

CITY of ALBUQUERQUE

TWENTY SIXTH COUNCIL

COUNCIL BILL NO. F/S R-24-34 ENACTMENT NO. R-2024-030

SPONSORED BY: Renée Grout and Tammy Fiebelkorn

1 RESOLUTION

2 REPEALING ARTICLE 9 OF CHAPTER 3 OF THE CODE OF RESOLUTIONS
3 AND REPLACING IT WITH THE SUSTAINABILITY RESOLUTION.

4 WHEREAS, the City of Albuquerque adopted a community-driven Climate
5 Action Plan in 2021 to mitigate the effects of climate change for all residents,
6 especially those in historically underserved, frontline communities; and

7 WHEREAS, to keep current with all the goals and practices outlined in the
8 City's Climate Action Plan, all relevant City Departments shall continually
9 revisit and refine their mission statements, policies, goals, and practices to
10 reflect the Climate Action Plan; and

11 WHEREAS, the years from 2010-2020 were recorded as the hottest decade
12 on record and 2023 was the hottest year on record; and

13 WHEREAS, the City of Albuquerque is an identified Urban Heat Island, as
14 defined by the Environmental Protection Agency, making it an urbanized area
15 that experiences higher temperatures than outlying areas; and

16 WHEREAS, local frontline communities are impacted first and worst by
17 climate crises, attributable to extreme heat and heat-related illnesses, to
18 disproportionate exposure to air and water pollution, and to unequal access to
19 the benefits of environmental quality improvements; and

20 WHEREAS, the City of Albuquerque's sustainable practices assure
21 equitable access to environmental protections; and

22 WHEREAS, addressing the climate challenges of the 21st century requires
23 integrating sustainability in business practices, job creation strategies, and
24 economic development; and

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1 **WHEREAS, mimicking nature by using native landscaping, protecting**
2 **native habitats, increasing irrigation efficiency and other conservation**
3 **measures help to achieve sustainability goals, and protects air, water, and**
4 **natural environments, such as the Bosque and other native habitats; and**

5 **WHEREAS, neighborhoods improve with parks and green spaces in a**
6 **number of ways, including improved air quality, improved aesthetics,**
7 **mitigation of heat islands, increased property values, slower traffic, and**
8 **increased economic activity; and**

9 **WHEREAS, buildings and the built environment account for forty percent**
10 **(40%) of the greenhouse gas emissions nation-wide, and fifty-five percent**
11 **(55%) of the Albuquerque’s greenhouse gas emissions come from stationary**
12 **sources, primarily commercial and residential buildings; and**

13 **WHEREAS, transportation makes up one of the most significant sectors for**
14 **greenhouse gas emissions nationwide, and accounts for forty-one percent**
15 **(41%) of Albuquerque’s emissions; and**

16 **WHEREAS, the City supports programs that reduce its carbon footprint,**
17 **improves air quality, and assures equitable access to clean transportation and**
18 **transit, especially for frontline communities; and**

19 **WHEREAS, greenhouse gas emissions can be mitigated by increasing the**
20 **tree canopy and green spaces, effectively creating a carbon sink to reduce**
21 **heat; and**

22 **WHEREAS, recycling, composting and other similar consumer behaviors**
23 **are a low barrier to entry for residents wishing to reduce their carbon**
24 **footprint, and help mitigate the nearly four percent (4%) of greenhouse gas**
25 **emissions from product disposal, in addition to reducing emissions from**
26 **other stages in the product lifecycle; and**

27 **WHEREAS, sustainable purchasing through environmentally safe products,**
28 **local purchasing that reduces transportation and economic losses, and locally**
29 **sourced and produced compost have long-lasting impacts on pollution**
30 **reduction; and**

31 **WHEREAS, technological advances support sustainable practices, but**
32 **continued R&D and cost-benefit analyses are needed for City Departments**
33 **and the public to fully implement these technologies.**

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1 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
2 ALBUQUERQUE:

3 SECTION 1. REPEAL

4 Chapter 3, Article 9 in the Code of Resolutions known as “ENVIRONMENT” is
5 hereby repealed in its entirety.

6 SECTION 2. NEW MATERIAL

7 1. Create a new Chapter 3, Article 9 as follows:

8 3-9-1 SUSTAINABLE ECONOMIC DEVELOPMENT

9 1. As required by COA § 2-14-1-8(C), the City shall consider community
10 and environmental impacts in all business recruitment and incentive
11 packages.

