



# City of Albuquerque

City of Albuquerque  
Government Center  
One Civic Plaza  
Albuquerque, NM 87102

## Legislation Details (With Text)

**File #:** EC-22-1  
**Type:** Executive Communication      **Status:** Sustained  
**File created:** 1/19/2022      **In control:** City Council  
**Final action:** 1/19/2022  
**Enactment date:**      **Enactment #:**

**Effective date:**

**Title:** Veto Of O-21-79, Amending The Open Space Trust Fund And Land Administration Ordinance To Authorize The Use Of The Fund For Open Space Acquisitions; Amending A Relevant Cross Reference Within The Open Space Advisory Board Ordinance; And Amending Section 2-12-1, Capital Improvements Program Intent And Scope, To Make Permanent The Two Percent CIP Set Aside For Open Space Acquisitions

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. EC-1.pdf

Date	Ver.	Action By	Action	Result
1/19/2022	1	President		
1/19/2022	1	City Council	Received (Immediate Action Pursuant to City Charter)	
1/19/2022	1	City Council	Overridden [Override attempt failed]	Fail



TIMOTHY M. KELLER, MAYOR

## CITY OF ALBUQUERQUE

OFFICE OF THE MAYOR/ CHIEF ADMINISTRATIVE OFFICE

## INTEROFFICE MEMORANDUM

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**TO:** CITY COUNCIL  
**FROM:** TIMOTHY M. KELLER, MAYOR  
**SUBJECT:** ..TITLE Veto Of O-21-79, Amending The Open Space Trust Fund And Land Administration Ordinance To Authorize The Use Of The Fund For Open Space Acquisitions; Amending A Relevant Cross Reference Within The Open Space Advisory Board Ordinance; And Amending Section 2-12-1, Capital Improvements Program Intent And Scope, To Make Permanent The Two Percent CIP Set Aside For Open Space Acquisitions ..BODY  
**DATE:** JANUARY 2, 2022

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The decision to veto a piece of legislation is never something I take lightly, especially as a former legislator at the state level. I know and appreciate how much work goes into getting any legislation passed. In this case, I want to acknowledge the very real problem this ordinance is attempting to remedy. Currently, the open space trust fund is only marginally effective with respect to its ability to meaningfully protect and enhance our city's open space. It is too small to generate meaningful dollars to acquire significant pieces of land. It also lacks a modern equity lens with which to evaluate and make prudent land acquisitions. I would like to thank Don Harris for his efforts to correct problems with the current fund and for championing open space during his tenure on the City Council. Councilor Harris pushed to set aside 2% of our general obligation bond for open space, generating \$7,870,000 since 2017. The trust fund generated only a fraction of this amount over the same time period. We need to eliminate the sunset as we work to correct the problems with existing law.

However, this ordinance unfortunately fails to address all these issues and remedy many of these shortcomings, in the long run. Therefore, I am vetoing this ordinance for three reasons. The first is because of the last-minute amendment requiring 75% of the dollars to go to a specific geography. While understandable because of the high percentage of available land, this blunt criterion could jeopardize our ability to leverage funds from other sources, such as the Trust for Public Land. The second reason for this veto is the need to incorporate equity criteria when purchasing open space. I believe it will be possible to leverage funds from the state's Outdoor Equity Fund if we work with a diverse group of stakeholders when rewriting the ordinance. Finally, the third veto reason is my belief that, with more time and consultation, a better solution with a broader range of tools will better address the long-term systemic problems with the current trust fund.

Because there is near-term urgency to resolve specific matters, including important properties under development pressure, I propose convening stakeholders, including Councilors, to develop a revised ordinance to better meet the current and future needs of open space in our community. By revisiting this, we can ensure that open space, one of our city's defining and best characteristics, will be nimble enough to seize opportunities for new open space, and also deliberate enough to grow equitably and in-step with our diverse community over the long-term.