

City of Albuquerque
Office of the City Clerk

Richard J. Berry, Mayor

Natalie Y. Howard, City Clerk

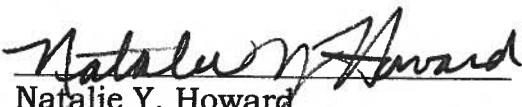
Interoffice Memorandum

April 22, 2016

To: CITY COUNCIL
From: NATALIE Y. HOWARD, CITY CLERK
Subject: BILL NO. C/S R-16-12 ENACTMENT NO. R-2016-024

I hereby certify that on April 22, 2016, the Office of the City Clerk received Bill No. C/S R-16-12 as signed by the president of the City Council, Dan Lewis. Enactment No. R-2016-024 was passed at the April 4, 2016 City Council meeting. Mayor Berry did not sign the approved Resolution within the 10 days allowed for his signature and did not exercise his veto power. Pursuant to the Albuquerque City Charter Article XI, Section 3, this Resolution is in full effect without Mayor's approval or signature. This memorandum shall be placed in the permanent file for Bill No. R-16-12.

Sincerely,


Natalie Y. Howard
City Clerk

**CITY of ALBUQUERQUE
TWENTY-SECOND COUNCIL**

COUNCIL BILL NO. C/S R-16-12 ENACTMENT NO. R:2016.024

SPONSORED BY: Isaac Benton

1 RESOLUTION
2 ESTABLISHING A PRIORITIES LIST FOR THE CITY OF ALBUQUERQUE'S
3 FUTURE OPEN SPACE LAND ACQUISITIONS; IDENTIFYING IMMEDIATE
4 PRIORITIES AND SPECIAL PROVISIONS FOR CERTAIN PROPERTIES.

5 WHEREAS, the City of Albuquerque Open Space Division of the Parks and
6 Recreation Department manages an inventory of Open Space Lands and has
7 established a list of additional lands that are desired as additions to the City's
8 open space network; and

9 WHEREAS, the City Council is responsible for ensuring that public funds
10 earmarked for open space land acquisition are expended only on purchases
11 that best promote the open space needs and interests of the residents; and

12 WHEREAS, the City Council does not presently have a mechanism to
13 review proposed open space acquisitions until after significant resources are
14 expended in furtherance of acquiring the properties; and

15 WHEREAS, notwithstanding that the Council presently lacks a mechanism
16 through which it can give timely policy guidance in advance, the City Council
17 must nonetheless ultimately approve any specific open space acquisitions;
18 and

19 WHEREAS, since the Council is ultimately tasked with approving proposed
20 acquisitions, City Resources would be better preserved by implementing a
21 mechanism for the City Council to review open space acquisition priorities in
22 advance of any steps in furtherance of specific acquisitions; and

23 WHEREAS, certain properties listed as priorities for acquisition by
24 purchase as of December 2015, such as the Northern Sand Dunes and the
25 North Rio Puerco Escarpment are located in unincorporated Bernalillo County
26 some distance from the present urban fringe of the City; and

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1 **WHEREAS, Bernalillo County is likely better situated to preserve open**
2 **space interests in the area of the Northern Sand Dunes and the North Rio**
3 **Puerco Escarpment through purchase or negotiated dedication as part of**
4 **development agreements with the private owners as growth occurs in those**
5 **areas of the County; and**

6 **WHEREAS, the City should work more closely with the County as it relates**
7 **to open space acquisitions that may serve mutual benefits in unincorporated**
8 **areas before pursuing direct acquisition on its own; and**

9 **WHEREAS, the Petroglyph National Monument is one of the region’s most**
10 **important cultural and open space assets and there are properties near the**
11 **monument that are situated in the more near term path of urban growth, which**
12 **if acquired as open space, present opportunities to build upon and further**
13 **protect the monument’s resources.**

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

16 **Section 1. Open Space Priority List. After reviewing the list of priority**
17 **lands for acquisition as recommended by the Open Space Division and the**
18 **Open Space Advisory Board as of December, 2015, the following refined list is**
19 **approved and adopted as the official open space acquisition priorities for the**
20 **City:**

