (1969-99): **53%** Metro real inc (1969-99): **35%** Real inc (1999): **\$28,432**
Type of gov't: **county executive-council (7 by district)** Bond rating: **na**
Comments: **work force split among Baltimore, Washington, Annapolis (state capital)**

Athens-Clarke, GA

Population (2000): **101,489** (1950): **36,550** 50-yr change: **+178%**
Area (sq mi): Metro: **590** City (2000): **118** City (1950): **10** 50-yr change: **+1,139%**
Racial mix/seg index (2000): Black: **27% (46)** Hispanic: **6% (49)** Asian: **3% (38)**
Poverty pct (1999): **29%** Poor seg index (1989): **na** Pct of metro inc (1999): **93%**
Metro jobs (1969-99): **135%** Metro real inc (1969-99): **84%** Real inc (1999): **\$19,217**
Type of gov't: **commission-manager (11: mayor, 8 district, 2 super)** Bond rating: **na**
Comments: **UGA college town becoming increasingly exurb of greater Atlanta**

Augusta-Richmond, GA

Population (2000): **199,775** (1950): **71,508** 50-yr change: **+179%**
Area (sq mi): Metro: **2,448** City (2000): **302** City (1950): **10** 50-yr change: **+2,983%**
Racial mix/seg index (2000): Black: **49% (45)** Hispanic: **3% (30)** Asian: **1% (37)**
Poverty pct (1999): **20%** Poor seg index (1989): **na** Pct of metro inc (1999): **90%**
Metro jobs (1969-99): **68%** Metro real inc (1969-99): **30%** Real inc (1999): **\$18,346**
Type of gov't: **commission-manager (11: mayor, 8 district, 2 super)** Bond rating: **na**
Comments: **UGA medical school/medical complex is major industry**

Austin, TX

Population (2000): **656,562** (1950): **132,459** 50-yr change: **+396%**
Area (sq mi): Metro: **4,224** City (2000): **252** City (1950): **32** 50-yr change: **+684%**
Racial mix/seg index (2000): Black: **10% (52)** Hispanic: **31% (46)** Asian: **5% (41)**
Poverty pct (1999): **14%** Poor seg index (1989): **38** Pct of metro inc (1999): **99%**
Metro jobs (1969-99): **357%** Metro real inc (1969-99): **70%** Real inc (1999): **\$23,983**
Type of gov't: **commission-manager (mayor & 6 at-large)** Bond rating: **Aa2**
Comments: **state capital/ U Texas/high tech rates Austin #2 on Creativity Index**

Baltimore (Independent) City, MD

Population (2000): **651,154** (1950): **949,708** 50-yr change: **- 31%**
Area (sq mi): Metro: **2,609** City (2000): **81** City (1950): **79** 50-yr change: **+ 3%**
Racial mix/seg index (2000): Black: **64% (68)** Hispanic: **2% (36)** Asian: **2% (39)**
Poverty pct (1999): **23%** Poor seg index (1989): **46** Pct of metro inc (1999): **70%**
Metro jobs (1969-99): **53%** Metro real inc (1969-99): **35%** Real inc (1999): **\$17,585**
Type of gov't: **mayor-council (19: president & 3 from 6 districts)** Bond rating: **A1**
Comments: **Unmatched Inner Harbor revival can't offset city neighborhood decline**

Baltimore County, MD

Population (2000): **754,292** (1950): **270,273** 50-yr change: **+179%**
Area (sq mi): Metro: **2,609** Cnty (2000): **600** Cnty (1950): **na** 50-yr change: **na**
Racial mix/seg index (2000): Black: **21% (68)** Hispanic: **2% (36)** Asian: **4% (39)**
Poverty pct (1999): **7%** Poor seg index (1989): **46** Pct of metro inc (1999): **107%**
Metro jobs (1969-99): **53%** Metro real inc (1969-99): **35%** Real inc (1999): **\$26,976**
Type of gov't: **county executive-council (7 by district)** Bond rating: **na**
Comments: **Post-war boomer now struggling with declining older neighborhoods**

Boston, MA

Population (2000): **589,141** (1950): **801,444** 50-yr change: **- 26%**
Area (sq mi): Metro: **2,440** City (2000): **47** City (1950): **48** 50-yr change: **+ 1%**
Racial mix/seg index (2000): Black: **25% (66)** Hispanic: **14% (59)** Asian: **8% (45)**
Poverty pct (1999): **20%** Poor seg index (1989): **37** Pct of metro inc (1999): **80%**
Metro jobs (1969-99): **57%** Metro real inc (1969-99): **48%** Real inc (1999): **\$16,906**
Type of gov't: **mayor-council (13: chair, 3 at-large, 9 district)** Bond rating: **Aa3**
Comments: **steady gentrification/regional high tech boom reviving historic city**

Charlotte, NC

Population (2000): **540,828** (1950): **134,042** 50-yr change: **+303%**
Area (sq mi): Metro: **3,377** City (2000): **242** City (1950): **34** 50-yr change: **+708%**
Racial mix/seg index (2000): Black: **33% (55)** Hispanic: **7% (50)** Asian: **3% (43)**
Poverty pct (1999): **11%** Poor seg index (1989): **32** Pct of metro inc (1999): **113%**
Metro jobs (1969-99): **130%** Metro real inc (1969-99): **51%** Real inc (1999): **\$26,949**
Type of gov't: **comm.-manager (11: mayor, 3 at-large, 7 district)** Bond rating: **Aaa**
Comments: **USA #2 bank capital is Sunbelt leader re: economic growth with equity**

Columbus-Muskogee, GA

Population (2000): **186,291** (1950): **79,611** 50-yr change: **+134%**
Area (sq mi): Metro: **1,570** City (2000): **216** City (1950): **12** 50-yr change: **+1,701%**
Racial mix/seg index (2000): Black: **44% (58)** Hispanic: **5% (46)** Asian: **2% (35)**
Poverty pct (1999): **16%** Poor seg index (1989): **na** Pct of metro inc (1999): **100%**
Metro jobs (1969-99): **18%** Metro real inc (1969-99): **25%** Real inc (1999): **\$22,271**
Type of gov't: **comm.-manager (11: mayor, 2 at-large, 8 district)** Bond rating: **na**
Comments: **heavy reliance on Fort Benning marks slow growth region**

Columbus, OH

Population (2000): **711,470** (1950): **375,901** 50-yr change: + **89%**
Area (sq mi): Metro: **3,141** City (2000): **210** City (1950): **39** 50-yr change: +**434%**
Racial mix/seg index (2000): Black: **24% (63)** Hispanic: **2% (48)** Asian: **3% (31)**
Poverty pct (1999): **15%** Poor seg index (1989): **44** Pct of metro inc (1999): **89%**
Metro jobs (1969-99): **107%** Metro real inc (1969-99): **33%** Real inc (1999): **\$20,532**
Type of gov't: **mayor-council (9 by district)** Bond rating: **Aa1**
Comments: **state capital/Ohio State/annexations highlight Ohio's most "elastic" city**

Denver, CO

Population (2000): **554,636** (1950): **415,786** 50-yr change: +**33%**
Area (sq mi): Metro: **3,761** City (2000): **153** City (1950): **67** 50-yr change: +**130%**
Racial mix/seg index (2000): Black: **11% (62)** Hispanic: **32% (50)** Asian: **3% (30)**
Poverty pct (1999): **14%** Poor seg index (1989): **39** Pct of metro inc (1999): **92%**
Metro jobs (1969-99): **167%** Metro real inc (1969-99): **51%** Real inc (1999): **\$22,145**
Type of gov't: **mayor-council (13: 11 district, 2 at-large)** Bond rating: **Aa2**
Comments: **high tech/energy/regional finance/LoDo spur city's renaissance**

Detroit, MI

Population (2000): **951,270** (1950): **1,849,568** 50-yr change: - **49%**
Area (sq mi): Metro: **2,029** City (2000): **139** City (1950): **139** 50-yr change: + **0%**
Racial mix/seg index (2000): Black: **82% (85)** Hispanic: **5% (46)** Asian: **1% (46)**
Poverty pct (1999): **26%** Poor seg index (1989): **50** Pct of metro inc (1999): **60%**
Metro jobs (1969-99): **36%** Metro real inc (1969-99): **20%** Real inc (1999): **\$12,978**
Type of gov't: **mayor-council (9 at-large)** Bond rating: **Baa1**
Comments: **halted economic death spiral in 1990s in most racially segregated region**

El Paso, TX

Population (2000): **563,662** (1950): **130,485** 50-yr change: **+332%**
Area (sq mi): Metro: **1,013** City (2000): **249** City (1950): **26** 50-yr change: **+873%**
Racial mix/seg index (2000): Black: **3% (36)** Hispanic: **77% (46)** Asian: **1% (21)**
Poverty pct (1999): **22%** Poor seg index (1989): **30** Pct of metro inc (1999): **107%**
Metro jobs (1969-99): **108%** Metro real inc (1969-99): **39%** Real inc (1999): **\$15,987**
Type of gov't: **commission-manager (9: mayor, 8 by district)** Bond rating: **Aa3**
Comments: **sister city with Juarez in rich region (for Mexico)/poor (for USA) region**

Fairfax County, VA

Population (2000): **969,749** (1950): **98,557** 50-yr change: **+884%**
Area (sq mi): Metro: **6,509** Cnty (2000): **396** Cnty (1950): **na** 50-yr change: **na**
Racial mix/seg index (2000): Black: **9% (38)** Hispanic: **11% (27)** Asian: **15% (22)**
Poverty pct (1999): **5%** Poor seg index (1989): **38** Pct of metro inc (1999): **119%**
Metro jobs (1969-99): **108%** Metro real inc (1969-99): **40%** Real inc (1999): **\$30,740**
Type of gov't: **commission-manager (10: chair, 9 by district)** Bond rating: **na**
Comments: **global Internet capital/USA's 2nd richest county (in 1999) before crash**

Fort Worth, TX

Population (2000): **534,694** (1950): **278,778** 50-yr change: **+ 92%**
Area (sq mi): Metro: **2,918** City (2000): **292** City (1950): **94** 50-yr change: **+212%**
Racial mix/seg index (2000): Black: **20% (60)** Hispanic: **30% (48)** Asian: **3% (42)**
Poverty pct (1999): **16%** Poor seg index (1989): **37** Pct of metro inc (1999): **85%**
Metro jobs (1969-99): **174%** Metro real inc (1969-99): **24%** Real inc (1999): **\$19,958**
Type of gov't: **commission-manager (9: mayor, 8 by district)** Bond rating: **Aa2**
Comments: **lively, arts-centered downtown may break city out of Dallas's shadow**

Honolulu-Honolulu County, HI

Population (2000): **876,156** (1950): **353,020** 50-yr change: **+148%**
Area (sq mi): Metro: **600** Cnty (2000): **600** Cnty (1950): **na** 50-yr change: **na**
Racial mix/seg index (2000): Black: **3% (36)** Hispanic: **7% (34)** Asian: **69% (41)**
Poverty pct (1999): **10%** Poor seg index (1989): **34** Pct of metro inc (1999): **100%**
Metro jobs (1969-99): **58%** Metro real inc (1969-99): **33%** Real inc (1999): **\$21,998**
Type of gov't: **mayor-council (9 by district)** Bond rating: **Aa3**
Comments: **along with Anchorage, USA's 2nd truly metropolitan government**

Indianapolis-Marion, IN

Population (2000): **791,926** (1950): **427,173** 50-yr change: **+ 85%**
Area (sq mi): Metro: **3,523** City (2000): **262** City (1950): **55** 50-yr change: **+555%**
Racial mix/seg index (2000): Black: **25% (71)** Hispanic: **4% (49)** Asian: **1% (39)**
Poverty pct (1999): **12%** Poor seg index (1989): **40** Pct of metro inc (1999): **94%**
Metro jobs (1969-99): **76%** Metro real inc (1969-99): **30%** Real inc (1999): **\$22,848**
Type of gov't: **mayor-council (29: 4 at-large, 25 by district)** Bond rating: **Aaa**
Comments: **Unigov created USA's northernmost Sun Belt city**

Jacksonville-Duval, FL

Population (2000): **735,617** (1950): **204,517** 50-yr change: **+260%**
Area (sq mi): Metro: **2,635** City (2000): **758** City (1950): **30** 50-yr change: **+2,409%**
Racial mix/seg index (2000): Black: **29% (54)** Hispanic: **4% (26)** Asian: **3% (35)**
Poverty pct (1999): **12%** Poor seg index (1989): **33** Pct of metro inc (1999): **93%**
Metro jobs (1969-99): **138%** Metro real inc (1969-99): **38%** Real inc (1999): **\$21,333**
Type of gov't: **mayor-council (19 by district)** Bond rating: **Aa2**
Comments: **consolidation reversed decline, keyed rise to big league status**

Kansas City-Wyandotte, KS

Population (2000): **146,866** (1950): **129,553** 50-yr change: + **13%**
Area (sq mi): Metro: **1,266** City (2000): **124** City (1950): **41** 50-yr change: +**564%**
Racial mix/seg index (2000): Black: **30% (69)** Hispanic: **17% (46)** Asian: **2% (35)**
Poverty pct (1999): **17%** Poor seg index (1989): **40** Pct of metro inc (1999): **67%**
Metro jobs (1969-99): **78%** Metro real inc (1969-99): **30%** Real inc (1999): **\$16,224**
Type of gov't: **commission-manager (11: mayor, 8 district, 2 super** Bond rating: **na**
Comments: **unification streamlined gov't, but added no resources to declining city**

Lexington-Fayette, KY

Population (2000): **260,512** (1950): **55,534** 50-yr change: +**369%**
Area (sq mi): Metro: **1,920** City (2000): **285** City (1950): **6** 50-yr change: +**4,892%**
Racial mix/seg index (2000): Black: **13% (48)** Hispanic: **3% (40)** Asian: **2% (42)**
Poverty pct (1999): **13%** Poor seg index (1989): **36** Pct of metro inc (1999): **109%**
Metro jobs (1969-99): **114%** Metro real inc (1969-99): **41%** Real inc (1999): **\$23,816**
Type of gov't: **mayor-council (16: super-mayor, 12 district, 3 at-large)** Bond rating: **Aa2**
Comments: **Bluegrass preservation/U KY highlight high-quality growth**

Louisville(-Jefferson), KY

Population (2000): **256,231** (1950): **369,129** 50-yr change: - **31%**
Area (sq mi): Metro: **2,072** City (2000): **62** City (1950): **40** 50-yr change: + **56%**
Racial mix/seg index (2000): Black: **33% (64)** Hispanic: **2% (36)** Asian: **1% (41)**
Poverty pct (1999): **22%** Poor seg index (1989): **39** Pct of metro inc (1999): **82%**
Metro jobs (1969-99): **60%** Metro real inc (1969-99): **35%** Real inc (1999): **\$18,840**
Type of gov't: **mayor-council (26 by district)** Bond rating: **Aa3**
Comments: **Lexington threat/peer envy finally spur successful consolidation in 2003**

Memphis, TN

Population (2000): **650,100** (1950): **396,000** 50-yr change: + **64%**
Area (sq mi): Metro: **3,006** City (2000): **279** City (1950): **104** 50-yr change: +**168%**
Racial mix/seg index (2000): Black: **61% (69)** Hispanic: **3% (48)** Asian: **1% (38)**
Poverty pct (1999): **21%** Poor seg index (1989): **43** Pct of metro inc (1999): **87%**
Metro jobs (1969-99): **83%** Metro real inc (1969-99): **55%** Real inc (1999): **\$19,460**
Type of gov't: **mayor-council (11 by district with 2 two-member)** Bond rating: **Aa2**
Comments: **rising black majority may bring Memphis-Shelby County consolidation**

Milwaukee, WI

Population (2000): **596,974** (1950): **637,392** 50-yr change: - **6%**
Area (sq mi): Metro: **1,460** City (2000): **96** City (1950): **50** 50-yr change: + **92%**
Racial mix/seg index (2000): Black: **37% (82)** Hispanic: **12% (60)** Asian: **3% (41)**
Poverty pct (1999): **21%** Poor seg index (1989): **55** Pct of metro inc (1999): **70%**
Metro jobs (1969-99): **53%** Metro real inc (1969-99): **27%** Real inc (1999): **\$15,440**
Type of gov't: **mayor-council (17 by district)** Bond rating: **Aa2**
Comments: **city slowly sinking in USA's most economically segregated region**

Montgomery County, MD

Population (2000): **873,341** (1950): **164,401** 50-yr change: +**431%**
Area (sq mi): Metro: **6,509** Cnty (2000): **495** Cnty (1950): **na** 50-yr change: **na**
Racial mix/seg index (2000): Black: **16% (42)** Hispanic: **12% (39)** Asian: **12% (28)**
Poverty pct (1999): **5%** Poor seg index (1989): **38** Pct of metro inc (1999): **115%**
Metro jobs (1969-99): **108%** Metro real inc (1969-99): **40%** Real inc (1999): **\$29,737**
Type of gov't: **county executive-council (9; 4 at-large, 5 by district)** Bond rating: **na**
Comments: **USA's best housing policies highlight global biomedical/genetic capital**

Nashville-Davidson, TN

Population (2000): **569,891** (1950): **174,307** 50-yr change: **+227%**
Area (sq mi): Metro: **4,073** City (2000): **473** City (1950): **22** 50-yr change: **+2,051%**
Racial mix/seg index (2000): Black: **27% (57)** Hispanic: **5% (46)** Asian: **2% (42)**
Poverty pct (1999): **13%** Poor seg index (1989): **33** Pct of metro inc (1999): **96%**
Metro jobs (1969-99): **149%** Metro real inc (1969-99): **52%** Real inc (1999): **\$23,332**
Type of gov't: **mayor-council (40: 5 at-large, 35 by district)** Bond rating: **Aa2**
Comments: **consolidation opened door to Music City USA/big league status**

New Orleans-Orleans Parish, LA

Population (2000): **484,674** (1950): **570,445** 50-yr change: **- 15%**
Area (sq mi): Metro: **3,400** City (2000): **88** City (1950): **66** 50-yr change: **+ 33%**
Racial mix/seg index (2000): Black: **67% (69)** Hispanic: **3% (36)** Asian: **2% (48)**
Poverty pct (1999): **28%** Poor seg index (1989): **38** Pct of metro inc (1999): **92%**
Metro jobs (1969-99): **54%** Metro real inc (1969-99): **30%** Real inc (1999): **\$17,113**
Type of gov't: **mayor-council (7: 2 at-large, 5 by district)** Bond rating: **Baa2**
Comments: **Vieux Carre doesn't offset poverty that plagues slow growth "Big Easy"**

Oklahoma City, OK

Population (2000): **506,132** (1950): **243,504** 50-yr change: **+108%**
Area (sq mi): Metro: **4,247** City (2000): **607** City (1950): **51** 50-yr change: **+1,095%**
Racial mix/seg index (2000): Black: **15% (54)** Hispanic: **10% (44)** Asian: **3% (37)**
Poverty pct (1999): **16%** Poor seg index (1989): **33** Pct of metro inc (1999): **99%**
Metro jobs (1969-99): **103%** Metro real inc (1969-99): **15%** Real inc (1999): **\$20,661**
Type of gov't: **commission-manager (9: mayor, 8 by district)** Bond rating: **Aa2**
Comments: **\$550 million quality-of-life tax keys post-bombing downtown renaissance**

Portland, OR

Population (2000): **529,121** (1950): **373,628** 50-yr change: + **42%**
Area (sq mi): Metro: **5,028** City (2000): **134** City (1950): **64** 50-yr change: +**110%**
Racial mix/seg index (2000): Black: **7% (48)** Hispanic: **7% (35)** Asian: **6% (32)**
Poverty pct (1999): **13%** Poor seg index (1989): **27** Pct of metro inc (1999): **95%**
Metro jobs (1969-99): **146%** Metro real inc (1969-99): **30%** Real inc (1999): **\$20,754**
Type of gov't: **unique administrative commission (mayor, 4 at-large)** Bond rating: **Aaa**
Comments: **progressive city/metro urban growth boundary seeded Silicon Forest**

Prince George's County, MD

Population (2000): **801,515** (1950): **194,182** 50-yr change: +**313%**
Area (sq mi): Metro: **6,509** Cnty (2000): **486** Cnty (1950): **na** 50-yr change: **na**
Racial mix/seg index (2000): Black: **64% (63)** Hispanic: **7% (48)** Asian: **4% (39)**
Poverty pct (1999): **8%** Poor seg index (1989): **38** Pct of metro inc (1999): **75%**
Metro jobs (1969-99): **108%** Metro real inc (1969-99): **40%** Real inc (1999): **\$19,467**
Type of gov't: **county executive-council (9 by district)** Bond rating: **na**
Comments: **incomes rose with white exit/black entrance into USA's 1st black suburb**

St. Louis (Independent) City, MO

Population (2000): **348,189** (1950): **856,796** 50-yr change: - **59%**
Area (sq mi): Metro: **6,394** City (2000): **62** City (1950): **61** 50-yr change: + **1%**
Racial mix/seg index (2000): Black: **51% (74)** Hispanic: **2% (29)** Asian: **2% (42)**
Poverty pct (1999): **25%** Poor seg index (1989): **44** Pct of metro inc (1999): **68%**
Metro jobs (1969-99): **46%** Metro real inc (1969-99): **29%** Real inc (1999): **\$16,555**
Type of gov't: **mayor-council (28: president at-large, 28 district)** Bond rating: **A3**
Comments: **sprawl/abandonment decimate once-great city**

San Francisco (City and County), CA

Population (2000): **776,733** (1950): **775,357** 50-yr change: + **0.2%**
Area (sq mi): Metro: **1,016** City (2000): **47** City (1950): **45** 50-yr change: +**5%**
Racial mix/seg index (2000): Black: **8% (61)** Hispanic: **14% (54)** Asian:**31% (49)**
Poverty pct (1999): **11%** Poor seg index (1989): **36** Pct of metro inc (1999): **95%**
Metro jobs (1969-99): **59%** Metro real inc (1969-99): **50%** Real inc (1999): **\$17,347**
Type of gov't: **mayor-council (11 by district)** Bond rating: **Aa3**
Comments: **Jewel by the Bay becomes bedroom community for Silicon Valley**

San Jose, CA

Population (2000): **894,943** (1950): **95,280** 50-yr change: +**839%**
Area (sq mi): Metro: **1,291** City (2000): **179** City (1950): **17** 50-yr change: +**929%**
Racial mix/seg index (2000): Black: **4% (41)** Hispanic: **30% (52)** Asian:**27% (42)**
Poverty pct (1999): **9%** Poor seg index (1989): **31** Pct of metro inc (1999): **81%**
Metro jobs (1969-99): **171%** Metro real inc (1969-99): **69%** Real inc (1999): **\$14,832**
Type of gov't: **commission-manager (11: mayor, 10 by district)** Bond rating: **Aa1**
Comments: **Silicon Valley tax base foots bill for downtown revival**

Seattle, WA

Population (2000): **563,374** (1950): **467,591** 50-yr change: + **20%**
Area (sq mi): Metro: **4,424** City (2000): **84** City (1950): **71** 50-yr change: +**18%**
Racial mix/seg index (2000): Black: **8% (50)** Hispanic: **5% (31)** Asian:**13% (35)**
Poverty pct (1999): **12%** Poor seg index (1989): **30** Pct of metro inc (1999): **109%**
Metro jobs (1969-99): **149%** Metro real inc (1969-99): **48%** Real inc (1999): **\$26,353**
Type of gov't: **mayor-council (9 by district)** Bond rating: **Aaa**
Comments: **another bayside gem: will USA's yuppie capital survive Boeing's exit?**

Tucson, AZ

Population (2000): **486,699** (1950): **45,454** 50-yr change: **+971%**
Area (sq mi): Metro: **9,186** City (2000): **195** City (1950): **10** 50-yr change: **+1,949%**
Racial mix/seg index (2000): Black: **4% (39)** Hispanic: **36% (50)** Asian: **2% (26)**
Poverty pct (1999): **18%** Poor seg index (1989): **35** Pct of metro inc (1999): **82%**
Metro jobs (1969-99): **217%** Metro real inc (1969-99): **20%** Real inc (1999): **\$16,559**
Type of gov't: **commission-manager (7: mayor, 6 by district)** Bond rating: **Aa2**
Comments: **Albuquerque's twin fails to annex high-end suburban subdivisions**

Virginia Beach-Princess Anne County, VA

Population (2000): **425,257** (1950): **5,390** 50-yr change: **+7,790%**
Area (sq mi): Metro: **2,349** City (2000): **248** City (1950): **2** 50-yr change: **+12,315%**
Racial mix/seg index (2000): Black: **19% (46)** Hispanic: **4% (32)** Asian: **5% (34)**
Poverty pct (1999): **7%** Poor seg index (1989): **37** Pct of metro inc (1999): **%**
Metro jobs (1969-99): **74%** Metro real inc (1969-99): **23%** Real inc (1999): **\$17,708**
Type of gov't: **commission-manager (11: mayor, 10 at-large)** Bond rating: **Aa1**
Comments: **municipalized suburban county heads rankings of USA's central cities**

Washington, DC

Population (2000): **572,059** (1950): **802,178** 50-yr change: **- 29%**
Area (sq mi): Metro: **6,509** Cnty (2000): **61** Cnty (1950): **na** 50-yr change: **na**
Racial mix/seg index (2000): Black: **60% (63)** Hispanic: **8% (48)** Asian: **3% (39)**
Poverty pct (1999): **20%** Poor seg index (1989): **38** Pct of metro inc (1999): **95%**
Metro jobs (1969-99): **108%** Metro real inc (1969-99): **40%** Real inc (1999): **\$23,916**
Type of gov't: **mayor-council (13: president, 4 at-large, 8 district)** Bond rating: **Baa1**
Comments: **Yuppie influx/black bourgeoisie exodus in federal city-county-state**

APPENDIX B

The 1993 Report (without tables):

City of Albuquerque

The year 1952 marked the end of the era. Supported by many newcomers to rapidly growing, postwar Albuquerque, an insurgent slate of candidates, put forth by the non-partisan Citizens Committee, seized majority control of the City Commission. This election ended the 22-year rule of "Mayor" Clyde Tingley and ushered in an era of reform-minded "good government."

The subsequent decades divide into two — or possibly three — distinct periods. From 1952 through 1966 was a period of clear business community predominance. Of the twelve city commissioners who served during those years, seven were independent businessmen, two were corporate executives, two were attorneys, and one was a retired naval officer who subsequently became an attorney and judge. Of the twelve, five had prior experience as chamber of commerce directors (two as president). Three others subsequently had major roles within the chamber. Four served subsequently as directors of AIDS/IFA (which weren't organized until 1967).

In 1967 another non-partisan group, the People's Committee, successfully challenged the business-dominated leadership. Of the next eleven city commissioners elected, only two were businessmen. Three were attorneys and two were corporate employees. The city commission had its first employees of other government organizations as members and its first female commissioner. Only one commissioner of this period is believed to have had prior experience as a Chamber director.

In 1974, the citizens voted to revise the city charter to abandon the non-partisan commission-manager government for a non-partisan mayor-council form of government. Rather than having five members elected at-large as before the new city council would have nine members elected by district. Non-partisan civic parties, like the Citizens Committee, the People's Committee, and Albuquerque Unity, dissolved overnight. Council elections became a series of individual district-by-district contests.

With districted elections the shift in the backgrounds of city councilors accelerated. To date [as of 1993], thirty-three persons have been

elected to the City Council. The largest group has been in private business — six in ownership positions, six as corporate employees, and one in sales. The second largest group, however, has been composed of eleven public employees — seven educators, two county employees, a state employee, and a retired city employee. Six — all women — were community volunteers prior to their election (although several have developed subsequent paid careers). Three have been attorneys.

Of the thirteen persons in private business only two served on the Chamber or AIDS/IFA boards prior to their terms of public service (and only one subsequently). These two served only five and one half years combined on the City Council. In short, over the last twenty years city councilors with prior experience as Chamber directors represent only about three percent of the total person-years of service on the Albuquerque City Council.

During this period, however, three persons came to the City Council having each served six-year terms as members of the Environmental Planning Commission. This is superb advance preparation for serving on the City Council. (Indeed, planning commissioners may have a more significant long-term community impact than city councilors.)

Most surprising is that prior service as board members of the area's leading cultural and social welfare organizations — the symphony board and the United Way board — have hardly figured at all in the preparation of the city government's elected leadership. Of the 23 city commissioners (1952-74) only two had served on the United Way board, and none on the symphony board. (Four had subsequent service on each). Of the 34 city councilors (1974-93), none had prior service on either board, and only one has had subsequent service (symphony board).

Albuquerque Public Schools

For decades membership on the Albuquerque school board was characterized by extraordinary stability.¹ At the outset of the study period in 1952, Albuquerque had had exactly the same non-partisan school board

¹From 1913 through 1962, despite elections every two years, a non-incumbent was almost never elected to the school board. If an incumbent board member decided not to stand for re-election, he would resign early. The board itself, including the departing member, would select his replacement; he would then run as an incumbent in the upcoming election.

for seven years. Its five members were ultimately to complete 34, 22, 18, 24, and 23 years of consecutive service on the school board. The board was composed of three businessmen, an attorney, and a civic volunteer. Three of the five had served on the Chamber board.

Toward the late 1960s the school board began to enter the same transitional phase as the city commission. By 1971 the school board consisted of an educator, an attorney, a community volunteer, and two corporate employees (of Sandia National Laboratories). The latter two had also served on the Chamber board. They were the last Chamber board members ever to serve on the school board.

In 1983, by state statute, the Board of Education was transformed from a five-member body elected at-large to a seven-member body elected by district. Of the 16 persons elected to the school board by district since the changeover, seven have come out of governmental service, including six educators or retired educators; three have been attorneys; and two, housewife/volunteers. Only three have any private business background, and, as noted above, none have ever served as directors of the community's major business organizations.

Bernalillo County

By contrast with the city council and school board, the county commission is an explicitly partisan body. Candidates are selected in Democratic and Republican Party primaries (or sometimes by county conventions); they run as party tickets in the general election.

In the early decades, the county commission was composed of three members who had to live in the three different districts into which the county was divided. However, all three were elected at-large by all voters in Bernalillo County. County commissioners were limited to two consecutive, two-year terms. As a result of limited terms and winner-take-all elections, stability was never the hallmark of the county commission under this system.²

In 1975 the legislature abandoned at-large elections to divide Bernalillo County into five districts. Only voters in each district would vote

² For the county commission I began my study in 1953 rather than 1952. For a three-man body, the county commission had no less than six different commissioners under four different chairmen in 1952. The county clerk's office noted in 1993 that "in the original minutes there was no explanation for these changes, but they did occur."

for their member. Terms were lengthened to four years, and county commissioners could serve two consecutive terms.

Despite the partisan nature of county commission elections, the patterns of organizational memberships of county commissioners was similar to the two other public bodies. Of 27 commissioners who served between 1953 and 1974, 17 were businessmen, and nine had served as Chamber directors.

Since districting, of 17 commissioners, only six have been independent businessmen, and none has served on the business organization boards. Moreover, only two have served on the United Way board, and none on the symphony board.

Concluding Observations

In this paper it is not my purpose to judge which era provided better leadership for local government in Albuquerque. There is no question that the current system of district elections, for example, is much more open and democratic. *Today, many successful candidates, in effect, have nominated themselves. With modest grassroots organization, modest expense, and a great deal of personal energy they can get elected. By contrast, in the past successful candidates were generally recruited by business-based leadership groups and substantially elected through their support* [emphasis added].

What is clear is that for a generation now the organized business community has stood almost completely outside the ranks of the elected leadership of city government, county government, and the public school system. Few business people offer themselves as candidates. Even fewer are successfully elected. Thus, these bodies lack members who've had experience in community-wide business organizations. Furthermore, the proportion of members who have private business backgrounds has declined significantly.

Moreover, almost never does a former city councilor, county commissioner, or school board member serve thereafter on the Chamber or AED/IFA boards. Opportunities are being lost where former officeholders' experiences and perspectives might contribute to forging stronger public/private partnerships.

Appendix C
Comments on the David Rusk Report from UEG members

Submitted by Vickie Perea, Chair

Mr. Rusk's report helps sort through the complex decisions involved in unification. I particularly like how he lays out a Decision Tree in the final chapter. I think this is extremely helpful in organizing the choices to be made in the new charter. Mr. Rusk also provides a thorough evaluation of other city-county unifications and discusses the decisions and issues made in those communities. He also evaluates how these issues relate to Albuquerque and Bernalillo County. This comprehensive report will allow the Charter Commission to make sound decisions on specific charter issues.

.....

Submitted by Chuck Lanier, Vice-Chair

The pertinent data and information in the Rusk report properly sets the stage for the Charter Commission to author and present a meaningful and workable charter that will result in an effective and beneficial urban government.

.....

Submitted by Nadyne Bicknell

I enjoyed Dave Rusk's report and think it merits close study by the Charter Commission. His decision tree is especially useful in guiding future discussions--and is a reminder of what a huge job lies ahead for those designing a new charter. He is right to recommend a range of options rather than his preferred solutions. Those must come from local people familiar with local needs and preferences, tempered with public input and what has worked in other consolidations.

The dearth of business people on the Council has been remarked and deplored frequently here over the last twenty years. Probably the City Council job has become so time-consuming and pressure-filled that it is intimidating to most people with full-time jobs.

.....

Submitted by Marion M. Cottrell

The Rusk report is a valuable document in evaluating what other unifications have done. It will certainly be helpful in identifying those communities with whom the Charter Commission may want to talk to.

The report describes several of the unified communities having "at large" or some "at large" commissioners or councillors. Should Albuquerque-Bernalillo consider at-large districts? Creating at-large districts may dilute the voice of minorities, and we have two types: ethnic minorities and geographic minorities. If we want this government to work we must in my opinion make sure that the Mountains and the South Valley have their own representation. I understand the appeal for "at large" representation but that can be solved by having the Chair of a Commission or the Mayor elected at large.

.....

Submitted by Tommy Hughes

The Report was informative and will be useful tool in creating a new charter.

.....

Submitted by Nick Manole

Marketing and economic opportunities need to be paramount in "selling" the unification benefits to voters. Local leadership, the state legislature and a majority of the voters of Albuquerque and Bernalillo County have already expressed their desire for a unified government. This is a fact still not known by the general populace. In turn the agricultural, rural and open space atmosphere still available must also be touted in supporting the rural lifestyle and it's continuance with unification.

Being that the public safety issue is always paramount in the minds of voters the role of Sheriff vs Chief of Police needs to be clarified and clear.

The merit system discussed on page 65 is served best by an appointed civil service commission and should be specific and extensive. In turn the merit system discussed on page 72 would best be served by using model #4. Charter provisions also discussed should be kept due to their basic civil liberty nature.

.....

Submitted by Charles O'Hara

The Rusk report is a good guideline for the efforts of the Charter Commission.

.....

Submitted by Christine Sierra

The Rusk report outlines several important issues that the Charter Commission will have to address. Indeed, the type of governing structure to be adopted for the new unified government, appropriate compensation for elected officials, and consideration of partisan vs. nonpartisan elections are among the most challenging questions to consider. I do want to raise some issues or concerns, however, with some items in the Rusk report. I do so briefly below.

Rusk raises for consideration various governing systems (i.e. mayor/council; commission-manager) that include the following types of electoral arrangements: single-member district elections, at-large elections, or a combination of both. Several issues come to mind:

- a) The election system will have to meet the test of the Voting Rights Act and its provisions protecting against minority vote dilution. I would suggest that at-large elections for the legislative body (e.g. council) may violate VRA protections. Cohesive communities of interest, residentially based, will continue to exist in "Greater Albuquerque" and, as such, call for the continuation of district elections to reflect their interests. I would add that not only must the unified government be responsive to communities of interest on the basis of race and ethnicity, the addition of East Mountain and South Valley residents (distinctive communities of interest in several ways) also would weigh into this issue of at-large vs. district elections.

b) Further, I am unconvinced that at-large seats for council members would result in an improvement in the quality of our candidates for public office and in who gets elected. Rusk suggests that even a few at-large seats would provide an important opportunity for Greater Albuquerque’s “establishment” (p. 27) to reassert its presence in local government. I do not accept the proposition that those who hold the offices or positions Rusk outlines necessarily would provide exceptional leadership over other candidates with different backgrounds and trajectories to public office. Depending on one’s perspective (and political interests), board members of the Chamber of Commerce, United Way, or the NM Symphony (as examples, following Rusk) may define the city’s interests quite narrowly and act in ways that would just as likely conflict with the interests of other (broad) sectors of “ABQPlus.”

c) A wealth of scholarly studies (plus what many of us simply know and recognize) have confirmed that elites with name recognition and the money to run city-wide/at-large campaigns are advantaged over candidates who do not share in these characteristics. Again, as an example, racial/ethnic minority candidates tend to be disadvantaged by at-large election schemes. Hence, many minority officeholders have come to hold public office through single-member district elections, here and across the nation. I would suggest that one possible alternative to Rusk’s at-large election system is that of a “cumulative voting system” which has been used in the past by Alamogordo and other cities outside of New Mexico. This is a system that has candidates run “at-large” but allows voters to divide their votes among candidates in such a way as to not lead to minority vote dilution. Minority candidates do not appear disadvantaged under such systems. (Scholars are noting additional benefits to cumulative voting systems that might be relevant to ABQ-plus and its diverse interests. Such an election system might also address the problem of low voter turnout and mayoral candidates elected with relatively small pluralities of the votes cast.)

d) I must take issue with Rusk’s contention that the business community is not represented in local government. As an organized interest, the business community exerts a dominant presence in local politics in many ways, through formal and informal channels of influence.

e) I do agree that it is important to consider and implement ways that would attract exceptional people to run for public office. I would propose the following for consideration: public financing of elections, voluntary caps on campaign spending, and other electoral reforms. I also think that the issue of compensation (especially at the council level, where the gap with comparable cities is especially pronounced) could assist in attracting good, capable people to run for local office.

f) Local government offers important entry-level opportunities for many to serve in public office. Rusk notes that six on the City Council—all women—were “community volunteers prior to their election.” I see this as a plus not a negative, for local level office has been especially important for women, in particular, as a point of entrée and testing ground for future careers in public service.



Submitted by Chuck Wellborn

The Rusk report is interesting, informative and provocative.

Submitted by Ken Zangara

Mr. David Rusk has done a great job in studying all the City/Counties that have gone through what we are attempting and provides a great method of analyzing what possibilities are available by showing us what the other communities have done.

I have checked off my preferences from the "decision tree" that he has provided although I have not cast the preferences in stone because I want to hear dialogue from the group before a final decision is made.

The only thing that would have been extremely helpful (and perhaps can still be done) is a cost savings analysis of each of the items on the "decision tree." In other words, what effect did the decision have on the community cost wise and service wise? Are they happy with their decision? Would they make the same decision again? It would be extremely helpful if maybe we could survey the communities to see if we could answer those questions before making recommendations from the "decision tree."

Part 2

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PART 2A Legal Parameters of Unification

Section 1 Formation of Single Urban Government

Article X, Section 11 A of the Constitution of the State of New Mexico provides that a charter commission shall be appointed by January 1, 2003 and that it shall submit a proposed charter to the qualified voters. The charter shall provide for the form and organization of the single urban government, designate those officers that shall be elected and those officers and employees that shall perform the duties assigned by law to county officers.

Article X, Section 11 E states that the provisions of this section shall be self-executing. As a result, the election is a choice of accepting or rejecting the proposed charter, not a vote on allowing or disallowing unification of municipal and county governments. In the event the charter is not approved, Article X, Section 11 A (3) requires that another charter commission shall be appointed and another election shall be held.

The provision in Article X, Section 11 A (3) for adoption of the proposed charter by the qualified voters means that a simple majority of the voters who actually vote must approve the charter.¹

The single urban government shall have the authority of a county. All the rights of any municipality that is disincorporated in the unification process shall be transferred to the single urban government [the county], Article X, Section 11 D. The powers of counties and municipalities, including the power to tax, are described in the sections that follow. The disincorporation of the City of Albuquerque would transfer home rule powers to the single urban government.

Section 2 Powers and Limitations of Municipalities

During the nineteenth century the power of municipalities was limited to those powers expressly granted by the state and any doubt about the existence of such power was resolved against the municipality (Dillon's Rule).²

In the twentieth century the concept of home rule local government developed.

¹ The majority vote required is of those voting, not of those registered to vote, Davy v. McNeill et al, 31 N.M. 7, 240 P. 482 (1925), Board Sup'rs Carroll Co. v. Smith, 111 U.S. 556, 4 S.Ct. 5539, 28 L.Ed. 517 (1884).

