

CITY of ALBUQUERQUE

TWENTY SIXTH COUNCIL

COUNCIL BILL NO. R-24-34 ENACTMENT NO. _____

SPONSORED BY: Tammy Fiebelkorn, by request

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

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

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

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

18 WHEREAS, addressing the climate challenges of the 21st century requires
19 integrating sustainability in business practices, job creation strategies, and
20 economic development; and

21 WHEREAS, mimicking nature by using native landscaping, protecting
22 native habitats, increasing irrigation efficiency and other conservation
23 measures help to achieve sustainability goals, and protects air, water, and
24 natural environments, such as the Bosque and other native habitats; and

25 WHEREAS, neighborhoods improve with parks and green spaces in a
26 number of ways, including improved air quality, improved aesthetics,

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1 mitigation of heat islands, increased property values, slower traffic, and
2 increased economic activity; and

3 WHEREAS, buildings and the built environment account for forty percent
4 (40%) of the greenhouse gas emissions nation-wide, and fifty-five percent
5 (55%) of the Albuquerque’s greenhouse gas emissions come from stationary
6 sources, primarily commercial and residential buildings; and

7 WHEREAS, transportation makes up one of the most significant sectors for
8 greenhouse gas emissions nationwide, and accounts for forty-one percent
9 (41%) of Albuquerque’s emissions; and

10 WHEREAS, the City supports programs that reduce its carbon footprint,
11 improves air quality, and assures equitable access to clean transportation and
12 transit, especially for frontline communities; and

13 WHEREAS, greenhouse gas emissions can be mitigated by increasing the
14 tree canopy and green spaces, effectively creating a carbon sink to reduce
15 heat; and

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

21 WHEREAS, sustainable purchasing through environmentally safe products,
22 local purchasing that reduces transportation and economic losses, and locally
23 sourced and produced compost have long-lasting impacts on pollution
24 reduction.

25 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
26 ALBUQUERQUE:

27 SECTION 1. REPEAL

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

30 SECTION 2. NEW MATERIAL

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

32 3-9-1 SUSTAINABLE ECONOMIC DEVELOPMENT

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

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

6 2. All incentive packages shall consider community and environmental
7 impacts of the proposed project, such as energy efficiency, water
8 conservation, and environmental social governance (ESG) practices.

9 Incentive packages include Local Economic Development Act funding,
10 Industrial Revenue Bonds, and any other discretionary incentive offers.

11 (B) Per the 2021 City of Albuquerque Climate Action Plan, the City shall
12 give preference to companies in the energy efficiency, renewable and
13 alternative energy product manufacturing industry.

14 (C) The City shall encourage job training and opportunities in
15 sustainable careers, such as renewable energy, energy efficiency,
16 electrification of buildings and modernization of the energy grid, including but
17 not limited to the installation and maintenance of EV charging stations,
18 transportation efficiency, materials management, upstream waste reduction,
19 and local food and agriculture jobs.

20 **3-9-2 ENERGY**

21 **(A) Energy Efficiency**

22 1. Upgrades to Municipal Facilities. The City shall maximize energy
23 efficiency by implementing efficient HVAC controls, optimizing lighting
24 systems, and adopting other energy-saving measures. The Energy and
25 Sustainability Management Division (ESMD) at the City’s General Services
26 Department (GSD) in collaboration with the Albuquerque Energy Council
27 (AEC) shall continue its practice of utilizing a dedicated portion of the Capital
28 Improvement Program, amounting to 3%, for the Energy Conservation
29 Program. This initiative aims to bolster the energy efficiency of city buildings
30 through a range of measures.

31 2. City Projects shall encompass a comprehensive approach to energy
32 conservation, including but not limited to implementation of advanced
33 building controls, integration of battery storage systems, energy efficiency

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1 upgrades targeting both new and existing municipal buildings, and various
2 additional enhancements geared towards maximizing energy efficiency.

3 3. **Equitable Access to Energy Efficiency Programs.** The City is
4 dedicated to assisting all residents, particularly those most vulnerable, in
5 accessing energy-saving opportunities and participating in carbon-reducing
6 initiatives. The City shall provide energy efficiency programs to support
7 community resiliency of Justice40 census tracts and promote sustainability
8 and resiliency in historically disadvantaged neighborhoods.