12 2. All applicants for economic incentives are required to provide an
13 analysis of how they are meeting COA § 2-14-1-8(B) in their applications.

14 3. All incentive packages shall consider community and environmental
15 impacts of the proposed project, such as energy efficiency, water
16 conservation, and environmental social governance (ESG) practices.
17 Incentive packages include Local Economic Development Act funding,
18 Industrial Revenue Bonds, and any other discretionary incentive offers.

19 (A) Per the 2021 City of Albuquerque Climate Action Plan, the City shall
20 give preference to companies in the energy efficiency, renewable and
21 alternative energy product manufacturing industry.

22 (B) The City shall encourage job training and opportunities in sustainable
23 careers, such as renewable energy, energy efficiency, electrification of
24 buildings and modernization of the energy grid, including but not limited to the
25 installation and maintenance of EV charging stations, transportation
26 efficiency, materials management, upstream waste reduction, and local food
27 and agriculture jobs.

28 3-9-2 ENERGY

29 (A) Energy Efficiency

30 1. Upgrades to Municipal Facilities. The City shall maximize energy
31 efficiency by implementing efficient HVAC controls, optimizing lighting
32 systems, and adopting other energy-saving measures. The Energy and
33 Sustainability Management Division (ESMD) at the City’s General Services

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1 Department (GSD) in collaboration with the Albuquerque Energy Council
2 (AEC) shall continue its practice of utilizing a dedicated portion of the Capital
3 Improvement Program, amounting to 3%, for the Energy Conservation
4 Program. This initiative aims to bolster the energy efficiency of City buildings
5 through a range of measures.

6 2. City Projects shall encompass a comprehensive approach to energy
7 conservation, including but not limited to implementation of advanced
8 building controls, integration of battery storage systems, energy efficiency
9 upgrades targeting both new and existing municipal buildings, and various
10 additional enhancements geared towards maximizing energy efficiency.

11 3. Equitable Access to Energy Efficiency Programs. The City is
12 dedicated to assisting all residents, particularly those most vulnerable, in
13 accessing energy-saving opportunities and participating in carbon-reducing
14 initiatives. The City shall provide energy efficiency programs to support
15 community resiliency of Justice40 census tracts and promote sustainability
16 and resiliency in historically disadvantaged neighborhoods.

17 a. The City, in partnership with local utilities, shall provide low-
18 income residents with energy efficiency improvements through the
19 Community Energy Efficiency Project, the Community Energy Efficiency
20 Development Block Grant Program, and other funding sources. Energy
21 efficiency improvements may include, but are not limited to free energy
22 audits, free (or reduced cost) energy efficiency upgrades, and other
23 improvements.

24 b. The City shall create public awareness campaigns to educate
25 residents and make information and potential savings from energy rebates as
26 easy and accessible as possible. Methods may include a single universal
27 rebate form, forms translated into several languages, and other methods to
28 assist residents, especially those in historically disadvantaged
29 neighborhoods.

30 4. Weatherization. The City shall consider adopting design guidelines
31 or other building requirements, including but not limited to higher energy
32 efficiency standards for low-income multi-family housing projects, qualifying

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1 single-family homes in the Community Energy Efficiency Program, or others
2 that are utilizing City funds.