² Clinton v. Cedar Rapids & Missouri River R.R. Co., 24 Iowa 455 (1868) written by Judge John Dillon. The municipal corporation's powers had to be granted in express words or necessarily or fairly implied in or incident to the powers expressly granted. In addition, the powers had to be essential to the accomplishment of the declared objects and purposes of the corporation, not simply convenient, but indispensable.

The concept behind home rule is that local government has a better understanding of local needs and traditions and is better suited to handle local issues. In addition, home rule municipalities are freed from excessive legal restrictions imposed by state laws and the strict construction of those laws in accordance with Dillon's Rule. This is reflected in the Constitution of New Mexico, Article X, Section 6 E which states that the purpose of the municipal home rule provision is to provide for maximum local self-government and that a liberal construction shall be given to the powers of municipalities. Home rule allows local government to have greater flexibility in organization, finance and functions. The home rule municipality has the ability to create appointed or elective executives, or both. It also allows the municipality to determine the size of its legislative body and have control of its fiscal administration.

In 1970, New Mexico adopted a home rule amendment to the Constitution which provided that a municipality adopting a home rule charter may exercise all legislative powers and perform all functions not expressly denied by general law or charter, Constitution of New Mexico Article X, Section 6D. Restrictions placed in Section 6D include that charter municipalities shall not have the power to enact private or civil laws governing civil relationships except as incident to the exercise of an independent municipal power, nor the power to provide for a penalty greater than the penalty provided for a petty misdemeanor. No tax imposed by the governing body of a charter municipality, except a tax authorized by general law, shall become effective until approved by a majority vote in the charter municipality.

Home rule is not absolute because home rule is created by the state and will always be affected by state law in areas of state concern. As stated by the New Mexico courts, a home rule municipality does not look to the legislature for a grant of power to legislate, but only to statutes to determine if any express limitations have been placed on that power.³ The Municipal Charter Act, NMSA 1978 Section 3-15-7 (Repl.Pamp.1999) provides that the charter of a home rule municipality may provide for any system or form of government and recall of officers provided that the charter shall not be inconsistent with the Constitution of New Mexico. Section 3-15-13 of the Municipal Charter Act states that no law relating to municipalities that is inconsistent with the provisions of the charter shall apply to any such municipality.

Although there is a twilight zone within which it is difficult to discern what is a matter of general concern as distinguished from a matter of local or municipal concern, generally, the local concern is a matter which peculiarly affects the inhabitants of the locality, not in common with the inhabitants of the whole state.⁴ The New Mexico Supreme Court has provided some explanation of the limitations on home rule authority. In order for the state law to control over a home rule ordinance, the state law must be a general law that expressly denies to a home rule municipality the right to legislate a particular subject. In order for the state law to be a general law, it must relate to a

³ **Cottrell v. Santillanes, 120 N.M. 367, 901 P.2d 785 (Ct.App. 1995)**

⁴ **McQuillin, The Law of Municipal Corporations, Section 4.85 (3rd ed. rev. vol. 1999)**

matter of statewide concern. It is not sufficient that the state law applies to all municipalities. The express denial by the state for home rule municipalities to legislate a subject need not be in those exact words and may be by words or expressions which are tantamount or equivalent.⁵ If an activity is carried on by the municipality as an agent of the state, it is of general concern. If it is exercised by the city in its proprietary capacity (operation of water and sewer system, for example), it is a power incidental to home rule.⁶ The home rule amendment to the constitution does not negate other constitutional requirements (qualifications for holding office are established by the Constitution, not by home rule charter, for example).⁷

A fine line may be drawn between what is of local concern and general statewide concern. For example, the home rule municipality of Gallup claimed that home rule meant that Gallup did not have to comply with a statutory single council district member requirement. The court held that this was a statute of general law of statewide concern for the constitutional principle of single-member district and that it thereby denied authority for home rule municipalities to legislate differently.⁸ A few years later, the home rule municipality of Clovis chose to have more than 5 city commissioners. The claim was that, under the same state statute that was the subject of the Gallup case, Clovis was required to have 5 city commissioners. Unlike the Gallup case, the issue of whether commissioner districts had to be single member districts was not before the court in the Clovis case. The court found that the number of commissioners was of local concern and therefore not a general law.⁹ The result was that a single statute was found to contain a provision that was a general law applicable to home rule municipalities and another provision that was not.

Section 2.1 Constitutional Provisions

1. Municipalities may become home rule municipalities, Article X, Section 6.
2. Certain municipalities may become part of a single urban government, Article X, Section 11.
3. Municipalities are restricted in the manner and amount of indebtedness they may incur, Article IX, Section 12.
4. Municipalities may exceed the debt limit for construction or purchase of a

⁵ **State ex rel. Haynes v. Bonem**, 114 N.M. 627, 845 P.2d 150 (1992)

⁶ **Apodaca v. Wilson**, 86 N.M. 506, 525 P.2d 876 (1974)

⁷ **Cottrell v. Santillanes, Id.**

⁸ **Casuse v. City of Gallup**, 106 N.M. 571, 746 P.2d 1102 (1987).

⁹ **State ex rel. Haynes v. Bonem, Id.**

system for supplying water, or of a sewer system for such municipality, Article IX, Section 13.

5. Municipalities are subject to restrictions on aid to private enterprise (the anti-donation clause), Article IX, Section 14.
6. Municipal Officers shall be residents of the district from which they are elected or for which they are appointed, Article V, Section 13.
7. Municipalities may be divided by their governing bodies into districts composed of populations as nearly equal as practicable for the purpose of electing members of the governing bodies, Article V, Section 13.
8. State law requiring municipalities to engage in new activities shall have not effect until such activity is funded by the state, Article X, Section 8.
9. No municipality shall regulate an incident of the right to keep and bear arms, Article II, Section 6.

Section 2.2 Statutory Provisions

The general powers of a municipality are found in Section 3-18-1 NMSA 1978. They include that a municipality may

1. be sued or sue; enter into contracts or leases,
2. acquire and hold real and personal property,
3. have a common seal,
4. exercise other privileges that are incident to corporations of like character or degree,
5. protect generally the property of the municipality and its inhabitants,
6. preserve peace and order within the municipality, and
7. establish rates for services provided by municipal utilities and revenue-producing projects.

In addition to the above, Chapter 3, Articles 1 through 64 of the New Mexico Statutes Annotated, 1978 govern various activities of Municipalities. While not all of these articles may apply to home rule municipalities, such as the organizational structure of a municipality, many are applicable and are summarized below.

1. Organizational requirements and incorporation of municipalities
2. Annexation
3. Elections
4. Commission and mayor-council forms of government
5. Governing body of municipalities
6. Qualification and removal of officers.
7. Charters
8. Ordinances
9. Planning, platting and subdivisions
10. Zoning regulations; Manufactured housing
11. Historic Districts and Landmarks
12. Public Utilities- cable television, electric, gas, sewage, water
13. Sanitary projects
14. Voting on municipal debt, revenue bonds
15. Industrial revenue bonds
16. Improvement Districts
17. Street improvement fund
18. Fire-fighting facilities
19. Municipal liens
20. Municipal finances, small cities assistance funds.
21. Taxes and licenses
22. Airports
23. Cemeteries
24. Flood control
25. Franchises to public utilities
26. Hospitals, health and control of disease
27. Municipal housing
28. Transit
29. Streets, sidewalks and public grounds
30. Parking
31. Development- urban, economic, community, metropolitan
32. Park Commission
33. Refuse
34. Regulating use of water
35. Sale or use of property
36. Regional planning
37. Boundaries
38. Pollution control revenue bonds
39. Business Improvement districts
40. Methods of insurance
41. Development incentives
42. Metropolitan water boards
43. Main street act

Section 3 County's Legal Authority

The County of Bernalillo derives its powers and authority from the Constitution and state statutes. It does not possess home rule power. However, it appears over time that the County of Bernalillo has acquired through legislation most powers necessary to equate it with a home rule entity.

The New Mexico State Constitution has a couple of provisions that the unification committee may have to consider in more depth. One is Article X, §2. This provides for terms of county officers to be two 4-year terms. If the new entity is a county, then term limits may apply. Likewise, Article X, §1 provides that the legislature shall at its first session classify the counties and fix salaries for all county officers. This may require the salaries of the officers of the new entity, if it is still a county, to be fixed by the legislature and not by the officers of the new entity or by the electorate.

Article X, §11B of the unification amendment provides that a county adopting a charter pursuant to the unification amendment may exercise those powers granted to urban counties by Section 1 of the amendment. The urban county amendment provides that an urban county may exercise all legislative powers and perform all governmental functions not expressly denied to municipalities, counties, or urban counties or general charter and may exercise all powers and shall be subject to all limitations granted to municipalities by Article IX, §12 of the Constitution of New Mexico. In *Casuse v. City of Gallup*, 106 NM 571, 746 P2d 1103 (1987), the New Mexico Supreme Court construed the "not expressly denied" language of Article X, §6D, regarding limitations on home rule cities, to mean that "some express statement of the power denied must be contained in the general law." In *Casuse* the Court went on to say that "any New Mexico law that clearly intends to preempt a governmental area should be sufficient without necessarily stating that affected municipalities must comply and cannot operate to the contrary."

Certain statutes limiting counties may limit the new entity just as cities may also limit the new entity. There are some statutes that come to mind with regard to these limitations. The Election Code, NMSA 1-1-1 through 1-24-4, the Property Tax Code, NMSA 7-1-1 to 7-1-82, and the Public Finance/Investment laws, NMSA 6-1-1 through 6-24-34. As an example, the Property Tax Code creates a comprehensive legal framework for the assessment of real property. Under the Code, each county assessor is charged with the responsibility for property valuation, with the State Department of Taxation and Revenue empowered to supervise such valuations.

With the exception of specified valuation responsibilities assigned to the Department, the "county assessor is responsible and has the authority for valuation of all property subject to valuation for property taxation purposes in the county..." §7-36-2(A) NMSA 1978. County Treasurer "shall have sole responsibility and authority at the county level for property valuation maintenance, subject only to the general supervisory powers of the director [of the Taxation and Revenue Department]." The Director of the Department of Taxation and Revenue has general supervisory authority over county

assessors in carrying out their valuation duties, §7-35-3(A), and may suspend and assume the assessor's valuation duties, §7-35-6.

Therefore, a challenge we will face as we proceed in drafting a new charter is the uncertain or prohibitive applicability of existing general laws. Where this applicability prohibits a desirable provision of the charter, legislation would be the remedy.

PART 2B City and County Financing

Section 1 Revenue Analysis

For a single urban government, the entity would have “the same power to enact taxes as any other county and as any municipality had before being disincorporated pursuant to this section”, New Mexico Constitution Article X, Section 11, Paragraph B. The charter approved by the voters would delineate the actual level of taxing authority established for the single government. This level would be established within the limits of the authority authorized by the constitution and state statutes. The actual limits defined in the charter could be less than, but not greater than, those authorized by the constitution.

The two most significant sources of general purpose revenue for local governments are the property tax and the local gross receipts tax. The property tax is the primary source of revenue for counties and the gross receipts tax is the main source for municipalities. Neither the City of Albuquerque nor Bernalillo County has imposed the maximum rates currently authorized by statute.

Appendix 1 shows the taxing authority and currently imposed taxes for Bernalillo County and the City of Albuquerque.

Section 2 Property Taxes

Bernalillo County property taxes consist of an Operating Levy, Open Space Levy, Debt Service Levy and a Judgment Mill Levy. The Operating Levy can be used for general government purposes. The Open Space Levy is used for the financing and acquisition of open space. The Debt Service Levy is imposed to meet debt service on General Obligation bond issues. The Judgment Levy is for judgments in excess of \$100 thousand that may be put on the tax rolls. By statute, operational property tax rates are subject to yield control formula. This statute limits the annual tax revenue increase resulting from rates certified by the NM Department of Finance and Administration (DFA) for existing residential and non-residential property to the lower of five percent or the inflation rate.

City of Albuquerque property taxes consist of an Operating Levy that can be used for any lawful purpose and a Debt Service Levy, which is imposed to meet debt service on General Obligation bond issues, approved by the voters. There is a constitutional limit that outstanding General Obligation debt may be no more than 4% of assessed valuation, except where the debt has been issued for water and sewer purposes. Judgments in excess of \$100 thousand may be put on the tax rolls. By statute, yield control provisions require that the Local Government Division of the NM DFA annually adjust operational mill levies subject to yield control after the reassessment to prevent revenues on locally-assessed residential and non-residential properties from increasing by no more than the sum of 5% for inflation plus the growth in the tax base due to new value. The yield control provisions do not apply to the general obligation debt service levy.

The following table shows a comparison of current property tax rates and the current revenue estimates based on these rates.

PROPERTY TAX YEAR 2002	City	County
Taxable value	\$7,554,940,150	\$9,284,129,823
Imposed Millage	11.206	11.754
Debt	8.976	1.254
Operating	2.23	10.25
Open Space		0.25
Judgment	0	0
PROPERTY TAX YEAR 2002	City	County
Annual Revenue*	\$84,660,659	\$109,125,662
Debt	\$67,813,143	\$11,642,299
Operating	\$16,847,517	\$95,162,331
Open Space	\$0	\$2,321,032
Judgment	\$0	\$0

*Annual revenue estimate based on property taxes billed.

Property tax rates are expressed as “mills” which are the number of dollars per thousand dollars of taxable value. Example: 20 mills = \$20.00 per \$1000 of assessed valuation.

This table serves only as an illustration; the Charter approved by the voters would establish the actual level of taxing authority.

Section 3 Gross Receipts Taxes

Bernalillo County Gross Receipts Taxes are divided into two components, Countywide and Unincorporated. The Countywide component consists of three separate 1/8th cent increments. The first 1/8th is for general purposes, the second 1/8th has \$1 million for indigent use with the balance for general purposes and the third 1/8th is for general purposes. There are three gross receipts taxes that are applied to the unincorporated areas. Only the County Environmental GRT which is 1/8th cent for water, sewer and solid waste is imposed. The other two unincorporated authorized but not imposed taxes are the 2/8th cent for independent fire districts and 1/8th cent for general purposes, economic development.

City of Albuquerque Gross Receipts Taxes are divided into four types of distributions, only three of which have City of Albuquerque impositions. State Shared Revenues are distributions from the State in lieu of earlier local sales taxes, which are no longer available to local governments. The State Shared Distribution can be used for any lawful purpose. The Municipal GRT is imposed in ¼ cent increments with the approval of the governing body. Within the Municipal GRT, ¼ cent is dedicated to basic services (transportation and storm drainage). Additionally, at the City of Albuquerque, the voters approved ¼ cent in 1999 as the Transportation Tax, which is used for road projects, transit and trails. The tax was implemented in 2000 and will continue for 10 years. The Municipal Infrastructure GRT is imposed in 1/16th cent increments. Two of the 1/16th cent increments may be used for general purposes and another two 1/16th increments

are restricted to economic development and transit purposes. The City of Albuquerque imposes only 1/16th of the general purpose Municipal Infrastructure GRT. The 1/16th cent Environmental Services Gross Receipts Tax is restricted by statute to water, sewer and solid waste. Although authorized, the Municipal Environmental GRT is not imposed.

The following table shows a comparison of Gross Receipts Tax by rate and distribution as well as current estimated revenues.

Gross Receipts Tax Rates	City Current GRT Rate	County Current GRT Rate
TOTAL	5.8125%	5.3750%
Municipal GRT	1.0000%	
Municipal Infrastructure	0.0625%	
Bernalillo Co. GRT	0.2500%	0.2500%
County Environmental (Uninc. only)		0.1250%
State GRT	5.0000%	5.0000%
Credit on State GRT	-0.5000%	
Gross Receipts Tax Distribution	City Current Distribution of GRT	County Current Distribution of GRT
TOTAL	2.2875%	0.3750%
Municipal GRT	1.0000%	
Municipal Infrastructure	0.0625%	
Bernalillo Co. GRT		0.2500%
County Environmental		0.1250%
State Shared GRT	1.2250%	
Gross Receipts Tax Revenue	City Current GRT Revenue	County Current GRT Revenue
TOTAL	\$264,801,000	\$34,300,000
Municipal GRT (w/P&I)	\$113,375,000	
Municipal Infrastructure	\$6,822,000	
Bernalillo Co. GRT		\$32,000,000
County Environmental		\$2,300,000
State Shared GRT (w/P&I)	\$144,604,000	
Value of 1%	\$115,760,000	\$128,000,000

This table serves only as an illustration; the Charter approved by the voters would establish the actual level of taxing authority.

Section 4 Other Revenue

Bernalillo County receives other revenues from the following varied sources:

Investment Income – This income is derived from County funds invested by the Treasurer.

Licenses, Fees & Charges for Services - Licenses, Fees & Charges for Services include business licenses, zoning and building fees, licensing of animals, environmental health fees, franchise fees, liquor licenses, County Clerk fees, Parks and Recreation fees, community center fees, juvenile detention fees as well as other licenses, fees and charges for services.

Reimbursements – Bernalillo County is reimbursed for various services including police services provided to the Village of Los Ranchos, janitorial provided to the City of Albuquerque, metropolitan court, court security and insurance recoveries.

Miscellaneous – Miscellaneous revenue includes sales of surplus county property, election deposits collected by the County Clerk and motor vehicle fees.

Local Governments Road Fund – All funds that are received from tax, gifts for road or bridge purposes must be reported as revenue in the County Road Fund. Transfers from the County Road Fund to any other fund are not allowed under state statute. Temporary cash transfers from the General Fund in the Road Fund are allowable with DFA approval. The State Highway Department determines the amount of revenue each county will receive. This determination is based on the miles of roads maintained by the county. State revenue sources for the Road Fund include gasoline tax, forest reserve and motor vehicle fees.

Emergency Medical Services Act – The Emergency Medical Services Act provides funds to Bernalillo County to be used for the establishment of emergency medical services. The State General Fund supplies funding for Emergency Medical Services. This money cannot be accumulated from year to year. Bernalillo County has eleven fire districts that receive funding from the Emergency Medical Services Act. The distribution formula allows districts to receive up to twenty thousand dollars each depending on the need.

Cigarette Tax Act – The Cigarette Tax Act imposes an excise tax of \$.0075 per cigarette sold in the State of New Mexico. The State Treasurer distributes a portion of this revenue to the County at the end of each month. The revenue is used to fund operations of the County.

The general policy of the City of Albuquerque is to impose charges for services where those who benefit from the service are easily identified and charged according to their use and benefit.

Licenses and Permits – Licenses and Permits include business licenses, zoning and building permits, licensing of animals, environmental health fees, franchise fees, liquor licenses, parks and recreation fees, vehicle emissions inspection fees, restaurants/food processors inspection fees and permits as well as other licenses and permit fees.

Intergovernmental Revenue – This includes federal grants, state grants, county funds and other shared revenue.

Charges for Services – Charges for Services include admission fees, zoning fees, fees for adult sports, overhead for off-duty police overtime, animal services fees,

latch key services, child care fees, community center fees and many other user fees charged for City services.

Fines and Forfeits - Fines and Forfeits include police forfeitures, uncontested parking fines and air quality penalties.

Miscellaneous – Miscellaneous revenue includes interest on investments, rental of City property, sales of real property, sales of other property, contributions and donations, vending machine royalties and other items.

Enterprise Revenues - Enterprise Revenues are the recovered costs of providing goods and services to the general public on a continuing basis for City departments and programs that are financed and operated in a manner similar to a private business enterprise. The City's current Enterprise operations include the Aviation Enterprise Fund, Joint Water and Sewer Enterprise Fund, Refuse Disposal Enterprise Fund, Air Quality Enterprise Fund, Parking Enterprise Fund and Golf Enterprise Fund.

Appendix 2 shows the combined revenue by fund for Bernalillo County and the City of Albuquerque.

Section 5 General Obligation and Revenue Bonding

In accordance with state laws Bernalillo County is not allowed to become indebted for General Obligation bonds in an amount exceeding four percent of the value of taxable property during the last assessment of property. An exception to the four percent is the purchase or construction of sewer and water systems.

The ratio of net bond debt (net of balances set aside for General Obligation debt services) to the taxable valuation and the amount of bonded debt per capita are useful indicators of the debt position of the County. At June 1, 2002, the net bonded debt of the county was \$65,675,000, 18% of the GO bonding capacity.

General Obligation bond issues for Bernalillo County are developed on a two-year cycle and placed before the electorate for approval. The County maintains Debt Service Funds to administer the debt associated with its general obligation and revenue bonds. A separate ad valorem tax is levied and collected to provide funds to retire such debt. It has been the policy of Bernalillo County for more than ten years to maintain a stable tax rate of approximately 1.95 mills for debt service purposes. Bernalillo County also maintains a stabilization reserve to stabilize the mill levy at 1.95 mills.

In addition, Revenue bonds generated by Gross Receipts revenues have been used. In order to maintain the high bond rating, bonding capacity for revenue bonds is the amount of bonds that can be issued and supported by debt service payments equal to or less than 50% of gross receipts revenue. Among the projects financed with revenue bonds are the County Courthouse, improvements to the County's sanitary sewer system, construction of the County Detention facilities, the purchase of the District Attorney's office building and the outdoor performing arts theatre.

The City of Albuquerque finances a substantial portion of its traditional municipal capital improvements with general obligation bonds. However, certain capital improvements

are financed with revenue bonds. The City's Capital Implementation Program (CIP) consists of a ten-year program, with a general obligation bond election held every odd-numbered year to approve the two-year capital budget portion of the program. It was the policy of the City for more than ten years to maintain a stable tax rate of approximately 20 mills for general obligation bond debt service. The City's proposed 2001 ten-year CIP set the level of project funding at \$130 million per bond cycle for the foreseeable future.

Utility and enterprise projects are funded directly out of revenues or with revenue bonds supported by net revenues. To the extent that net revenues of the enterprise produce minimal coverage or fall short in the start up years for discrete projects, gross receipts taxes have been pledged as additional security. Gross receipts taxes have been used to secure parking structure revenue bonds, airport revenue bonds, lodgers' tax bonds, to finance the construction of the convention center and a municipal office building, and to acquire another office building.

The total outstanding general obligation indebtedness of the City as of July 1, 2002 is \$160.06 million. The City does not have any short-term tax revenue anticipation notes outstanding. The amount of general-purpose general obligation debt of the City is limited to 4% of assessed valuation; debt for water and sewer purposes has no limit. As of July 1, 2002, the 4% statutory limit was \$302.2 million versus outstanding general-purpose debt of \$112.9 million or 37.4% of capacity, leaving \$189.3 million available for future issues.

Appendix 3 contains information on the status of the outstanding debt service and legal debt margin of Bernalillo County and the City of Albuquerque.

Section 6 Bernalillo County/City of Albuquerque Bonding Capacity

Currently both the County and the City have a 4% limitation bonding capacity based on the County and City taxable property values. The following illustrates the bonding capacity.

Current status of bonding capacity:

4 % limitation bonding capacity on County's taxable value =	\$371,365,193
4% limitation bonding capacity on City's taxable value =	<u>\$302,197,606</u>
Total 4% bonding capacity for County and City =	\$673,562,799

The following table shows a calculation of the current General Obligation bonding capacity (4% limitation) and how much has been utilized for both the County and City separately.

outstanding. The City is required by policy to obtain ratings on bonds from all three rating agencies, the County has the option.

The following table shows the current Bernalillo County and City of Albuquerque bond ratings from Moody's Investor Service Inc. ("Moody's"), Standard & Poor's Ratings Service ("S&P") and Fitch, Inc. ("Fitch").

Bernalillo County/City of Albuquerque Current Underlying Bond Ratings			
Credit	Bond Ratings		
	Moody's	S&P	Fitch
Bernalillo County			
General Obligation Bonds	Aa1	AA+	
Gross Receipts Tax Revenue Bonds	Aa3	AA	
City of Albuquerque			
General Obligation Bonds	Aa3	AA	AA
Gross Receipts Tax Revenue Bonds	A1	AA	AA
Airport Revenue Bonds	A1	A+	A+
Joint Water & Sewer Revenue Bonds	Aa3	AA	AA
Refuse Removal and Disposal Revenue Bonds	A1	AA-	AA

The definitions of the bond ratings are as follows:

Moody's Investor Service, Inc. ("Moody's")

Aaa - Issuers rated Aaa offer exceptional financial security. While the creditworthiness of these entities is likely to change, such changes as can be visualized are most unlikely to impair their fundamentally strong position.

Aa - Issuers rated Aa offer excellent financial security. Together with the Aaa group, they constitute what are generally known as high-grade entities. They are rated lower than Aaa-rated entities because long-term risks appear somewhat larger.

A - Issuers rated A offer good financial security. However elements may be present which suggest a susceptibility to impairment sometime in the future.

Moody's applies numerical modifiers 1, 2, and 3 in each generic rating category from Aa to Caa. The modifier 1 indicates that the issuer is in the higher end of its letter rating category; the modifier 2 indicates a mid-range ranking; the modifier 3 indicates that the issuer is in the lower end of the letter ranking category.

Standard & Poor's Ratings Service ("S&P")

AAA - An obligor rated 'AAA' has extremely strong capacity to meet its financial commitments. 'AAA' is the highest Issuer Credit Rating assigned by Standard & Poor's.

AA - An obligor rated 'AA' has very strong capacity to meet its financial commitments. It differs from the highest rated obligors only in small degree.

A - An obligor rated 'A' has strong capacity to meet its financial commitments but is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligors in higher-rated categories.

Plus (+) or minus(-) - The ratings from 'AA' to 'CCC' may be modified by the addition of a plus or minus sign to show relative standing within the major rating categories.

Fitch Inc. ("Fitch")

AAA - Exceptionally strong. Insurers assigned this highest rating are viewed as possessing exceptionally strong capacity to meet policyholder and contract obligations. For such companies, risk factors are minimal and the impact of any adverse business and economic factors is expected to be extremely small.

AA - Very strong. Insurers are viewed as possessing very strong capacity to meet policyholder and contract obligations. Risk factors are modest, and the impact of any adverse business and economic factors is expected to be very small.

A - Strong. Insurers are viewed as possessing strong capacity to meet policyholder and contract obligations. Risk factors are moderate, and the impact of any adverse business and economic factors is expected to be small.

"+" or "-" may be appended to a rating to indicate the relative position of a credit within the rating category. Such suffixes are not added to ratings in the "AAA" category or to ratings below the "CCC" category.

The County maintains general obligation bond debt at 20% to 25% of capacity and maintains a minimum of 2x coverage ratio on gross receipts tax revenue bonds. The City maintains general obligation bond debt at 35% -38% of capacity and maintains a 10x coverage ratio on gross receipts tax revenues. Annual GRT debt service as a percent of annual general fund budget is approximately 13% for the County and approximately 1% for the City.

The slight difference in bond ratings by Moody's is mainly due to size of the jurisdiction, reserve fund levels and main source of revenue associated with each entity. Bernalillo County's tax base is slightly larger than the City of Albuquerque's tax base, however, the tax base for both continues to demonstrate a positive growth trend at a moderate pace. The County is required by state law to reserve 25% of budgeted expenditures while the City's policy for General Fund reserve is 5% of recurring revenues. The County's relies heavily on property tax revenues (60%) and the City relies heavily on gross receipts tax (70%) for operational support. Although, the City is dependent on gross receipts taxes for support it is committed to maintaining a minimum 5% reserves, which remains an important credit consideration.

Section 8 Budgeting

Bernalillo County - The County Manager is responsible for preparing the budget package from requests submitted by department directors. The appropriated budget is prepared by line item within object class, program, department and fund revenues expected to be available are estimated to provide for balanced budgeting. The comprehensive budget package is brought before the County Commissioners for approval by resolution. The proposed budget is then submitted by June 1 to the New Mexico Department of Finance and Administration Local Government Division (DFA) for approval. DFA certifies a pending budget by July 1 with final certification of the budget

by the first Monday of September. The expenditure section of the budget, once adopted, is legally binding. Based on the final certified budget submitted, DFA certifies the allowable tax rates for property taxes in September. The County's fiscal year runs from July 1 through June 30.

Actual amounts on the budgetary basis are prepared on the cash basis of accounting, which recognizes revenues when received and expenditures when paid. Annual budgets are adopted for general, most special revenue and debt service funds. Budget amounts for Capital Projects Funds and certain Special Revenue Funds are individual project budgets authorized by the County Commission for the entire length of the project. The County Manager has administrative authority to make line item changes within a specific capital project without County Commission approval if the total change does not exceed 10 percent of the original budget. Once the County Commission has approved grant applications for projects, the County Manager is authorized to expend any funds awarded as a result of the grant application.

DFA approval is required to make budget adjustments to the adopted budget under certain circumstances. Adjustments requiring DFA approval include budget increases, transfer of budget between funds and transfers of cash, permanent and temporary, between funds. County financial management may make transfers of appropriations within a fund, with cognizant division director or elected official approval. Increases or decreases in the budget of a fund or transfers of appropriations between funds must be presented to the County Commission for approval by resolution and must subsequently have DFA approval. County Department Directors are held accountable at the department level for maintaining budgetary control.

Budgets and amendments to the budgets for all funds are adopted in a legally permissible manner. The legal level of budgetary control is the fund level. Expenditures may not legally exceed budgeted appropriations at the fund level except for the funds whose legal level of budgetary authority is at the program level, Emergency Medical Services and Fire Districts.

DFA requires that 3/12 of budgeted expenditures be reserved for subsequent-year expenditures to maintain an adequate cash flow until the next significant property tax collection. DFA also requires a 1/12 reserve for County Road Funds.

City of Albuquerque - The City Charter requires an operating budget to be formulated annually by the Mayor in consultation with the City Council. The budget process is divided into two parts. The first two-volume set is comprised of a financial plan and a performance plan for the five enterprise operating funds, one special revenue fund, and five debt service funds which are sent to the City Council on March 1. The remaining budgets including the general fund budget are delivered on April 1. The City Council holds at least three public hearings and approves the budget as proposed or amends and approves it within 60 days. The City's fiscal year runs from July 1 through June 30.

The City budget is built by components, called program strategies and service activities. Program strategies are the level at which City Council appropriates and represent sets of similar functions, that have a common purpose and that are managed in a coordinated fashion. Program strategies are made up of service activities, which are task or service-oriented and often have common customers. This is a framework frequently used in local governments and is called program budgeting.

The City organizes these program strategies in two distinct ways. First, the City produces a "financial plan". This plan is constructed by fund (source of resources with limitations on expenditures) and organizes the program strategies by department (the organizational structure responsible for expending the resources). Second, the City develops a "performance plan" which organizes the program strategies by "outcomes" - broad goals that are intended to produce desired community or customer conditions. This is often referred to as "managing by results". This approach is strongly endorsed by the Governmental Accounting Standards Board (GASB), the Government Finance Officers Association (GFOA), and the International City/County Management Association (ICMA). Ultimately, the City would move to "performance budgeting" - whereby the program strategies that produce efficient and effective results would be rewarded or maintained (conversely, those program strategies that do not meet customer needs and expectations efficiently would be de-emphasized).

The City has a formal process that involves citizens in setting the broad goals called for in the Charter. This process runs on a four-year cycle. A citizen commission, called the Indicators Progress Commission, is responsible for measuring the progress in achieving the Goals. This progress report is called the Albuquerque Progress Report. Measurement plays a big part in the Performance Plan, as well.

The City of Albuquerque has long adhered to financial policies of maintaining a 5% operating reserve and balancing recurring appropriations with recurring revenues. An operating reserve, calculated as 5% of recurring revenue and held as cash, is allowed by the State because the City is home rule and because the City maintains a significant reserve for future appropriations.

Governmental funds utilize the modified accrual basis of accounting. Revenues are recorded when they become measurable and available to pay liabilities of the current period. Most significantly, GRT revenues received within in one month after the end of the fiscal year (July distribution) are accrued. Although adjusted annually as revenue patterns shift, the city holds one month of GRT revenue as designated for future appropriations. The reserve for future appropriations is larger than the operating reserve and is largely cash. Enterprise, pension trust and nonexpendable trust funds are on accrual basis. Transactions are recorded in individual funds and each is treated as a separate entity.

Matching recurring appropriations and recurring revenues is not only a basic premise of good budgeting, but along with the maintenance of a 5% operating reserve, helps support the City's high GRT bond ratings, despite a relatively volatile revenue stream.

In addition, the City has engaged in the practice of not committing more than about one percent of general fund budget to debt service. The City's self imposed limitation seeks to avoid both the long term consequences of committing operating revenue to support capital expenditures and the constitutional question of taking on debt without a positive referendum. Additionally, the City has aggressively pursued the policy of imposing user charges or fees where direct benefits can be identified and established enterprise funds where appropriate.

For FY03, General Fund recurring appropriations are \$334.5 million, and non-recurring appropriations are \$3.2 million. This puts the City in a favorable position in regards to matching recurring revenue to recurring appropriations. Recurring revenues are projected to be \$335.7 million, and non-recurring revenue is estimated to be \$2.5 million. With respect to elements the bond rating agencies examine, recurring revenue exceeds recurring appropriations and the integrity of the five percent reserve is maintained with a reserve established at \$16.8 million.

The budget amounts of the capital project funds, and certain of the special revenue funds are individual project budgets authorized by the City Council for the entire length of the project, which are not necessarily the same as the Fiscal Year of the City. Pursuant to City ordinance, the Mayor develops a Capital Improvements Program (CIP), which consists of a ten-year plan of capital expenditures, including a more detailed two-year Capital improvements Program budget, and submits it to the City Council by January 23 of each odd-numbered year. The City Council is required to hold at least one public hearing and must approve the budget as proposed or as it amends it within 60 days after the submission date. A City ordinance also sets forth requirements for City Council review and approval of certain applications or proposals for federal grants.

The following table shows the Bernalillo County and City of Albuquerque FY03 budgets by Fund Category.

BERNALILLO COUNTY/CITY OF ALBUQUERQUE		
BUDGET SUMMARY – FY2003		
FUND	COUNTY BUDGET	CITY BUDGET
GENERAL FUND	104,353,641	337,781,000
SPECIAL REVENUE FUNDS	33,341,666	134,041,000
INTERNAL SERVICE FUND	3,807,684	64,932,000
ENTERPRISE FUNDS	13,862,143	285,133,000
CAPITAL PROJECT FUNDS	92,215,284	*
DEBT SERVICE FUNDS	35,177,620	85,518,000
AGENCY FUNDS	213,000	**
TOTAL ALL FUNDS	282,971,038	907,405,000

* The balance of the Capital Projects Fund for the City at 7/1/02 was \$554,321,536.

** The Agency Fund for the City at 7/1/02 was \$12.1 million.

These Funds are not included in the FY03 appropriations for the City of Albuquerque.

PART 2C Functions, Services and Operations of City and County Government

Part 2C is separated into eight categories or “Outcome Areas” based on government services. Each section begins with a brief listing of what are referred to as “Desired Community Conditions.” These conditions, taken together, help to define the Outcome Area and bring a contextual focus to the ensuing discussions of operations and functions. Realization of these desired conditions would have the favorable result of the community achieving the overarching outcome – e.g. a “Livable Community” or “Cultural Appreciation.” And, accordingly, the operations and functions described in each section should be having, to varying degrees, a positive impact on these conditions. The “Data Indicators” represent quantitative and qualitative measures of just how well we are doing as a community in achieving both the desired conditions and outcomes. The Data Indicators used in these sections were developed by the City of Albuquerque’s Indicators Progress Commission, which developed most of these Desired Community Conditions. Appendix 4 contains a matrix which is sorted by Outcome Area that lists all city and county functions, services and operations as well as formal agreements, state statutes, city and county ordinances, staffing and budget.

Section 1 Citizenship, Leadership and Governance

The goal of the functions and operations described can be described as follows: All elements of local government – leadership, service delivery, operations – are accessible and responsive to all members of the community.

Section 1.1 Community Conditions

Desired Condition: High level of community participation in public affairs

What the data indicators say:

- The 2001 Citizen Satisfaction survey asked about participation in community planning processes. 21% indicated participation at some point in their lives. 78% responded that they have never participated in a community planning process.
- While the 2001 City election participation rate was 29.5% compared to 25% in 1997, voter participation represents a fairly small minority of adult population in Albuquerque. (note: this measure is the ratio of voters to the number of eligible voters as opposed to simply “registered” voters.)

Desired Condition: Residents feel a part of their community and are actively involved

What the data indicators say:

- According to the Office of Community and Neighborhood Coordination, there are currently 238 neighborhood associations. Along with the many other community organizations, neighborhood associations provide a vehicle for citizen involvement.
- In May 2001 the City conducted a large survey of citizens regarding crime, feelings of safety, and neighborhood characteristics. Most respondents characterized their respective neighbors as more likely to go their own way rather than do things together. The overwhelming majority of respondents knew less than 10 families in their neighborhoods by name.

Desired Condition: *High level of participation in community affairs*

What the data indicators say:

- The 2001 Citizen Satisfaction survey asked about the frequency and types of volunteer activities in which people participated. 36% indicated that they volunteered in the past year.
- Volunteerism correlated strongly to educational achievement.
- The top 6 areas of volunteer activity: youth, church, neighborhood association, schools, seniors, and homeless.

Section 1.2 Elected Officials

Elected officials presently serving in City and County government include the County Commission, County Treasurer, County Clerk, County Assessor, County Sheriff, Probate Judge, Mayor, and City Council. There are 10 elective positions in the County and 10 in the City.

Section 1.21 Bernalillo County Board of County Commissioners (BCC)

The organization of Bernalillo County government is established by the state constitution and law. County powers are exercised by the five-member Board of County Commissioners. Commissioners are elected to four year terms and are limited to two consecutive terms. The County Commission has legislative power in relation to budgeting, taxing, issuing of bonds and passing of ordinances. Their executive powers include setting salaries for county employees, caring for county property, performing certain election duties, making appointments to boards and commissions, granting licenses and regulating certain activities, performing a number of financial management functions.

Section 1.22 Mayor of Albuquerque

The Mayor is the elected chief executive and ceremonial head of the City pursuant to the City Charter. The Mayor is elected to a four-year term and is limited to two consecutive terms.

Section 1.23 City Councillors

City Council is the governing body charged with setting goals and objectives, enacting policy, adopting a budget for the operations of city government, and coordinating with other agencies. Albuquerque is divided into nine districts, each district is represented by one Councillor elected by district residents. Councillors serve a four year term and may succeed themselves in office. Each candidate for Councillor must be a resident of the District prior to the date of filing of the declaration of candidacy and a qualified voter of the City.

The Council has the power to adopt all ordinances, resolutions or other legislation conducive to the welfare of the people of the City and not inconsistent with the City Charter, and shall not perform any executive functions except those functions assigned to the Council by the Charter.

Council establishes and adopts by ordinance or resolution five-year goals and one-year objectives. These goals and objectives are reviewed and revised annually by the Council. They also review and approve or amend all budgets of the City and adopt policies, plans, programs and legislation consistent with established goals and objectives.

Section 1.24 Bernalillo County Assessor

The Assessor is responsible for valuation of property subject to taxation. The state Taxation and Revenue Department has general supervisory authority over the Assessor. The Assessor works closely with the Treasurer to assure taxes are billed each year by November 1.

Section 1.25 Bernalillo County Treasurer

The Treasurer' is the property tax collector for the County, City, Albuquerque Public Schools, the State of New Mexico, AMAFCA, MRGCD and any other taxing agencies within Bernalillo County. Property tax bills and delinquency notices are mailed to property owners by the County Treasurer's Office. As the "banker" for Bernalillo County, the County Treasurer's Office is also responsible for collecting all money due other County departments such as fees for services, licenses, and revenues from bond issues and special assessments. The Treasurer assures the legality and propriety of disbursements and invests surplus monies until they are needed for County operations.

Section 1.26 Bernalillo County Clerk

The County Clerk acts as Clerk of the County Commission, attending meetings and keeping the seals, records and papers of the Board. The Clerk's office records deeds, mortgages, judgments, satisfactions of judgment, liens and deeds of trust and other legal documents. The Clerk maintains microfilm copies of public documents dating back to the mid 1800's and nearly three million official documents are on file. The Clerk is also responsible for elections and voter registration.

Section 1.27 Bernalillo County Sheriff

State statutes mandate that "at each general election held in this state there shall be elected in each county a probate judge and a sheriff" (34-7-2 NMSA). The County Sheriff is elected to "preserve the peace" in the County. Duties are broad and include serving the executing all writs and orders.

Section 1.28 Bernalillo County Probate Judge

The Probate Judge is another elected position mandated by the State (34-7-2 NMSA) The Bernalillo County Probate Court serves the public in exercising jurisdiction over cases of informal probate necessary to the proper settlement of estates of deceased persons. It is considered a part-time position. The Probate Judge's office is located on the sixth floor of the City-County building. The department is responsible for probating the estates of individuals who have died and to pass property on to the rightful heirs or devisees. Only informal probates may be filed in Probate Court.