9 a. City, in partnership with local utilities, shall provide low-
10 income residents with energy efficiency improvements through the
11 Community Energy Efficiency Project, the Community Energy Efficiency
12 Development Block Grant Program, and other funding sources. Energy
13 efficiency improvements may include, but are not limited to: free energy
14 audits, free (or reduced cost) energy efficiency upgrades, and other
15 improvements.

16 b. City shall create public awareness campaigns to educate
17 residents and make information and potential savings from energy rebates as
18 easy and accessible as possible. Methods may include a single universal
19 rebate form, forms translated into several languages, and other methods to
20 assist residents, especially those in historically disadvantaged
21 neighborhoods.

22 4. **Weatherization.** The City shall consider adopting design guidelines
23 or other building requirements, including but not limited to higher energy
24 efficiency standards for low-income multi-family housing projects, qualifying
25 single-family homes in the Community Energy Efficiency Program, or others
26 that are utilizing City funds.

27 **(B) Renewable Energy Use**

28 1. **Upgrades to Municipal Facilities.** The City shall achieve 100%
29 renewable energy use for government operations. The Energy and
30 Sustainability Management Division (ESMD) at the General Services
31 Department (GSD), is dedicated to utilizing a portion of the Capital
32 Improvement Program, equivalent to 3%, through the Energy Conservation
33 Program. This initiative aims to convert city buildings and operations to

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1 renewable energy sources, thereby reducing the carbon footprint of city
2 operations.

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

8 (C) Support for Alternative Energy Savings Strategies

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

12 2. Community Solar. The City will support the State of New Mexico
13 Community Solar Program as defined by State’s Community Solar Rule,
14 17.9.573 NMAC. Within one year of the enactment of this legislation, the
15 General Services Department shall report back with recommendations for
16 how the City can best support the State’s Community Solar Program.

17 3. BRAIN Energy Management. The City shall track energy use and
18 efficiency with the Balanced Resource Acquisition and Information Network
19 (BRAIN). Deployment of The BRAIN energy management solution will enable
20 effective monitoring of energy consumption and facilitate optimized energy
21 management practices.

22 3-9-3: TRANSPORTATION

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

24 1. City Fleet. The City shall work to transition all vehicles including
25 fleet vehicles, transit buses, and airport support vehicles to low- or zero-
26 emission. The City shall follow the recommendations in its Fleet Transition
27 Plan (currently in development), to implement the transition to low- and zero-
28 emission vehicles.

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

32 (B) Reduce Vehicle Miles Traveled

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

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

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

10 4. The City shall encourage active transportation, such as walking,
11 cycling, and other forms of micro-mobility.

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

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

16 2. Incentivize transit-oriented development.

17 3. Consider removing or further reducing minimum vehicle parking
18 requirements and establishing maximum parking limits to reduce the cost of
19 development, allow for more beneficial land uses, and encourage the use of
20 alternative transportation modes.

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

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

24. **3-9-4 BUILT ENVIRONMENT**

25 (A) Building Emissions. The City shall consider renewable energy sources to
26 offset energy consumed by City-owned buildings, and minimize natural gas
27 emissions.

28 (B) Energy and Sustainability Design Guide. The Municipal Development and
29 General Services Departments shall develop processes and procedures to
30 ensure that Energy and Sustainability Design Guide requirements are
31 integrated into the design and construction processes for all new construction
32 and remodels.

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

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

6 1. The Municipal Development Department shall insure that Requests
7 for Proposals and bids shall explain the application of the Energy and
8 Sustainability Design Guide for new city facilities and major remodels.

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

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

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

16 2. Food Waste Prevention and Composting. The Office of
17 Sustainability in conjunction with The Solid Waste Department, and Office of
18 Equity and Inclusion shall develop programs to increase access to food waste
19 prevention/reduction/composting.

20 3. Local Circular Economy. The City shall encourage and recruit
21 businesses with upstream product principles, such as employing
22 conservation principles in product development, production, and
23 transportation, before it reaches the consumer. The City shall develop
24 educational materials about the circular economy and other sustainable
25 practices for local businesses and city residents.

26 4. Local Agriculture. Per the City's Buy Local Initiative, the City shall
27 develop preferential procurement measures to support local agriculture. In
28 addition, where practicable, the City's Parks and Recreation, Open Space and
29 other divisions shall consider regenerative agriculture practices.