3 (B) Renewable Energy Use

4 1. Upgrades to Municipal Facilities. The Energy and Sustainability
5 Management Division (ESMD) at the General Services Department (GSD), is
6 dedicated to utilizing a portion of the Capital Improvement Program,
7 equivalent to 3%, through the Energy Conservation Program. This initiative
8 aims to convert city buildings and operations to renewable energy sources,
9 thereby reducing the carbon footprint of City operations. ESMD shall work
10 with other City Departments to convert City buildings and operations to
11 renewable energy sources wherever practical, with the goal of achieving 100%
12 renewable energy use for government operations as identified in the City's
13 Climate Action Plan.

14 2. Increasing Funds for Renewable Conversion. The City shall explore
15 additional avenues for funding to bolster investments in greenhouse gas
16 emission reduction initiatives. As part of this endeavor, new City projects will
17 prioritize renewable energy conversion, and other energy savings, across
18 municipal operations.

19 (C) Support for Alternative Energy Savings Strategies

20 1. The City shall support alternative energy production and savings
21 solutions including community solar programs, micro-grid establishment,
22 and grid modernization, especially in low-income areas.

23 2. Community Solar. The City will support the State of New Mexico
24 Community Solar Program as defined by State's Community Solar Rule,
25 17.9.573 NMAC. Within one year of the enactment of this legislation, the
26 General Services Department shall report back with recommendations for
27 how the City can best support the State's Community Solar Program.

28 3. BRAIN Energy Management. The City shall track energy use and
29 efficiency with the Balanced Resource Acquisition and Information Network
30 (BRAIN). Deployment of the BRAIN energy management solution will enable
31 effective monitoring of energy consumption and facilitate optimized energy
32 management practices.

33 3-9-3: TRANSPORTATION

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1 (A) Transition to Low- or Zero-Emission Vehicles

2 1. City Fleet. On a case-by-case basis, the City shall explore the
3 feasibility of transitioning City vehicles including fleet vehicles, transit buses,
4 and airport support vehicles to low- or zero-emission to include a cost benefit
5 analysis. The City shall follow the recommendations in its Fleet Transition Plan
6 (currently in development), to implement the transition to low- and zero-
7 emission vehicles.

8 2. Private Vehicles. The City shall provide public awareness campaigns
9 and educational materials to residents and organizations to encourage the
10 purchase and adoption of low- or zero-emission vehicles.

11 (B) Reduce Vehicle Miles Traveled

12 1. The City shall continue to enhance transit services to increase
13 ridership and accessibility to desired destinations, including Zero Fares
14 policies for transit riders, transit network improvements, and improved multi-
15 modal first mile/last mile connections to the transit network.

16 2. The City shall continue to implement Vision Zero and Complete
17 Streets principles in roadway design to encourage safe and efficient
18 alternative modes of transportation.

19 3. The City shall encourage carpooling, rideshare, carshare, bikeshare,
20 and other shared mobility services.

21 4. The City should encourage active transportation, such as walking,
22 cycling, and other forms of micro-mobility.

23 (C) Smart City Design. The City shall:

24 1. Incentivize mixed-use and neighborhood-scale development, to
25 reduce the distance in which residents need to travel for goods and services
26 and support walkable, people-friendly neighborhood design.

27 2. Incentivize transit-orientated development.

28 3. Allow for more beneficial land uses and encourage the use of
29 alternative transportation modes.

30 4. Utilize intelligent transportation system methods to optimize traffic
31 flow patterns that reduce idling vehicles.

32 5. Develop new EV Charging networks accessible city-wide.

33 3-9-4: BUILT ENVIRONMENT

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1 (A) Building Emissions. The City shall consider renewable energy
2 sources to offset energy consumed by City-owned buildings and minimize
3 natural gas emissions.

4 (B) Energy and Sustainability Design Guide. The Municipal Development
5 and General Services Departments shall work together to identify
6 opportunities to incorporate elements of the Energy and Sustainability Design
7 Guide into Requests for Proposals for design and construction processes for
8 new construction and remodel projects on City owned buildings.