Section 1.3 Appointed Officials

For the purposes of this report, appointed officials are employees or volunteers appointed by elected officials through charter or statutory provisions. This includes the County Manager, County Attorney, Chief Administrative Officer of the City, and the City Attorney.

Section 1.31 County Manager

The County Manager is hired by the County Commissioners to carry out policies and serve as the chief administrative officer of county government. The County Manager also serves as a liaison to the full-time elected officials.

Section 1.32 Chief Administrative Officer

The Chief Administrative Officer Department supports the top executive office of the City of Albuquerque. The Chief Administrative Officer (CAO) is appointed by the Mayor with the consent of the City Council to provide day-to-day management of the City. Together, the Mayor and CAO provide the leadership and direction to execute policies legislated by the City Council.

Section 1.33 Boards and Commissions

City boards and commissions are listed in the City Charter and include the following:

- Administrative Real Property Review Board
- Airport Advisory Board
- Albuquerque Arts Board
- Albuquerque Cable Television Advisory Board
- Albuquerque Sister-City Board
- Anderson/Abruzzo International Balloon Museum Board of Trustees
- Audit Committee
- Beautification Committee
- Biological Park Advisory Board
- City Labor-Management Relations Board
- City Purchasing Standards and Specifications Committee
- Commission on Alcohol and Substance Abuse.
- Conference Committee on the Budget
- Debarment Appeals Board
- Development Commission
- Energy Conservation Council
- Environmental Planning Commission
- Explora Science Center Advisory Board
- Government Cable Channel Board of Directors
- Greater Albuquerque Bicycling Advisory Committee
- Greater Albuquerque Recreational Trails Committee
- Hispanic Cultural Center Advisory Committee
- Housing and Neighborhood Economic Development Committee
- Human Rights Board
- Indictors Progress Commission

Investment Committee
Joint Air Quality Control Board
Landmarks and Urban Conservation Commission
Library Advisory Board
Lodgers' Tax Advisory Board
Metropolitan Environmental Health Advisory Board
Metropolitan Parks and Recreation Advisory Board
Metropolitan Redevelopment Agency
Municipal Golf Advisory Board
Neighborhood Associations
Old Town Portal Market Advisory Board
Open Space Advisory Board
Performing Arts Center Board of Trustees
Personnel Board
Public Museum Board of Trustees
Police Oversight Commission
Risk Management Claims Review Board
Selection Advisory Committee for professional services
Supplemental Retirement Fund Committee
Technical Standards Committee
Urban Enhancement Trust Fund Citizens Committee
Urban Renewal Agency
(Zoning) Board of Appeals for Special Zoning Exceptions

County Boards and Commissions include:

Arts Board
Board Of Ethics
EMS Authority
Emergency Medical Services Providers Advisory Committee
Impact Fees Advisory Committee
Joint Air Quality Board
Juvenile Detention Home Advisory Council
Medical Control Board
Metropolitan Environmental Health Advisory Board
Planning Commission
Technical Code Board Of Appeals
Uniform Fire Code Board Of Appeals
Volunteer Firefighters Grievance Board Zoning Board Of Adjustment

Section 1.4 Administration

This section reviews the functions of the County Manager's Office, the Mayor's Office and Council Services.

Section 1.41 County Manager's Office

The County Manager's Office, in accordance with County Ordinance No. 238, § 1, 2-6-73, as authorized by State Statute NMSA 1978, § 4-38-19(B), serves as the Board's staff ensuring that adopted policies are followed and the governance of the County meets the Board's goals. The Manager and Division Directors draft policy for the Board's consideration, prepare and present the County's annual budget, administer the adopted budget, supervise and implement projects and programs, represent the County at legislative hearings and other forums and establish administrative procedures to direct the effectiveness and efficiency of the County.

Staff prepares and presents policy agenda items for the Board's consideration, implement policies adopted by the Board and oversee the operation of County departments. The Division Directors and the County Manager represent the County at meetings of affiliated entities, generate and monitor projects, monitor contractor and consultant compliance and develop and react to public relations issues.

Section 1.42 Mayor's Office

The Mayor's Office supports the top elected official of the City of Albuquerque. The office is comprised of support staff and constituent services that keep the Mayor in touch with residents of Albuquerque.

Section 1.43 Council Services

There are three principal units of organization that operate under the guidance of the Director of Council Services. They include policy evaluation and development services, constituent services and community relations, and legislative support services.

Policy Evaluation and Development Services

The role of staff in the development of legislation is not only to analyze and evaluate legislation originating from the Administration, but also to independently recommend and develop policy. Often, this occurs as a result of issues which surface through citizen input to this office or to individual Councillors.

Constituent Services and Community Relations

Staff will take messages as well as immediately assist constituents when calls are received at the Council Services office. Mail is sorted, dated and distributed on a daily basis. Staff also regularly attends neighborhood and other community meetings. In addition, staff works closely with all City departments, the Office of Community & Neighborhood Coordination as well as neighborhood coalitions and neighborhood associations.

Legislative and Council Support Services

This division prepares agendas, summarizes committee and council meetings, and tracks legislation. They are also responsible for the personnel and accounting functions of the Council Office.

Section 1.5 Budget and Finance

This section reviews city and county budget and finance departments.

Section 1.51 Budget

County Budget Department

The Budget Department, within the County Budget and Finance Division, develops, tracks, and publishes the annual budget and related documents. All revenues and expenditures are reviewed at least quarterly. Budget staff assists other County departments by monitoring and reviewing development of goals and performance measures. The department is also responsible for purchasing, accounts payable and payroll functions for the County.

The County Budget Department produces the recommended, proposed, and adopted budget schedules and books. Staff monitors the budget and compiles revenue and expenditure projection reports, financial analyses, and reports used for County management decision-making.

City Office of Management and Budget

The Office of Management and Budget (OMB) is responsible the development, deployment, and monitoring of annual City budgets to (1) comply with State law and City ordinances, (2) inform City leaders, constituents, and customers of resources, expenditures, services, and results in both short and long term perspectives, and (3) ensure accountability for expenditures and performance within the City organization. In addition to financial data, City budgets quantify outcomes (results) of performing services for customers and outputs (services produced, functions performed) and tie those outputs back to customer needs and satisfaction. The budgets are aligned to the City's long-term strategic goals, which are developed with extensive citizen (customer) input. These budgets are becoming the annual action plan for City managers to meet customer and community needs and conditions. In addition, OMB prepares the Mayor's proposed budgets with direction provided by the City Administration and adjusts the proposed budgets based on final action by City Council.

Section 1.52 Accounting & Purchasing

Accounting

The County Accounting Department is primarily responsible for preparing financial reports to communicate to users both inside and outside the County. The principal report is the Comprehensive Annual Financial Report (CAFR). Accounting is also responsible for maintenance of the General Ledger accounting system and for financial oversight of various County activities including grants, billing and collection of special assessment districts, bond expenditures and fixed assets.

Preparation of the County CAFR is prepared in accordance with 2.2.2 NMAC Audit Rule 2001 Requirements for Contracting and Conducting Audits of Agencies. The City and the County are both required to have an annual audit completed by November 15th and

December 1st respectively. There are different reporting requirements for the City and County.

County Accounts Payable staff issue payments, transfers, and disbursements to vendors and others. Payroll staff is responsible for training timekeepers, auditing the bi-weekly payroll records and preparing reports for federal, state, and insurance agencies.

The City Accounting Division supports the financial systems, implements system improvements, conducts citywide classes for system users, and conducts regular user group meetings. It also works closely with Information Systems to improve web sites and manage software issues. The Accounts Payable section verifies, researches, and pays vendor invoices. Payroll verifies and provides payroll payments for approximately 7,000 employees. It also maintains records, make payments, and reports (such as W2's 1099's, etc.) for state and federal governments, as well as PERA, garnishments, child support, and employee benefits. The Accounts Receivable section is responsible for the recording and tracking of payments due the City. This includes everything from Joint Powers Agreements, to Special Assessment District billings. The Special Assessments section maintains the status contact, files Claim of Liens, updates ownership changes, tracks payments, establishes payment programs on delinquent accounts, and provides documentation for foreclosures. Additionally, this group does title searches for title companies and developers. The Financial Reporting section maintains the City's General Ledger system for an accurate capture of financial date, by posting all transactions, reconciling accounts, researching problems, working with departments etc. It also prepares a variety of reports for various governmental entities, including the Comprehensive Annual Financial Report.

Purchasing

The County Purchasing Office acts as the Central Purchasing Office under the direction of the County Manager and in accordance with the State Procurement Code. The Purchasing Office is responsible for the control of procurement of tangible personal property, services or construction for the County of Bernalillo. This includes control of all purchases of goods and services approved through Federal, State and Local appropriations and all operational, capital and bond issue procurements. The Purchasing Office manages, coordinates, reviews, trains, and provides legal and administrative guidelines regarding the State Procurement Code to all county departments and the vendor community in order to ensure the accountability of the use of public funds within its responsibility.

The City Purchasing Division provides central purchasing services as determined by Public Purchases Ordinance and good business practices to all City Departments, Administration, City Council and public as required. Service activities include the acquisition of goods and services, vendor registration, professional, technical and other written agreement assistance and counsel, training, and contract compliance monitoring.

Section 1.53 Treasury

The County Treasurer serves two primary functions for Bernalillo County. As banker, the Treasurer is responsible for:

- Accounting for all monies received and disbursed by the County, including fees for services, licenses and revenues from bond issues and special assessments;
- Receiving and tracking revenues, including funds received from the State by Bernalillo County's share of gross receipts taxes, gasoline taxes and cigarette taxes;
- Maintaining accounts on all warrants and checks drawn on the County;
- Depositing, investing and safekeeping County funds; the public monies of the County are placed under the supervision of the Treasurer; investment decisions are the responsibility of the Treasurer, subject to the advice and consent of the Board of Finance (County Commission).

As the property tax collector, the Treasurer is responsible for:

- Preparing and distributing property tax bills annually, collecting property taxes and distributing to taxing agencies.
- Mailing nearly 30,000 delinquency notices each year.

The City Treasury Division is the city's banker and tax collector. It collects taxes and fees, administers and invests monetary assets, provides business registration, and manages the municipal bond program. It is also responsible for recording and controlling City funds, assuring appropriate accountability for cash handling in all City operations, maximizing the timely collection of accounts receivable, maximizing return on investable cash consistent with the City's investment policy, and minimizing costs and maintaining the flexibility of the City's capital financing program.

Section 1.54 Capital Improvement/Implementation (CIP)

The County Capital Improvement section oversees all non-public works capital projects, such as libraries, community centers, fire stations, etc. Funding for these programs comes from general obligation bonds, revenue bonds and public grants, particularly state grants. It is also responsible for the planning of the Six-Year Capital Improvements Program and the two-year General Obligation Bond-CIP Program through the coordination of the citizens and Departments of the County.

The City Capital Implementation Program Office provides guidance and support in planning and implementing the capital outlay program. As outlined in the CIP Ordinance, the CIP Office is responsible for the Capital Improvement Program which consists of a ten year plan for capital expenditures, including a detailed two-year Capital Improvements Budget. Customer conditions are addressed by providing timely financial information and assistance in the planning and the implementation of their program.

Section 1.55 Real Property

The County real estate services include: the purchase, lease, and sale of all County Real Property, maintaining the permanent records and the inventory for the fixed real

property assets of the County. These functions are located administratively under the Administrative Services Division of the County Manager's Office.

The City Real Property Division is responsible for the management, acquisition, disposal, and coordination of City real property. The division provides professional real property services that are required by client departments. These include property purchases, sales, appraisals, environmental impact services, research and maintaining property inventory.

Section 1.6 Clerk/Records

The County Clerk's office records deeds, mortgages, judgements, satisfactions of judgement, liens and deed of trust. Divorces and foreclosures are filed in District Court. The Clerk's office maintains a microfilm copy of public documents recorded since 1883, totaling approximately 2.7 million documents. Another essential job of the County Clerk is conducting elections. The Bureau of Elections maintains voting machines and voter registration records. Major elections conducted by the County Clerk include the primary and general elections during each even numbered year, and public school and TVI elections held in odd-numbered years. The County Clerk also assists with municipal elections.

The City Clerk's Office maintains municipal records as mandated by state statute and City Charter. All professional/technical contracts, intergovernmental and joint powers agreements, union contracts, public improvement contracts, subdivision improvements, liens, release of liens, SAD files, bonds, city summons/complaints or tort claims, and minutes for all city boards are maintained in that office. In addition, the office maintains copies of city ordinances, resolutions, executive communications, and other historical data. The office is also responsible for all activities surrounding municipal and special elections, and referenda.

Section 1.7 Legal

The County Legal Department, pursuant to N.M.S.A. 36-1-19, provides legal services for the Bernalillo County Commissioners, the County Manager, the County Assessor, County Clerk, County Treasurer, County Sheriff, and all appointed boards including the Albuquerque Metropolitan Area Water and Wastewater Board, the County Planning Commission, the Extraterritorial Land Use Commission, the Albuquerque Bernalillo County Government Committee, and the Extraterritorial Land Use Authority. These duties of the legal Department include, but are not limited to, advice in the areas of civil liability, county finances, procurement, condemnation, personnel issues, zoning issues, contract issues, election issues, public works issues, environmental health issues, election issues, foreclosure issues, and animal control issues; the drafting of contracts, ordinances, and resolutions; legal representation in state and federal court proceedings, administrative hearings (tax protests, personnel matters, liquor license transfer hearings, zoning); and defense of the County in those cases not covered by Risk Management; review and approval of all agenda items that require Bernalillo County Commission action; and attendance at citizen meetings on occasion to help County administration resolve neighborhood problems.

The City Legal Department provides representation and legal advice to the Mayor's Office, City Council, and client departments. City Attorneys represent the City's interests in all courts in New Mexico, and in Administrative bodies and other tribunals including legislative bodies, and are responsible for the oversight of the civil lawsuits filed against all City Departments. The Municipal Affairs Division provides litigation services, advice and counseling, and work product to all City departments. The Community Enforcement and Abatement Division addresses concerns over the enforcement of City codes and ordinances such as housing code enforcement, graffiti vandalism prosecution, vehicle forfeiture proceedings, and Metropolitan Court Arraignment Program. The Legal Department's Utility Franchising Office is responsible for negotiating franchise renewals, providing consumer protection to cable subscribers and serves as contract manager for the education and public access channels. It also provides oversight of use of Public Rights-of-Way and franchise fees and operations.

Section 1.8 Risk Management

The County Risk Management is responsible for maintaining adequate insurance coverage; identifying risk and exposures; planning and implementing loss control and prevention programs and managing and administering claims against the County. The office also works to control the cost of claims and insurance premiums that affect the financial liability of Bernalillo County. The office also conducts training in health and safety laws to prevent hazards to County property and employees and administers safety policies and procedures.

The City Risk Management is responsible for managing and resolving claims and litigation filed against the City by the general public and to provide resources for the accidental loss of the City's personal and real property. The Safety Office provides loss prevention. The Employee Health Services Office provides health and fitness programs for City employees with a goal of reducing Workers' Compensation and other liability risks. The Substance Abuse Program provides a workplace environment free of the effects of substance abuse and its adverse consequences to co-workers and the general public.

Section 1.9 Internal Audit

The County Accounting Department provides support to the external Audit Committee which oversees the internal audit function. The internal audit is contracted out to an independent CPA firm.

The City Internal Audit performs audits and management studies of the City operations to review, evaluate, and independently report on financial record keeping. In addition, the office reviews compliance with applicable laws, policies, and guidelines as well as the efficiency and effectiveness of operations and procedures of City departments. The program's purpose is to improve the operational efficiency and cost effectiveness of City services, through independent appraisal, review and measurement of City operations and programs.

Section 1.10 Public Information/Government Television

Bernalillo County Public Information Office

The mission of the Bernalillo County Public Information Office is to deliver timely and accurate information about Bernalillo County Government to the public. The office uses news releases, print materials, public presentations and interviews, Channel 16, the government access television, direct mailings, and faxes on request. The office also provides information to New Mexico TechNet, the E-Trib the County web site.

The City does not have a Public Information Office. It does, however, have Public Information Officers in most departments.

GOV 16 TV

GOV TV is the local government access cable television channel. The channel is operated by the City Media Resources Division of the Cultural Services Department and funded jointly by the City and County. The channel staff produces approximately 20 studio shows per month in addition to call-in programs and live cablecast of City Council, County Commission, Extraterritorial Land Use Authority, Police Oversight Commission and Albuquerque / Bernalillo County Government Commission meetings. Numerous news conferences and special events are also recorded and cablecast throughout the year.

Section 1.11 Human Resources

The City and County Human Resources Departments accept and process employment applications, maintain employee records, health and insurance programs, provide employee development, negotiate collective bargaining agreements, and administrator personnel rules and regulations.

Administration

The administrative function in the City's Human Resources Department (City HR) is to disseminate, maintain and interpret the Personnel Rules and Regulations to ensure personnel actions from the recruitment stage to the retirement stage are processed in accordance with the governing federal, state and city laws. Similarly, the County's Human Resources Department (County HR) provides the same function.

The County's personnel functions are centralized in the Human Resources Department. The City has human resources staff within some City departments where personnel officers or coordinators carry out functions such as selecting applicants for interviewing and hiring new employees.

Insurance and Benefits

Through two intergovernmental agreements, the City provides health care and dental care benefits administrative services for County employees. Services include providing of information, advocating on behalf of employees, preparation and submittal of enrollments, status changes, terminations, data entry of deductions, and file maintenance. County employees can enroll in the same plan terms and conditions as City employees. County pays \$30,000 annually for health care and \$10,000 annually

for dental care benefits for these services to the City. Participation by employees in the group plans is strong, averaging 90%.

The County and its enrolled employees also pay a monthly premium for benefits costs at the same rate established in Plan agreements for the City. In addition, the County contributes \$25,000 annually to participate in the Talbot Agency Consulting Agreement which provides on-going information, analysis and assistance regarding health care and life insurance products, legislation and trends.

The tables below compare the City and County's contributions for insurance and retirement programs.

Insurance Contributions				
Benefit	City ¹		County	
	Employee	Employer	Employee	Employer
Health	20%	80%	36.2%	63.8%
Dental	20%	80%	45.0%	55.0%
Life Insurance	20%	80%	48.0%	52.0%
Disability	20%	80%	48.0%	52.0%
¹ Employer pays 100% for elected officials For Police, Employer pays 60%, Employee pays 40%				

PERA Contributions				
	City		County	
	Employee	Employer	Employee	Employer
Management	3.29%	19.01%	3.29%	19.01%
Blue Collar	3.29%	19.01%	3.29%	19.01%
Clerical	3.29%	19.01%	3.29%	19.01%
Police/Sheriff ²	16.30%	18.50%	4.08%	30.72%
Fire ³	16.20%	21.25%	4.05%	33.40%
Bus Drivers	9.86%	12.44%	--	--
Corrections	3.29%	19.01%	--	--
Elected Officials	3.29%	19.01%	13.15%	9.15%
Temporary	7.00%	7.00%	3.29%	19.01%
² Includes County Sheriff Management ³ Includes County Fire Management				

Employment

Both HR departments process employment applications for new and vacant positions. In addition, both departments have similar procedures in selecting applicants and providing mechanisms for recruitment and hiring.

Applicants can view job postings on both government websites. Applicants can apply for County jobs by downloading an application form. The City provides an online application form.

Labor Relations

Both HR departments administer collective bargaining agreements, assist client departments on employee relation issues, and coordinate each government’s compliance with the labor agreements. The City has seven bargaining units, and the County has four bargaining units.

The table below compares the percentage of employees by bargaining unit for the City and the County.

Bargaining Unit	Count	% of Total County	Count	% of Total City
Sheriff/Police	243	14.8%	955	13.0%
Fire	107	6.5%	574	7.8%
Management	NA	NA	936	12.7%
Clerical	179	28.1%	731	9.9%
Blue Collar	155	9.46%	1,370	18.6%
Corrections/Security	NA	NA	391	5.3%
Bus Drivers	NA	NA	256	3.5%
Aviation/Open Space	NA	NA	41	0.6%
Total	684		5,254	

Employee Equity

The purpose of the City’s Equal Employment Office is to protect the lawful rights of City employees and minimize the liability of the City on these issues. Its primary customers/clients are City employees, departments, and applicants/candidates for employment, transfer, or promotion. The office is also responsible for assisting City departments in complying with the Americans with Disabilities Act by providing guidance and assuring that City programs and services are accessible to, and usable by, persons with disabilities. The office also assures that City employees with disabilities are provided reasonable accommodations and investigate complaints of discrimination based on a disability of employees and constituents attempting to use City services.

The County has an EEO/Affirmative Action Officer whose functions are similar. The Office is administratively located in the County Manager’s office.

Classification/Compensation

Both HR departments perform classification study reviews, job analysis and evaluations, provide competitive compensation and benefits programs, and develop pay structures. Its primary customers/clients are employees, departments and applicants/candidates for employment, and transfer or promotion.

Testing

City HR administers entry-level and promotional examinations for the APD, AFD and Corrections Departments. They also administer clerical, keyboard, and accounting pre-employment tests for all city departments. The division's primary customers/clients are City employees, departments, and applicants/candidates for employment, transfer or promotion.

County HR does not administer clerical pre-employment tests. Testing for positions requiring specific keyboard scores are administered by the Department of Labor. Testing for BCFD promotional exams is administered by the department.

Training

City HR provides career awareness and training opportunities for existing and potential employees. It also provides in-service skill training programs in all departments. In addition, it provides consultation services for organizational development and design.

The County has a curriculum of courses that are offered on a monthly basis. Additionally, the County training division will tailor programs to meet the specific needs of County departments. The County can also provide training programs to outside entities.

Section 1.12 Information Technology Services

The Bernalillo County Information Technology (BCIT) Department uses a variety of automation and computer technologies to provide services to the public and support all the elected Officials and County departments spanning the more than 40 County facilities throughout Bernalillo County. Services include administering communication networks, records management for tax bills, assessment notices, voter registrations systems, election processing, the Clerk's recording and filing systems, geographic information systems, system administration and support for the WEB site, electronic imaging, storage and archiving systems. Customer service personnel provide quality, timely, relevant and cost effective information technology support to clients, customers and end users. A centralized Help Desk is maintained to provide a single point of contact for customer trouble calls and service requests.

The City Information Technology (CIS) services are provided to public safety, general fund, and enterprise fund departments within the City of Albuquerque. These services include providing production systems support, providing IT infrastructure (including network and major servers) support, and developing, enhancing, installing and maintaining applications systems support. It is also responsible for providing high quality technical and management information services in a cost effective and timely manner to support the business needs of the City. CIS provides citywide services such as:

- Network support connecting all City departments to each other and to county, state, and federal agencies

- Production processing for all the major City systems (e.g., payroll, utility billing, accounting, risk management & financial)
- Electronic mail and calendaring
- Bulk computer purchases for the general fund departments to realize significant cost savings for the City.
- Personal computer set-up, upgrade and trouble-shooting
- Application system development and maintenance support for general fund departments
- Data base administration for large City systems
- Major server installation and maintenance
- Geographic information systems (GIS) support
- Radio repair and maintenance
- Telephone (desktop and cellular), pager and data line contract management and billing
- Facility and major computer system security maintenance and support
- Help Desk support

Information technology services are provided to Bernalillo County. The services include providing support in the running of production jobs, performing file back-ups, printing of County production reports, payroll checks, property assessment forms, delinquency notices, signature rosters for elections, and personal property declaration. Additionally, the City will provides uninterrupted power for the County equipment in the computer room. Moreover, it provides applications support during elections.

Section 1.13 Fleet Management

County Fleet Management handles all types of automotive repair and maintenance services for the County fleet. Vehicles range from standard cars to heavy equipment and fire trucks.

The City's Fleet Management Division provides the repair and maintenance of the City's fleet of vehicles. Fleet Management supports a diverse fleet of approximately 3,000 vehicles with the exception of Aviation, Transit, Solid Waste and some Police units; those departments have their own fleet management operations.

Section 1.14 Facilities Management

The County Facilities Management Department is responsible for providing a safe and clean environment for the public and County employees. The department provides full evening custodial service for the City/County Building in accordance with the joint powers agreement. Major duties are as follows: Vacuum, sanitize and stock lavatories, trash removal, dust, clean glass/windows and carpets, strip, wax and buff floors and stairwells. It also provides day or evening custodial service for the following County Facilities: District Courthouse, County Extension Services, District Attorney's Office, and four (4) Public Works Buildings which includes the Purchasing and Voting Machine Warehouse, Mechanic Shop, Sheriff Radio Shop.

The City Facilities Management Division provides facilities maintenance, energy, and security services to the general public and agencies located within the facilities to insure that the facilities are safe, comfortable, energy efficient and functions properly for public use. The division provides building maintenance services for 145 City owned buildings. The following departments have their own facilities management divisions: Convention Center, Aviation Department, Bernalillo County Detention Center, Bio Park, Albuquerque Museum, Albuquerque Housing Office, Community Centers, and Parking Structures.

Section 1.15 Observations and Issues

In developing the structure of the new government, careful consideration should be given to the following issues: citizen access to government; government representation of diverse communities; government responsiveness to community interests and conditions; and government accountability to the citizenry.

Public participation and access will be important issues to consider. A larger government will have the challenge of maintaining real citizen participation and access to processes of decision-making and service delivery. The ability “to call and speak to someone,” is particularly valued in the unincorporated areas and residents will want reassurance that this will not be lost in the creation of a larger government entity.

The smooth transition from old to new government will require the new governing body to adopt appropriate ordinances and implementing tools. The wholesale adoption of existing laws and policies in order to leave no gap in the legal and operational framework should be balanced with careful consideration of needed amendments developed over a longer period in response to citizens’ concerns and administrative requirements.

Logistically, the integration of such things as accounting records could be more difficult if the City and the County are using different software. Similar challenges will be presented to employees of every department. Upgrades to software packages and systems by either the City or County should take this into account.

Development and implementation of a new classification and compensation system for the combined governments will require a major effort on the part of human resources staff of the City and County. Potentially combining union chapters and updating collective bargaining agreements will also pose a substantial challenge.

In general, the new government structure and personnel policies should address how to hire and retain competent, well-trained and motivated employees. The new charter should aim to assure that employees of the new government have a healthy, safe and productive work environment to better provide high quality services and operations.

The Charter Commission should seek advice and assistance to ensure compliance with all Constitutional and legal requirements governing redistricting. The Commission must be sensitive to the Voting Rights Act issue and the concerns of minority communities.

Section 2 of the Act protects racial, ethnic and language minority groups from dilution of their voting strength. Districts of the new government should be designed to provide appropriate minority participation and representation in the electoral process.

Section 2 Public Infrastructure

The primary goal of the consolidated government with respect to public infrastructure will remain the same – to meet the basic infrastructure needs of its residents equitably.

Section 2.1 Community Conditions

Desired Condition: *Residents have a variety of safe and affordable transportation options*

What the data indicators say:

- The Total Vehicle Miles Traveled per Day and the Per Capita Vehicle Miles Traveled both decreased from 1998 - 2000 (the actual numbers were comparable to the 1998 figure, however Albuquerque Metropolitan Planning Area was expanded to include the remainder of Bernalillo County).
- Journey to work mode remained stable from 1999 - 2001. The number of unlinked transit passenger trips rose 26% from 1999 - 2001, but we can expect lower numbers, as reductions in service are implemented.
- Ratio of miles of streets in excellent, good, fair, poor, and very poor condition has shown improvement with the infusion of infrastructure tax resources (excellent 20.1% from 11%; very good 31.9% from 21.7.)

Desired Condition: *A stormwater system that protects the lives and property of residents*

What the data indicators say:

- Storm pump-outs have decreased since 1996 while miles within the system have increased.

Desired Condition: *A reliable water system that meets health & safety standards*

What the data indicators say:

- Water quality meets Federal standards, although arsenic levels will require reduction in future years.
- Water reserve capacity is improving around the system to meet peak demand.
- The number of water main leaks is stable, after showing significant reductions from levels in the early 1990's.

Desired Condition: *Wastewater system that meets quality standards*

What the data indicators say:

- The number of sewer line blockages and percentage of preventive maintenance has been stable since 1999.
- Compliance with the NPDES has improved since 1994.

Desired Condition: *Digital infrastructure, accessible to all*

What the data indicators say:

56% of residents surveyed in the 2001 Citizen Satisfaction Survey have Internet access.

Section 2.2 Departments of Public Works

Both the City and County provide for operations and maintenance of streets, storm drains, and traffic signals. Both entities develop and design infrastructure, acquire right-of-way and provide engineering and technical services for public and private capital projects. In addition to these functions the City Public Works Department provides area water and sewer services. The department also provides fleet maintenance for City vehicles with the exception of those in the separate City departments of Aviation, Solid Waste and Transit. County Public Works provides maintenance and repair to its heavy equipment and maintenance fleet.

The County's Public Works Division is comprised of 4 departments representing 4 main technical functions: Planning, Policy and Development Review; Operations and Maintenance; Technical Services; and Solid Waste. County fleet management functions are located in the Administrative Services Division except for heavy equipment maintenance, which is handled by the Operations and Maintenance Department. Public Works also oversees the design and construction of transportation and utility projects and long-range transportation planning, right-of-way acquisition and development of geographic information systems.

Section 2.21 Water

The City's Water Utility Division (WUD) is responsible for providing quality water service to customers throughout the metropolitan area. The Division provides maintenance necessary to supply and distribute approximately 40 billion gallons a year for household and business use and fire protection to approximately 460,000 customers. The service area and primary customers include the incorporated City, portions of the unincorporated County, and portions of the Villages of Tijeras and Los Ranchos.

Assets of the water system include 28 pump stations, 93 wells, 44 reservoirs, 30 chlorination sites, and 16 fluoridation sites. The WUD has four service activities, which include Wells Repair and Maintenance, Water Plant Operations, Water Distribution Maintenance, and Water Distribution Operations.

The City also provides incentives for water customers to install water conservation devices including low-flow toilets, showerheads, xeriscaping, washing machines, and potential recirculating systems. The Water Waste Division inspects and cites water wasters.

County Public Works is working in unison with the City of Albuquerque Public Works and various neighborhood groups/associations to develop the extension of water service to a developed but underserved area of the Southwest Valley. Preliminary boundaries of the project are the Rio Grande on the east, west to the mesa, and from the Coors/Los Padillas area north of Gunclub.

Section 2.22 Wastewater

The City operates and maintains the Southside Water Reclamation Plant (SWRP) and serves customers connected to the collection system and those transporting wastewater

to the treatment plant. Transported wastes include septic tank and holding tank wastes and acceptable industrial liquid waste. The majority of transported liquid waste is from septic tanks in the unincorporated area.

Like the water system, customers include city residents and residents in served portions of the unincorporated area and the Villages of Tijeras and Los Ranchos. The system also collects wastewater from Kirtland Air Force Base.

Connections outside of the City limits are increasing much faster than within the City, primarily because of the extension of vacuum sewers in the north and south valley areas. These represent 15% of total connections. The Intel facility in Rio Rancho is also connected to the system via New Mexico Utilities.

The SWRP continuously treats 76 million gallons of wastewater per day. The City is also responsible for preventative and corrective maintenance of approximately 1,650 miles of sanitary sewer lines.

The Wastewater Utility Division administers the Sewer Use and Wastewater Control Ordinance, industrial pretreatment program, and provides technical assistance on pollution prevention and waste minimization.

County Public Works, in collaboration with City Public works is developing and constructing wastewater/sanitary sewer systems to developed but unserved areas of the South and North Valleys. These Projects will extend sewer service to approximately 6000 residences over a period of approximately 10 years. The County is charged with soliciting grants and other funding sources for this \$111million project.

Section 2.23 Storm Drainage

There are separate collection systems for storm water and wastewater. The City Street and Storm Drainage Maintenance Section operates and maintains storm water pump stations and the storm sewer collection system in the incorporated area. The system includes 100 dams and detention basins, 85 miles of concrete lined and unlined arroyos/channels, drainage easements, and 520 miles of storm sewer lines including 20,000 inlets and 30,000 grates. This section also is responsible for maintaining 178 arroyo crossing structures. In addition, it investigates and resolves citizen complaints concerning drainage problems.

The Bernalillo County Storm Drainage Maintenance Section of the Operations and Maintenance Department maintains County-owned drainage facilities including 9 storm water lift stations providing out-fall to surface drainage systems. The County maintains approximately 54 miles of storm sewer pipe, 7.5 miles of open channels and 1400 culverts.

The City Hydrology Division of Public Works plans, designs and manages construction of storm drainage projects in the incorporated area. The County Technical Services

Department manages storm drainage construction projects outside the incorporated area.

Section 2.24 Roadways

Construction

The City's Construction program, consisting primarily of 2 sections: Construction Management and Construction Coordination, provides oversight management, inspection, survey services and materials testing during construction of the City's public-funded construction projects. Private construction oversight is provided by the Development and Building Services Section .

The County's Technical Services Department in the Public Works Division provides management of engineering design and construction for public works projects. The Department provides field laboratory testing as well as development review services.

Maintenance

The City's Street Maintenance Division is responsible for maintaining and rehabilitating approximately 3,900 lane miles of roadway. The Division has assigned the following sections to address these functions: Unpaved Road Maintenance; Paved Street Maintenance; Sweeping; Concrete & Structures; Street Rating and Construction Management; Permit and Inspection; and Storm/Emergency Response.

The Unpaved Road Section grades and maintains approximately 14 miles of unpaved roads in the incorporated area. The Paved Street Section responds to pavement distress, scheduled maintenance, and service cut repairs. The Sweeping Section provides removal of debris, leaves, and dirt from the street on a programmed frequency. The Concrete & Structures Section responds to repairs on sidewalks, handicap access issues, and curbing. The Street Rating/Construction Management Section manages the rating of the street condition and prioritizes the Basic Service fund, Gas Tax fund, and Bond fund expenditures for street rehabilitation. The Permit and Inspection Section reviews and approves installation of all driveways, sidewalks, and private utility service cut repairs.

Due to the implementation of the Transportation Tax, street rehabilitation has increased threefold. Streets assigned paving crews previously dedicated to patching and paving services for the Utility Enterprise Fund (to be provided through private competitive bidding) to Transportation Tax projects, thus redirecting crew efforts to preventive maintenance and rehabilitation functions.

The Bernalillo County Operations and Maintenance Department maintains approximately 717 road miles in the unincorporated area. This includes maintenance of about 300 miles of gravel and dirt roads. The Department provides repair and maintenance for 163 pieces of heavy equipment used for road maintenance and snow removal. Unpaved roads carry additional maintenance demands for bar ditches, dust

treatment, erosion and weed control. Ice and snow removal, primarily in the East Mountain area and Sandia foothills, is a basic seasonal function of this Department.

Traffic Engineering

The City's Traffic Engineering Division of the Public Works Department provides for the installation of new and the repair and maintenance of existing traffic signals, signs and markings. The City is also responsible for acquiring electricity necessary to operate streetlights, traffic signals, and flashing beacons at school crossing and other locations. Traffic personnel maintain 550 signalized intersections, 50,000 signs, 12,000 residential streetlights and 10,000 arterial streetlights and thousands of miles of pavement markings. The City's Neighborhood Traffic Management Program (NTMP) works with neighborhood groups to solve traffic problems on residential streets through measures such as speed bumps and diverts.

The Bernalillo County Traffic Engineering Section of the Operations and Maintenance Department operates and maintains the traffic control devices in the unincorporated area and provides input on the design of new devices that will become County's maintenance responsibility. Program personnel inspects and maintains approximately 11,000 signs, 40 school flashing beacons, 45 traffic signals along 12 major urban arterials, roadway striping along approximately 200 miles of roadway and roadside barriers and guard rails throughout the unincorporated area. This section also coordinates with neighborhood associations throughout the unincorporated area for traffic calming device placement in accordance with County policy.

Section 2.25 Planning, Technical and Customer Services

Planning

The City's Transportation Division provides for the planning, programming, designing and constructing transportation facilities throughout the city. Special projects include the construction of missing roadway links, constructing additional lanes, and reconstructing major roadways and intersections. These projects can also include bike lanes, bicycle trails, pedestrian ways, and landscaping.

The Bernalillo County Planning, Policy and Development Department provides long-range planning, general rights of way planning and acquisition functions. This section is also responsible for transportation and land use analysis, GIS applications, Information Systems development and project management and coordination.

Technical Services

The Technical Services Section of City Public Works maintains and supports the information technology services of the Public Works Department. This includes office automation, GIS applications, operation management systems, billing/collection systems, and communication systems.

Bernalillo County's Technical Services Department is responsible for management of engineering design, construction and inspection of projects, including roadways, trails,

bridges, water, sewer, and drainage systems. This department also reviews for approval new infrastructure developed by the private sector.

Customer Services

The City's Customer Service Division provides water meter reading, utility billing, utility revenue collection, including an online bill paying system, and billing information to all water and wastewater customers. Demand for these services is growing at an average of 2% per year.

Section 2.3 Aviation

The Albuquerque International Sunport is a commercial and general aviation airport. It provides for services of nine major commercial carriers as well as maintenance, fuel sales, tie down/hangar storage, flight instruction, charter flights and air cargo services.

The airport includes 574,000 sq. ft. of space including 23 gates in two concourses. The airport shares its 4 runways with Kirtland Air Force Base, which provides aircraft rescue and firefighting services for the airport.

The Double Eagle II Airport on Albuquerque's west side is a general aviation facility with 2 runways. Tenants at the site offer flight training, avionics service, aircraft rental, repair, and charter service.

Section 2.4 Transit

The Albuquerque Transit Department provides bus service to the metropolitan area, including portions of the unincorporated area of the north and south valley. The Alvarado Transportation Center at First Street near Central currently houses Transit Department administrative offices.

The Transit Department maintains bus stop curbs, signage, benches, and shelters at approximately 3,200 bus stop locations. Regular maintenance includes updating bus schedule information, removing graffiti, repainting of curbs and replacing bus stop poles and benches that have been damaged.

"Sun Van" provides transportation to people with a mobility impairment that makes it impossible for them to use the fixed route service. Sun Van clients must qualify for the service through an application and interview process. Qualified clients receive curb-to-curb service to and from any address in Albuquerque and most of Bernalillo County for a cost of \$2.00 for each one way trip.

The Department also hosts the Guaranteed Ride Home program that provides emergency transportation for those who regularly use alternative transportation (carpool, vanpool, bus, bike, or walking).

Section 2.5 Parking Lots and Facilities

The City of Albuquerque's Parking Division, located in the Transit Department, provides parking facilities consisting of 6 multi-level parking structures and 6 surface lots in the

Downtown area. The Division also manages and operates 1,120 on-street and off-street metered spaces and employs 5 parking enforcement officers.

Section 2.6 Joint Service Contracts

The County periodically enters into project specific agreements with the City when construction projects overlap jurisdictional boundaries. In addition, the City and County have the following agreements related to public infrastructure.

Wastewater Collection System

1998

County is lead for the Wastewater Collection System Project and is responsible for the design and construction of the system and all grant and contract administration.

Master Utility Easement and Right-Of-Way

1990

Establishment of a Master Agreement which applies to all future Utility systems and right-of-ways, thereby eliminating the need to develop a separate utility easement and right-of-way agreement of each project

Water and Wastewater Board

2000

Agreement between the County, City and Los Ranchos Village establishes the Albuquerque Metropolitan Area Water and Waste Water Board (Board) with responsibility for utility policy oversight.

Bus Service

2000

City Transit provides fixed route bus and federally mandated paratransit service to portions of the unincorporated County.

Section 2.7 Observations & Issues

The purpose of both County and City Public Works is to provide basic infrastructure to residents. The unified government will have the same goal.

The new government will have the responsibility for providing and managing infrastructure in all areas. Infrastructure needs will vary depending on area physical characteristics, density and stages of development. The East Mountain, for example, requires different infrastructure needs and types of manpower with its snowfall and miles of unpaved roads. While the variation in physical conditions between the incorporated and unincorporated areas may require different products and processes for meeting unique infrastructure needs, meeting those needs will be no less a responsibility of the unified government.

Providing service equitably to all residents within the newly consolidated area raises the issue of how to provide service when funding is limited. Infrastructure needs throughout the County already exceed available funding. The County has provided federal

matching funds through grants and minimal bonding for seed money. Maintaining these funds will be an important source for infrastructure development in the unincorporated areas. Residents in unincorporated areas may have an additional concern if taxes are raised, particularly if not accompanied by visible signs of infrastructure development.

At the same time, the issue will arise among city residents to steer money toward their infrastructure needs. How will the consolidated government meet the needs of unincorporated areas when there will be pressure to develop and maintain infrastructure where the majority of citizens live (i.e. the city)? In other words, an important issue to tackle is that of fair representation.