30 **3-9-6 NATURE-BASED SUSTAINABLE PRACTICES**

31 (A) The Urban Tree Canopy. In alignment with § 4-4-4, of the Code of
32 Resolutions and the City's 100,000 tree planting goal, the Parks and

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- 1 Recreation Department (PRD) shall work with Let's Plant ABQ Coalition to
2 meet this goal by 2030.
- 3 1. Tree Planting. § 6-6-1-1, PRD will work with community organizations
4 to market benefits of trees to citizens for the promotion of tree plantings on
5 private properties in order to improve the City's ambient air quality and
6 mitigate urban heat islands.
- 7 2. Climate-friendly Trees. Referencing § 6-6-1-1, trees will be climate-
8 ready, have regional adaptability, be non-invasive, have street or landscape
9 appeal, include family and species diversity, and other features stipulated by
10 community organizations.
- 11 3. Relaunch Project Tree Start. In accordance with § 4-4-4, of the Code
12 of Resolutions, PRD will relaunch this project to help meet the City's 100,000
13 tree planting goal by 2030.
- 14 (B) Natural Design Energy Management. The City Parks and Recreation
15 Department and the Planning Department shall within one year of the effective
16 date of this resolution, develop landscape design guidelines, and a program to
17 disseminate these guidelines, that promote the use of nature-based energy
18 efficiency measures, such as plants, trees, and other material to enhance
19 energy conservation and quality of life.
- 20 (C) Conversion of Non-functional Turf Grass. In an effort to conserve
21 water, the Parks and Recreation Department shall develop a plan to identify
22 turf suitable for conversion to more sustainable turf alternatives, native
23 landscaping, and pollinating plants.
- 24 (D) Equitable Access to Trees, Parks and Open Space.
- 25 1. The City shall assure a goal of a park, trail, open space, or green
26 space within a 10-minute walk of each residence.
- 27 2. The Office of Equity and Inclusion and the Office of Sustainability
28 will identify front line communities and those in historically disadvantaged
29 areas as sites for tree planting.
- 30 3. The City will work to educate businesses and residents on rebates
31 that are available through the Albuquerque Bernalillo County Water Utility
32 Authority, and other agencies, to offset water usage to plant and establish new
33 trees.

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

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

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

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

13 **3-9-7 SUSTAINABLE PROCUREMENT PRACTICES**

14 (A) Purchase of Environmentally Safe Products. Where practicable, the
15 City shall follow procurement practices that consider reduced exposure of city
16 residents and visitors to potentially toxic chemicals, reduce greenhouse gas
17 emissions and other air pollutants, protect ground and surface waters,
18 maximize water and energy efficiency, favor renewable energy sources,
19 maximize post-consumer recycled content and readily recyclable or
20 compostable materials, favor long-term use through product durability,
21 repairability, and reuse, and consider life cycle economics of a product
22 including its manufacture, transportation, use and disposal.

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

29 (C) Compost. The City shall, where practicable, use locally-sourced
30 compost.

31 **SECTION 3. SEVERABILITY CLAUSE.** If any section, paragraph, word or
32 phrase of this resolution is for any reason held to be invalid, or unenforceable
33 by any court of competent jurisdiction, such decision shall not affect the

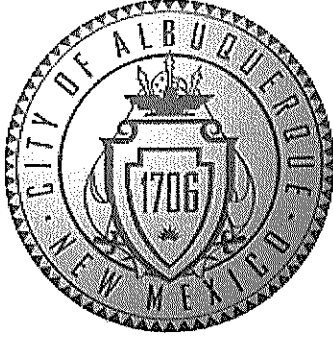
1 validity of the remaining provisions of this resolution. The Council hereby
2 declares that it would have passed this resolution and each section,
3 paragraph, sentence, clause, word or phrase thereof irrespective of any
4 provision being declared unconstitutional or otherwise invalid.

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

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

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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 Date
Chief Administrative Officer

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

Recommended:

DocuSigned by:
Nathan Martini 3/25/2024 | 12:59 PM MDT
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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	\$ -	\$ -	\$ -	\$ -
[] Estimated revenues not affected				
[x] 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:
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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