9 (C) Heat Mitigation. Where practicable, the City shall identify and
10 implement alternative pavement and roofing options, such as cool pavement,
11 cool roofs, permeable paving, etc.

12 (D) Electrification of City Buildings. The City shall prioritize the
13 electrification of new City facilities and major renovations to existing City
14 facilities.

15 1. The Municipal Development Department shall ensure that
16 Requests for Proposals and bids shall explain the application of the Energy
17 and Sustainability Design Guide for new City facilities and major remodels.

18 **3-9-5: SUSTAINABLE MATERIALS MANAGEMENT**

19 This section addresses the waste stream, and an economic- and systems-
20 based approach to protecting finite resources.

21 1. Recycling. The Office of Sustainability in conjunction with the
22 Solid Waste Department, and Office of Equity and Inclusion shall develop
23 standards, procedures, and educational material for short-term and long-term
24 waste diversion from the landfill through increased recycling.

25 2. Food Waste Prevention and Composting. The Office of
26 Sustainability in conjunction with the Solid Waste Department, and Office of
27 Equity and Inclusion shall develop programs to increase access to food waste
28 prevention/reduction/composting.

29 3. Local Circular Economy. The City shall encourage and recruit
30 businesses with upstream product principles, such as employing
31 conservation principles in product development, production, and
32 transportation, before it reaches the consumer. The City shall develop

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1 educational materials about the circular economy and other sustainable
2 practices for local businesses and City residents.

3 4. Local Agriculture. Per the City’s Buy Local Initiative, the City shall
4 develop preferential procurement measures to support local agriculture. In
5 addition, where practicable, the City’s Parks and Recreation, Open Space and
6 other divisions shall consider regenerative agriculture practices.

7 **3-9-6: NATURE-BASED SUSTAINABLE PRACTICES**

8 (A) The Urban Tree Canopy. In alignment with § 4-4-4, of the Code of
9 Resolutions and the City’s 100,000 tree planting goal, the Parks and
10 Recreation Department (PRD) shall work with Let’s Plant ABQ Coalition to
11 meet this goal by 2030.

12 1. Tree Planting. § 6-6-1-1, PRD will work with community organizations
13 to market benefits of trees to citizens for the promotion of tree plantings on
14 private properties to improve the City’s ambient air quality and mitigate urban
15 heat islands.

16 2. Climate-friendly Trees. Referencing § 6-6-1-1, trees will be climate-
17 ready, have regional adaptability, be non-invasive, have street or landscape
18 appeal, include family and species diversity, and other features stipulated by
19 community organizations

20 3. Relaunch Project Tree Start. In accordance with § 4-4-4, of the Code
21 of Resolutions, PRD will relaunch this project to help meet the City’s 100,000
22 tree planting goal by 2030.

23 (B) Natural Design Energy Management. The City Parks and Recreation
24 Department and the Planning Department shall within one year of the effective
25 date of this resolution, develop landscape design guidelines, and a program to
26 disseminate these guidelines, that promote the use of nature-based energy
27 efficiency measures, such as plants, trees, and other material to enhance
28 energy conservation and quality of life.

29 (C) Conversion of Non-functional Turf Grass. To conserve water, the Parks
30 and Recreation Department shall develop a plan to replace turf that is solely
31 ornamental and not regularly used for human recreational purposes or for
32 civic or community events with more sustainable turf alternatives, native
33 landscaping, and pollinating plants.

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1 (D) Equitable Access to Trees, Parks, and Open Space.

2 1. The City shall assure a goal of a park, trail, open space, or green
3 space within a 10-minute walk of each residence.

4 2. The Office of Equity and Inclusion and the Office of Sustainability
5 will identify front line communities and those in historically disadvantaged
6 areas as sites for tree planting.