Public participation and access will be important issues to consider. A larger government will have the challenge of maintaining real citizen participation and access to processes of decision-making and service delivery. The ability “to call and speak to someone,” is particularly valued in the unincorporated areas and residents will want reassurance that this will not be lost in the creation of a larger government entity.

An additional issue is that of synchronization of different technologies utilized by the city and the county. Most notably, signalization exemplifies a case of two sets of technologies that do not currently “talk to each other.” The problem is not insurmountable but will require work and time to make this and other systems compatible and flow well. The interfacing between systems will be a priority issue.

Similarly, discussions of the use of new and appropriate technology will be appropriate. In addition, any task force that is set up to coordinate the integration of services will need to address questions of standards on such issues as what kind of products will be allowed, what safety features will not be compromised, what federal regulations must be followed etc.

Finally, the consolidation between city and county public works will also require addressing questions of management. There is already extensive cooperation between current governments. The question becomes how to ensure that the management system that is put into place provides an effective means of delivering service to all areas. Directions to provide a fair and equitable system will come from “the top,” thus requiring that top management be committed to providing that direction. As the new government is formed, questions must be asked about how to best provide efficient service. What size and type of staff and equipment fleet will enhance effective service delivery? How will the taxpayer best be served in the consolidated government is the ultimate question.

Section 3 Public Safety

Section 3.1 Community Conditions

Desired Condition: Residents are safe.

What the data indicators say:

- From 1998 - 2001, there was a 9.7% decline in Crimes Against the Person, however there was a 2.6% increase from 2000 - 2001.
- From 1998 - 2001, there was a 6.7% decline in Property Crimes. The largest one-year drop was between 1998 and 1999. 1999 was the lowest year since 1995, however the number increased in 2000 and remained stable in 2001.

Desired Condition: Residents feel safe

What the data indicators say:

- From 1998 - 2001, there was a 9.7% decline in Crimes Against the Person. However, there was a one year increase of 2.6% from 2000 - 2001.
- Residents' feelings of safety in their neighborhoods in both the day and night remained stable from 1999 - 2001. The percentage who felt "very safe" in the day -- 66% in 1999, 76% in 2001. The percentage who felt "very safe" at night -- 30% in 1999, 32% in 2001; "somewhat safe" at night -- 41% in 1999, 40% in 2001/
- Crime ranked as top issue of concern in 1999 and 2001 Citizen Satisfaction Survey; percentage ranking as top concern declined from 40% to 33%.

Desired Condition: Residents and public safety agencies working together to create a safe community

What the data indicators say:

- Residents' evaluations of APD response to an incident remained stable from 1999 - 2001. The percentage who evaluated APD incident response as Excellent/Good -- 49% in 1999, 54% in 2001.
- There is some concern about APD's service to victims of crime; the 2001 APD satisfaction survey indicated a ratio of 1.7 to 1 excellent/good to fair/poor. (No comparable survey data is available at this time for the Sheriff's office.)
- This survey also indicated that when a victim is satisfied with the APD response, it impacts favorably the victim's perception of Albuquerque's quality of life.
- No new data is available on the number of community policing or crime prevention committees by Community Planning Area.

Desired Condition: Safe travel on city streets

What the data indicators say:

- From 1998 - 2001, the number of traffic crashes increased 32.7%.
- The number of traffic fatalities grew by 30%.
- The Total Vehicle Miles Traveled per Day per Capita decreased from 1998 - 2000 (Big I) (actual number was comparable to the 1998 figure, however Albuquerque

Metropolitan Planning Area was expanded to include the remainder of Bernalillo county).

Other indicators for which data is not current at this time

- Crime Prevention or Community Policing Committees (see page 2.12 Albuquerque Progress Report)
- DWI arrests (see page 2.10 Albuquerque Progress Report)

Section 3.2 Law Enforcement & Protection

There are two principal law enforcement agencies in Bernalillo County: the City of Albuquerque Police Department (APD) and Bernalillo County Sheriff's Department (BCSD). Both APD and BCSD provide law enforcement services through crime prevention and investigation, police protection, and the maintenance of order in the community utilizing a sworn officer patrol, several specialized units, and civilian support staff. The authorized sworn staffing level for APD is 930 police officers. Currently, there are approximately 900 officers. The authorized sworn staffing level for BCSD is 268 officers. Currently, there are approximately 240 Sheriff's officers. Both departments are also the largest in both governments in terms of personnel (civilian and sworn officers). There is also an agreement to provide mutual/automatic aide to each other in emergency responses, and both city and county officers are state accredited so that they can provide services regardless of jurisdiction.

Section 3.21 Support Services

Both APD and BCSD provide support services for citizens, police officers, and other law enforcement agencies. This ensures administrative direction and oversight in order to achieve effective management of the department. Services include comprehensive oversight of department operations, personnel and resources in order to provide police personnel with the tools necessary for the provision of law enforcement services.

Office of the Chief

The purpose is to provide for overall administration of the Police Department and serve citizens throughout the city, police officers, mayor and city council. The Planning Division and Human Resources Division are located in this Section to provide better program development, policy management, and human resource deployment.

Sheriff Headquarters

The Sheriff's Headquarters establishes and sets Department policies and procedures, administers the budget and grants, and provides direction to obtain program goals and objectives. Under the guidelines of the State Constitution, Statutes, and County Ordinances, Headquarters provides leadership, deploys manpower and provides direction for the efficient operation of the Department. The BCSD Headquarters Division also provides polygraph testing for cadet processing and internal affairs investigations.

Financial Management

APD's Financial Management Division provides financial services for the City Police Department. It prepares the Department's budget and monitors accounting, purchasing, contract and grant management, travel management and building maintenance coordination. The BCSD similarly conducts these internal financial management functions within the Headquarters Division under supervision of the Sheriff. The Division prepares, monitors and recommends adjustments to the Department budget.

Human Resources

The APD Human Resources Division provides for department human resource management and payroll services. This Division maintains personnel records, processes payroll and manages the Chief's Time Unit and the Volunteer Program. A recent change places the APD Human Resources Division directly under the Chief of Police. Personnel functions for the BCSD are handled within the Support Services Division which coordinates all personnel selections with the County Human Resources Department.

Internal Affairs

Both APD and BCSD have Internal Affairs to provide for the investigation of alleged misconduct by department personnel.

Recruitment & Training

The APD Recruiting and Selection Section identifies, screens and selects new police recruits. Applicants must attend the APD Training Academy. BCSD has a separate training academy and recruitment process and these functions are managed within the BCSD Support Services Division. Training for Deputies and training requirements are mandated by the State. The BCSD operates the State authorized Regional Training Center which provides training services to outside agencies including Rio Rancho, Sandoval County, UNM and APS.

Records Management

The APD Records Division is comprised of nine units that maintain all police records for the APD, BCSD, and Airport Police. The Division provides for an efficient and reliable police records and reporting system. It serves citizens, officers, department managers and other law enforcement agencies.

Planning

APD's Planning Division provides research, planning and evaluation services for the Department. It is also responsible for the management of the Department's CIP budget, coordination of Department grant applications, monitoring of grant programmatic and financial activities, and oversight of the strategic planning process. The BCSD conducts these planning, grant management and budgeting functions under the direction of the Sheriff in the Headquarters Division.

Behavioral Services

APD and BCSD both have behavioral sciences functions that provide counseling services and pre-employment evaluations. APD also provides behavioral sciences training for cadets, in-service. APD division personnel are also involved in the training of the Crisis Intervention Team, which responds to calls where mental illness is potentially a factor or situations where a person is otherwise in crisis and at risk. Both APD and BCSD behavioral health units respond to crisis and SWAT team situations. The County contracts with a board certified psychologist to provide staff support and field crisis intervention. The psychologist also assists in recruitment screening.

Fleet Management

APD's Fleet Management Division is responsible for vehicle maintenance and fuel expenditures. The BCSD fleet is maintained by the County Fleet Management Department of Public Works in coordination with BCSD Support Services Division. BCSD has an intergovernmental agreement with the City's Public Works Department to provide gasoline for BCSD vehicles.

Section 3.22 Court Services

APD's Court Services Division prepares files for Metropolitan Court cases, finalizes and distributes court dockets, monitors and reports officers' "Failure to Appear", and reviews and processes traffic citations. This APD division also reviews and prepares paperwork for felony cases, arraignments, criminal summons and assists in distribution of subpoenas.

The BCSD Court Services Division Civil Process Section is responsible for the receipt, service and tracking of all civil process: summonses, subpoenas, writs and other court documents. This function is mandated by the State (4-41-14 NMSA).

BCSD Support Services is also responsible for warrants. All warrants issued by the Courts are processed and maintained by the County. Both law enforcement agencies access warrant information from the Warrants Unit.

The BCSD Extradition/Transportation Section processes and disseminates data regarding fugitive extradition and the transportation of prisoners from within and outside the State of New Mexico. The Court Security Section provides court security for the Second Judicial District Court and the Bernalillo County Juvenile Justice Center. These are also mandated functions (4-41-11.1, _NMSA).

The BCSD DA Liaison Unit maintains liaison with the District Attorney's Office, forwards reports to the District Attorney's Office, provides discovery items for defense attorneys, maintains copies of all traffic citations and other recording duties.

Section 3.23 Criminal Investigations

Investigative Services

APD's Central Investigations Division encompasses the Violent Crimes Section, Property Crimes Section, and the Juvenile Section. The Violent Crimes Section

includes Homicide Unit and the Armed Robbery Unit. The Property Crimes Section includes the Burglary Unit, Auto Theft Unit, White Collar Crimes Unit, Crime Stoppers Unit and the Pawn Detail. The Juvenile Section has the Crimes Against Children Unit, Pedophile Unit, the School Resource Officers and Missing Persons Unit. Aside from investigating crimes against children, the School Resource Officers teach the Gang Resistance Education and Training (G.R.E.A.T.) program for the Albuquerque Public School System (APS). They assist APS Security Police in providing a safe learning environment for all mid-schools and high schools in Albuquerque.

BCSD's Criminal Investigations Division responds to the needs of the Field Services Deputies' requests to conduct further investigation of crimes. The Division is comprised of Administrative Staff and seven specialized sections: Violent Crimes; Sex Crimes against children; Criminalistics; Narcotics; White Collar Crimes Administrative Staff is responsible for the record keeping functions of the Criminal Investigations Division to include: daily case assignment logs; monthly activity/productivity reports; review completed case files; etc. Violent Crimes Section is responsible for the investigation of homicides, suicides, robberies, and other violent crimes. Sex Crimes/Juvenile Section is responsible for the investigation of rapes, other sex crimes, crimes perpetrated by juveniles, child abuse and related crimes, and missing persons. The BCSD has the State mandated function of maintaining the Sex Offender Registry consistent with the Sex Offender Registration and Notification Act (29-11A1-8 NMSA)

Both APD and BCSD Narcotics Sections are responsible for the investigation of narcotics related offenses. However, both departments have established separate gang and "cold case" units.

Criminalistics & Evidence

Both APD and BCSD provide field investigation services through separate criminalistics divisions. The PPD Criminalistic Division also operates the City and County funded crime lab – the Metropolitan Forensic Service Center (MFSC). The MFSC provides evidence storage and crime laboratory services to APD and BCSD through a JPA.

Special Investigations

APD's Special Investigations Unit provides for the investigation of narcotics, vice and gang related crimes. It also administers the Repeat Offenders Project. The Special Investigations Division is comprised of two sections: the Narcotics Section and the Career Criminal Section. The Narcotics Section handles all street level narcotic infractions, mid-level, as well as upper level narcotic investigation/interdiction efforts. The Career Criminal Section handles all aspects of Repeat Offenders in the Metro Area, from vice, gangs, to all property/person type offenses committed by violent, repeat offenders. BCSD's Violent Crimes Section provides similar functions.

Identification/Disposition

APD's Identification Unit provides services for fingerprint examination, fingerprinting, mug shots, AFIS ten print hits, AFIS latent reverse hits, and fingerprint supported criminal history information for the APD, BCSD, and all local, state, and federal criminal

justice enforcement agencies. APD's Disposition Unit provides services by conducting thorough criminal background checks for APD employment, evidence gun returns, machine gun applicants, alarm installers, safety sensitive City of Albuquerque employees, and other local, state, and federal law enforcement agencies; reports final disposition information to the Department of Public Safety, FBI, FBI NICS, and other law enforcement agencies.

Section 3.24 Field Services

APD's Field Services Bureau is comprised of the five field area commands, the Metro Division, and Operations Review Section. APD's five area command provide basic police services consisting of answering a wide range of calls for service as well as implementing measures that curtail criminal activity. APD's Operations Review Section coordinates the Crime Prevention and Crime Free Multi-Housing functions and the Crime Analysis Division.

The Traffic Section is comprised of the Traffic Unit, DWI Unit, and Traffic Safety Units. The purpose of these units is to provide specialized traffic enforcement, traffic analysis, and traffic safety education to Field Services Operations and the general public.

BCSD Field Services Division includes the three area command centers and field services including patrol sections, Air Support, Community Service Aides, K-9 Unit, Street Crimes Investigations, DARE and GREAT Units, COPPS Unit and the School Crossing Guards Section. This Division investigates crimes against persons, property and motor vehicle accidents. Deputies enforce State Traffic laws, and issue traffic citations. Deputies also respond to other requests that may require the presence of a law enforcement officer to resolve issues.

The County provides patrol and law enforcement services for the Village of Los Ranchos. The North Area Command, located on north Fourth Street, houses the Village of Los Ranchos Squad. The East Area Command, in the Village of Tijeras also conducts patrols on National Forest lands through an agreement with the Forest Service, in addition to County areas in the east Mountains. The County's DARE and GREAT Units work out of the South Area Command on South Isleta Boulevard. This command center handles over 50% of the service calls received by the BCSD. The North and South stations also have full time, clinical level social workers to provide assistance to families in crisis and are provided referrals by deputies in the field.

Section 3.25 Tactical Services

APD's Tactical Services Section is comprised of the SWAT Team, the K-9 Unit, the Air Unit, the Bomb Squad, and Horse Mounted Patrol. The purpose of those Units assigned to this section is to provide specialized tactical law enforcement services. These services include the professional deployment of improvised explosive device technology, education and training to address explosive related safety concerns.

Both APD and BCSD provide SWAT and K-9 services to their field services operations. Deployment of these units occur during high risk incidents, hostage rescues, barricaded gunman calls, and high risk warrants, tactical operation plans and dignitary protection.

The BCSD Metropolitan Air Support Unit responds to calls for service when requested by citizen or law enforcement personnel. The unit provides aerial assistance when enforcing State laws and County Ordinances. The Air Support Unit provides law enforcement coverage to Bernalillo County, Isleta Pueblo, and Sandia Pueblo twenty-four hours a day, seven days a week. The aircraft provides airborne command and control, patrol duties result in reduced crime, traffic management, searches of crimes scenes and the locating of criminal suspects, surveillance, pursuit intervention, deputy accountability, Search and Rescue, Fire Department support, drug deterrent, and transportation of personnel and equipment.

Section 3.26 Airport Security

City Airport Police provide law enforcement, security and other police services for all customers, tenants and traveling public at the airport. This also includes law enforcement for traffic control at the terminal building and security checkpoints. These efforts help ensure a safe environment for our traveling public.

Section 3.27 Joint Service Contracts

DWI Prevention Program

Type: MOA

Date: July 2000

Funding: NA

Summary: The City and County agree to establish a joint Task Force and combine funds and resources in achieving the common goal of removing the problem of driving while intoxicated.

Establishment of DWI/Drug Court Program

Type: IGA

Date: 2002

Funding: \$80,000

Summary: Funding of \$80,000 for this intergovernmental agreement between City of Albuquerque Police Department and the Bernalillo County Metropolitan Court for a DWI/Drug Court Program is from the Federal Local Law Enforcement Block Grant which includes establishing/supporting drug courts. The program provides regular outpatient screening, drug treatment, and counseling for certain non-violent criminal offenders whose crimes have resulted from an addiction to drugs. The term of this contract is July 1, 2000 through Sept. 30, 2001. The treatment provider is determined through the RFP process annually. A minimum of 60 participants are served through this program, will be provided with intensive supervision by the DWI/Drug Court Probation Officers and will have regular contact with DWI/Drug Court Judges.

Warrant/Central Records Services

Type: MOU

Date: October 1999

Funding: County pays \$25,000 annual for services

Summary: APD will provide the processing, storage, and retrieval of reports submitted by the Sheriff's Department; maintenance of stolen property and missing persons for the National Crime Information Center (NCIC); take citizen reports; provide an administrative assistant to the Sheriff's Department to complete the summary reporting of the Uniformed Crime Reporting. The Sheriff's Department will establish, maintain, and operate a Warrants Unit for the collection, compilation and processing of all Warrants. The County will provide the City with funds of \$25,000 for the salary and benefits of an administrative aide who will be completing the UC Summary Reports for the County. In addition to simplifying storing and providing public records, this MOU will improve coordination between operations of the APD and the Sheriff's Department and provide more effective services to the constituents of both entities by consolidating services.

Law Enforcement Center

Type: MOU

Date: 1994

Funding: Equal cost sharing

Summary: City and County share costs of insurance, repair and maintenance of Law Enforcement Center (LEC). Operating costs are shared equally by the City and County.

Metropolitan Forensic Services Center (Crime Lab)

1. Type: MOU

Date: October 1999

Funding: 75% from City/25% from County for construction

Summary: The County will supplement funding for the construction of a joint crime laboratory, evidence storage and identification services facility. The City will contribute \$9,000,000 (75%) and the County will contribute \$3,000,000 (25%) to project costs.

2. Type: JPA

Date: May 1999

Funding: 75% from City/25% from County for operations

Summary: Center will provide the processing, analysis and secured storage of evidence in criminal cases, and the provision of identification services. The City will maintain and manage the center under the supervision of the Chief of Police. JPA also establishes an Operational Oversight Committee to recommend and adopt policies and procedures and to review the administration and operation of the Center and recommend appropriate measures to improve its operation and correct any deficiencies. All employees are City employees. The County shall pay the City its share of the agreed upon budgeted amount for the operation of the Center.

Mutual Aid Agreements

The City and County have a mutual aide agreement to each other for emergency responses. BCSD also contracts for patrol and law enforcement for the Village of Los

Ranchos and the Village of Tijeras and has an agreement with the National Forest Service for patrol and enforcement on forest lands in the east mountains.

Section 3.3 Fire

The Albuquerque Fire Department (AFD) operates twenty stations. The nature of the operations and service includes emergency dispatch, the provision of fire prevention, structural and wildland fire suppression, emergency medical services, hazardous materials containment and control, specialized technical rescue, arson investigation, and response to and control of all manner of emergency situations.

The Bernalillo County Fire and Rescue Department (BCFD) operates twelve stations staffed by career and volunteer members. These members provide structural and wildland fire suppression, rescue and emergency medical services in the unincorporated area. In addition to responding to all requests for emergency service, the Fire and Rescue Department provides property protection through fire prevention inspections, plans review and code enforcement. Other activities include life safety education, disaster response, and ditch and water safety programs. The Bernalillo County Aquatics Team has certified divers to provide water rescues in arroyos, ditches, rivers or other bodies of water. Aquatic Rescue uses air-boats for rescue missions and to patrol the Rio Grande River during special events such as the International Balloon Fiesta or annual river races. Career fire fighters are trained in wild-land and forest fire suppression and use of the special equipment required. Fire & Rescue has a special HEAT team specially trained to handle hazardous materials.

Section 3.31 Support Services

AFD Headquarters is accountable for the execution of the financial, personnel and union contract policies with a high level of quality and efficiency. It also addresses future planning needs of new fire facilities; as well as remodeling of current facilities, and fire apparatus to provide the environment and equipment necessary for fire personnel to properly serve the public. Additionally, AFD Headquarters is responsible for the prevention and reduction of injuries, exposures, and death to AFD employees. These functions are all necessary to provide support to the main goal of the fire department, which is to save lives and protect property.

Moreover, it provides budget preparation, process accounts payable and receivable, payroll, travel requests, cellular and pager service requests, building maintenance requests, and prepare and submit grant applications.

BCFD Support Services Division provides support in the areas of fleet maintenance, inventory control, training and administrative services within budget laws, rules and regulations and seeks to provide a well managed resource available to Bernalillo County to maintain the mission of the department. It also conducts training, processes travel arrangements, equipment issue, applicant testing; fleet maintenance with repair and replacement, procurement of supplies and services, personnel issues, payroll, budget and finance, grants and expenditures, and processing of payments.

Section 3.32 Fire Suppression

Both AFD and BCFD provide fire suppression services for family dwellings, commercial structures, and wildland fires; as well as, respond to hazardous materials and basic life support rescue calls. These services are coordinated between both agencies.

Section 3.33 Paramedic Rescue

Both AFD and BCFD provide life support services. Emergency medical technical paramedics handle the more technical and specialized calls for emergency rescue services. These units utilize an array of technical medical equipment for delivery of cardiac episode drug and monitoring intervention, and equipment for dealing with higher-level trauma incidents.

Section 3.34 Fire Prevention/Fire Marshal

AFD's Fire Prevention Bureau is responsible for providing prompt, courteous, efficient and professional public safety services for the protection of life and property through fire prevention. This is accomplished by continuing efforts in public education, code enforcement, and identifying and mitigating hazards to reduce the possibility of a catastrophic event in buildings that have public access and to ensure public safety.

The AFD Fire Marshal's Office is responsible for arson investigations, enforcement of the Ground Water Protection Policy and Action Plan (GPPAP), code enforcement, supplement front-line emergency forces during major incidents, and community involvement activities.

BCFD Fire Prevention Bureau is responsible for engineering and enforcement authority under Bernalillo County Code, Chapter 34, including the Uniform Fire Code, Tobacco Ordinance, N.M. Fireworks Licensing and Safety Act and the Ground Water Protection Policy and Action Plan. Fire prevention education and public relations are provided through the Fire Prevention Bureau. The fire and arson investigations, including criminal complaints, are done through the arson division of the Fire Prevention Bureau. The services provided by the Fire Prevention Bureau include hazardous material identification, ground water protection, fire and arson investigations, plan review and building inspections on new buildings and renovations, fire-safety inspections for annual renewal of business licenses, request for services under the fire prevention code through KIVA, incident command and rehabilitation services, fire fighting and public information and education.

Section 3.35 Emergency Management

The AFD Office of Emergency Preparedness (OEP) operates under the guidance of the Federal Emergency Management Agency (FEMA) and the State of New Mexico Department of Public Safety. Emergency Management is responsible for maintaining an integrated emergency management plan and providing support for any man-made or natural hazards that may occur in the City

The BCFD Office of Emergency Management provides similar services for the unincorporated areas. The office conducts emergency exercises with County departments and other jurisdictions.

Section 3.36 Logistics

APD's Logistics Section encompasses fleet, resource management, and building maintenance coordination for front-line emergency services. All these functions are required to provide support to personnel at the fire department with safe vehicles, personal protective equipment, special operations equipment, emergency medical supplies, and consumables. The Section is also responsible for emergency vehicle repairs.

The BCFD operates their own apparatus repair facility and coordinates maintenance of other vehicles with the Fleet Management Department.

Section 3.37 Joint Service Agreements

Mutual Aide in Fire Protection

Type: MOA

Date: September 1996

Funding: NA

Summary: The Albuquerque Fire Department and the Bernalillo County Fire Department will provide mutual/automatic aide to each other in emergency responses and preserving life and property. Neither party may claim reimbursement or compensation for all or any part of the costs incurred by such party. Each party waives all claims against every other party for compensation for any loss, damage, personal injury, or death occurring as a consequence of the performance.

Mutual Aide in Fire Protection

Type: IGA

Date: August 2000

Funding: NA

Summary: Bernalillo County transferred County Fire District Stations 7 and 9 to the City of Albuquerque. The Albuquerque Fire Department will provide fire and rescue coverage and services that include fire cause and origin investigations. Any funds allocated by the State Fire Marshal's Office will continue to be used for the purposes intended by those funds. The County assigned vehicles and equipment to those fire stations. The City provided a minimum of two paramedics and two firefighters in each station. The City provided in and cover all maintenance, modifications and repair costs for each station. The City will also maintain equipment and vehicles and provide and maintain all required communications and data equipment.

Ditch & Water Safety Task Force

Type: IGA

Date: 1994

Funding: City contributes \$10,000 annually

Summary: The Fire Department contributes \$10,000 annually to this multi-agency committee dedicated to providing public education and awareness for safety issues pertaining to waterways in the greater Albuquerque area.

Section 3.4 Metropolitan Detention Center

The Metropolitan Detention Center (MDC), formerly the Bernalillo County Detention Center (BCDC) operates under the authority of a joint powers agreement between the City of Albuquerque and the County of Bernalillo. The purpose is to provide a safe, secure, and humane environment for staff and inmates. This is accomplished by providing training to security staff, safety programs and inmate care which includes educational, nutritional, medical, mental health, treatment and counseling services.

The new MDC is situated on a 155 acre site approximately 16 miles west of downtown. The 2100 bed facility represents the state of the art in detention center design. It will incorporate video conferencing for arraignments, telemedicine, visitation, and inmate contact with officers of the court and attorneys. The facility is also wired to provide closed circuit programming for inmates, such as life skills, anger management and GED classes.

Section 3.41 Inmate Services

The purpose is to provide food service, medical and mental health services to inmates. These services are contracted out. All the contracts meet the required standards as set forth by the American Correctional Association. Inmate Services also provide Case Managers who support the inmate connection between the inmates and their family.

Section 3.42 Community Custody Program

Inmates are placed back into the community are monitored on a daily basis by Community Custody Officers. The purpose of the program is to provide alternatives to incarceration in which the inmate is returned to his or her home, job and neighborhood with intensive supervision. The program provides community based supervision and treatment reporting for court authorized clients who meet eligibility criteria. The program allows Judges the opportunity to allow inmates to prove themselves in the Community. Inmates who violate the program are returned to secure custody and are required to work in various areas of the Jail and/or Community. The costs for this program are far less than traditional incarceration or jail.

Section 3.43 Detoxification Program

The Detoxification Treatment Program provides alcohol detoxification and treatment services to inmates, accomplishing safe withdrawal from alcohol abuse or dependency, for up to 28 days. This program provides these services through Substance Abuse Counselors, Case Managers and DWI Educators. These service activities work in conjunction with DWI alcohol and substance abuse inmates incarcerated within the Detention Center. Those placed in this program are referred to the program by the judicial system. A twelve step program approach is used with the goal in reducing the number of DWI re-arrests through treating these convicted DWI offenders to make the metropolitan area a safer place to drive and live.

Section 3.44 Joint Service Agreements

Joint Corrections Detention Center

Type: IGA

Date: 1978, 1998

Funding: Equal cost sharing between City and County

Summary: Since 1978, the City and County have had a JPA in effect under which the City has been responsible for the management of the jail, with the operating expenses being split evenly between the City and the County. Bill No. R-35 (Enactment No. 35-1998) terminated the 1978 JPA and called for renegotiating the JPA with the construction of a new detention center and for efficiencies of operation and planning purposes. In June 1999, both the Inter-Governmental Committee and the City Council approved that the County shall have sole responsibility for managing the Detention Center and related facilities. Recently, the City Council voted to end that 2-year-old agreement and retain city management of the detention center.

Bonding and Pretrial Services to BCDC

Type: Contract

Date: 1997, 2001, 2002

Funding: City and County pay \$665,000 annually

Summary: Contract between the Bernalillo County Metropolitan Court and the City of Albuquerque to provide 24-hour coverage for posting of bonds and for pre-trial releases at the Bernalillo County Detention Center. Contractor provides 7-day coverage.

Section 3.5 Juvenile Detention Center

Bernalillo County operates an 80-bed Juvenile Detention Center, which handles over 5,000 high-risk juvenile offenders annually. The Bernalillo County Juvenile Detention Center (BCJDC) was originally established as a short-term facility to house juveniles waiting court hearings. Now, the Center often handles longer stays and provides not only food and shelter but also medical, psychological, recreational and academic programs to juveniles ranging in age from 8 to 18. In addition to the County's primary juvenile facility, Bernalillo County is responsible for the day-to-day operation and management of the Valencia County Regional Juvenile Detention Center. The Center is funded by Valencia and Sandoval Counties. It provides service to other counties, tribes and the federal government on a contractual reimbursement basis.

Section 3.51 Resident Services

The Resident Services Program provides a safe, secure and humane environment for youths booked and detained. Resident Services Program also provides 24-hour booking and release services to law enforcement agencies, Juvenile Probation and Parole Office, Children's Court and community custody programs. BCJDC also provides alternative programs to incarceration through its detention and system reform effort. In addition, BCJDC in collaboration with Albuquerque Public Schools provides education services based upon state standards for detained children through regular and special education programs and a continuation school for children placed in

community custody programs who have been placed on suspension or long-term expulsion.

Section 3.6 Communications

Both the City and the County have communication centers that handle emergency calls. The City's communication center handles calls within the City limits and is located on west Central Avenue. The County's communication center handles calls for the unincorporated areas of the County, the Villages of Los Ranchos and Tijeras, and is located in North Albuquerque Acres. Both centers are operated with certified civilian dispatchers with the exception of sworn fire personnel staffing the City's communication center.

Section 3.61 APD Communications

The APD Communications Division provides responses to calls for service from citizens in emergency/non-emergency situations. Through the Telephone Report Unit, APD also provides the means for citizens to call in police reports and has the ability to divert lower priority.

Section 3.62 AFD Dispatch

AFD Dispatch provides pre-arrival medical assistance over the phone and communication support at all emergency incidents. Dispatch is staffed by sworn fire personnel who are trained Emergency Medical Dispatchers.

Section 3.63 AFD Technical Services

AFD Technical Services supports front-line emergency forces by communicating current information to emergency services personnel and maintaining technological equipment including Computer-Aided Dispatch, 800 MHz Radio Communications, PC computer support, geographical information systems (GIS), mapping for AFD and APD, E-911 Vesta and the Emergency Operations Center (EOC). The public, response personnel, dispatchers for AFD and APD; and staff in the EOC are the primary customers of the Technical Services Program.

Section 3.64 Bernalillo County Communications Center

The County Communications Department services all emergency and non-emergency calls for the County Sheriff and Fire departments and the Villages of Los Ranchos and Tijeras. The Communications Center, in North Albuquerque Acres, operates with certified civilian dispatchers and features state-of-the-art communications equipment, including a Computer Aided Dispatch (CAD) System, enhanced 911 emergency response (which integrates to the CAD) and a new digital radio console which improves dispatch operations and runs the new 800 MHz digital radio system. The emergency communications operators perform all Sheriff and Fire dispatch functions and respond to 911 Emergency calls using Medical Priority Dispatching. The Communication Center is also responsible for coordinating communications required during major disasters.

Section 3.7 Observations & Challenges

The operation of APD and BCSD are comparable in organization and responsibilities. The officers in each department have similar training and experience. The pay scale is close, though BCSD officers earn approximately 5% (at entry) and 9% more than APD officers. Each department operates an academy with BCSD providing contract services for Rio Rancho, Sandoval County, UNM and APS. Human resources, recruitment, behavioral services and internal affairs appear to be similar (this similarity may be due in part to the number of Sheriff Deputies in recent years who have been veterans of APD. It is apparent that APD and BCSD are already working together and cooperating on many fronts. In addition, both the Sheriff and the Chief of Police have expressed their belief that there would be great benefit in combining the two agencies.

It seems that broad-based support from the public could be generated for unification of public safety functions. However, there are many practical hurdles that will have to be overcome. The major questions seem to be who will head the combined departments, and will the Sheriff continue to be an elected official. While these will not be easy decisions, requirements can be placed on the job that set forth minimal educational or experience qualifications. Furthermore, the job could be structured so that one or more second level professional employees can handle most, if not all, of the day-to-day operations of the department.

With regard to other practical considerations, some thought should be given to matters such as how law enforcement vehicles will be identified, what uniforms the officers will wear, and how will equalization of salaries and benefits be addressed. While these matters are administrative in nature, there will undoubtedly have to be a phase-in period to allow for existing vehicles to either be converted or for those vehicles to go out of service and new vehicles to be purchased. In addition, the uniform issue may require phase-in time because of the expense associated with a certain number of personnel probably having to obtain new uniforms. Finally, in order to come up with the funding necessary to deal with salary and benefit issues, there most certainly will be a time lag.

Both fire departments are fully cooperative on nearly all matters of fire suppression and prevention at this point. The residents may want some of the County stations currently staffed with volunteers to remain. This may be verified as adequate by the merged department. If so, the areas served by volunteer or partial volunteer firefighters and medical emergency personnel could be in a different tax district so that the area would not be paying for a service not provided. With this arrangement it would certainly seem that these two departments would merge quite well.

Section 4 Environmental Quality

Section 4.1 Community Conditions

Desired Condition: Air, land and water systems protect health and safety

What the data indicators say:

- Water quality continues to meet or exceed all drinking water requirements.
- Air quality continues to meet state and federal standards.
- The ability to maintain these trends will be challenged by growth in surrounding communities and the ability to provide new sources of drinking water.

Desired Condition: Wastes are produced no faster than natural systems and technology can process them

What the data indicators say:

- Waste going to the landfill generated by households increased by 5% from 1998 - 2001.
- The percentage of waste recycled or diverted from the landfill dropped 6.9% from 2000 -2001.

Desired Condition: Water resources are sustainably managed, conserved and protected to provide a long term supply and drought reserve

What the data indicators say:

- A 4% reduction in water use was achieved in 2001 despite lower than normal rainfall.
- Since 1994, the city has reduced its overall water use by 23%, however the aquifer water levels are continuing to decline.

Section 4.2 Environmental Health

Both the City and the County have Environmental Health Departments for the purposes of protecting public health and the environment. Some services provided by the City include regional air and groundwater monitoring, landfill characterization and remediation, household hazardous waste disposal, and oversight of City-owned fueling facilities. The County oversees well and wastewater permitting and enforces the County's wastewater, noise, mobile food, and health and sanitation ordinances.

Both City and County are responsible preventing disease and disability through consumer protection programs, including restaurant inspections and a County-wide program to reduce insects and rodents. Both departments are responsible for plan and plat review, environmental impact review, noise abatement, and animal control services.

Section 4.21 Animal Care

State Law mandates that the citizens be provided protection from the deleterious effects of animals and the diseases they may transmit. It is also mandated that animals be

afforded certain rights of protection from human action or inaction affecting their well-being.

Both City and County animal service divisions pick-up stray animals, investigate animal bites and noise complaints, issue permits and licenses, and assist law enforcement on emergency requests. The City houses animals impounded by the County through collection of a fee per animal. The shelter provides health check examination and vaccination for incoming animals, food, water, exercise and kennels. They also assist the public by receiving and releasing animals, performing euthanasia and transporting animals to and from spay/neuter clinic. The shelter also assists the public with adoptions, reclaims, and public information/relations. The County Animal Control employees also respond to livestock issues and complaints.

Section 4.22 Air Quality

The City Air Quality Division's mission is to protect and enhance air quality for current and future generations, and thereby protect public health, economic well-being, and aesthetic values for the community. Clean Air Act programs include the pollution control strategies, air pollution monitoring, land use/transportation review, and the compliance and enforcement. These programs effectively maintain good air quality by addressing impacts of transportation, industrial and community-wide sources. The control strategy program implements numerous Clean Air Act requirements to prevent and limit air pollution. The monitoring program provides the necessary data to the public, the industrial and development community and government entities about pollution levels within the community's airshed. Pollen monitoring is conducted during the growing season as a public service for individuals with allergies. The transportation program works in conjunction with transportation planning authorities to ensure transportation plans conform with federal Clean Air Act. The compliance and enforcement program assures citizens and others in the community that pollution sources are using appropriate measures to comply with federal Clean Air Act requirements. These programs are carried out county-wide and the Air Quality Control Board is appointed jointly by the City and County.

Operating Permits

The City issues permits to the various industrial and commercial businesses county-wide in accordance with local, state and Federal regulations for the following types of air pollution sources: major, minor, air toxins, radio nuclide, acid rain, prevention of significant deterioration, asbestos, top soil disturbance, wood burning, and open burning. They also provide technical review and consultation with applicants regarding specific regulatory requirements.

Air Pollution Management

The Vehicle Inspection and Maintenance program provides quality assurance oversight of a decentralized (private contractors) emission-testing network to ensure convenient, affordable testing service while preventing consumer fraud. Program staff provides training, technical assistance, and regulation of private AirCare inspectors, stations, and equipment. The Vehicle Pollution Management Division is the headquarters for the

Albuquerque/Bernalillo County auto emissions program. The facility is located at 1500 Broadway NE. Vehicle Pollution Management Division houses two large test bays that are used for training Air Care inspectors and for retesting vehicles that have failed an emission test at any one of the certified air care stations. Program staff also oversees the winter Oxygenated Fuels program ensuring that only cleaner burning oxygenated fuel is used during winter months when vehicle cold-starts result in excessive carbon monoxide and hydrocarbon emissions. Primary customers are the citizens of Bernalillo County, vehicle owners, and AirCare inspectors and station owners. Currently, the public health based National Ambient Air Quality Standards are being maintained. To ensure compliance with this program, the department conducts three different types of audits of air care stations on a quarterly basis. Therefore, each air care station is audited at least once per month.

Section 4.23 Consumer Health Protection

Both the City and the County conduct inspections of retail food establishments, provide food service training and enforce food safety codes. They also inspect swimming pools/spas and body art establishments. Inspectors also issue permits, provide training to public swimming pool operators. The City coordinates and conducts all administrative and operational activities associated with the Insect and Rodent Control and Plague surveillance programs throughout Bernalillo County. Vector control technicians spray for mosquitoes, find and destroy mosquito-breeding sites, provide plague surveillance, and provide proactive measures to prevent hantavirus and other vector-borne disease outbreaks.

Public Health Protection: The City's Bio-Disease Management program is a county-wide program that provides for public safety from bio-disease outbreaks whether by natural or deliberate means. Services include disease field surveillance testing and control, community outreach and education, data management, and research and strategy development. Customers/Clients include residents of the valley where mosquito populations exist, residents of plague-endemic areas, veterinarians and doctors who treat animals and humans with vector-borne disease.

Section 4.24 Environmental Protection

Water Quality

The City and the County adopted the Ground-Water Protection Policy and Action Plan (GWPPAP) in 1994 to protect and manage groundwater resources in Bernalillo County. Both departments perform groundwater-monitoring investigations, removal of underground storage tanks, assuring safe disposal of hazardous waste, and developing new regulatory and enforcement strategies that address possible groundwater contamination. The City maintains a regional groundwater monitoring network of over 100 wells. The County maintains and monitors thirteen groundwater wells. These wells provide monitoring sites throughout the County where groundwater levels and quality are analyzed.

Household Hazardous Waste

The City manages the Household Hazardous Waste Collection Center for the entire county. The Center provides for drop-off of household hazardous waste. Used oil and antifreeze recycling is conducted through business partnerships.

Landfill Monitoring

The City performs landfill gas monitoring, characterization and, where necessary, remediation of landfill gas risk at former landfills. This work is intended to protect the public from explosive conditions and exposure to toxic substances. The primary customers or clients of this service include property owners of land on or adjacent to former City landfills, those with work locations at and near former landfills, and the Balloon Fiesta RV Park users.

Section 4.3 Solid Waste

The City's Solid Waste department is responsible for the collection and disposal of solid waste from approximately 148,000 households and 12,000 businesses. In addition, the department collects and processes recyclable material from those households, apartments, some City government offices, and businesses. Solid waste is also collected at three convenience center sites and transported to the landfill for disposition. The department's Clean City Division oversees the weed, litter, and graffiti removal efforts for the City of Albuquerque. The "Keep Albuquerque Beautiful" program responsible for education outreach and classroom teacher training.

The County's Solid Waste Department provides solid waste collection to 21,000 households, transfer and disposal, community cleanups, customer service, billing, education, source reduction and recycling programs.

Section 4.31 Collections

Both the City and County collect and dispose of solid waste. The City provides residential and commercial collection. The County provides residential collection.

Section 4.32 Disposal

The City disposes of solid waste at the Cerro Colorado landfill. A total of 5,351,350 tons of waste has been deposited at this landfill from May 15, 1990 (opening date) through May 31, 2002. This is equivalent to approximately 10,942,975 cubic yards of airspace. In 2000, the City received a permit renewal from the New Mexico Environment Department to expand the landfill from the nine original waste cells to a masterplan buildout of 18 cells. This permit renewal expansion increased Cerro's total gross airspace from approximately 31,000,000 cubic yards (cells 1-9) to 81,392,000 cubic yards (cells 1-18). The 10,942,975 cubic yards already used as of May 31, 2002 represents 13.44% of the new total airspace volume.

