

**R-2018-063**

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**CITY OF ALBUQUERQUE  
CITY COUNCIL**

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9/20/18

**INTEROFFICE MEMORANDUM**

**TO: Timothy M. Keller, Mayor**

**FROM: Jon K. Zaman, Director of Council Services** 

**SUBJECT: Transmittal of Legislation**

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Transmitted herewith is Bill No. R-18-71 Recognizing The Commercial Property Assessed Clean Energy (C-Pace) Ordinance, Passed By The County Of Bernalillo Board Of Commissioners August 14, 2018 And Urging The New Mexico State Legislature To Adopt Statutes That Facilitate C-Pace Programs By Cities And Counties Throughout The State (Peña), which was passed at the Council meeting of September 17, 2018, by a vote of 9 FOR AND 0 AGAINST.

In accordance with the provisions of the City Charter, your action is respectfully requested.

JKZ:dm  
Attachment  
9/19/2018

# CITY of ALBUQUERQUE

## TWENTY THIRD COUNCIL

COUNCIL BILL NO. R-18-71 ENACTMENT NO. R-2018-063

SPONSORED BY: Klarissa J. Peña

1 RESOLUTION

2 RECOGNIZING THE COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY  
3 (C-PACE) ORDINANCE, PASSED BY THE COUNTY OF BERNALILLO BOARD  
4 OF COMMISSIONERS AUGUST 14, 2018 AND URGING THE NEW MEXICO  
5 STATE LEGISLATURE TO ADOPT STATUTES THAT FACILITATE C-PACE  
6 PROGRAMS BY CITIES AND COUNTIES THROUGHOUT THE STATE.

7 WHEREAS, encouraging the development and installation of distributed  
8 generation renewable energy sources and improvements to the energy  
9 efficiency of buildings and structures by owners of commercial real property,  
10 benefits the economic well-being and public and environmental health of  
11 Albuquerque residents and businesses; and

12 WHEREAS, the development and installation of distributed generation  
13 renewable energy sources and improvements to the energy efficiency of  
14 buildings and structures by owners of commercial real property provides  
15 opportunities for local economic development and jobs in the development  
16 and installation of such improvements; and

17 WHEREAS, the high front-end costs of renewable energy and energy  
18 efficiency improvements to real property prevents many property owners from  
19 making improvements, and many property owners lack access to traditional  
20 financing, and it is desirable and necessary to authorize alternative financing  
21 procedures to promote the installation of the improvements; and

22 WHEREAS, the Renewable Energy Financing District Act, NMSA § 5-18-1 *et*  
23 *seq.*, (the "Act"), authorizes New Mexico municipalities to form renewable  
24 energy financing district. The Solar Energy Improvement Special Assessment  
25 Act NMSA § 5-55C-4 *et seq.*, (the "Act"), authorizes counties to pass an  
26 ordinance that creates a Solar Energy Improvement Special Assessment

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1 provision to create rules for certifying certain private banks and financing  
2 institutions as solar energy improvement financing institutions; and

3 WHEREAS, Property Assessed Clean Energy (Pace) is a means of  
4 financing energy efficiency upgrades or renewable energy installations for  
5 residential, commercial and industrial property owners. Through Pace  
6 legislation governments can offer a specific bond to investors. The proceeds  
7 of the bond can be used to provide loans to improve the energy efficiency of  
8 commercial and residential properties. Bonds can be issued by municipal  
9 financing districts, state agencies or finance companies. The Pace loan is  
10 attached to the property rather than an individual and is a nonrecourse loan to  
11 the borrower. The loans are repaid over the course of 5 to 25 years via an  
12 annual assessment on the property tax bill of the improved property; and

13 WHEREAS, the County of Bernalillo has adopted a Commercial Property  
14 Assessed Clean Energy (C-Pace) Ordinance to facilitate loans made by  
15 qualified lenders to commercial property owners to finance renewable energy  
16 production and distribution facilities and energy efficiency improvements.  
17 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
18 ALBUQUERQUE:

19 Section 1. The City of Albuquerque commends and expresses its support  
20 to the County of Bernalillo for enacting the C-Pace Ordinance, so as to further  
21 the development of renewable energy within the County. This program will  
22 benefit the natural environment through improving air quality in the county,  
23 reducing household energy expenses and creating jobs for the manufacturing  
24 installation and servicing of renewable energy systems.

25 Section 2. The City of Albuquerque hereby respectfully urges the 2019  
26 Session of the New Mexico Legislature to build upon the success of the  
27 Renewable Energy Financing District Act and the Solar Energy Improvement  
28 Special Assessment Act. The legislature is encouraged to enact legislation  
29 that would specifically authorize cities and counties to provide programs,  
30 such as the C-Pace programs adopted by the County of Bernalillo. Such action  
31 will further, the growth of affordable solar, geothermal, wind, and other forms  
32 of renewable energy throughout the state for commercial and residential uses.

33 x:\city council\share\cl-staff\_legislative staff\legislation\23 council\r-71final.docx

1 PASSED AND ADOPTED THIS 17th DAY OF September, 2018  
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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8 Ken Sanchez, President  
9 City Council

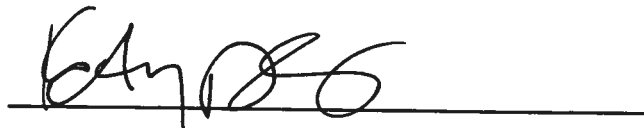
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13 APPROVED THIS 20 DAY OF September, 2018

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17 Bill No. R-18-71

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21 Timothy M. Keller, Mayor  
22 City of Albuquerque

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25 ATTEST:

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28 Katy Duhigg, City Clerk

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