7 3. The City will work to educate businesses and residents on rebates
8 that are available through the Albuquerque Bernalillo County Water Utility
9 Authority, and other agencies, to offset water usage to plant and establish new
10 trees.

11 (E) Green Storm Water Infrastructure. Where practicable, the City shall use
12 green storm water infrastructure to facilitate water filtration, improve water
13 retention and soil health, and help to recharge the water table.

14 1. Implementation shall include swales and basins, when possible, to
15 help with water retention, limiting storm water runoff, minimizing localized
16 flooding, and encouraging water conservation.

17 2. Use of permeable surfaces. The City may consider permeable
18 surfaces to include planting beds, mulch with local soil or neighborhood
19 compost, gravel, or permeable pavers.

20 (F) Cool Pavement. Where practicable, the City shall consider the
21 application of cool pavement for impermeable surfaces to temper solar
22 reflectivity and reduce heat islands.

23 **3-9-7 SUSTAINABLE PROCUREMENT PRACTICES**

24 (A) Purchase of Environmentally Safe Products. Where practicable, the
25 City shall follow procurement practices that consider reduced exposure of
26 City residents and visitors to potentially toxic chemicals, reduce greenhouse
27 gas emissions and other air pollutants, protect ground and surface waters,
28 maximize water and energy efficiency, favor renewable energy sources,
29 maximize post-consumer recycled content and readily recyclable or
30 compostable materials, favor long-term use through product durability,
31 repairability, and reuse, and consider life cycle economics of a product
32 including its manufacture, transportation, use and disposal.

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1 (B) Buy Local. Where practicable, the City shall follow the Buy Local
2 Initiative and AI NO: 3-3 Small Purchases and Use of Local Vendors. Within
3 one year of the enactment date of this Resolution the Sustainability Office, in
4 collaboration with Purchasing, propose amendments to the Buy Local
5 Procurement policy that improve the City's ability to prefer locally grown/made
6 products over imported product, when available.

7 (C) Compost. The City shall, where practicable, use locally sourced
8 compost.

9 SECTION 3. SEVERABILITY CLAUSE. If any section, paragraph, word or
10 phrase of this resolution is for any reason held to be invalid, or unenforceable
11 by any court of competent jurisdiction, such decision shall not affect the
12 validity of the remaining provisions of this resolution. The Council hereby
13 declares that it would have passed this resolution and each section,
14 paragraph, sentence, clause, word, or phrase thereof irrespective of any
15 provision being declared unconstitutional or otherwise invalid.

16 SECTION 4. COMPILATION. Section 2 of this resolution shall amend, be
17 incorporated in, and made part of the City of Albuquerque, New Mexico Code
18 of Resolutions.

19 SECTION 5. EFFECTIVE DATE. This resolution shall take effect five (5) days
20 after publication by title and general summary.

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1 PASSED AND ADOPTED THIS 20th DAY OF May, 2024
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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8 _____
9 Dan Lewis, President
10 City Council

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13 APPROVED THIS 31 DAY OF May, 2024

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17 Bill No. F/S R-24-34

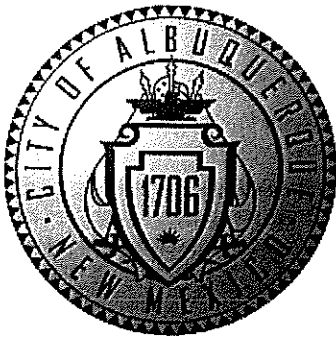
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20 _____
21 Timothy M. Keller, Mayor
22 City of Albuquerque

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25 ATTEST:

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27 _____
28 Ethan Watson, City Clerk

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CITY OF ALBUQUERQUE
Albuquerque, New Mexico
Office of the Mayor

Mayor Timothy M. Keller

INTER-OFFICE MEMORANDUM

March 22, 2024

TO: Dan Lewis, President, City Council

FROM: Timothy M. Keller, Mayor 

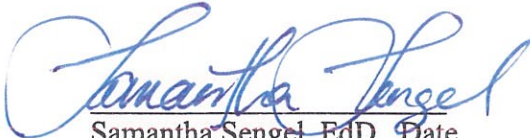
SUBJECT: Introduction of updated Sustainability Resolution

This Resolution repeals Article 9 of Chapter 3 of the Code of Resolutions and replaces it with a newly updated version. The Resolution corresponds to the 2021 Climate Action Plan, and updates other sustainability goals in the City of Albuquerque.