Bernalillo County contracts for residential collection service to 21,000 households in the unincorporated area. The County operates the East Mountain Transfer Station that serves a residential base of 7,000 homes. It also serves portions of southern Santa Fe County and some residents of Tarrant County. The facility is open 7 days a week, 10

hours a day with a staff of seven. The facility accepts residential household solid waste, residential yard waste, residential construction and demolition waste, bulky items (furniture etc.) appliances and metals, used motor oil and batteries, green waste (tree and shrub trimmings and fire slash), and recycling (newspaper, cardboard, aluminum and steel cans plastic containers, and tires).

The majority of County waste (approximately 7,320 tons per year) from the East Mountain transfer station is hauled to the Bernalillo County/Torrance County regional landfill. On weekends waste is hauled to Albuquerque's Cerro Colorado landfill (approximately 1,440 tons per year). Paper and aluminum cans are hauled to McKinley recycling in the South Valley. Plastic and steel cans are hauled to the City's recycling facility at their landfill. Used oil goes to Mesa Oil, car batteries go to Acme and cellphone and household batteries go to Rinchem.

Section 4.33 Clean City

The City's Clean City Program oversees the weed, litter, and graffiti removal efforts for the City of Albuquerque, with the "Keep Albuquerque Beautiful" program responsible for education outreach and classroom teacher training. The County holds six community cleanup events and seven small neighborhood cleanup events per year. These cleanups include household trash, tires, household hazardous waste, bulky items, appliances and yard waste.

Weed and Litter

The City's Weed and Litter section provides cleaning of weeds and litter from major thoroughfares along curb lines and medians on a scheduled basis by planning areas throughout the year. This section also responds to special clean-up requests from city Zoning Enforcement Division that has been identified as being in violation of the ordinance and subject to a lien. This section also provides clean-up services for the department by handling clean-up of hydraulic spills and emergency trash spills by collection vehicles. In addition, this section provides citizens with supplies and support to organize their own volunteer work force of Bernalillo County detention workers. Weed and litter for the unincorporated area is the responsibility of the County Operations and Maintenance Department.

Graffiti Removal

Both the City and County operate graffiti removal services providing labor, equipment and supplies to eradicate graffiti on public and private properties. Both continue to increase the number of community clean-ups with Neighborhood Associations and Civic Groups.

Section 4.34 Recycling

The City provides curbside recycling to its residential customers. The purpose of the recycling program is to collect and process as much solid waste as economically and logistically possible, and to market the materials successfully. The recyclables are transported to the Intermediate Processing Facility.

The County does not have residential curbside recycling. The East Mountain transfer Station provides for recycling drop-off and South Valley green waste recycling is free to County residents six days a week at a contracted facility in the South Valley. It currently serves over 1,200 residents and recycles 2,700 cubic yards (270 tons) of yard waste annually.

Section 4.4 Observations & Issues

The new government will need to assess the need, desire and feasibility of undertaking different environmental functions and services county-wide. Under a unified government there may be a need for varied requirements and services to allow for differing values and customs as well as a reasonable time period for transition and compliance.

One challenge for the unified environmental quality program will be the area of animal control. There are separate animal control and zoning ordinances for the City and County. The subject of animal regulation in the unincorporated area has been very controversial.

Different service levels exist for solid waste collection. The County does not provide commercial collection or curb-side recycling.

The City and County environmental health departments appear to be cooperating well in most areas. There are already County-wide programs for air and water quality and animal impoundment. Unification might reduce some confusion among residents about which department to call for assistance.

Section 5 Healthy People & Families

Section 5.1 Community Conditions

Desired Condition: Residents are healthy

What the data indicators say:

- Percentage of women receiving prenatal care remained stable in Bernalillo County, although those receiving care in the first trimester has gone down since 1995 (72% to 65%).
- Updated data on residents with health care coverage and adults engaging in physical exercise is not available.

Desired Condition: A community supportive of youth by fostering stable families

What the data indicators say:

- Birth rates were down for both mothers ages 13-14 , and mothers ages 15-17. The birth rate for mothers ages 15-17 declined 15.3% since 1998. The birth rate for mothers ages 15-17 in Bernalillo county continues to be lower than state as a whole, but higher than that of U.S.
- In Bernalillo County, 15.4% of families with related children under 18 years of age and 20.2% of families with related children under 5 years of age are below the poverty line.
- In Bernalillo County, 33.9% of families with a female householder, no husband present, and related children under 18 years of age are below the poverty line. 46.2% of families in this category with related children under 5 years of age are below the poverty line.

Desired Condition: A literate and well-educated population

What the data indicators say:

- The public perceives the condition to be important, but does not perceive much progress being made. HS dropout rates vary significantly by school. District wide rates have declined 10.5% from 1999 - 2001.
- Materials checked out from the library have increased 20% since 1999.

Desired Condition: Families are stable

What the data indicators say:

- In Bernalillo County, 31.4% of family households have at least one child under 18 years of age. 63.7% of all housing units are owner-occupied.

Desired Condition: Senior citizens live and function in optimal environments

What the data indicators say:

- Bernalillo County and the City of Albuquerque operate a network of seven senior centers and 20 satellite senior centers.

- The population of the City of Albuquerque is expected to become much “grayer” over next 20 years. In 2000, 12% of the population was over 65. By 2020, BBER projects the over 65 population to be close to 18%.

Other indicators for which data is not current or has not been collected

- Residents who have health care coverage (see page 1.18 Albuquerque Progress Report)
- Adults engaging in physical exercise (see page 1.20 Albuquerque Progress Report)
- Elementary schools with on-site or walkable child care and enrollment programs (see page 1.8 Albuquerque Progress Report)
- Developmental Assets scores of public school students (see page 1.10 Albuquerque Progress Report)
- Second grade students reading at grade level (see page 1.2 Albuquerque Progress Report)

Section 5.2 Senior Services

Bernalillo County contracts with the City of Albuquerque, as the Area Agency on Aging, to provide senior services throughout the entire County. In addition, the County provides some senior programs at County community centers through the Parks and Recreation Department. The City provides three main functions for senior services including intervention services, well being and fitness, and support to the frail elderly. The City operates seven full-service senior centers, nine satellite senior centers, and eight meal-only sites which include County community centers.

Section 5.21 Access to Basic Services

The City provides services and activities that support older, frail, and/or low-income seniors to help them live comfortably and remain at home. Core services include case management, transportation, home repair, home retrofit, home chores, and home delivered meals. The primary customers are older, frail, disabled, low income, and/or minority elders who are no longer capable of performing all their activities of daily living without assistance.

Section 5.22 Well Being

The City provides activities and services that allow seniors to remain mentally and physically alert and opportunities for socializing with peers and getting involved with their community. Core services include socialization, fitness, nutrition, volunteer opportunities, education, and recreation. The primary customers are seniors between 60-80, a small percentage are between 55-59. The County’s seven community centers have programs including educational and recreational activities for youth, families and seniors.

Section 5.23 Supportive Services to the Elderly

The City provides intervention services supporting frail elderly to enable them to remain in their own homes with assistance. These services are provided throughout the

County. Intervention services include mental health counseling, geriatric prevention health services, in-home long term care services, and senior legal services.

Mental Health Counseling: The City provides mental health counseling to assist seniors. Professional Volunteer Group and Individual Counseling is provided on a short-term basis through referrals by Case Management. is offered to seniors who will benefit from assistance to address stress related issues. The primary customers are persons aged 60 and over and their caregivers. This service is contracted to two private practitioners.

Geriatric Prevention Health Services: The following services are provided through clinics located at City senior facilities: diabetes screening, monitoring and education; blood pressure screening, foot care; health assessment, education and referrals. Primary customers are uninsured minority and low income persons age 60 and over. Services are provided through the UNM College of Nursing GEM clinics.

In-Home Long Term Care Services: The City provides intervention services (Personal Care, Homemaker and Respite Care) supporting frail elderly to enable them to remain in their own homes. Some of the services include light housekeeping; meal preparation and planning; cleaning of kitchen, bath, laundry; provide companionship. The primary customers are homebound persons aged 60 and over. Homemaker services are provided through Presbyterian Home Health Care.

Senior Legal Services: The City provides legal services to City and County seniors who otherwise would be unable to receive appropriate legal representation on issues affecting their lives. The service provides education, representation, defense and advocacy on elder rights issues, public benefit denials, long term care rights and other issues of concern to seniors. The focus is on serving low income, minority and frail individuals who would not otherwise be represented and who are age 60 and over. Legal services are provided through the Senior Citizen Law Office.

Section 5.24 Joint Service Contracts

Bernalillo County contracts with the City of Albuquerque to provide senior services throughout the County. The City utilizes County multi-purpose centers and senior centers. All sites have City employees responsible for senior activities. The County will pay \$345,900 in Fiscal Year 2002-2003 for these services.

The City serves as the State's "Area Agency on Aging" (AAA). This gives the City the administrative responsibility for providing state funded senior services in accordance with the Older Americans Act of 1965. The services are provided on the basis of an "Area Plan." For the purposes of the Area Plan, and state funding, the County includes the City, County, Village of Los Ranchos, and Village of Tijeras. These parties entered into a Joint Powers Agreement in 1977 designating the City as the AAA. (The MRCOG had previously served as the area agency). Thus the City acts as the fiscal agent in all matters pertaining to budgeting, finance, accounting and auditing relating to the administration of the Area Plan.

Section 5.3 Family & Community Services

The City's Family and Community Services Department offers a range of services designed to strengthen families, improve neighborhoods, and enhance the quality of life for community residents, particularly for low and moderate income individuals and families. Most services, except for housing, are provided County-wide to all residents. The City either directly provides or contracts with nonprofits to provide health care, child care, early childhood education, before and after school care, youth services, therapeutic recreation, child nutrition, gang intervention and prevention, substance abuse treatment and prevention, family service centers, community recreation centers, public housing, rent assistance, affordable housing development, fair housing, and human/civil rights education and enforcement. Similar services are provided by the County either through the County Parks and Recreation Department, the County Housing Department or through social service contracts administered by the County Manager's Office.

Section 5.31 Health and Social Services

County Hospital

Counties in New Mexico are responsible for provision of health care to indigent patients (27-5-2). The Hospital Funding Act (4-48B-7, 12, NMSA 1978) authorizes counties to purchase, own, maintain, operate, control, regulate and lease hospitals. Counties may also issue bonds, call a mill levy election and levy annual assessments for hospitals.

Bernalillo County owns the County hospital – the University of New Mexico Health Sciences Center, including the University of New Mexico Hospital ("UNMH") and the Mental Health Center. The University operates the hospital under a lease agreement with the County. The University is responsible for operations and for provision of care for medically indigent residents.

The County is responsible for supporting operation and maintenance of the hospital through a mill levy approved by voters. The University must provide an annual accounting of expenditures to the Board. In FY 2002 the mill levy produced approximately \$54 million for the hospital.

The County must also spend a portion of the annual GRT revenue for indigent health care and annually contracts with providers through the Partners in Health Program. This program is intended to provide primary health and dental care at convenient locations within the community. Present providers include First Choice Community Health, Community Dental and Albuquerque Health Care for the Homeless. First Choice provides services at two County-owned facilities under a lease agreement; the South Valley Clinic at 2001 Centro Familiar and the Alameda Clinic on North Second Street NW.

Public Health

The Board of County Commissioners is statutorily required (24-4-2 NMSA) to provide space for the county health department and the district health officer, including office and clinic space. The State Department of Health Clinic and District 1 Administrative Offices are presently located at 1111 Stanford NE. Additional County-owned Public Health clinic sites are located at the 2001 Centro Familiar facility in the South Valley and the Alameda Clinic.

City Centers for Family and Community Services

The City's Department of Family and Community Services (DFCS) maintains a network of "centers for family and community services. At these facilities the City makes below market rate clinical and office space available to public and private service providers. Financial assistance is available to agencies providing pediatric medical care at the East Central center and dental services at the Los Griegos and Alamosa Centers.

DFCS contracts with University Hospital to provide pediatric services to low income children through the Young Children's Health Clinic at the East Central. In addition, DFCS routes funding from CDBG through the Department of Senior Affairs (DSA) for modifications to the homes of the elderly.

DFCS contracts with UNM, Community Dental, SET NM, and NM AIDS Services for health care related activities; with Presbyterian Home Health Care for homemaker assistance for the elderly; with the Albuquerque Indian Center for services to urban Indians; and with All Faiths for services to families with abused and neglected children. SET and Presbyterian are operated as part of the Older Americans Act with client reporting in DSA.

Los Griegos Center: The Los Griegos Center, near 12th and Candalaria in the North Valley, houses First Choice family and WIC clinics, a Community Dental Clinic, and a Maternal and Infant care clinic.

John Marshall Center: The John Marshall Center is located in the South Broadway neighborhood. The UNMH Maternal and Infant care clinical program is located at this center. Office space is leased to community programs including the United South Broadway Corporation, Youth Development, Inc, the UNM Family Development Program, Excel Education, and the offices for the City's Early Head Start Program. The John Marshall center also houses the Department of Senior Affairs central kitchen and the Cuidando los Ninos child care center for homeless children. YDI, UNM Family Development, and Cuidando, also receive funding from the County.

Alamosa Center: The Alamosa Center is located at New Coors and Bridge. Services located in the facility include a First Choice family and WIC clinics, a Community Dental Clinic, and a Maternal and Infant care clinic. The Public Health Department also operates a children's health services clinic at the facility.

East Central Center: The East Central Center is located on Zuni and San Pablo in Southeast Albuquerque. Services located in the facility include several administered by the University Hospital, the SE Family Health clinic, the Young Children's Health Center, and a Maternal and Infant care clinic. The Public Health Department operates a children's health clinic and a WIC program at the East Central site. Construction is underway on a dental clinic to be operated by UNMH.

The City also provides emergency assistance at each of the centers including distribution of food boxes, clothing, and referrals for rent and energy assistance.

Mental Services: The City of Albuquerque contracts with UNM, Hogares, Neutral Corner, and Transitional Living Services to provide crisis intervention for victims of sexual assault, services to youth and families, and case management for persons with long-term serious mental health problems. The County provides additional funding to Neutral Corner through a MOU with the City. The County also independently contracts with Hogares and TLS.

Section 5.32 Affordable Housing

The purpose of the City's Affordable Housing program is to reduce the number of Albuquerque households who are paying in excess of 30% of their gross income for housing costs (rent/house payments and utilities). The program also seeks to expand the level of home ownership among Albuquerque families. The program primarily services households at or below 80% of the area median income (adjusted for family size) which are the households most likely to be "rent burdened." The County's Housing Department, similarly, aims to "provide decent, safe and sanitary housing opportunities to eligible residents".

CDBG Affordable Housing: The City of Albuquerque is an "entitlement" community and receives an amount of CDBG funding determined on a formula basis. The County competes with other Counties for a limited pool of CDBG funds (\$15M statewide in 2001) for a maximum \$400,000 yearly award.

The City's CDBG Affordable Housing Contracts program assists nonprofit housing development organizations in neighborhood-focused housing development projects, including new construction and the acquisition and rehabilitation of existing housing. The program is designed to benefit families with incomes at or below 80% of the area median family income adjusted for family size. Down payment assistance programs operated by the NM Mortgage Finance Agency and the United South Broadway Corporation both provide grants of up to \$5,000 per household to assist otherwise eligible borrowers in qualifying for housing mortgages. These efforts are targeted to

acquisition of existing housing. Prior to obtaining assistance through this program, potential beneficiaries receive extensive counseling that enables them to improve their credit rating and prepares them for the responsibilities of home ownership. The new construction program involves the construction of new homes generally as in-fill development in older neighborhoods. The City subsidy for these projects normally averages about \$20,000 per unit and is carried by the homebuyer as a soft second mortgage that is due and payable upon the sale or refinance of the home. The program is designed not only to assist lower income families in becoming homeowners, but also to stimulate redevelopment of Albuquerque's older neighborhoods.

Public Housing: DFCS serves as the public housing authority for the City of Albuquerque. It owns and manages 950 units of housing which was constructed with assistance from the U.S. Department of Housing and Urban Development (HUD) and receives operating subsidies from HUD. This housing is made available to low income elderly households, low-income families, and persons with disabilities.

County Housing

The County's Public Housing program consist of two public housing developments; 54 units of elderly housing (El Centro Senior Housing) and 21 handicapped accessible units (Seybold Village). The County also builds affordable housing for sale to qualified buyers and funds home improvements in the unincorporated area.

Section 8 Rental Assistance: The housing choice voucher program is the federal government's major program for assisting very low-income families, the elderly, and the disabled to afford decent, safe, and sanitary housing in the private market. Since housing assistance is provided on behalf of the family or individual, participants are able to find their own housing, including single-family homes, townhouses and apartments. The participant is free to choose any housing that meets the requirements of the program and is not limited to units located in subsidized housing projects. DFCS and the County Housing Department provide families with housing assistance through Section 8 vouchers. Families seek suitable housing and the City or County enter into a contract with the landlord to provide assistance payments on their behalf.

Section 5.33 Early Childhood Education

The purpose of the City's early childhood education program is two fold: 1) to provide high quality, early care in education that helps assure the healthy social, emotional, cognitive, physical, and cultural development of children; and 2) assists parents by providing child care services in a secure, stable environment in order to allow parents to work towards economic stability as they pursue self-sufficiency. The primary customers are children from low-income families who are working or attending school. The program is currently funded to serve 740 children in City operated centers, with additional services provided under contract by private, nonprofit service providers.

The County provides similar programs to unincorporated residents through the Parks and Recreation Department at community centers and through social service contracts with area non-profit providers.

Day Care for Homeless Children: Therapeutic day care services are made available to children 0-5 years old from homeless families. Care is provided at the John Marshall Center. This program, contracted with Cuidando Los Ninos, is also funded by the County.

Early Head Start Program: In both the City and County low-income pregnant women and children under 3 are enrolled in a program through which their families receive early care and education, training in parenting skills, and assistance in obtaining comprehensive services (health, social, and employment). Families participating in the program work with a home visitor/case manager and receive services until the focal child is three years old. At that point, families are transitioned into child development centers or a comparable center-based preschool program.

Child Care Food Program: The City provides nutritious daily breakfasts, lunches, and snacks are provided to children enrolled in the City's Child Development Centers. The County Youth Services Program administers the summer recreation program at nine school sites and the Summer Sack Lunch Program at 33 lunch sites.

Teen Residence Program: A grant to the City provides funding for prevention services to teenagers who are pregnant or parents of a child under three years old. Program participants are required to complete their education program while residing in a semi-independent living facility. They receive support and information through Early Head Start. The County provides funding for residential treatment of adolescents through a contract with Hogares, Inc.

Child Care Contracts: The City contracts with the University of New Mexico, Presbyterian Medical Services, and St. Mark's in the Valley to provide child care and child development services to preschool age children from lower income families. In addition, the City contracts with YWCA to provide child care information and referral services for lower income families. The County also contracts with St. Marks and PB and J.

Childhood Development Services: The City operates 17 child development centers around the community, most on or near APS elementary school campuses, with a funded enrollment of 700 children. These centers provide early childhood education activities for 3-5 year olds. Early Education Programs for 3-5 year olds are also offered at the 7 County community center sites.

The County contracts for therapeutic preschool services with Peanut Butter and Jelly Family Services, Inc. This non-profit also provides supportive living services and counseling.

County Youth and Senior Services Program: The County provides recreational opportunities for children and adults through the Before and After School Program, Summer Recreation Program, and Middle School Initiative. Before and After School

Recreation and mid school initiative programs are provided at eight elementary schools programs and five middle schools in the unincorporated area.

Section 5.34 Emergency Shelter Services

The purpose of this service is to assure that homeless persons have access to safe, secure shelter. The City supports several operations as part of this strategy: a) the overflow shelter at the state fair grounds; b) emergency shelter for women and children at Barrett House and at the Shelter for Victims of Domestic Violence; c) emergency shelter through the motel voucher program; d) day shelter at St. Martin's Hospitality Center; and e) operation of the Rescue Van service during winter months. The County funds St Martin's, All Faiths Receiving Home and New Day. All Faiths provides emergency child care services and New Day offers emergency shelter for youth 12-17.

Emergency Shelter Grant Program: This program provides for overflow emergency shelter at the State Fair Grounds and contracts for emergency shelter through Barrett Housing, the Good Shepherd Center, day shelter at St. Martin's Hospitality Center, and long term lease of units for use in conjunction with the Motel Voucher Program.

General Fund Emergency Shelter Contracts: These contracts support the shelter for victims of domestic violence; makes available vouchers for the homeless mentally ill, families, and ill and injured persons; shelter for women and children; and the operations of rescue van services. The County also contracts for these services.

Section 5.35 Transitional Housing

The purpose of the service is to assure that homeless persons have access to supportive and transitional housing that will enable them to reintegrate into stable society.

Continuum of Care Grant: This grant program provides supportive housing for the mentally ill, substance abusers, single individuals, and homeless families. They are provided under contract by Health Care for the Homeless, St. Martin's, Transitional Living Services, Catholic Social Services, Barrett House, and the Women's Community Association.

General Fund Supportive and Transitional Housing Contracts: This program underwrites supportive housing for homeless women and families offered through Bridges for Women, Casa Milagro, Catholic Social Services and HELP.

The County also provides funding to Transitional Living Services and St. Martins through the social service contracts program.

Section 5.36 Prevent and Reduce Youth Gangs

The purpose of this program is to divert youths from gang involvement to positive youth activities by conducting street level outreach to identify youth involved in gangs or at-risk; providing comprehensive needs assessment for identified youths, case

management, and referral to alternative services; and intervening where appropriate to reduce conflicts between youths that could contribute to gang violence.

Gang Prevention Contracts: The City and County contract with private, non-profit organizations to do outreach in targeted areas. The outreach agencies provide comprehensive assessment of youths enrolled in the program. Based on that assessment, participants will be enrolled in alternative activities as appropriate. The service delivery agency will provide ongoing case management and counseling for participants. In addition to the outreach activities, the program will also support a variety of prevention activities targeted to youths at risk of gang involvement. Contractors include YDI, Relevancy Inc, Big Brothers/Big Sisters and the NM Coalition for Children and Youth. The County separately contracts with YDI and BB/BS for the same services.

Juvenile Accountability Block Grant Program (JAIBG): This City program supports the Safe 2000 Juvenile Justice System Improvement Strategy. The strategy is designed to promote 1) system collaboration, 2) an earlier system response to at-risk juvenile behavior and 3) to engage the community in addressing juvenile high-need and high-risk youth social needs. To meet these goals, the program places social workers in 2 APD substations, the detention center and two BCSO substations to work with identified/referred youth and their families to prevent further delinquency. In addition, the New Mexico Conference of Churches receives funding to encourage members of the faith community to assist the troubled youth identified through the program.

Section 5.37 Substance Abuse Treatment & Prevention

The purpose of this program is to reduce the incidence of substance abuse in the community and enable lower-income persons with substance abuse disorders to obtain appropriate treatment by providing for comprehensive, standardized, substance abuse assessment and referral for treatment; providing subsidies for the treatment costs of income eligible persons; and providing for substance abuse prevention activities.

Adolescent Outpatient Treatment Program: Grant funds from the US Center for Substance Abuse Treatment will be used by the City to subsidize school and community based assessment and treatment services for adolescents.

Residential Treatment Services to Women and Their Children: Grant funds from the U.S. Center for Substance Abuse Treatment will be used by the City to expand and enhance residential treatment services for pregnant and post-partum women and their children by increasing the number of treatment beds currently provided by UNM Hospital's Milagro Program by six beds, providing enhanced neo-natal care on-site for their infants in withdrawal, and providing intensive case management services to the women while in treatment for successful transition back into the community.

Enhancements to Substance Abuse Assessment and Treatment Services: Grant funds from the U.S. Center for Substance Abuse Treatment will be used by the City to enhance the substance abuse assessment process at Albuquerque Metropolitan

Central Intake (AMCI) by providing medical screening, medical health assessments as appropriate, psychological evaluations as appropriate, and outreach to pregnant women, injecting drug users and adolescents to engage them into treatment. Funding will also provide one City staff person to develop formal agreements with related supportive service systems such as employment, educational and other social service systems to facilitate substance abuse client access to supportive services in order to improve treatment outcomes.

Substance Abuse Treatment Contracts: DFCS contracts with UNM Hospital to provide substance abuse assessment at Albuquerque Metropolitan Central Intake (AMCI) to the general public and to certain persons referred through the criminal justice system. The City also provides subsidies for the cost of treatment for income eligible individuals referred through AMCI to the most appropriate treatment provider in a network of providers approved by and on contract with the City. On a limited basis, direct assistance may be provided to nonprofit treatment agencies, in particular for treatment services to adolescents (Hogares, Inc.), the homeless (Health Care for the Homeless, Inc.), to pregnant and post-partum women (UNM Milagro Program), and for crack cocaine addicts (Relevancy, Inc.). The City and County both contract with a private, nonprofit organization (The Albuquerque Partnership) to develop and maintain a community partnership for substance abuse prevention.

Section 5.38 Reduce DWI

The purpose of this program is to reduce the number of DWI-related arrests, crashes, injuries, and deaths by providing financial support for enforcement activities such as DWI sobriety checkpoints; providing a range of prevention activities, including media campaigns; and providing detoxification and incarceration treatment services for persons arrested and/or convicted of DWI.

The State Legislature established the Local DWI Grant Program in 1993. The legislation gave the County the statutory authority to administer State DWI grant funds (11-6A-1-5). This authority was delegated to the City in 1993 through an intergovernmental agreement. In August the County gave notice to terminate the IGA. The County will assume responsibility for staffing and administering the program in July 2003.

The DWI Planning Council is the advisory body for Bernalillo County. The Council is responsible for documenting problems and needs and submitting a DWI plan to the County Commission for approval prior to submission to the State.

DWI Treatment Vouchers: DWI grant funds are used to subsidize treatment vouchers for DWI offenders through the City's treatment provider network. DWI offenders are referred by Metropolitan Court to Albuquerque Metropolitan Central Intake (AMCI) for substance abuse assessment and referral to a treatment provider. Treatment is subsidized through a treatment voucher issued by AMCI.

DWI Prevention contracts: The DWI prevention program provides for a media campaign, work place education initiative, funding for the Safe Ride program, and activities targeted to special populations such as youth and Native Americans. The aim of the prevention programs is to change attitudes and positively influence behaviors through focused media messages to the general public, education in the workplace, assessment and early intervention activities for youth, alcohol and drug-free activities for youth and culturally specific populations.

Safe Ride Home: Through this program component, persons who have been drinking may obtain a free taxi ride home on Wednesday through Sunday nights and holidays. DFCS contracts with a local taxi company to provide rides when requested by a bartender. The aim of this program is to provide inebriated individuals a safe alternative to drinking and driving and reduce the incidence of DWI.

DWI Enforcement Program: The DWI enforcement program provides funding to area police agencies to support activities such as check points and saturation patrols to enforce DWI laws. Support is also provided to the District Attorney to expedite prosecution of persons charged with DWI to reduce the number of DWI cases dismissed.

DWI Alternative Sentencing: The DWI program provides alternative sentencing of those convicted of DWI, including youth and adult community custody programs, youth and adult drug court, DWI incarceration treatment, and pretrial services. Alternative programs for offenders are aimed at providing substance abuse treatment and other supportive services to DWI offenders both while being monitored in the community outside a jail setting and while offenders are incarcerated. The overall aim is to reduce substance use and reduce DWI behavior.

Section 5.39 Public Education Partnerships

The purpose of this program is to improve the educational performance of students enrolled in Albuquerque Public Schools and creating a partnership to address at-risk student needs by targeting APS schools with lower than median educational achievement, providing activities and programs which encourage social interaction and productive use of leisure time, and providing a range of educational enhancement and social support services for children and their families at all levels from preschool through the 12th grade.

Middle School Cluster Initiative: In the City, this program provides grants to each public middle school and elementary school in Albuquerque (or with an enrollment that consists of at least 51% City residents.) In the County this program operates at the five middle schools located in the unincorporated area.

Allowable activities under this program include: recreation/personal development activities such as character education, sports, and the arts; academic enhancement activities such as tutorial assistance; and intensive intervention activities such as social

services or family counseling. Programs are planned at the cluster level by collaboratives of parents, neighborhood residents, teachers, and others.

Drop Out Prevention Program: The City makes grants to each comprehensive public high school in Albuquerque for activities that enhance student performance and reduce the risk of dropping out of school. The County provides funding for Rio Grande High School under an MOU with the City. Allowable activities include intensive social service interventions; academic enhancement activities; alternative classroom arrangements for suspended students; and school to work transition activities.

High School Job Mentorship Program: The City directly administers a program at selected public comprehensive and alternative high schools that matches at-risk students with adult job mentors. Students served through the program are also provided with guaranteed summer jobs and part-time employment during the school year. The Mentorship program also administers the Albuquerque Business Education Compact.

Playgrounds & Latchkey Programs: The City operates two closely related programs that provide care to school age children. The Playgrounds program then provides care from the end of the school day until 6 p.m. at these and three additional sites. The Latchkey program offers care from 7 a.m. to the beginning of school at 31 elementary schools. These programs also operate during the summer at a smaller number of school sites. The County offers before and after school programs and transportation between community center and school sites.

Section 5.4 Joint Service Contracts

Neutral Corner

Type: MOU

Funding: County contributes \$15,000

Summary: The County will join the City to provide essential services to ensure that County residents are afforded access to basic services required to maintain a reasonable quality of life. The County will contribute \$15,000.

High School Retention Program

Type: MOU

Funding: City and County both contribute \$40,000

Summary: Both the County and the City contribute funding for a high school student retention program to be conducted at Rio Grande High School in Bernalillo County by the Albuquerque Public Schools.

HUD Shared Jurisdiction

Type: MOU

Date: January 1993

Funding: NA

Summary: This MOU establishes a shared jurisdiction to provide increased housing opportunities for HUD Section 8 recipients. This also gives each Housing Authority

jurisdiction both in City of Albuquerque and within the unincorporated areas of Bernalillo County to administer their respective housing programs.

DWI Planning Council

Type: JPA

Date: 2000. Terminates 6-30-02

Funding: \$2,576,144 through Local DWI Grant Program

Summary: A JPA between the City and County authorizes the City's Department of Family and Community Services to serve as grant administrator and fiscal agent of the Local DWI Grant Program. The City and County DWI Planning Council, the designated planning body for the State Local DWI grant program, developed and approved a plan and budget to reduce the incidence of DWI in Bernalillo County through prevention, treatment, enforcement, planning and coordination, and alternative sentencing services and programs. In June 2000, the City Council approved a \$2,576,144 appropriation in State grant funds to the Department of Family and Community Services to administer the grant.

Juvenile Accountability Incentive Block Grant

Type: Contract

Date: September 2001

Funding: City contributes \$38,910

Summary: This contract is between the City Department of Family and Community Services and Bernalillo County Juvenile Justice Detention Center to implement a program to hold juvenile offenders accountable for their actions. The City will pay \$38,910 for one year. The Center will receive \$175,000 in other contracts to carry out this program.

Section 5.5 Observations & Issues

The City and County provide a similar range of services and programs to residents in their delineated service areas. In most cases both entities provide services and programs under contract with non-profit providers. In some cases the City and County are funding the same service provider to carry out the same or similar scope of work. There will be an eventual need to review each contract to determine if contracts can be aligned to realize efficiencies/cost savings.

Additionally, the City and County operate community centers, senior centers and multi-service centers. A review of these facilities and their administration and programming may lead to efficiencies/cost savings and improved services.

In the area of senior services the City and County are parties to a joint powers agreement designating the City as the Area Agency on Aging – responsible for delivery of senior services county-wide. Yearly contracts between the County and the City establish additional funding for County senior programs.

The City is an “entitlement” community and therefore receives HUD funding in the form of Community Development Block Grants (CDBG) on a formula basis, whereas the

County must compete with other counties in the State for a maximum award. Unification will permit inclusion of the previously unincorporated County in a single CDBG entitlement area. It is anticipated that additional CDBG funds would be available for use County-wide. Conversely, the new government may be ineligible for some program funds previously available only to the County.

In the area of health, Bernalillo County owns the UNM Health Sciences Center and is statutorily required to provide care to the County indigent population. The County must also provide space for State Public Health district office and clinics.

Section 6 Cultural Appreciation

The section describes cultural facilities and programs provided by the City and County. The purpose of these places and activities is to enhance and enrich life for Bernalillo County residents and to attract visitors. The City operates the Albuquerque Biological Park (BioPark) which includes the Rio Grande Zoo, the Aquarium and the Botanical Gardens. The Explora Science Center Museum has merged with the Albuquerque Children's Museum. The Albuquerque Museum and others protect and display artworks and historical items. Special Events and theater venues are provided by the City and County for large and small outdoor gatherings and both entities have public arts programs.

Section 6.1 Community Conditions

Desired Condition: *High level of participation in cultural affairs*

What the data indicators say:

- Economic impact of the arts (not updated, see Albuquerque Progress Report, 7.8)
- Attendance at major civic cultural, major sporting events, and facilities (not updated, see Albuquerque Progress Report, 7.10)

Section 6.2 BioPark

The purpose of the BioPark is to enrich the quality of life in New Mexico through education, recreation, conservation and research by providing a comprehensive environmental park consisting of the Albuquerque Aquarium, Rio Grande Botanic Garden and the Rio Grande Zoo. The BioPark serves all residents of Bernalillo County, surrounding communities and visitors to New Mexico. The BioPark has an estimated 6,000 animals, 11,000 plants, 300 staff and 350 volunteers. Over 900,000 people visit the BioPark annually.

Section 6.3 Explora Science Center

The Explora Science Center and Children's Museum is a joint public/private partnership to provide learning for children through hands-on science and museum exhibits and programs. Explora is temporarily housed at Winrock Mall but a new facility is being built.

Section 6.4 Museums

The Albuquerque Museum is an educational institution for art, history and culture in the Southwest. The Museum maintains educational programs for a diverse audience; collect, preserve and exhibit objects of historic and artistic merit; foster research and publication; and encourage the creative spirit and endeavors of living artists and historians. The Museum serves all residents of Bernalillo County, surrounding communities and visitors to New Mexico.

Casa San Ysidro, owned by the City and located in the Village of Corrales, houses the Minge collection of early New Mexico artifacts in the 18th century Gutierrez Hacienda. The County-owned Hubbell House in the South Valley was purchased with open space funds and may become a museum reflecting the agricultural history of the Pajarito area.

The Albuquerque International Balloon Fiesta Park is located on the City owned land that will also be the location of a Balloon Museum. The Atomic Museum may also be located at this site.

Section 6.5 Cultural Centers and Theatres

KiMo Theatre: This historic theatre is a downtown landmark. The theatre features a broad range of productions for diverse audiences and provides educational experiences through its programs for children and adults.

South Broadway Cultural Center: This center provides stages for the interaction of performers, artists, and audiences. It also has an outreach program at Lowell and San Jose Elementary Schools where children are involved in some of the plays. These children have performed for the Mayor's swearing in ceremonies, Fiestas de Albuquerque, and the City Council.

Journal Pavilion: The outdoor amphitheater located at Mesa del Sol is leased to SFX Entertainment and is the venue for musical performances including occasional free or low-cost performances and events for the community.

Section 6.6 Cultural Events

Summerfest events take place at three different locations: Civic Plaza, Central Ave., and Coronado Shopping Center. The events feature diverse styles of music and dance, along with interactive and hands-on activities.

Music In The Parks features five performances by the Albuquerque Concert Band on Wednesday evenings. The Holiday Parade is a community winter holiday celebration. Fiestas de Albuquerque is a two-day celebration honoring Albuquerque's Birthday, featuring musical entertainment, a parade and a traditional Spanish market.

The County periodically hosts special events through the Parks and Recreation Department and also provides funding for the New Mexico Symphony's community concerts.

Section 6.7 Public Art

The City and County Public Art programs each administer funds generated by public bonds. The Art in Bernalillo County Public Places Ordinance, 97-5 requires 1% of voter approved General Obligation and Revenue Bond funds be used for the arts program. The intent of the program is to promote and encourage public awareness of the arts and cultural properties and to integrate art into Bernalillo County facilities and structures. The City Art in Public Places ordinance, 10-5-6, establishes a fund for a similar purpose.

Both the City and County arts programs also have appointed arts boards which provide community oversight in the art selection and acquisition process.

Section 6.8 Observations & Issues

The community's museums and landmarks promote appreciation for art, history, natural history and differing cultures and traditions and are as important to public welfare as critical infrastructure and safety services.

Section 7 Livable Communities

Section 7.1 Community Conditions

Desired Condition: Safe, decent and affordable housing

What the data indicators say:

- 2000 Census data indicates that homeowners and renters who paid more than 30 % of their income for housing has remained stable.

Desired Condition: Parks and open space are strategically located

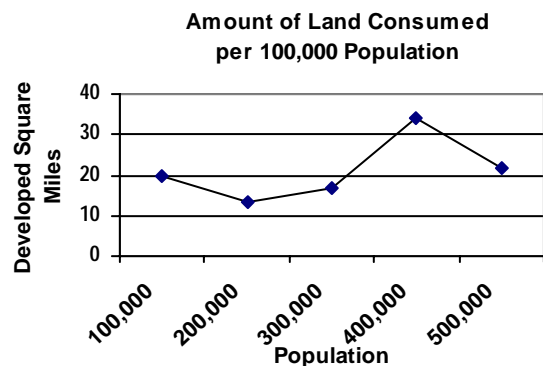
What the data indicators say:

- 2000 Citizen Survey regarding parks, recreation, and open space indicated that over 50% of the respondents used city parks 6 or more times in the prior year, ranging from 60% in Central Albuquerque to 40% in the North Valley.

Desired Condition: Urban development balanced with natural systems

What the data indicators say:

- the graph represents a new measure developed to track the consumption of land in increments of growth by 100,000 population.



Desired Condition: A vital downtown

What the data indicators say:

- The proportion of housing units to jobs has greatly improved. Housing units have doubled in the past few years while the number of jobs has remained about the same.
- The 2001 Citizen Survey indicated the top 6 reasons for not going downtown: no need to go there (28%), lack of parking, concern for personal safety, panhandlers, too far from home, and not enough stores (6%).

Other measures for which data is not current or has not been collected

- Building permits by area (see page 4.8 Albuquerque Progress Report)

Section 7.2 Planning & Zoning

The City Planning Department has the mission of “providing leadership to facilitate high quality growth and development in the City”. It also plays a key role in creating and communicating a shared vision of the community and acts as the primary coordinating agency in the development, adoption and implementation of resulting plans and policies.

The County Planning Department responsibilities include land use and development review within the unincorporated area of the County as well as compliance with

ordinances to assure the health, safety and welfare of residents in Bernalillo County. Both the City and County have adopted a comprehensive plan and therefore share written long range goals and policies for the County as a whole.

Section 7.21 Planning & Development Review

Development Review: Both City and County provide research, review and professional analysis and advice on development activities to insure compliance with adopted plans, policies, procedures and ordinances. Primary customers developers, consultants, neighborhood associations and the general public.

City and County planning staff support the Environmental Planning Commission and the County Planning Commission, respectively. These boards advise the elected officials on land use actions such as zone changes.

The City and County share joint jurisdiction in the extraterritorial area and the Extraterritorial Land Use Commission (ELUC) and the Extraterritorial Land Use Authority (ELUA) carry out this responsibility. These bodies consist of members of both entities. The ELUC and ELUA are staffed by the County. City staff review cases and provide comments to both boards. The County Zoning Building and Planning Department also administers the County's Impact Fee Ordinance.

Both City and County planning departments provide intake for all development and appeal applications and are responsible for routing these for review. The City has a "One Stop" routing system for minor platting and site plan review. The process from initial application to final inspection takes place within one building. The County's KIVA case tracking system provides a computerized review and approval system that ties County permitting departments together and speeds development review.

Comprehensive Plan and Amendments: The Albuquerque/Bernalillo County Comprehensive Plan is the primary policy guidance document for Albuquerque and the greater metropolitan area. Recently co-adopted Center and Corridors policies of the Comprehensive Plan provide a basic direction for strategic investment and development regulation. In addition, area plans and sector or neighborhood plans provide policy guidance.

Urban Economic and Demographic Analysis: City Planning develops and disseminates socioeconomic projections, interpretations, fiscal analysis and regional economic analysis. The department also has a library collection of planning related documents and disseminates information on requests to the general public, city staff, county and state staff, business community decision-makers, and developers.

Section 7.22 Building and Development Services

Staff of both planning departments review development projects for compliance with transportation, hydrology, design review and utility development policies. The County coordinates the application process and transportation, hydrology and utilities are reviewed and approved by assigned staff in the Public Works Division. Both

departments review and verify that building plans meet adopted building codes. They both handle residential and commercial permitting and inspections for electrical, mechanical and plumbing phases of construction.