- 21 **Cerro Colorado Volcano,**
- 22 **Northern Geologic Window (North 1/3),**
- 23 **Northern Sand Dunes,**
- 24 **North Rio Puerco Escarpment,**
- 25 **Volcano Cliffs Sector Development Plan Parcels:**
 - 26 **Boca Negra Arroyo Middle Branch; and**
 - 27 **La Cuentista,**
 - 28 **Tijeras Arroyo Biological Zone, and**
 - 29 **Volcano Heights (State Land Office Parcel).**

30 **The order of the above list is not intended to connote an order of**
31 **importance, but only to list all of these properties as priorities for the City.**

32 **Section 2. Special Provisions for the Northern Sand Dunes & North Rio**
33 **Puerco Escarpment. The properties in unincorporated Bernalillo County**

1 known as the Northern Sand Dunes and the North Rio Puerco Escarpment,
 2 which were recommended for acquisition by the Open Space Division and the
 3 Open Space Advisory Board as of the December 2015 priority list, remain open
 4 space priorities to the City. The City shall support and cooperate with
 5 Bernalillo County in the event the County pursues acquisition of the property,
 6 however, no City funds shall be used for any acquisition or negotiation activity
 7 without prior approval of the City Council.

8 **Section 3. Prioritizing Volcano Cliffs Sector Development Plan Parcels and**
 9 **the Northern Geologic Window (North 1/3).** The Volcano Cliffs Sector
 10 Development Plan Parcels (La Cuentista and the and Boca Negra Arroyo
 11 Middle Branch) and the Northern Geologic Window (North 1/3) are situated
 12 adjacent to the Petroglyph National Monument in an area of present or near
 13 term growth pressure, have provided unauthorized access to the Monument,
 14 and contain unique land forms, view sheds, natural and cultural resources,
 15 and critical wildlife habitat that would be threatened by growth. If preserved as
 16 municipal open space, these parcels could contribute to the open space and
 17 cultural resources available at the monument.

18 (A) **Acquisition.** The City shall pursue the properties identified in
 19 Section 3 as its most immediate open space acquisition priority through fee
 20 purchase, acquisition of easements, negative easements, licenses, leases, or
 21 any other reasonable mechanism or any combination thereof that allows for
 22 the preservation and enjoyment of this open space for the general public.

23 (B) **Appropriation.** The following appropriations are hereby made
 24 and/or changed and that transfers of revenues to the specific projects are
 25 made as indicated.

<u>Department</u>	<u>Source</u>	Increase <u>(Decrease)</u>
<u>Parks and Recreation</u>		
Open Space Land Acquisition		
Fencing & Protection	2011 GO Bond	(142,514)
Open Space Land Acquisition,		
Fencing and Protection	2013 GO Bond	(750,000)

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1 **Volcano Cliffs Sector Development Plan Parcels and North Geologic Window**
2 **(North 1/3)**

3 Acquisition	2011 GO Bond	142,514
4	2013 GO Bond	750,000

5 **Project Scope: To purchase land identified as the “Boca Negra Arroyo**
6 **Middle Branch,” and/or the “Northern Geologic Window (North 1/3),” and/or**
7 **the “La Cuentista Property” for Open Space, including surveying, platting,**
8 **building fences, purchase equipment required for the protection of Open**
9 **Space, install signs and make associated improvements.**

10 **Section 4. Progress Reporting. The City of Albuquerque Real Property**
11 **Division shall upon request of the City Council provide oral quarterly reports**
12 **to the City Council on the progress of acquiring properties identified in**
13 **Section 3.**

14 **Section 5. Current Acquisition Activities. With the exception of those**
15 **properties identified in Section 2, above, adoption of this Resolution shall not**
16 **impact Open Space Division land acquisition activities which are currently**
17 **ongoing based on assessments of known development pressure, cost and**
18 **recreational value of those properties by the Open Space Division and Open**
19 **Space Advisory Board.**

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1 PASSED AND ADOPTED THIS 4th DAY OF April, 2016
2 BY A VOTE OF: 8 FOR 0 AGAINST.

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5 **Excused: Sanchez**

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9 **Dan Lewis, President**
10 **City Council**

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14 APPROVED THIS _____ DAY OF _____, 2016

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18 **Bill No. C/S R-16-12**

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22 _____
23 **Richard J. Berry, Mayor**
24 **City of Albuquerque**

25
26 **ATTEST:**

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29 **Natalie Y. Howard, City Clerk**

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