TITLE/SUBJECT OF LITIGATION*** *Same as subject line on last page)*

Approved:

Approved as to Legal Form:



Samantha Sengel, EdD
Chief Administrative Officer

Date

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Lauren Keefe 3/25/2024 | 4:14 PM MDT
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Date

City Attorney

Recommended:

DocuSigned by:
Nathan Martindale 3/25/2024 | 12:59 PM MDT
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Date

Director

Cover Analysis

- 1. What is it? Updated Sustainability Resolution**
- 2. What will this piece of legislation do? Update the goals and practices of the City of Albuquerque related to environmental sustainability.**
- 3. Why is this project needed? The City of Albuquerque has surpassed most of the goals in the current resolution, and new sustainability measures, such as electric vehicle (EV) use, green stormwater infrastructure, and other practices did not exist when this resolution was first written.**
- 4. How much will it cost and what is the funding source? There is no cost associated with this.**
- 5. Is there a revenue source associated with this contract? If so, what level of income is projected? There is no revenue associated with updating this resolution.**
- 6. What will happen if the project is not approved? The City will not be current with its energy savings goals, its work with low income communities, and other sustainability practices.**
- 7. Is this service already provided by another entity? No**

FISCAL IMPACT ANALYSIS

TITLE: REPEALING CHAPTER 9 OF ARTICAL 3 OF THE CODE OF RESOLUTIONS AND REPLACING IT WITH THE SUSTAINABILITY RESOLUTION R: O:
 FUND:110
 DEPT:2250000

- No measurable fiscal impact is anticipated, i.e., no impact on fund balance over and above existing appropriations.
- (If Applicable) The estimated fiscal impact (defined as impact over and above existing appropriations) of this legislation is as follows:

	2024	Fiscal Years 2025	2026	Total
Base Salary/Wages	-	-	-	-
Fringe Benefits at Subtotal Personnel	-	-	-	-
Operating Expenses	-	-	-	-
Property	-	-	-	-
Indirect Costs	-	-	-	-
Total Expenses	\$ -	\$ -	\$ -	\$ -
<input type="checkbox"/> Estimated revenues not affected				
<input checked="" type="checkbox"/> Estimated revenue impact				
Revenue from program	-	-	-	0
Amount of Grant	-	-	-	-
City Cash Match	-	-	-	-
City Inkind Match	-	-	-	-
City IDOH	-	-	-	-
Total Revenue	\$ -	\$ -	\$ -	\$ -

These estimates do not include any adjustment for inflation.
 * Range if not easily quantifiable.

Number of Positions created 0

COMMENTS: There is no fiscal impact with update to this resolution.

COMMENTS ON NON-MONETARY IMPACTS TO COMMUNITY/CITY GOVERNMENT:

This piece of legislation will update the goals and practices of the City of Albuquerque related to environmental sustainability.

PREPARED BY:

DocuSigned by:
Elizabeth Jones 3/25/2024 | 8:04 AM MDT
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 FISCAL ANALYST

APPROVED:

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Nathan Martinez 3/25/2024 | 12:59 PM MDT
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 DIRECTOR (date)

REVIEWED BY:

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Alan R. Gutowski 3/25/2024 | 2:24
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 EXECUTIVE BUDGET ANALYST

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 BUDGET OFFICER (date)

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Christine Boerner 3/25/2024 | 2:48 PM MDT
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 CITY ECONOMIST