Section 7.23 Zoning Code Enforcement

Zoning Code Enforcement: City Code Enforcement coordinates compliance with the Comprehensive City Zoning Code, Weed and Anti-litter, Water Conservation, Landscaping and other land use related ordinances in order to assure compatible development and a healthy environment throughout the city. Enforcement is both proactive and complaint generated, and may include court prosecution. Customers include individual residents, neighborhoods, business operators, the development community, and public agencies.

The County Zoning Section oversees compliance with the County's land use ordinances and the Extraterritorial Zoning code. Zoning works closely with its Planning Section to ensure a coordinated approach to land use and development review. In addition, it investigates complaints from the public and other departments pertaining to possible zoning violations and prepares documentation for and appears as a witness in court proceedings involving zoning cases. Zoning also reviews construction plans to insure proper land use and site planning, responds to concerns raised regarding potentially inappropriate activities, issues business licenses and assigns property addresses.

Housing Code Enforcement: City Housing Code Enforcement enforces the Uniform Housing Code to ensure that all dwellings (single family, multi-family, hotels, motels) in Albuquerque are decent, safe and sanitary. Housing Code receives complaints from tenants, concerned neighborhood associations and referrals to other agencies. Housing Code will board up units considered a public nuisance and will also raze units condemned by the City Council to abate the nuisance. Housing Code works cooperatively with the Police Public Nuisance Code Team. The County Building Section enforces a Housing Code and Code for the Abatement of Dangerous Buildings.

Zoning Hearing Examiner/Zoning Administrator: Both departments have zoning officials who conduct public hearings pursuant to requests for special exceptions to the zoning ordinance including conditional uses and variances as defined by the respective codes. The County Zoning Administrator is also charged with approving site plans for Special Use Permits and reviewing requests for Administrative Amendments to SUP's. Primary customers are developers of residential and commercial properties as well as individual homeowners seeking to improve their property.

Section 7.24 Community Revitalization

Community & Neighborhood Coordination: Both the City and County provide a liaison between the neighborhood associations and government. In addition, they both publish neighborhood newsletters to inform the recognized neighborhood associations of project updates and upcoming planning projects.

Historic Preservation: City Planning has a Historic Preservation Program which is responsible on informing the public about local historic places, their value, and how to preserve them, and secure grant funds. Primary customers are owners and neighbors of historic properties, agencies whose work may affect those areas, and local people and visitors who want to know more about Albuquerque's historic places. City staff has knowledge of, and provides information regarding, historic structures in the unincorporated area.

Tax Increment/Metropolitan Redevelopment: The City's Metropolitan Redevelopment Program carries out a wide variety of redevelopment activities in designated Metropolitan Redevelopment Areas, including affordable housing, as part of an integrated program for area revitalization. Its principal clients are residents and businesses in these redevelopment areas.

Neighborhood Preservation: The City has two programs to strengthen neighborhood organizations: Crime Prevention through Environmental Design (CPTED), and the Weed and Seed Program. CPTED seeks to increase public safety and reduce fear of crime through design. The City's Family and Community Services Department is the grantee for the United States Department of Justice's Weed and Seed Program. The program is designed to 'weed' out crime and re-seed the targeted neighborhood with positive activities for residents. The Trumbull and La Mesa Neighborhoods (bounded by Lomas on the north, Wyoming on the east, Kirtland Air Base to the south and Louisiana to Zuni to San Pedro on the west) are the designated Weed and Seed Sites in Albuquerque.

Section 7.3 Parks, Open Space & Recreation

Both the City and County operate and maintain parks, trails, recreation facilities, and open space. In addition, Bernalillo County Parks and Recreation Department provides community centers, youth and senior services and special events. This department also oversees anti-graffiti efforts and the Mesa del Sol Regional Recreational Complex.

Section 7.31 Parks & Facility Management

Both City and County have park management divisions whose purpose is to schedule, manage, construct, and renovate parks and their facilities. In addition, both divisions provide mowing, planting, transplanting, pruning, general cleanup, fertilizing, trash pickup, and pest control, at parks, athletic fields, medians, trails and other landscapes. The City maintains 262 parks (1,885 acres), 309 acres of streetscapes and medians, 68 miles of trails, 89 acres of streetscapes and medians. The County maintains 43 parks (400 acres), 17 miles of trails, and 70 acres of streetscapes and medians.

Both City and County perform building and facilities management functions with their parks departments which entail maintenance of play areas, structures, pools, fountains, outdoor lights, and the mechanical and electrical systems at various buildings. The City maintains 7 outdoor pools, 5 indoor pools, and 2 portable pools, 23 center and shelter centers, 138 play areas, and approximately 1,111 outdoor light poles. The County maintains 4 pools, 7 community centers, including 4 fitness centers, 2 equestrian

facilities, a hang gliding park, and 38 ball fields. The County Parks Department also maintains some street landscaping in the unincorporated area.

Section 7.32 Recreation

Both City and County provide recreation programs to allow citizens opportunities to participate in programs that foster stable families. These programs are designed to meet all income and age levels. The City's Sports program provides organized leagues for softball, baseball, flag football and basketball. The City uses nine complexes where 21 fields are used for softball/baseball or football. The City's Tennis program includes lessons, league play opportunities and tournaments.

The County's Sports program provides organized sport and fitness activities for youth and adults to gain positive benefits from the mental, social and physical activities provided through individual and team sports. Services provided include adult and youth basketball, adult softball, freestyle wrestling, wrestling camp, power lifting meets, and Girls and Boys High School All-Star Basketball Game.

The City's Aquatic's program provides 12 swimming pools and 2 portable pools. The program offers swimming and water polo teams, water exercise, lap swims, recreational hours, swim lessons, lifeguard classes, CPR, first aid, etc. The County's Aquatic's program provides 4 swimming pools and offers swim lessons, swim team practices and meets, pool rentals, recreational swimming, water safety instruction, water fitness, lap swimming and the CASA Swim Club.

The City's Outdoor Recreation program provides programs such as rafting, kayaking, skiing, fishing and hiking. The City also maintains a Shooting Range Park to provide gun owners the opportunity to safely learn how to use a gun, hone their shooting skills, further shooting sports recreation, and help hunters learn hunter safety and improve their skills. The primary customers are citizens, shooting enthusiasts, clubs, law enforcement and security agencies, sporting goods vendors, and the National Rifle Association. The Shooting Range Park is the only outdoor shooting range facility in Bernalillo County that is open to the general public and that is legal for the public to practice firearms use. Over 30,000 customers use the city range each year. Without this service these citizens might be forced to vacant lots and open space areas to learn how to use a firearm and target practice which poses a safety threat to other citizens. Shooting Range staff provide instruction on gun safety to users and teach hunter safety instructional classes. The County owns and leases an archery range in the east mountain area.

The County owns and operates the Mesa del Sol Regional Recreation Complex located in SE Albuquerque. The Journal Pavilion, located within the Complex, is leased to SFX Entertainment as part of a public/private partnership with Bernalillo County. The amphitheater and playing fields will anchor a larger 634 acre recreation complex that will be built over 10-15 years and will include softball, baseball, and football fields as well as trails and other recreational amenities. Bernalillo County leases the 634 acre

site from the New Mexico State Land Office. The City owns the Balloon Fiesta Park and has a major role in the use and development of that site.

Section 7.33 Community Recreation

The purpose of the City's Community Recreation program is to assure that all segments of the community, but particularly youths, have appropriate venues for recreation and community activities and access to range of appropriate supervised educational, social, and recreational activities. This program seeks to provide activities for all age and income groups, but emphasis typically is on children and youth programming. The City operates nineteen community centers located on City park sites, school sites, and at other community locations. These centers provide a venue and programming for youth and adult recreational activities year around. In addition, the City operates three "shelter centers" on park sites that provide recreation in facilities that offer some protection from the elements but are not fully-enclosed buildings.

The County's Community Centers offer programs and facilities that assist in providing recreation, leisure, education and related social and cultural services for youth, adults and senior citizens in their service areas. The County currently operates seven centers which offer a wide range of programs throughout the year for all ages in cooperation with the schools and community. Each Community Center provides the following basic services programming: Parky's Pals (a recreation program for 4 & 5 year olds), Before and After School Recreation, and Summer Recreation. The centers also offer many other elective activities for youth and adults including aerobics, fitness, dance, arts and crafts, and sports leagues. In addition, the centers also house senior citizen mealsite programs and host a variety of community organizations and events.

Section 7.34 Golf

The City's Golf Management Division provides residents with four municipal golf courses. These four City owned golf courses totaling 90 holes (three 27-hole and one 9-hole) provide golfing opportunities to the golfing public at the lowest cost in the metropolitan area. During peak tee times, weekends and holidays, all courses operate at maximum capacity.

Section 7.35 Open Space

The City and County both have open space programs that acquire and protect natural landscapes and cultural resources. Open Space enhances the urban environment and provides habitat for wildlife while offering opportunities for public enjoyment through outdoor education and low-impact recreation.

City Open Space manages 27,013 acres at 31 different locations and 29 separate facilities. In addition, it is responsible for over 100 miles of boundary fence and over 50 miles of trail. Its emergency communications operators provide dispatch for division maintenance and park personnel as well as the National Park Service Rangers.

City Open Space is also responsible for keeping properties free of litter, protecting resources from destruction, controlling and cleaning spray paint or graffiti, enforcement

of animal control laws, and maintaining recreational improvements, boundary fences, gates, portals, and signs.

The County open space program, like the City's, is administratively located in the Parks and Recreation Department. The County owns and maintains 9 open space properties totaling 1,487 acres. The program began in 1998 with passage of the first of two mill levy votes to provide for acquisition. In 2000 a second measure was approved providing funds for both acquisition and planning and management.

The City's larger open space program provides for planning, capital project implementation, public education, facility operation, public information, volunteer coordination, special events coordination, group reservation coordination. The education program includes school education programs, teacher workshops, community interpretive programs, interpretive displays/materials and community events. These programs are not limited to City residents.

The City Open Space Law Enforcement Section provides the primary law enforcement on City open space. Rangers respond to and process all violations in Open Space except for violent crimes and homicides. Rangers are also responsible for evaluating, approving, and monitoring special use permits on Open Space lands. They also pick up park fees and close and securing 17 parking areas nightly. Security and law enforcement on County-owned open space land is provided by the Bernalillo County Sheriff's Department.

Section 7.4 Libraries

The Albuquerque/Bernalillo County Library System provides reading and research materials as well as access to electronically transferred information through 17 locations. The purpose of the library system is to provide the public with convenient, free access to information needed for daily living and decision making. In addition, customers also take advantage of libraries as community meeting locations, study facilities and places to read and enjoy learning. Customers also access library services via the World Wide Web, 24 hours a day, 7 days a week. Moreover, customers use the library to improve their computer skills and use of Internet in both English and Spanish. The Library also provides special services such as Summer Reading Programs, Class visits, Story times, Craft and Literacy Programs.

Under a Joint Powers Agreement and Memorandum of Understanding, the County pays for all personnel and operating expenses associated with the operation of the county portion of the Unified Library System consisting of 3 libraries: East Mountain, North Valley and South Valley. In 1993, the City of Rio Rancho joined Rio Grande Valley Library System to share access to books and other library materials for the residents of Rio Rancho. Rio Rancho funds the acquisition of computer hardware, personnel, and operating expenses associated with the operation of its library. Rio Rancho will pay Albuquerque its proportionate share of the operating and maintenance costs.

Section 7.5 Observations & Issues

The transition to a unified city and county planning department should not be difficult in an overall sense. The City and County have jointly adopted the primary planning policy, the Albuquerque/Bernalillo County Comprehensive Plan. Recent co-adoption of the Centers and Corridors policy and various co-adopted area and sector plans indicate similar confluence of planning concepts. Similarly, the joint jurisdiction in the extraterritorial areas also indicates similar approaches.

Staff consolidation will require attention to efficient and effective processing of planning and zoning applications. The City's one-stop-shop approach may present some challenges to the development of a unified overall approach. Final integration will take time. A transition period of several years will likely be required.

There also seem no great impediments to bringing together the City and County parks and recreation authorities other than the predictable issues of who is in charge of what. In all events, there is no perceived reason why in an overall sense, these various governmental endeavors will not be best served by centralizing the planning, leadership and execution of these functions in the County as a whole.

Section 8 Economic Development

Both the City and the County have offices for economic development. In the City the office is located in the Mayor's Office. In the County, the Economic Development Coordinator is located in the Office of the County Manager. Functions related to economic development include issuance of Industrial Revenue Bonds, tax abatement programs and support of development "zones". Related functions associated with Metropolitan Redevelopment programs and job training are also administered by the City.

Section 8.1 Community Conditions

Desired Condition: *Diverse, broad-based economy focused on providing good paying jobs with opportunities for advancement.*

What the data indicators say:

- Employment by sector remains stable.
- Job growth from 1999 - 2000 was 3.0%; the highest since 1994-1995. Since then, job growth has slowed considerably to 2.6% (2000, 3rd quarter through 2001, 2nd quarter) and then down still further to only 0.4% (2001, 3rd quarter through 2002, 2nd quarter).
- Job growth was lower than that of Colorado Springs and Tucson, but higher than El Paso and the U.S.
- In 2000, the value of commercial building permits rose for the first time since 1995.

Desired Condition: *Rising wealth and prosperity for all residents, families and households.*

What the data indicators say:

- Median income growth was comparable with El Paso and Tucson and higher than for the U.S.
- Median household income in Bernalillo County is \$38,272. Median family income is \$46,979.

Section 8.2 History and Authority

New Mexico State Statute 3-58-2 gives Cities and Counties authority to promote economic development if approved by their governing bodies. The Local Economic Development Act (5-10-1 through 5-10-13 NMSA) defines economic development as the provision of either direct or indirect assistance to a qualifying business. This may include the acquisition or conveyance of land, buildings, public infrastructure, payments for contracts necessary to implement a plan or project, provision of direct loans or grants, purchase of land for a publicly held industrial park, and construction of a building for use by a qualifying business. The act also enables the City and County to enter into joint powers agreements to plan and support regional economic development projects.

The City uses Industrial Revenue Bonds, tax abatements, and the creation of business development zones to accommodate economic, hi-tech and industrial growth. The State has given Counties similar authority to issue County Industrial Revenue Bonds (4-59-1 through 4-59-16 NMSA). The City and County have also been granted the power to create "Foreign Trade Zones" (3-18-29 and 4-36-7 NMSA). Both governments also partner with existing business and community organizations to provide support and information including the Albuquerque Economic Development, Economic Forum, Greater Albuquerque Chamber of Commerce and the Hispano Chamber of Commerce.

Section 8.3 Industrial Revenue Bonds

Industrial recruitment is a central feature of State, City and County economic development practices. Both governments use Industrial Revenue Bonds (IRB's) and access in-plant training funds as incentives to recruit new that are anticipated to create jobs.

Section 8.4 International Trade

The purpose of the City of Albuquerque's Trade Program is to increase international business and trade opportunities for Albuquerque companies. This is achieved by working in partnership with local and state trade partners to sponsor trade missions, host foreign business delegations, assist in market research for companies, distribute trade leads, developing numerous contacts abroad, and present various business seminars on opportunities in specific countries.

Section 8.5 Convention Center

The City manages and operates the Albuquerque Convention Center (ACC). The Center was built to attract major national conventions that produce a positive economic impact on the City through increased revenues from lodgers and gross receipts taxes.

In 1969, the City Council imposed an occupancy tax on users of commercial lodging. Fifty percent of the total Lodger's Tax revenue is used to retire bond debt. The other 50% is used to fund 3 marketing entities: the Albuquerque Convention and Visitor's Bureau, Albuquerque Hispano Chamber, and the All Pueblo Cultural Center.

Section 8.6 Business Development Zones

The City of Albuquerque revitalizes neighborhood commercial activities in lower income neighborhoods by providing training and technical assistance in community based economic development; providing low interest loans to enable businesses located in the pocket of poverty to improve their facades; and providing access to capital and technical assistance for start up or expansion of business located in lower income areas or owned by lower income individuals.

Through several departments, the City plans and implements projects that contribute to redevelopment and job creation within lower income communities. The City also assists lower income youths and adults to acquire skills and work discipline needed to enter the labor force and displaced workers in regaining employment. These functions are

managed within the Family and Community Services Department. These programs are provided to all County residents.

Section 8.7 South Valley Economic Development Center

The County has accepted grant funds from the federal government and the State for construction of the South Valley Economic Development Center. The Center will provide a small business incubator and offer assistance to clients with development of business and financial plans and use of a commercial kitchen and office facilities.

Section 8.8 Observations & Issues

Formation of a new single government will create a unified approach to economic development. The combined government will eliminate any real or perceived competition for job creation between the City and County.

A challenge of the new government will also be to create a diversified approach to economic development including incentives for attracting new industry as well as business retention and small business assistance. A diverse economic development strategy would also include attraction and retention of different types of enterprises such as warehousing and agricultural production and processing.

The new government may also have access to potential economic development tools, such as Enterprise Zones, for which some areas may not have been previously eligible.

PART 2D Profile of General Demographic Characteristics

This section provides a general demographic profile of Albuquerque and Bernalillo County, focusing on the population and socio-economic characteristics of the community that is serviced by local government. It offers a snapshot of who we are as a people today, and what some of the trends are for the future. The accompanying maps, charts, and tables either document or illustrate many of the issues discussed herein. Additional charts and maps are included that are largely self-explanatory with respect to issues addressed. Of particular interest are the tables and graphs that examine data geographically in terms of eleven Community Planning Areas.

The UEG wishes to its express appreciation to UNM's Bureau of Business and Economic Research (BBER), the Mid-Region Council of Governments (MRCOG), and the Planning Departments of both Bernalillo County and the City of Albuquerque for their assistance in compiling this data.

Section 1 Population - National Perspective

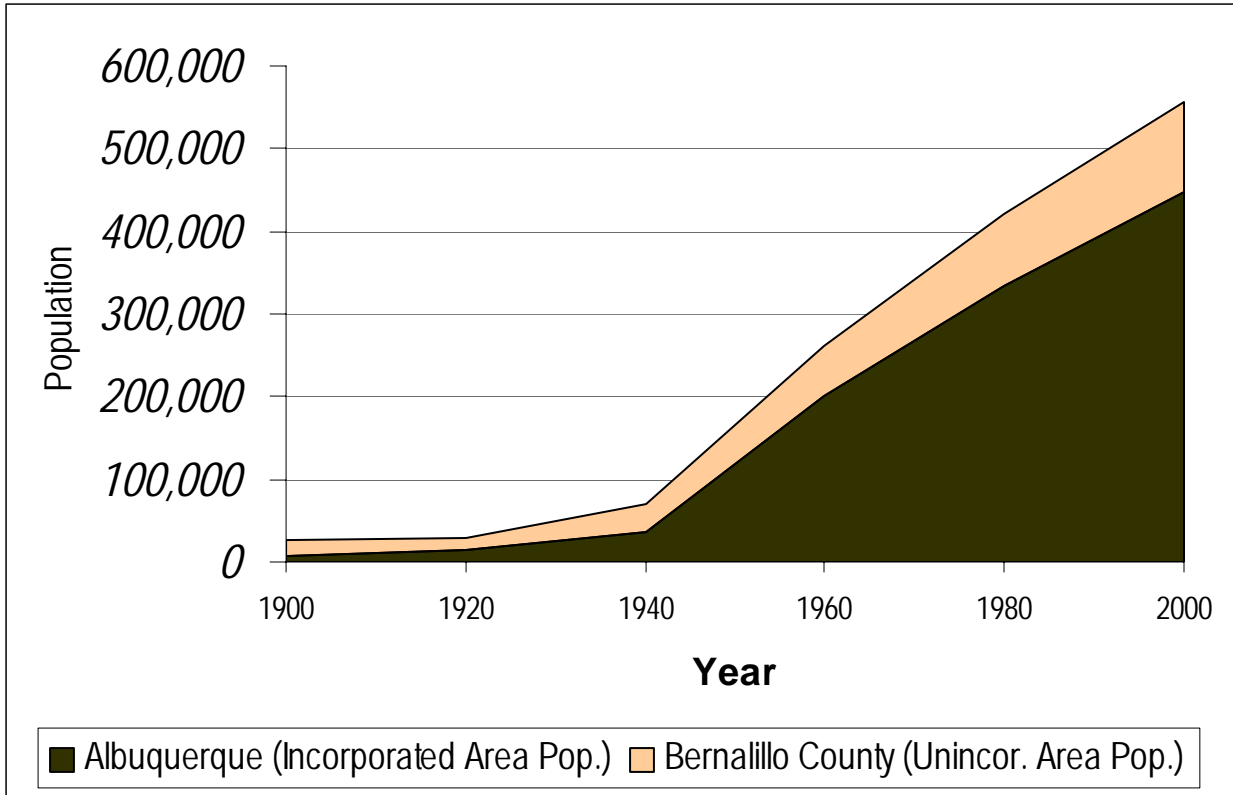
With its 2000 Census population of 556,678, Bernalillo County was the 100th largest county in the United States (out of a total of 3,141). It is comparable in size to Tulsa County, OK, Montgomery County, OH, Denver County, CO, and Delaware County, PA. It grew by 15.8% between 1990 and 2000. It ranked 83rd in numeric population change with 76,101 new residents during that period.

With a population of 448,607, the City Albuquerque is the 35th largest incorporated place in the United States. It grew by 16.6% between 1990 and 2000.

It should be noted that with unification, Albuquerque/Bernalillo County would become the 25th largest incorporated jurisdictions in the nation, vaulting it ahead of Cleveland, Las Vegas, New Orleans, Oklahoma City and Tucson and placing it just behind Seattle.

Section 2 Population – Historical Perspective

A century of growth has transformed Bernalillo County. In 1900 it had a population of just under 29,000. Albuquerque had 6,238 residents. At that time 21.8% of the County's population resided in the municipal limits. Annexation and population growth, which at times has been explosive, combined to have the effect in 2000 of placing nearly 81% of the residents of Bernalillo County within the limits of the City of Albuquerque. The accompanying chart illustrates these trends.



By 2030 Bernalillo County is projected to have a population of over three quarters of a million people.

Section 3 Bernalillo County Today – Who Are We?

Here is a summary of a few key demographic facts about Bernalillo County gleaned from the 2000 Census.

% 65 years of age or older	13.5
% under 5 years of age	6.9
% under 15 years of age	20.9
% Hispanic or Latino	42.0
% Black or African American	5.2
% Asian	2.5
% Family households	63.9
% Family households with own children under 18 years	31.4
% Married-couple family households with own children under 18	20.6
% Female householder, no husband present with own children under 18	7.9
Average household size	3.06
% Owner-occupied housing units	63.7
% Renter-occupied housing units	36.3
% Born in different state (not NM)	48.6
% English only spoken in the home	70.5
% Spanish spoken in the home	24.7
Median household income	\$38,788
Median family income	\$46,613
Per Capita income	\$20,790
% of all families below poverty level	10.2
% of families below poverty level with related children under 18	15.4
% of families below poverty level with related children under 5	20.2

The Graying of the Population

Four the charts that follow project the aging of Bernalillo County’s population over the next three decades. The “Projected Age-Sex Structure” charts illustrate how the base of the age pyramid will narrow as children become a smaller percentage of the population and the percentage of elderly grows significantly. Today in 2000, 13.5% of the population is 65 years of age or older. By 2030 this population is projected to reach almost 23%.

Section 4 Charts, Graphs, Tables and Maps

Population Estimates 1880 – 2000

Population Projections 2005 – 2030

Bernalillo County Jurisdictions (Map)

Albuquerque Annexation History (Map)

Profile of General Demographic Characteristics 2000

Profile of Selected Social Characteristics 2000

Profile of Selected Economic Characteristics 2000

Profile of Selected Housing Characteristics 2000

Population Density 2000 (Map)

Population Growth 1980-2000 (Map)

Minority Population % by Census Tracts 2000 (Map)

Estimate of Low Income Population by Data Analysis Subzone (Map)

Projected Age-Sex Structure 2000 – 2030

Community Planning Areas (Map)

 Family Type by Presence of Children Under 18

 Educational Attainment

 Per Capita Income of Persons Aged 15 and Over

 Language Spoken at Home for Persons Aged 5 to 17



POPULATION ESTIMATES

YEAR	CITY POPULATION	PERCENT CHANGE OVER LAST CENSUS	CITY AREA IN SQUARE MILES	CITY POPULATION PER SQUARE MILE	COUNTY POPULATION	CITY POPULATION AS A PERCENT OF COUNTY	ALBUQUERQUE MSA POPULATION	CITY POPULATION AS A PERCENT OF ALBUQUERQUE MSA	NEW MEXICO POPULATION	CITY POPULATION AS A PERCENT OF STATE POPULATION
1880	2,315	*	0.36	6,430.6	*	*	*	*	119,565	1.9
1890	3,785	63.5	2.50	1,514.0	*	*	*	*	160,282	2.4
1900	6,238	64.8	2.50	2,495.2	28,630	21.8	*	*	195,310	3.2
1910	11,020	76.7	2.50	4,408.0	23,606	46.7	*	*	327,301	3.4
1920	15,157	37.5	2.80	5,413.2	29,855	50.8	*	*	360,350	4.2
1930	26,570	75.3	11.42	2,326.6	45,430	58.5	*	*	423,317	6.3
1940	35,449	33.4	11.50	3,082.5	69,631	50.9	*	*	531,818	6.7
1950	96,815	173.1	48.79	1,984.3	145,673	66.5	180,556	53.6	681,187	14.2
1954	*		54.45	*	185,000	*	*	*	*	*
1955	*		*	*	197,400	*	*	*	*	*
1960	201,189	107.8	61.93	3,248.7	262,199	76.7	316,976	63.5	951,023	21.2
1964	*		68.16	*	305,100	*	*	*	*	*
1965	*		71.27	*	306,900	*	*	*	1,012,000	*
1970	244,501	21.5	82.71	2,956.1	315,774	77.4	373,842	65.4	1,017,055	24.0
1971	254,700		83.45	3,052.1	330,900	77.0	*	*	*	*
1972	263,100		85.54	3,075.8	341,700	77.0	*	*	*	*
1973	271,800		87.78	3,096.4	353,600	76.9	*	*	*	*
1974	278,800		89.18	3,126.3	365,200	76.3	*	*	*	*
1975	286,000		90.39	3,164.1	373,100	76.7	*	*	1,164,000	24.6
1976	292,600		91.51	3,197.5	382,000	76.6	*	*	*	*
1977	300,700		93.33	3,221.9	392,700	76.6	*	*	*	*
1978	306,100		97.00	3,155.7	399,400	76.6	*	*	*	*
1979	320,500		97.83	3,276.1	410,900	78.0	*	*	*	*
1980	332,920	36.2	100.31	3,318.9	420,262	79.2	485,430	68.6	1,303,303	25.5
1981	*		106.56	*	430,023	*	497,093	*	1,332,747	*
1982	341,978		107.26	3,188.3	433,469	78.9	503,286	67.9	1,363,822	25.1
1983	*		107.52	*	441,597	*	514,311	*	1,394,362	*
1984	350,575		110.27	3,179.2	447,307	78.4	525,266	66.7	1,416,719	24.7
1985	*		130.75	*	452,555	*	536,073	*	1,438,360	*
1986	366,750		131.60	2,786.9	459,938	79.7	549,861	66.7	1,462,728	25.1
1987	*		170.85	*	468,550	*	564,602	*	1,478,519	*
1988	378,480		135.45	2,794.2	472,977	80.0	574,007	65.9	1,490,336	25.4
1989	*		135.93	*	478,795	*	583,794	*	1,503,901	*
1990	386,988	16.2	137.49	2,814.7	480,577	80.5	589,131	65.7	1,515,069	25.5
1991	393,690		137.61	2,860.9	489,213	80.5	601,981	65.4	1,547,115	25.4
1992	401,041		137.76	2,911.2	498,629	80.4	615,472	65.2	1,580,750	25.4
1993	406,440		160.82	2,527.3	506,019	80.3	628,911	64.6	1,614,937	25.2
1994	413,749		161.40	2,563.5	515,700	80.2	644,959	64.2	1,653,329	25.0
1995	418,839		161.53	2,592.9	522,195	80.2	658,895	63.6	1,682,417	24.9
1996	420,527		163.47	2,572.5	524,576	80.2	667,210	63.0	1,706,151	24.6
1997	420,907		180.69	2,329.4	525,206	80.1	673,182	62.5	1,722,939	24.4
1998	421,384		181.38	2,323.2	524,686	80.3	676,530	62.3	1,733,535	24.3
1999	420,578		184.22	2,283.0	523,472	80.3	678,820	62.0	1,739,844	24.2
2000	448,607	15.9	186.92	2,400.0	556,678	80.6	712,738	62.9	1,819,046	24.7

*Figures not available. Decennial Census Years (years ending with "0") are as of April 1, of that year. All other years are as of July 1. Figures are subject to revision.

Sources: U.S. Bureau of the Census; City land area figures are from the City of Albuquerque.



CITY OF ALBUQUERQUE PLANNING DEPARTMENT
POPULATION PROJECTIONS

YEAR	CITY POPULATION	COUNTY POPULATION	METROPOLITAN STATISTICAL AREA*	NEW MEXICO POPULATION	UNITED STATES of AMERICA**
2005	476,763	595,954	781,004	1,970,982	287,716,000
2010	505,471	631,839	844,841	2,112,957	299,862,000
2015	532,891	666,114	907,821	2,251,249	312,268,000
2020	559,066	698,832	969,305	2,382,999	324,927,000
2025	583,800	729,750	1,028,341	2,507,378	337,815,000
2030	607,200	759,000	1,085,104	2,626,333	351,070,000

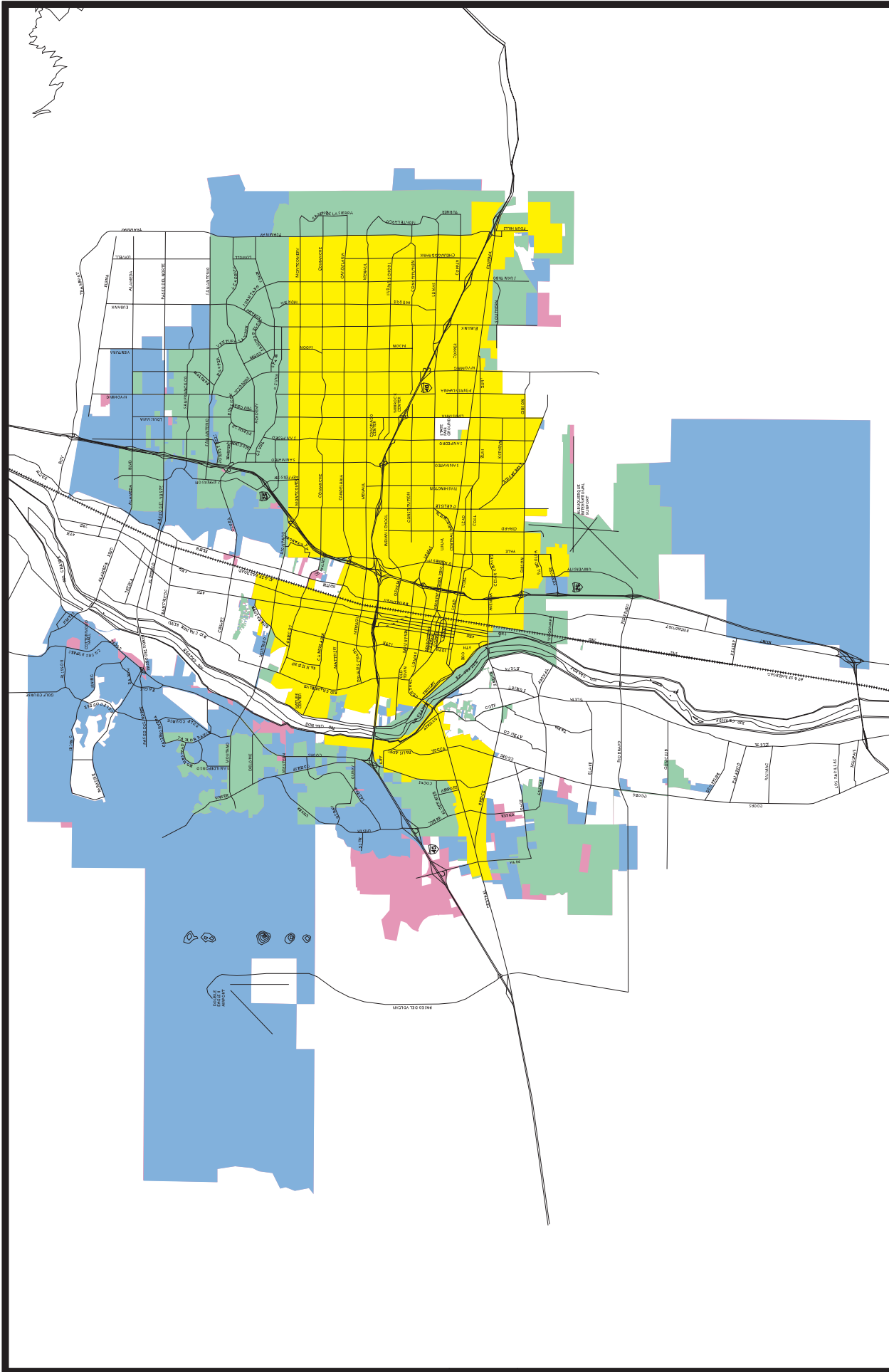
Projections are as of July 1 of each respective year. City population projections are assumed to be 80% of county population projections.

*Includes Bernalillo, Sandoval, and Valencia counties.

**Middle series population projections.

Figures are subject to revision.

Sources: Bureau of the Census, Bureau of Business and Economic Research (UNM), and City of Albuquerque.



Scale: 1 inch = 3 miles
 Map Printed October 29, 2002

City Annexation

- 1891 - 1959
- 1960 - 1979
- 1980 - 1999
- 2000 - Present

Table DP-1. Profile of General Demographic Characteristics: 2000

Geographic area: Bernalillo County, New Mexico

[For information on confidentiality protection, nonsampling error, and definitions, see text]

Subject	Number	Percent	Subject	Number	Percent
Total population	556,678	100.0	HISPANIC OR LATINO AND RACE		
SEX AND AGE			Total population	556,678	100.0
Male.....	271,904	48.8	Hispanic or Latino (of any race).....	233,565	42.0
Female.....	284,774	51.2	Mexican.....	88,826	16.0
Under 5 years.....	38,566	6.9	Puerto Rican.....	1,986	0.4
5 to 9 years.....	39,016	7.0	Cuban.....	1,868	0.3
10 to 14 years.....	39,426	7.1	Other Hispanic or Latino.....	140,885	25.3
15 to 19 years.....	40,728	7.3	Not Hispanic or Latino.....	323,113	58.0
20 to 24 years.....	40,828	7.3	White alone.....	268,972	48.3
25 to 34 years.....	79,423	14.3	RELATIONSHIP		
35 to 44 years.....	89,615	16.1	Total population	556,678	100.0
45 to 54 years.....	78,174	14.0	In households.....	546,051	98.1
55 to 59 years.....	26,311	4.7	Householder.....	220,936	39.7
60 to 64 years.....	20,435	3.7	Spouse.....	101,523	18.2
65 to 74 years.....	33,904	6.1	Child.....	159,269	28.6
75 to 84 years.....	22,808	4.1	Own child under 18 years.....	124,406	22.3
85 years and over.....	7,444	1.3	Other relatives.....	30,262	5.4
Median age (years).....	35.0	(X)	Under 18 years.....	12,791	2.3
18 years and over.....	415,658	74.7	Nonrelatives.....	34,061	6.1
Male.....	200,222	36.0	Unmarried partner.....	15,134	2.7
Female.....	215,436	38.7	In group quarters.....	10,627	1.9
21 years and over.....	390,335	70.1	Institutionalized population.....	4,401	0.8
62 years and over.....	75,857	13.6	Noninstitutionalized population.....	6,226	1.1
65 years and over.....	64,156	11.5	HOUSEHOLD BY TYPE		
Male.....	26,840	4.8	Total households	220,936	100.0
Female.....	37,316	6.7	Family households (families).....	141,237	63.9
RACE			With own children under 18 years.....	69,419	31.4
One race.....	533,198	95.8	Married-couple family.....	101,523	46.0
White.....	393,851	70.8	With own children under 18 years.....	45,545	20.6
Black or African American.....	15,401	2.8	Female householder, no husband present.....	28,393	12.9
American Indian and Alaska Native.....	23,175	4.2	With own children under 18 years.....	17,406	7.9
Asian.....	10,751	1.9	Nonfamily households.....	79,699	36.1
Asian Indian.....	1,504	0.3	Householder living alone.....	62,961	28.5
Chinese.....	2,068	0.4	Householder 65 years and over.....	17,482	7.9
Filipino.....	1,211	0.2	Households with individuals under 18 years.....	76,848	34.8
Japanese.....	961	0.2	Households with individuals 65 years and over.....	45,591	20.6
Korean.....	902	0.2	Average household size.....	2.47	(X)
Vietnamese.....	2,867	0.5	Average family size.....	3.06	(X)
Other Asian ¹	1,238	0.2	HOUSING OCCUPANCY		
Native Hawaiian and Other Pacific Islander.....	574	0.1	Total housing units	239,074	100.0
Native Hawaiian.....	192	-	Occupied housing units.....	220,936	92.4
Guamanian or Chamorro.....	146	-	Vacant housing units.....	18,138	7.6
Samoan.....	105	-	For seasonal, recreational, or		
Other Pacific Islander ²	131	-	occasional use.....	1,161	0.5
Some other race.....	89,446	16.1	Homeowner vacancy rate (percent).....	1.8	(X)
Two or more races.....	23,480	4.2	Rental vacancy rate (percent).....	11.5	(X)
Race alone or in combination with one			HOUSING TENURE		
or more other races: ³			Occupied housing units	220,936	100.0
White.....	414,052	74.4	Owner-occupied housing units.....	140,634	63.7
Black or African American.....	18,905	3.4	Renter-occupied housing units.....	80,302	36.3
American Indian and Alaska Native.....	28,857	5.2	Average household size of owner-occupied units.....	2.61	(X)
Asian.....	14,076	2.5	Average household size of renter-occupied units.....	2.22	(X)
Native Hawaiian and Other Pacific Islander.....	1,173	0.2			
Some other race.....	104,325	18.7			

- Represents zero or rounds to zero. (X) Not applicable.

¹ Other Asian alone, or two or more Asian categories.² Other Pacific Islander alone, or two or more Native Hawaiian and Other Pacific Islander categories.³ In combination with one or more of the other races listed. The six numbers may add to more than the total population and the six percentages may add to more than 100 percent because individuals may report more than one race.

Source: U.S. Census Bureau, Census 2000.

Table DP-2. Profile of Selected Social Characteristics: 2000

Geographic area: Bernalillo County, New Mexico

[Data based on a sample. For information on confidentiality protection, sampling error, nonsampling error, and definitions, see text]

Subject	Number	Percent	Subject	Number	Percent
SCHOOL ENROLLMENT			NATIVITY AND PLACE OF BIRTH		
Population 3 years and over enrolled in school	156,057	100.0	Total population	556,678	100.0
Nursery school, preschool	8,781	5.6	Native	508,605	91.4
Kindergarten	7,516	4.8	Born in United States	501,888	90.2
Elementary school (grades 1-8)	63,412	40.6	State of residence	270,483	48.6
High school (grades 9-12)	31,983	20.5	Different state	231,405	41.6
College or graduate school	44,365	28.4	Born outside United States	6,717	1.2
EDUCATIONAL ATTAINMENT			Foreign born	48,073	8.6
Population 25 years and over	358,680	100.0	Entered 1990 to March 2000	21,006	3.8
Less than 9th grade	21,674	6.0	Naturalized citizen	17,332	3.1
9th to 12th grade, no diploma	34,184	9.5	Not a citizen	30,741	5.5
High school graduate (includes equivalency)	88,853	24.8	REGION OF BIRTH OF FOREIGN BORN		
Some college, no degree	84,120	23.5	Total (excluding born at sea)	48,073	100.0
Associate degree	20,413	5.7	Europe	5,602	11.7
Bachelor's degree	62,466	17.4	Asia	7,612	15.8
Graduate or professional degree	46,970	13.1	Africa	642	1.3
Percent high school graduate or higher	84.4	(X)	Oceania	289	0.6
Percent bachelor's degree or higher	30.5	(X)	Latin America	32,414	67.4
MARITAL STATUS			Northern America	1,514	3.1
Population 15 years and over	439,205	100.0	LANGUAGE SPOKEN AT HOME		
Never married	129,522	29.5	Population 5 years and over	518,381	100.0
Now married, except separated	220,002	50.1	English only	365,331	70.5
Separated	7,300	1.7	Language other than English	153,050	29.5
Widowed	24,649	5.6	Speak English less than "very well"	47,963	9.3
Female	19,977	4.5	Spanish	128,162	24.7
Divorced	57,732	13.1	Speak English less than "very well"	41,187	7.9
Female	34,040	7.8	Other Indo-European languages	8,699	1.7
GRANDPARENTS AS CAREGIVERS			Speak English less than "very well"	1,813	0.3
Grandparent living in household with one or more own grandchildren under 18 years	12,417	100.0	Asian and Pacific Island languages	6,407	1.2
Grandparent responsible for grandchildren	5,761	46.4	Speak English less than "very well"	3,007	0.6
VETERAN STATUS			ANCESTRY (single or multiple)		
Civilian population 18 years and over ..	412,178	100.0	Total population	556,678	100.0
Civilian veterans	62,993	15.3	Total ancestries reported	587,722	105.6
DISABILITY STATUS OF THE CIVILIAN NONINSTITUTIONALIZED POPULATION			Arab	2,123	0.4
Population 5 to 20 years	126,501	100.0	Czech ¹	2,896	0.5
With a disability	11,252	8.9	Danish	2,948	0.5
Population 21 to 64 years	321,563	100.0	Dutch	6,976	1.3
With a disability	62,209	19.3	English	48,292	8.7
Percent employed	58.5	(X)	French (except Basque) ¹	13,704	2.5
No disability	259,354	80.7	French Canadian ¹	3,066	0.6
Percent employed	76.9	(X)	German	67,043	12.0
Population 65 years and over	61,875	100.0	Greek	1,952	0.4
With a disability	26,850	43.4	Hungarian	1,936	0.3
RESIDENCE IN 1995			Irish ¹	48,893	8.8
Population 5 years and over	518,381	100.0	Italian	19,755	3.5
Same house in 1995	253,614	48.9	Lithuanian	801	0.1
Different house in the U.S. in 1995	251,788	48.6	Norwegian	7,630	1.4
Same county	154,634	29.8	Polish	8,861	1.6
Different county	97,154	18.7	Portuguese	798	0.1
Same state	31,592	6.1	Russian	3,526	0.6
Different state	65,562	12.6	Scotch-Irish	9,477	1.7
Elsewhere in 1995	12,979	2.5	Scottish	11,261	2.0
			Slovak	668	0.1
			Subsaharan African	1,284	0.2
			Swedish	6,832	1.2
			Swiss	1,579	0.3
			Ukrainian	783	0.1
			United States or American	23,397	4.2
			Welsh	4,398	0.8
			West Indian (excluding Hispanic groups)	429	0.1
			Other ancestries	286,414	51.5

-Represents zero or rounds to zero. (X) Not applicable.

¹The data represent a combination of two ancestries shown separately in Summary File 3. Czech includes Czechoslovakian. French includes Alsatian. French Canadian includes Acadian/Cajun. Irish includes Celtic.

Source: U.S. Bureau of the Census, Census 2000.

Table DP-3. Profile of Selected Economic Characteristics: 2000

Geographic area: Bernalillo County, New Mexico

[Data based on a sample. For information on confidentiality protection, sampling error, nonsampling error, and definitions, see text]

Subject	Number	Percent	Subject	Number	Percent
EMPLOYMENT STATUS			INCOME IN 1999		
Population 16 years and over	431,799	100.0	Households	220,939	100.0
In labor force	282,693	65.5	Less than \$10,000	21,249	9.6
Civilian labor force	278,813	64.6	\$10,000 to \$14,999	15,299	6.9
Employed	262,588	60.8	\$15,000 to \$24,999	32,036	14.5
Unemployed	16,225	3.8	\$25,000 to \$34,999	31,171	14.1
Percent of civilian labor force	5.8	(X)	\$35,000 to \$49,999	37,707	17.1
Armed Forces	3,880	0.9	\$50,000 to \$74,999	39,735	18.0
Not in labor force	149,106	34.5	\$75,000 to \$99,999	20,950	9.5
Females 16 years and over	224,330	100.0	\$100,000 to \$149,999	14,939	6.8
In labor force	132,936	59.3	\$150,000 to \$199,999	3,917	1.8
Civilian labor force	132,274	59.0	\$200,000 or more	3,936	1.8
Employed	124,768	55.6	Median household income (dollars)	38,788	(X)
Own children under 6 years	43,345	100.0	With earnings	182,315	82.5
All parents in family in labor force	25,384	58.6	Mean earnings (dollars) ¹	48,672	(X)
COMMUTING TO WORK			With Social Security income	50,841	23.0
Workers 16 years and over	261,708	100.0	Mean Social Security income (dollars) ¹	10,948	(X)
Car, truck, or van -- drove alone	202,555	77.4	With Supplemental Security Income	8,118	3.7
Car, truck, or van -- carpooled	34,149	13.0	Mean Supplemental Security Income		
Public transportation (including taxicab)	3,866	1.5	(dollars) ¹	6,015	(X)
Walked	6,661	2.5	With public assistance income	8,541	3.9
Other means	4,458	1.7	Mean public assistance income (dollars) ¹	2,761	(X)
Worked at home	10,019	3.8	With retirement income	38,805	17.6
Mean travel time to work (minutes) ¹	21.3	(X)	Mean retirement income (dollars) ¹	20,321	(X)
Employed civilian population			Families	141,996	100.0
16 years and over	262,588	100.0	Less than \$10,000	8,549	6.0
OCCUPATION			\$10,000 to \$14,999	7,496	5.3
Management, professional, and related occupations	99,571	37.9	\$15,000 to \$24,999	17,032	12.0
Service occupations	41,059	15.6	\$25,000 to \$34,999	18,054	12.7
Sales and office occupations	74,404	28.3	\$35,000 to \$49,999	24,967	17.6
Farming, fishing, and forestry occupations	328	0.1	\$50,000 to \$74,999	29,519	20.8
Construction, extraction, and maintenance occupations	23,001	8.8	\$75,000 to \$99,999	17,156	12.1
Production, transportation, and material moving occupations	24,225	9.2	\$100,000 to \$149,999	12,536	8.8
INDUSTRY			\$150,000 to \$199,999	3,392	2.4
Agriculture, forestry, fishing and hunting, and mining	1,092	0.4	\$200,000 or more	3,295	2.3
Construction	18,522	7.1	Median family income (dollars)	46,613	(X)
Manufacturing	20,333	7.7	Per capita income (dollars) ¹	20,790	(X)
Wholesale trade	8,922	3.4	Median earnings (dollars):		
Retail trade	31,460	12.0	Male full-time, year-round workers	33,720	(X)
Transportation and warehousing, and utilities	10,812	4.1	Female full-time, year-round workers	26,318	(X)
Information	8,932	3.4			
Finance, insurance, real estate, and rental and leasing	18,308	7.0			
Professional, scientific, management, administrative, and waste management services	34,870	13.3			
Educational, health and social services	55,289	21.1			
Arts, entertainment, recreation, accommodation and food services	25,840	9.8			
Other services (except public administration)	12,761	4.9			
Public administration	15,447	5.9			
CLASS OF WORKER					
Private wage and salary workers	194,018	73.9			
Government workers	49,436	18.8			
Self-employed workers in own not incorporated business	18,332	7.0			
Unpaid family workers	802	0.3			
			POVERTY STATUS IN 1999		
			Families	14,484	10.2
			With related children under 18 years	11,844	15.4
			With related children under 5 years	6,257	20.2
			Families with female householder, no husband present	7,316	26.2
			With related children under 18 years	6,667	33.9
			With related children under 5 years	3,321	46.2
			Individuals	74,987	13.7
			18 years and over	49,609	12.1
			65 years and over	5,642	9.1
			Related children under 18 years	24,526	17.9
			Related children 5 to 17 years	16,593	16.7
			Unrelated individuals 15 years and over	25,725	22.9

-Represents zero or rounds to zero. (X) Not applicable.

¹If the denominator of a mean value or per capita value is less than 30, then that value is calculated using a rounded aggregate in the numerator. See text.

Source: U.S. Bureau of the Census, Census 2000.

Table DP-4. Profile of Selected Housing Characteristics: 2000

Geographic area: Bernalillo County, New Mexico

[Data based on a sample. For information on confidentiality protection, sampling error, nonsampling error, and definitions, see text]

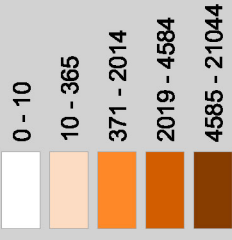
Subject	Number	Percent	Subject	Number	Percent
Total housing units	239,074	100.0	OCCUPANTS PER ROOM		
UNITS IN STRUCTURE			Occupied housing units	220,936	100.0
1-unit, detached	144,388	60.4	1.00 or less	208,562	94.4
1-unit, attached	13,727	5.7	1.01 to 1.50	7,104	3.2
2 units	4,372	1.8	1.51 or more	5,270	2.4
3 or 4 units	13,368	5.6			
5 to 9 units	9,930	4.2	Specified owner-occupied units	121,276	100.0
10 to 19 units	10,662	4.5	VALUE		
20 or more units	26,752	11.2	Less than \$50,000	2,667	2.2
Mobile home	15,582	6.5	\$50,000 to \$99,999	29,532	24.4
Boat, RV, van, etc	293	0.1	\$100,000 to \$149,999	47,826	39.4
			\$150,000 to \$199,999	21,907	18.1
YEAR STRUCTURE BUILT			\$200,000 to \$299,999	13,142	10.8
1999 to March 2000	7,063	3.0	\$300,000 to \$499,999	4,813	4.0
1995 to 1998	24,386	10.2	\$500,000 to \$999,999	1,215	1.0
1990 to 1994	18,492	7.7	\$1,000,000 or more	174	0.1
1980 to 1989	44,440	18.6	Median (dollars)	128,300	(X)
1970 to 1979	54,116	22.6			
1960 to 1969	33,270	13.9	MORTGAGE STATUS AND SELECTED		
1940 to 1959	48,237	20.2	MONTHLY OWNER COSTS		
1939 or earlier	9,070	3.8	With a mortgage	89,381	73.7
			Less than \$300	506	0.4
ROOMS			\$300 to \$499	3,161	2.6
1 room	7,386	3.1	\$500 to \$699	10,036	8.3
2 rooms	14,163	5.9	\$700 to \$999	27,520	22.7
3 rooms	29,625	12.4	\$1,000 to \$1,499	31,916	26.3
4 rooms	38,750	16.2	\$1,500 to \$1,999	10,962	9.0
5 rooms	47,804	20.0	\$2,000 or more	5,280	4.4
6 rooms	43,552	18.2	Median (dollars)	1,045	(X)
7 rooms	29,309	12.3	Not mortgaged	31,895	26.3
8 rooms	16,820	7.0	Median (dollars)	277	(X)
9 or more rooms	11,665	4.9			
Median (rooms)	5.1	(X)	SELECTED MONTHLY OWNER COSTS		
			AS A PERCENTAGE OF HOUSEHOLD		
Occupied housing units	220,936	100.0	INCOME IN 1999		
YEAR HOUSEHOLDER MOVED INTO UNIT			Less than 15.0 percent	41,333	34.1
1999 to March 2000	56,855	25.7	15.0 to 19.9 percent	19,348	16.0
1995 to 1998	65,097	29.5	20.0 to 24.9 percent	17,247	14.2
1990 to 1994	34,143	15.5	25.0 to 29.9 percent	13,074	10.8
1980 to 1989	29,206	13.2	30.0 to 34.9 percent	8,167	6.7
1970 to 1979	18,942	8.6	35.0 percent or more	21,204	17.5
1969 or earlier	16,693	7.6	Not computed	903	0.7
VEHICLES AVAILABLE			Specified renter-occupied units	80,259	100.0
None	15,093	6.8	GROSS RENT		
1	82,677	37.4	Less than \$200	2,871	3.6
2	84,702	38.3	\$200 to \$299	2,462	3.1
3 or more	38,464	17.4	\$300 to \$499	23,577	29.4
			\$500 to \$749	29,924	37.3
HOUSE HEATING FUEL			\$750 to \$999	11,617	14.5
Utility gas	182,589	82.6	\$1,000 to \$1,499	4,768	5.9
Bottled, tank, or LP gas	7,596	3.4	\$1,500 or more	1,195	1.5
Electricity	26,941	12.2	No cash rent	3,845	4.8
Fuel oil, kerosene, etc	194	0.1	Median (dollars)	560	(X)
Coal or coke	30	-			
Wood	2,435	1.1	GROSS RENT AS A PERCENTAGE OF		
Solar energy	441	0.2	HOUSEHOLD INCOME IN 1999		
Other fuel	435	0.2	Less than 15.0 percent	11,291	14.1
No fuel used	275	0.1	15.0 to 19.9 percent	11,227	14.0
			20.0 to 24.9 percent	10,351	12.9
SELECTED CHARACTERISTICS			25.0 to 29.9 percent	8,933	11.1
Lacking complete plumbing facilities	1,051	0.5	30.0 to 34.9 percent	6,486	8.1
Lacking complete kitchen facilities	1,510	0.7	35.0 percent or more	26,866	33.5
No telephone service	5,592	2.5	Not computed	5,105	6.4

-Represents zero or rounds to zero. (X) Not applicable.

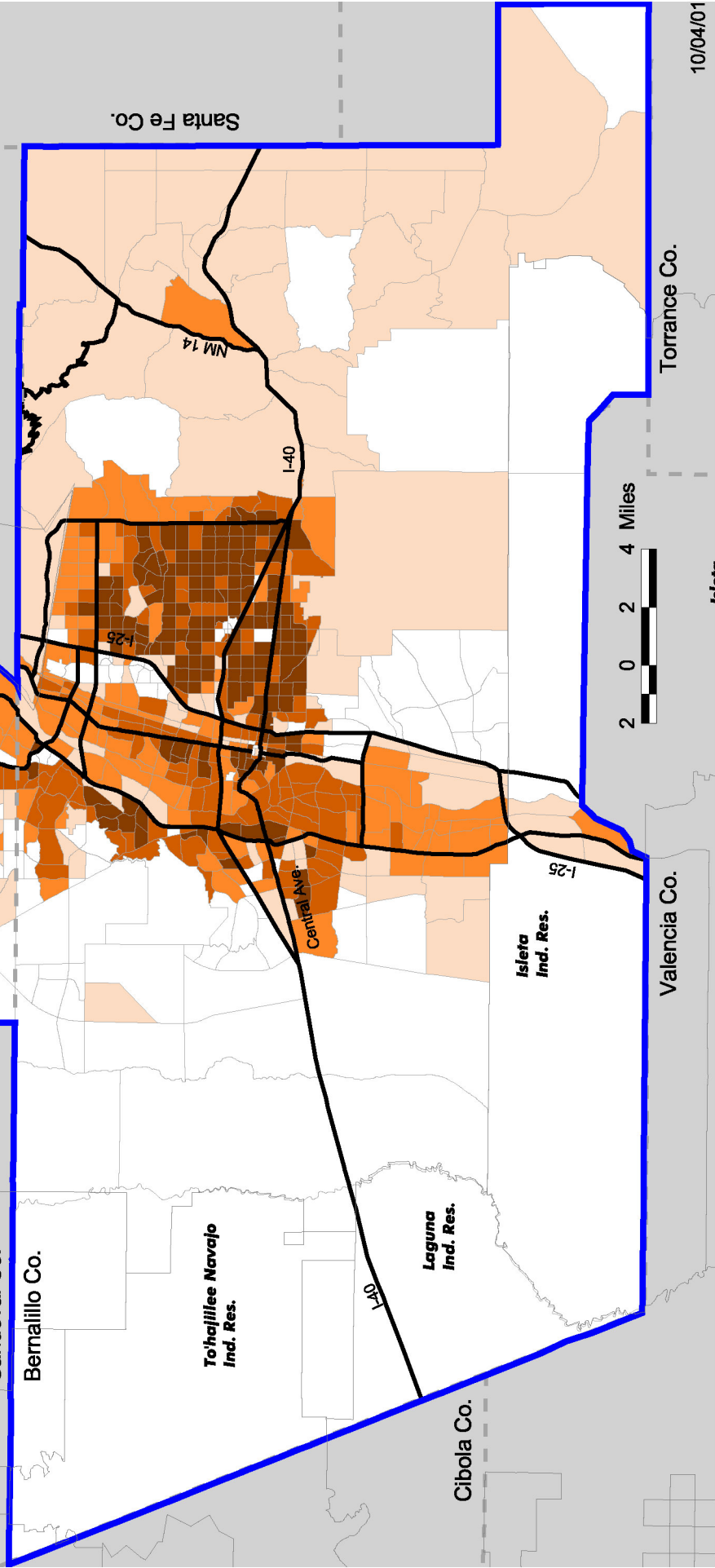
Source: U.S. Bureau of the Census, Census 2000.

2000 Population Density by Data Analysis Subzone Albuquerque Metropolitan Planning Area

Persons per Square Mile



AMPA Boundary

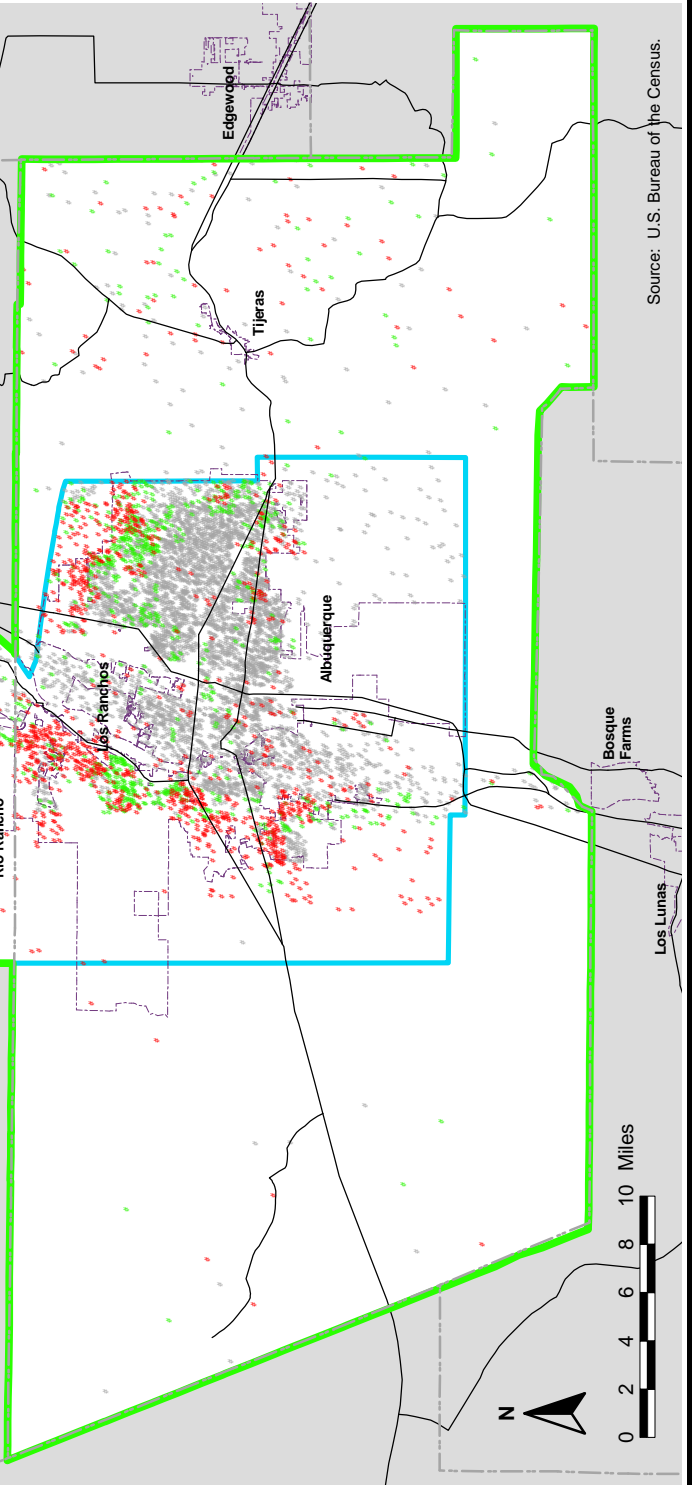


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Source: 2000 US Census.

1980 Population Growth with Population Growth by Decade to 2000

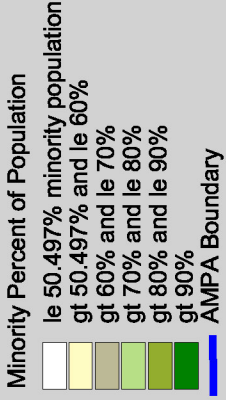
█ Albuquerque Metropolitan Planning Area
█ Old AMPA Area
● 1980 Population by 1990 DASZ
 # 1 Dot = 100 Persons
● 1980-1990 Growth by 1990 DASZ
 # 1 Dot = 100 Persons
● 1990-2000 Growth by 1990 DASZ
 # 1 Dot = 100 Persons



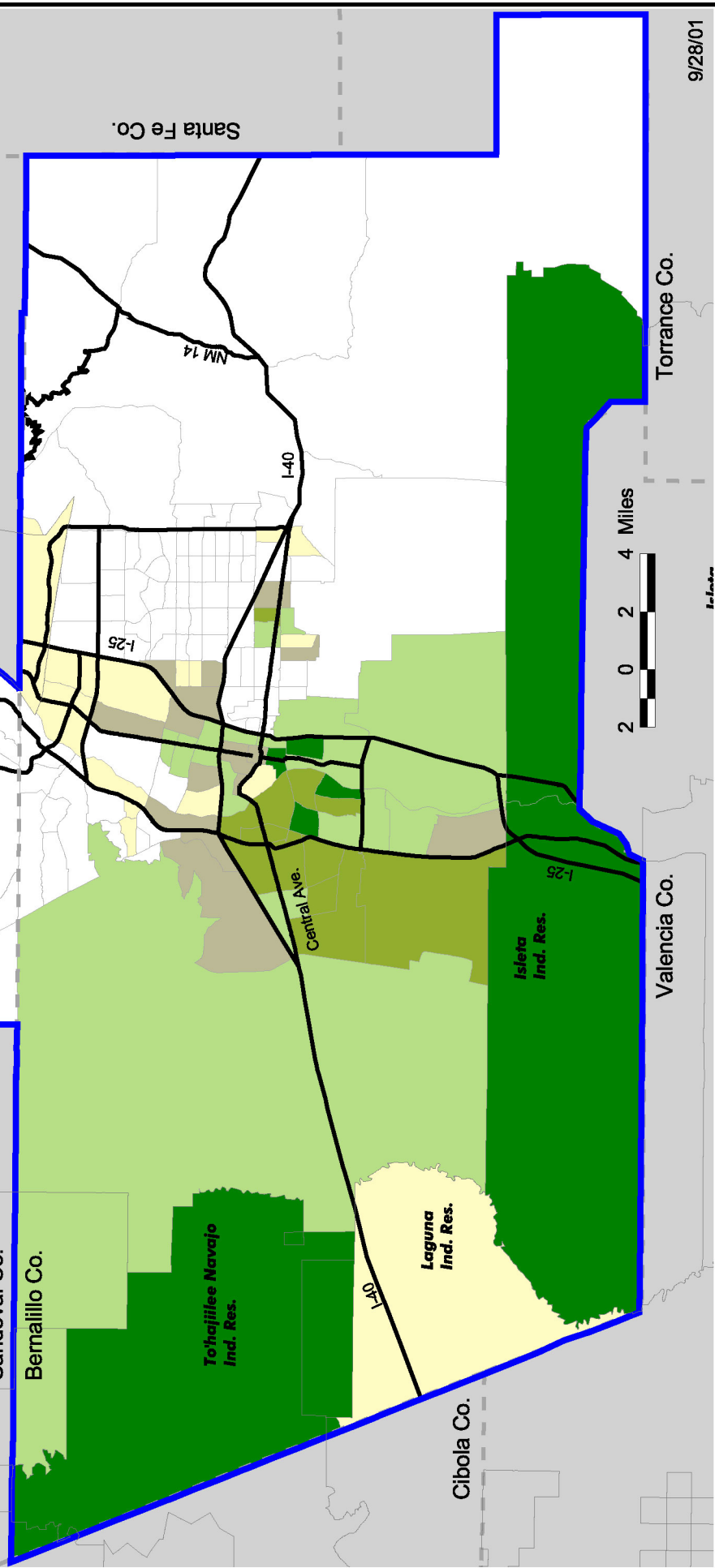
Source: U.S. Bureau of the Census.

Census Tracts in 2000 with a Minority Population Percentage Higher Than the Percentage for the Albuquerque Metropolitan Planning Area

Minority is determined by responses on the 2000 Census. Any person checking a race other than white, or checking a race other than white in combination with white, or checking Hispanic, is counted as minority. The minority percentage for the AMPA was 50.497.



Note:
 le = less than or equal to
 ge = greater than or equal to
 gt = greater than
 lt = less than



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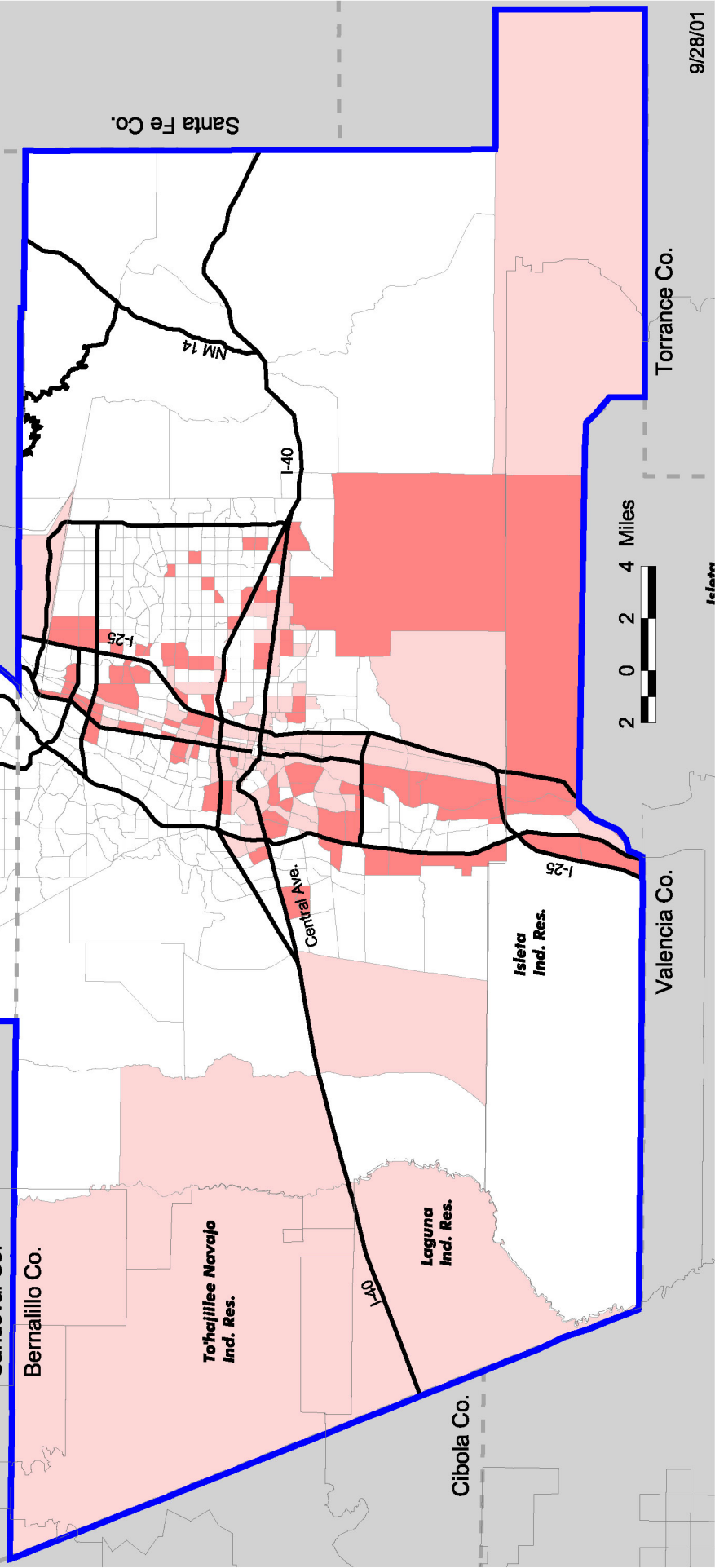
Source: 2000 US Census.

Estimate of Low Income Population by Data Analysis Subzone Albuquerque Metropolitan Planning Area

Zones where the median household income in 1995 was estimated to be in the lower 40 percent of all zones within the AMPA.

- le 20th percentile of all zones in the AMPA
- gt 20th percentile and le 40th percentile
- gt 40th percentile
- AMPA Boundary

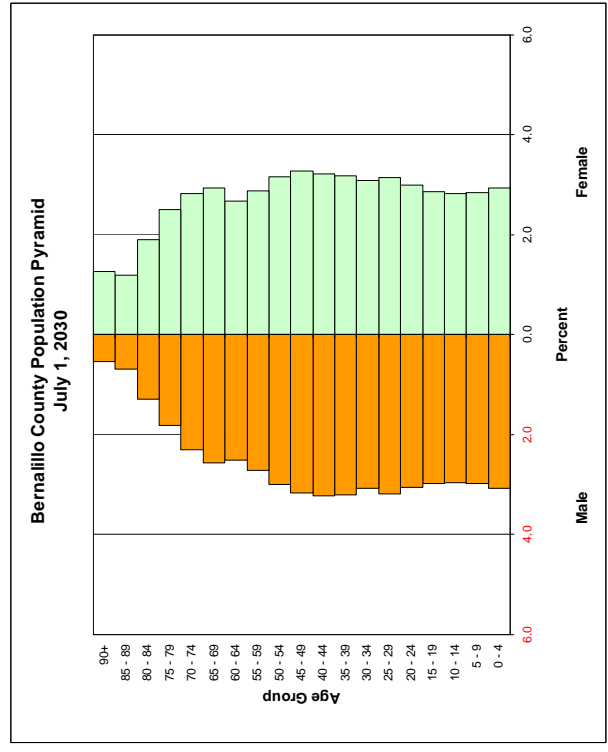
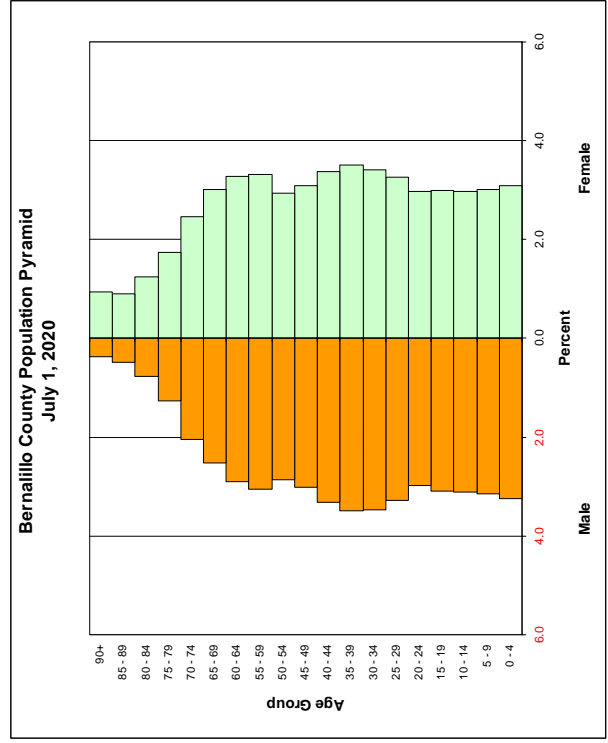
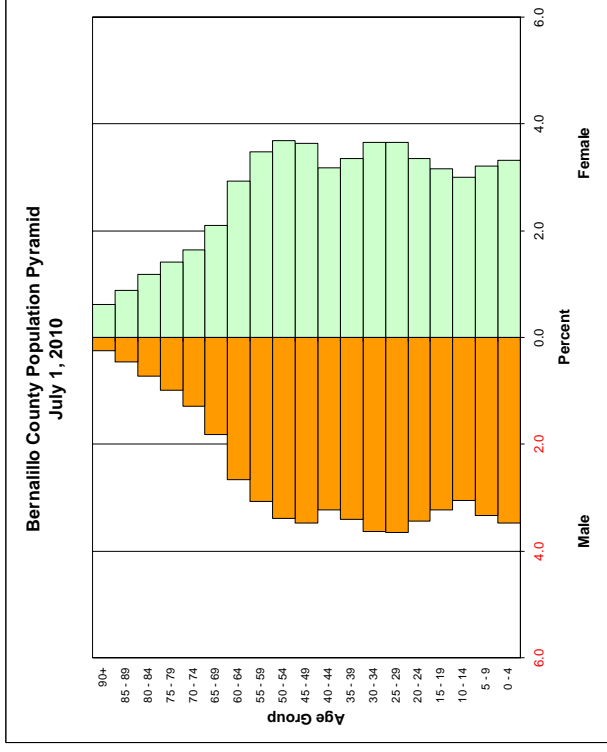
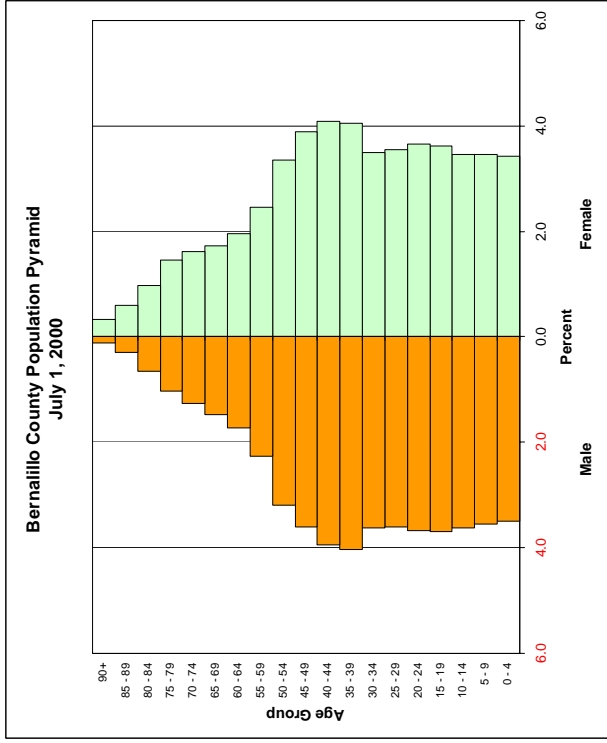
Note:
le = less than or equal to
ge = greater than or equal to
gt = greater than
lt = less than



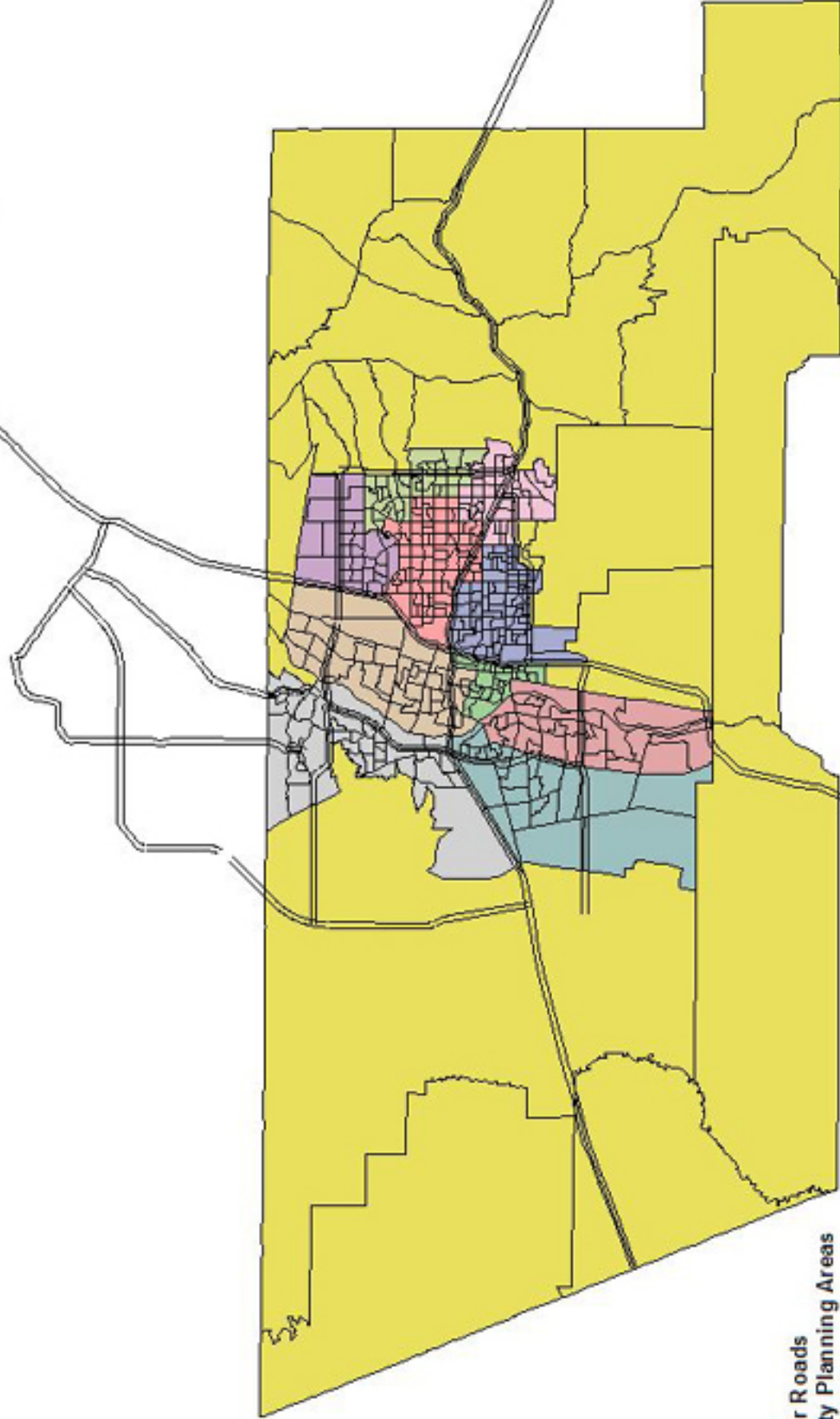
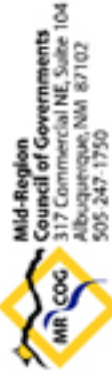
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Albuquerque, NM 87102
505-247-1750

Source: 1990 US Census updated to 1995 by MRCOG.

Projected Age-Sex Structure for Bernalillo County



Map 1: Community Planning Areas



- Major Roads
- Community Planning Areas
- SouthWest Mesa
- North Valley
- Central ABQ
- South Valley
- North Albuquerque
- Mid-Heights
- Near Heights
- Foothills
- East Gateway
- Remainder of County

The Community Planning Areas in this report vary from the City of Albuquerque's CPA's slightly, as they are defined by the block groups that are entirely or mostly contained within them. This is due to the fact that all analysis in this document is based on SF3 data, which is provided at the census defined block group level. The block groups contained within each CPA are outlined in this map.



Table 4: Family Type by Presence of Children, 2000

	WEST SIDE	SW MESA	NORTH VALLEY	CENTRAL ABQ	SOUTH VALLEY	NORTH ABQ	MID-HIGHTS	NEAR HEIGHTS	FOOTHILLS	EAST GATEWAY	REM OF COUNTY
Total Families	18,554	11,824	12,874	4,232	10,556	11,214	21,653	15,553	12,102	12,515	10,919
Married Couple Family	79%	62%	68%	57%	67%	83%	71%	64%	82%	70%	85%
With Own Children under 18	55%	56%	41%	48%	51%	47%	39%	46%	40%	44%	44%
Other Family	21%	38%	32%	43%	33%	17%	29%	36%	18%	30%	15%
Male Householder, no Wife	31%	31%	31%	28%	33%	25%	27%	28%	26%	27%	34%
With Own Children under 18	68%	59%	58%	47%	48%	62%	57%	58%	50%	63%	57%
Female Householder, no											
Husband Present	69%	69%	69%	72%	67%	75%	73%	72%	74%	73%	66%
With Own Children under 18	69%	66%	57%	55%	49%	58%	58%	63%	65%	63%	64%

With own children under 18 is presented as a percentage of single parent householders.

Figure 5: Family Type by Presence of Children Under 18, 2000

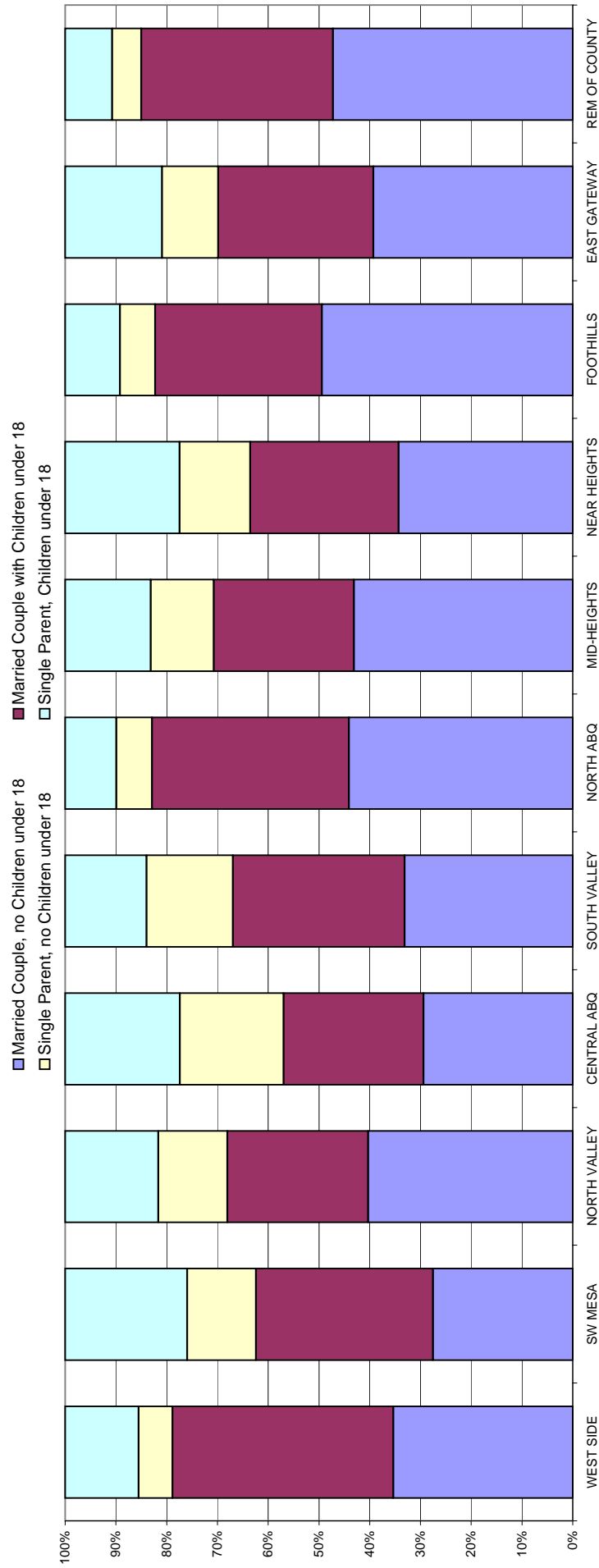


Table 12: Educational Attainment for the Population 25 Years and Over, 2000

	WEST SIDE	SW MESA	NORTH VALLEY	CENTRAL ABQ	SOUTH VALLEY	NORTH ABQ	MID-HIGHTS	NEAR HEIGHTS	FOOTHILLS	EAST GATEWAY	REM OF COUNTY
Persons 25 Years and Over	42,783	25,480	33,132	14,017	25,317	27,159	56,924	46,736	31,131	30,816	25,185
No Schooling Completed	0%	2%	1%	4%	2%	0%	1%	2%	1%	0%	1%
Nursery to 8th Grade	1%	9%	8%	17%	13%	1%	2%	6%	1%	1%	3%
9th and 10th Grade	2%	7%	5%	8%	9%	1%	2%	4%	1%	4%	3%
11th and 12 Grade, No Diploma	3%	10%	8%	9%	11%	3%	5%	6%	2%	2%	4%
High School Grad or Equivalent	23%	37%	29%	21%	32%	20%	27%	19%	19%	27%	20%
Some College, No Degree	27%	21%	20%	17%	18%	24%	27%	22%	26%	27%	22%
Associates	8%	5%	4%	3%	3%	6%	7%	5%	6%	7%	6%
Bachelors	22%	6%	14%	12%	6%	25%	18%	19%	25%	15%	6%
Masters and Beyond	12%	3%	12%	10%	4%	19%	12%	17%	20%	11%	21%
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

Figure 13: Educational Attainment, 2000

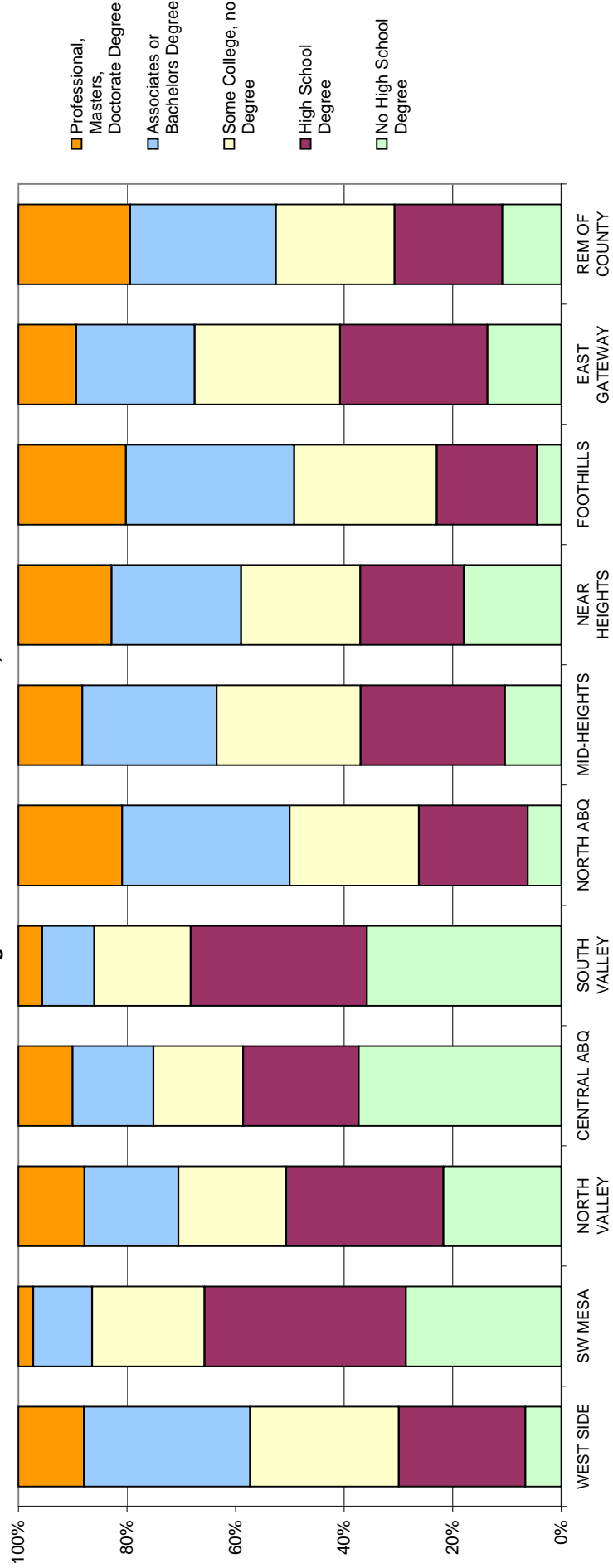


Table 19: Per Capita and Family Income in 1999, 2000

	WEST SIDE	SW MESA	NORTH VALLEY	CENTRAL ABQ	SOUTH VALLEY	NORTH ABQ	MID-HIGHTS	NEAR HEIGHTS	FOOTHILLS	EAST GATEWAY	REM OF COUNTY
Per Capita Income for Ages 15 and Over	\$ 29,940	\$ 18,593	\$ 26,165	\$ 18,219	\$ 17,916	\$ 34,658	\$ 25,257	\$ 22,011	\$ 36,136	\$ 24,743	\$ 34,917
Families	18,554	11,824	12,874	4,232	10,556	11,214	21,653	15,553	12,102	12,515	10,919
Less than \$15,000	5%	16%	14%	26%	17%	4%	9%	19%	6%	14%	7%
\$15,000 to \$29,999	11%	24%	21%	29%	27%	10%	19%	22%	10%	19%	14%
\$30,000 to \$44,999	17%	24%	19%	20%	21%	14%	21%	18%	13%	21%	15%
\$45,000 to \$59,999	17%	17%	14%	9%	13%	15%	17%	13%	15%	15%	14%
\$60,000 to \$74,999	17%	9%	10%	6%	8%	12%	11%	9%	14%	12%	11%
\$75,000 to \$99,999	18%	6%	9%	5%	7%	19%	12%	9%	17%	10%	14%
\$100,000 to \$199,999	13%	3%	10%	3%	4%	22%	9%	8%	21%	8%	18%
\$200,000 or more	1%	1%	4%	2%	1%	4%	1%	2%	4%	1%	6%
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

Per Capita Income was calculated by dividing the aggregate income for persons 15 and over by the number of persons 15 and over in each CPA.

Figure 20: Per Capita Income for Persons Aged 15 and Over, 2000

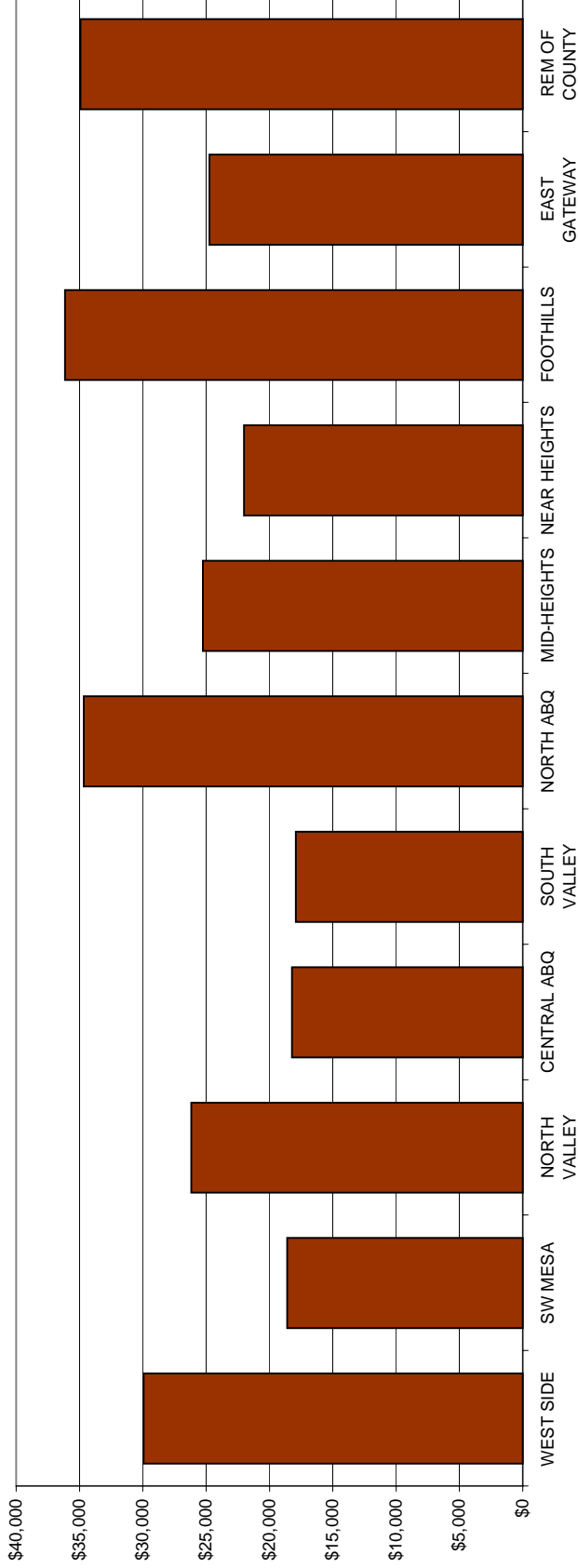
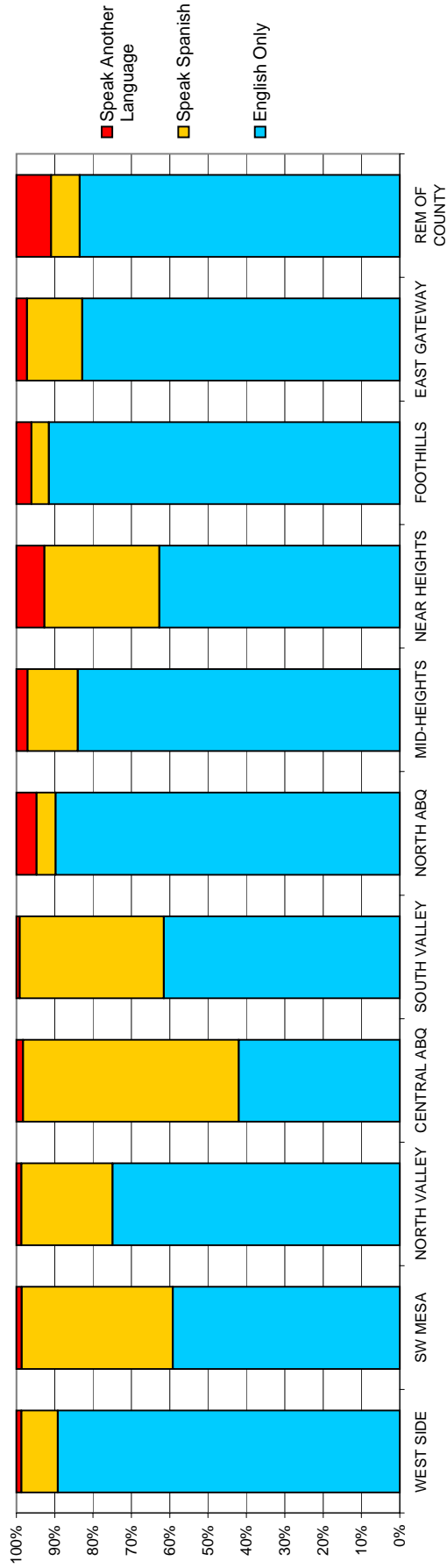


Table 5: Age by Language Spoken at Home and Ability to Speak English, 2000

	WEST SIDE	SW MESA	NORTH VALLEY	CENTRAL ABQ	SOUTH VALLEY	NORTH ABQ	MID-HIGHTS	NEAR HEIGHTS	FOOTHILLS	EAST GATEWAY	REM OF COUNTY
Population 5 Years and Over	62,822	42,241	46,921	20,287	38,923	38,519	79,044	67,979	41,746	43,732	36,167
Ages 5 to 17	22%	21%	20%	17%	24%	21%	17%	15%	17%	19%	21%
English Only	89%	59%	75%	42%	62%	90%	84%	63%	92%	83%	83%
Speak Spanish	10%	39%	24%	56%	38%	5%	13%	30%	5%	14%	8%
Speak English Well	89%	88%	83%	82%	89%	98%	92%	81%	95%	88%	90%
Little or no English	11%	12%	17%	18%	11%	2%	8%	19%	5%	12%	10%
Speak Another Language	1%	1%	1%	2%	1%	5%	3%	7%	4%	3%	9%
Ages 18 to 64	72%	67%	66%	70%	65%	67%	65%	72%	68%	66%	70%
English Only	77%	47%	60%	49%	45%	81%	77%	66%	86%	75%	75%
Speak Spanish	19%	51%	37%	48%	53%	13%	18%	25%	10%	18%	15%
Speak English Well	96%	85%	87%	68%	81%	94%	88%	69%	96%	88%	92%
Little or no English	4%	15%	13%	32%	19%	6%	12%	31%	4%	12%	8%
Speak Another Language	4%	3%	3%	4%	2%	6%	5%	8%	5%	7%	10%
Ages 65 and Over	6%	7%	14%	13%	11%	12%	18%	14%	15%	14%	9%
English Only	77%	36%	51%	38%	32%	87%	79%	74%	87%	76%	79%
Speak Spanish	19%	60%	47%	58%	66%	9%	17%	21%	8%	16%	11%
Speak English Well	97%	90%	94%	83%	89%	95%	91%	85%	99%	93%	87%
Little or no English	3%	10%	6%	17%	11%	5%	9%	15%	1%	7%	13%
Speak Another Language	4%	4%	2%	4%	2%	4%	4%	5%	4%	8%	10%

Ability to speak English well or not well is presented as a percentage of persons who speak Spanish.

Figure 6: Language Spoken at Home for Persons Aged 5 to 17, 2000



Appendix 1

TAXING AUTHORITY FOR BERNALILLO COUNTY (FY2003)

Revenue source	Total Authority	In Effect	Available	Use	Imposition	Budgeted revenue FY 2003	Add'l revenue if max imposed
PROPERTY TAX							
Operating Levy (NMSA 7-37-7)	11.60 mills	10.25 mills	1.35 mills	General Purposes	Commission approval (DFA-LGD informed by Sept 1)	\$59,491,021	\$11,531,013
Open Space Levy	0.25 mills	0.25 mills	0 mills	Open Space	thru 2001 by vote	\$2,175,000	\$0
Debt Service Levy (NMSA 4-49-7)	Outstanding GO bonds may not exceed assessed valuation x 4% = \$371,365,193 on 6/30/02	\$65,675,000 Outstanding GO Bonds 6/30/2002 (18% of capacity)	\$305,690,193 available in GO bonds (82% of capacity)	Debt Service	GO bond issues approved by voters	\$8,960,946	\$40,000,000
Judgment Mill Levy	Judgments above \$100,000	0 1.254 mills FY'02	No judgment assessed	Judgments	DFA approval	\$ -0-	\$0

GROSS RECEIPTS TAX - COUNTYWIDE

County Gross Receipts Tax (NMSA 7-20E9 thru 11)	Three separate 1/8th cent taxes	Two 1/8th cent taxes	1/8 cent	First 1/8 for general purposes Second 1/8 - \$1M for indigent balance for general purposes Third 1/8 for general purposes	Third 1/8 requires positive referendum	\$32,000,000	\$16,000,000
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GROSS RECEIPTS TAX - UNINCORPORATED

County Environmental Gross Receipts Tax (NMSA 7-20E-17)	1/8th cent	1/8 cent	None	Water, sewer, solid waste	Commission approval	\$2,243,000	\$0
County Fire Excise Tax Unincorporated (NMSA 7-20E-15&16)	Two 1/8th cents or 1/4 cent	0	1/4 cent	Independent fire districts	Positive referendum (vote)	\$0	\$4,486,000
County Infrastructure Gross Receipts Tax (NMSA 7-20E-19)	1/8th cent	0	1/8 cent	General purposes, economic development	Positive referendum (vote)	\$0	\$2,243,000

GASOLINE TAX

County Gasoline Tax (NMSA 7-24A-10)	One or two cent tax	0	2 cents	Transit, roads along transit routes	Positive referendum (vote) County must develop and pay for collection system	\$0	\$250,000
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TAXING AUTHORITY FOR CITY OF ALBUQUERQUE (FY2003)

	IMPOSITION	Maximum Allowed	Currently Imposed	USE Limitations	FULL-YEAR IMPACT	Unused Authority
Gross Receipts Tax Distribution						
State Shared GRT	State imposed levy in lieu of earlier local sales tax and remitted to local jurisdictions	2.7875%	2.2875%	Pledged to outstanding bonds	\$264.8	0.5000%
Municipal GRT	imposed in increments of 0.25% subject to 3% state admin. fee on all local option revenues imposed above the initial 0.5% tax levied;	1.2500%			\$113.4 (includes P&I)	
Basic Services	no referendum required		0.2500%	Basic city services		
General Purposes	no referendum required		0.5000%	Pledged to outstanding GRT bonds		
Transportation	positive referendum 3/31/99 imposed 10 year tax for transportation		0.2500%	Roads, transit, trails		
Municipal Infrastructure GRT					\$6.8	
General Purpose	positive referendum required if in excess of 0.125% or for economic development purposes; imposed in increments of 0.0625%; all other subject to negative referendum	0.1250%	0.0625%	Any lawful purpose; second 1/16 may be used for economic development		
Economic Development and Transit	positive referendum required if in excess of 0.125% or for economic development purposes; imposed in increments of 0.0625%; all other subject to negative referendum	0.1250%	0.0000%	Economic development; regional transit systems; infrastructure investments		
Municipal Environmental GRT					\$0.0	
Gasoline Taxes	Referendum not required	0.0625%	0.0000%	Restricted by statute to water, sewer, solid waste		
2 Cent Gasoline Tax	imposed in one cent increments	\$ 0.02	0	Restricted by statute to roads and transit	\$0.0	
Property Taxes						
Operating Levy	Positive Referendum Required	7.65 mills	2.23	Any lawful purpose. Limited constitutionally to 20 mills total (all jurisdictions). Yield Controlled. Judgments in excess of \$100K may be placed on tax rolls.	\$16.5	
Debt Service	Vote of Governing Body (DFA-LGD informed by Sept. 1)		8.976	Pay debt service. Not Yield Controlled. Debt limited to 4% of assessed valuation, except where debt has been issued for water and sewer purposes	\$66.4	

Appendix 2

**COUNTY OF BERNALILLO, NEW MEXICO
COMBINED STATEMENT OF REVENUES
ALL GOVERNMENTAL FUND TYPES**

	General Fund Approved 2002/03	Special Revenue Funds Approved 2002/03	Debt Service Funds Approved 2002/03	Capital Project Funds Approved 2002/03
Beginning Balance	35,000,000	5,186,634	29,308,509	52,253,555
Revenues:				
Property Tax	60,100,000	6,887,010	8,960,946	29,937,590
Intergovernmental	32,000,000	17,860,087		22,634,496
Licenses, Fees, Charges	5,233,196	5,138,271		-
Investment Income	3,100,000	50,000	855,000	-
Miscellaneous	3,920,445	3,244,653	289,167	-
Bond Proceeds				6,400,000
Total Revenues	<u>104,353,641</u>	<u>33,180,021</u>	<u>10,105,113</u>	<u>58,972,086</u>
Other Financing Sources (uses):				
Operating Transfers In			13,156,077	-
Operating Transfers Out	(7,774,909)	(205,180)		(5,175,988)
Proceeds of Refunding Bonds				
Payment to Refunding Bond Escrow Account				
Defeasance of Debt				
Proceeds from Bond Sales				
Total Other Financing sources (uses)	<u>(7,774,909)</u>	<u>(205,180)</u>	<u>13,156,077</u>	<u>(5,175,988)</u>
Grand Total	131,578,732	38,161,475	52,569,699	106,049,653

COMBINED REVENUES BY FUND GROUP AND SOURCE - FY/03

	TOTAL	INTERFUND ELIMINATION	COMBINED TOTAL	GENERAL FUND	SPECIAL REV FUNDS IN GENERAL APPROP ACT	SPECIAL REV FUNDS NOT IN GEN APPROP ACT	DEBT SERVICE FUNDS	ENTERPRISE FUNDS	INTERNAL SERVICE FUNDS
TAXES:									
PROPERTY	80,410	0	80,410	16,350	0	0	64,060	0	0
GROSS RECEIPTS	92,783	0	92,783	92,783	0	0	0	0	0
OTHER	29,178	0	29,178	16,223	12,955	0	0	0	0
TOTAL TAXES	202,371	0	202,371	125,356	12,955	0	64,060	0	0
LICENSES & PERMITS	12,124	0	12,124	10,189	1,935	0	0	0	0
INTERGOVERNMENTAL REVENUES:									
FEDERAL GRANTS	51,698	0	51,698	0	0	51,698	0	0	0
COUNTY	20,357	0	20,357	700	18,695	0	0	880	82
STATE SHARED REVENUE:									
GROSS RECEIPTS	144,604	0	144,604	144,604	0	0	0	0	0
CIGARETTE	890	0	890	600	290	0	0	0	0
OTHER SHARED REVENUE	6,070	0	6,070	4,138	1,932	0	0	0	0
STATE GRANTS	10,619	0	10,619	70	2,221	8,328	0	0	0
TOTAL STATE SHARED	162,183	0	162,183	149,412	2,511	10,260	0	0	0
TOTAL INTERGOVERNMENTAL	234,238	0	234,238	150,112	21,206	61,958	0	880	82
CHARGES FOR SERVICES	21,463	0	21,463	18,393	1,388	1,577	0	0	105
FINES AND FORFEITS	40	0	40	40	0	0	0	0	0
MISCELLANEOUS	20,167	0	20,167	2,729	835	1,320	1,165	13,160	958
ENTERPRISE REVENUES:									
AVIATION	58,862	0	58,862	0	0	0	0	58,862	0
JOINT WATER & SEWER	123,254	0	123,254	0	0	0	0	123,254	0
PARKING FACILITIES	3,978	0	3,978	0	0	0	0	3,978	0
REFUSE DISPOSAL	39,477	0	39,477	0	0	0	0	39,477	0
TRANSIT	2,939	0	2,939	0	0	0	0	2,939	0
GOLF	4,375	0	4,375	0	0	0	0	4,375	0
TOTAL ENTERPRISE	232,885	0	232,885	0	0	0	0	232,885	0
INTERFUND/INTERNAL SERVICE:									
INTERNAL SERVICE	66,713	0	66,713	1,875	0	0	0	0	64,838
ADMINISTRATIVE O/H (a)	11,260	(10,892)	22,152	22,152	0	0	0	0	0
TRANSFERS (a)	8,843	(55,606)	64,449	1,561	26,643	4,042	10,045	22,158	0
PILOT	0	(5,806)	5,806	5,806	0	0	0	0	0
TOTAL INTREFD/INT SERV	86,816	(72,304)	159,120	31,394	26,643	4,042	10,045	22,158	64,838
TOTAL CURRENT RESOURCES	810,104	(72,304)	882,408	338,213	64,962	68,897	75,270	269,083	65,983
APPROPRIATED FUND BALANCE	22,517	0	22,517	68	221	(39)	10,248	13,070	(1,051)
ADJUSTMENTS TO FUNDS	2,480	0	2,480	(500)	0	0	0	2,980	0
GRAND TOTAL	835,101	(72,304)	907,405	337,781	65,183	68,858	85,518	285,133	64,932

(a) Remaining administrative O/H and transfers are from capital and other funds not included in this consolidation

Appendix 3

County of Bernalillo

General Obligation Bonds as of June 30, 2002

Issue	Outstanding Principal	Outstanding Interest	Total Debt Service	Interest Rate	Final Maturity
1993	6,000,000	247,125	6,247,125	3.875% - 4.850%	August 1, 2003
1995	7,835,000	1,756,962	9,591,962	4.50% - 5.00%	August 1, 2010
1996	10,135,000	4,623,953	14,758,953	5.00% - 7.00%	August 1, 2016
1997	10,080,000	4,353,652	14,433,652	4.50% - 6.50%	December 1, 2017
1999	17,515,000	8,240,109	25,755,109	4.50% - 6.50%	August 1, 2019
2000	9,510,000	5,517,635	15,027,635	5.10% - 7.00%	February 1, 2020
2001	4,600,000	2,952,701	7,552,701	4.10% - 4.80%	October 1, 2021
Total	\$ 65,675,000	\$ 27,692,137	93,367,137		

Gross Receipts Tax Revenue Bonds as of June 30, 2002

Issue	Outstanding Principal	Outstanding Interest	Total Debt Service	Interest Rate	Final Maturity
1996	700,000	79,880	779,880	4.90% - 5.10%	April 1, 2005
1996B	60,115,000	53,575,985	113,690,985	4.50% - 5.70%	April 1, 2027
1997	15,615,000	7,541,967	23,156,967	4.30% - 5.75%	October 1, 2017
1998	51,250,000	43,140,505	94,390,505	4.00% - 5.25%	April 1, 2027
1999	59,340,000	45,852,269	105,192,269	4.875% - 5.750%	October 1, 2026
2001	1,970,000	78,800	2,048,800	4.00%	June 15, 2003
Total	\$ 188,990,000	\$ 150,269,406	339,259,406		

Computation of Legal Debt Margin For General Obligation Bonds Only as of June 30, 2002

Legal Debt Limitation	4.00%
Net Taxable Valuation	<u>\$ 9,284,129,823</u>
Allowable Bonding Capacity	\$ 371,365,193
General Obligation Bonds Outstanding	<u>\$ 65,675,000</u>
Legal Debt Margin (Available Bonding Capacity)	<u><u>\$ 305,690,193</u></u>

**City of Albuquerque
General Obligation Debt Service
By Fiscal Year
As of July 1, 2002**

Fiscal Year	Principal	Interest	Total Debt Service
2003	33,245,000	7,596,953	40,841,953
2004	24,220,000	6,062,953	30,282,953
2005	24,220,000	4,938,153	29,158,153
2006	20,760,000	3,752,653	24,512,653
2007	16,590,000	2,745,653	19,335,653
2008	13,590,000	2,046,903	15,636,903
2009	11,210,000	1,392,703	12,602,703
2010	9,210,000	761,813	9,971,813
2011	7,010,000	310,063	7,320,063
	\$160,055,000	\$29,607,843	\$189,662,843

**Summary of Authorized and Outstanding Debt
As of July 1, 2002**

	Outstanding	Authorized Unissued
<u>General Obligation Bonds</u>		
General Purpose (Subject to 4% Debt Limitation)	\$ 112,885,000	\$ 100,000,000
Joint Water and Sewer/Storm Sewer (Secured by Ad Valorem Taxes)	47,170,000	0
Total General Obligation Bonds	\$ 160,055,000	\$ 100,000,000
<u>Revenue Bonds (a)</u>		
Airport Revenue	\$ 225,335,000	\$ 0
Gross Receipts Tax Revenue	66,483,688	0
Gross Receipts/Lodgers Tax Revenue	65,041,661	0
Joint Water and Sewer Revenue	240,743,400	0
Municipal Gross Receipts Tax Revenue	11,350,000	0
Refuse Removal and Disposal Revenue	33,635,000	0
Special Assessment Districts	18,051,511	0
Total Revenue Bonds	\$ 660,640,260	\$ 0
TOTALS	\$ 820,695,260	\$ 100,000,000

Appendix 4

FUNCTIONS, SERVICES AND OPERATIONS MATRIX

OUTCOME	FUNCTION	County	City	City/County	Contract	MOU	State Statute or	City	County	City	County	City	
		County	City	MOU	Service	Village	Constitution	Charter	Budget	Staff	Budget	Staff	
1. Citizenship, Leadership and Government	Board of County Commissioners	x					4-38-6		442k	10			
	County Manager	x					4-38-19		1.41m	18			
	Mayor		x					5			483k	9	
	Chief Administrative Officer		x					5-4			812k	76	
	City Council		x					4			1.49m	18	
	Council Services										1.41m		
	Boards and Commissions							14-8			124k		
	Lobbying	x	x			x		2-3					
	workers comp											4.31m	
	tort and other claims											16.66m	
	Legal	x	x			x		36-1-19	2-7-2	1.2m	10	4.49m	71
	Public Information / GOV TV	x	x			x				231k	3		
	Probate Judge	x						34-7-1		132k	3		
	Budget & Finance	x	x					6-6-2		1.03m	21		
	Accounting	x	x							646k	11		
	Purchasing	x	x							595k	13		
	OMB			x									
	Assessor	x						4-39-2-6		2.31m	63		
	Clerk	x						1-4-46/4-40-4		2.76m		326k	
	Bureau of Elections		x					1-1-1 thr 21		1.54m	23		
	Recording and Filing		x	x						790k	23	475k	
	Voting Machines		x							186k	2		
	Treasurer		x	x				10-2		1.66m	35	1.34m	
Fleet Management		x	x						2.55m	18	9.1m		
Facilities Management		x	x						4.45m	65	7.37m		
Materials Management		x	x								532k		
Information Technology/ geog. Info sys.		x	x						6.8m	79	7.33m		
Risk Management		x	x						3.72m	9			
Safety		x	x								772k		
Capital Improvements Planning (CIP)		x	x						434k	5	1.85m	29	
Human Resources/employee health		x	x						1.03m	16	3.18m		
Insurance		x	x								29.55m		
District 1 Courthouse		x							407k	19			
District Attorney Office		x											
Internal Audit		x	x						71k		835k		
Real Estate / ROW		x	x					ch5	cip+297k		1.51m		
Ag. Agent		x							151k				
COG		x	x						64k				
Utility Franchise		x	x								650k		

FUNCTIONS, SERVICES AND OPERATIONS MATRIX

OUTCOME	FUNCTION	County	City	City/County MOU	Contract Service	MOU Village	State Statute or Constitution	City Charter	County Budget	County Staff	City Budget	City Staff
2. Public Infrastructure	Road Construction	x	x	x				ch6				
	Road Maintenance	x	x				67-2-2	ch6-5	2.47m			
	Median Maintenance	x	x						P and R			
	Neighborhood Traffic Mgt	x	x									
	Traffic Engineering/Signalization	x	x					ch8	1.01m		7.69m	
	Street Cleaning	x	x								1.49m	
	Floodplain Management	x	x	x		x	4-50-1/78-16-1	ch14-5			251k	
	Storm Drainage Construction	x	x								452k	
	Storm Drainage Rehabilitation	x	x						163k		1.73m	
	Sewer Treatment		x					ch6 art3				149
	Sewer Collection		x			x						60
	Sewer construction	x	x	x								
	Water Plant Operations		x									32
	Water distribution/ maintenance		x			x						71
	Water Reuse		x									2
Arsenic removal		x										
Meter Reading		x										
Customer Services		x									64	
3, 4, 5, 7, 8	Sustainable Water Supply	x	x					ch6-1-1			13.9m	
7	Public Transit		x	x								5317
7	Paratransit		x	x								
	Transportation Demand Mgt		x									
	Parking Lots and Facilities		x									
	On street parking enforcement		x									
8	Airport		x								13.54m	252
	Double Eagle II		x								385k	
	Parking, rental car		x								4.84m	
3	Security		x								2.75m	
3. Public Safety	Community Policing	x	x					ch9 art4				
	Police Substations / Command Centers	x	x								39.2m	
	Criminal Investigations	x	x	x					3.08m		16.33m	
	Traffic Enforcement	x	x								4.98m	
	Tactical Services		x								2.94m	
	Records		x	x							2.91m	
	Crime Laboratory	x	x	x					17%			
	Evidence	x	x	x							1.28m	
	Law Enforcement Academy	x	x								2.75m	
	Planning	x	x								294k	
	emergency management									50k		

FUNCTIONS, SERVICES AND OPERATIONS MATRIX

OUTCOME	FUNCTION	County	City	City/County MOU	Contract Service	MOU Village	State Statute or Constitution	City Charter	County Budget	County Staff	City Budget	City Staff
	Alb Fire Dept HQ	x	x	x					7.51m		1.29m	568
	Fire and Rescue	x	x	x				ch9 art4-4	8.74m			
	EMS	x	x	x								
	Hazardous Materials Mgt	x	x	x					459k		2.77m	
	Fire Prevention	x	x	x				ch14 art2				
	Fire Code Enforcement	x	x	x							2.79m	
	Fire Suppression	x	x	x							1.32m	
	Fire Training	x	x	x			4-41-1-2/4-37-4		2.1m	400		
	Sheriff	x							2.4m		379k	
	Court Services	x									5.33m	
	fleet	x	x									
	Air Support	x	x						96k			
	Metropolitan Detention Center (MDC)	x		x					18.8m		18.8m	
	Inmate Services	x	x								1.18m	
	Juvenile Detention Center (JDC)	x		x					5.9m	23		
	Community Custody	x	x								733k	20
	Detox Services	x	x	x							1.05m	2
	Metro Criminal Justice Cord. Council	x									125k	
	DWI	x	x	x							3.63m	
	Valencia JDC	x							1.27m			
	Ditch/Water Safety	x	x	x					10k			
	Communications and E-911	x	x	x					2m		6.44m	
	Shooting Range Park	x	x								280k	4
4. Environmental Quality												
	Water Quality/Resources	x	x						54k	1		21
	Air quality		x	x				ch9 art5			1.86m	
	vehicle pollution management		x	x							1.19m	27
	air operating permits		x	x							697k	
	household hazmat		x	x							351k	
	groundwater protection	x	x	x								
	restaurant inspections	x	x									
	pool and noise inspections	x	x									
	Animal Control	x	x				77-1-15		903k	15	4.06m	
	Animal Shelters (Eastside, Wsetside)		x	x								
	Animal Enforcement	x	x					ch9 art2				
	vector control	x	x	x								
	Solid Waste								3.13m	14		404
7	Residential Collection	x	x									231
7	Commercial Collection	x	x									
7	Recycling	x	x									46
	Landfill	x	x									74
7	Convenience Centers	x	x									
7	Graffiti Removal	x	x									

FUNCTIONS, SERVICES AND OPERATIONS MATRIX

OUTCOME	FUNCTION	County	City	City/County MOU	Contract Service	MOU Village	State Statute or Constitution	City Charter	County		City	
									Budget	Staff	Budget	Staff
5. Healthy People and Families	Senior Services	x	x	x					396k		8.5M	170
	Senior Meal Sites	x	x	x							31k	
	Senior mental health counseling		x	x							268k	
	Senior legal		x	x							664k	
	Senior day care		x	x							699k	
	geriatric health in home care		x	x							1.22m	
	Senior Centers		x	x							1.99m	
	Summer Nutrition		x	x							537k	
	Early Head Start		x	x	?	x					225k	
	Child Care Contracts					x					4.1m	
	Food Program					x					1.01m	
	Childhood development Services										10.8m	
	Gang Prevention Contracts		x	x	x					121k		
	Housing Services:											
	Transitional Housing		x	x	x							1.97m
	Public Housing		x	x	x							4.92m
	Section 8 Housing		x	x	x					4		23.0m
	Partnerships to Dev. Housing			x	x							247k
	Emergency Shelter		x	x	x							797k
	Homeless Services		x	x	x							304k
Low income training contracts											461k	
Mental Health Services		x	x	x							260k	
Social Services		x	x	x							483k	
Substance Abuse			x	x				ch9 art1	1.2m		3.97m	
Health Care / Hospital												
Indigent Health Care		x					7-20E-9		1m			
Indigent Burials		x										
County Hospital		x							33m			
Public Health Clinics		x										
Public Health Services		x	x	x							639k	
6. Cultural Appreciation and Respect												
	Museum		x								2.06m	
	Balloon Museum		x								196k	
	Casa San Ysidro		x								80k	
	Bio Park		x					ch10 art2-2			12.71m	
	Community Cultural Events	x	x								673k	
	Kimo/South Broadway		x								950k	
	Public Art Program	x	x					ch10 art5				4
	Explora										550k	

FUNCTIONS, SERVICES AND OPERATIONS MATRIX

OUTCOME	FUNCTION	County	City	City/County MOU	Contract Service	MOU Village	State Statute or Constitution	City Charter	County		City		
									Budget	Staff	Budget	Staff	
7. Livable Communities	Planning	x	x					ch13 art1				1.74m	
	Zoning	x	x							590k			
	Subdivision Services	x	x				47-6-9	ch14					
	One stop shop development services	x	x									5.85m	
	Zoning Code Enforcement	x	x							605k		1.31m	
	Housing Code Enforcement	x	x					ch14 art3		787k		669k	
	Comm. Revitalization / Planning		x									631k	
	CPTED/weed and seed											346k	
	Drop out prevention	x	x									423k	
	Job mentorship		x								33k	716k	
	Latchkey and before school		x									747k	
	Middle School Cluster		x									1.68m	
	"Playgrounds" program											1.57m	
	4, 7	Open Space	x	x								6	422k
	4, 6	OS visitor education and mgt		x									1.09m
4	Bosque reclamation		x									279k	
3	OS law enforcement		x									1.1m	
	Parks and Recreation	x	x					ch10 art1		8m		791k	
1	Park Development	x	x									1.5m	
1	Parks Mgt and Maintenance	x	x							1.74m		8.74m	
6	Park Planning	x	x									784k	
7	Youth Recreation Programs	x	x										
7	Adult Recreation	x	x							612k		2.05m	
	Sports												
7	Aquatic Services	x	x							408k		1.97m	
7	After-School Programs	x	x										
7	Community Centers	x	x							2.34m		5.93m	
7	Golf		x									3.4m	
1	Human Rights	x	x					ch10 art8					
6	Journal Pavilion/MDS	x											
6, 8	Convention Center		x									3.49m	
6, 7	Libraries		x					ch10 art6		1.18m		7.95m	
8. Economic Development													
	International Trade	x	x									820k	
	Hispano Chamber		x									30k	
	Pueblo Cultural Cen											490k	
	Convention and Visitors		x									30k	
												3.71m	

