CITY of ALBUQUERQUE
TWENTY FIFTH COUNCIL

COUNCIL BILL NO.  R-22-8 ENACTMENT NO.  R-2022-019

SPONSORED BY: Isaac Benton

RESOLUTION

ENABLING AND DIRECTING THE PARKS AND RECREATION DEPARTMENT TO REVIEW AND MAKE RECOMMENDATIONS FOR THE MANAGEMENT OF THE OPEN SPACE TRUST FUND, REVIEW AND RECOMMEND UPDATES TO SECTIONS ONE AND TWO OF THE RANK 2 ALBUQUERQUE MAJOR PUBLIC OPEN SPACE FACILITY PLAN, AND MAKE RECOMMENDATIONS FOR INCREASING EQUITABLE ACCESS TO PARKS, OPEN SPACE, AND TO PROVIDE OUTDOOR ENVIRONMENTAL EDUCATION PROGRAMS.

WHEREAS, parks and open space are essential to a community's physical, mental, spiritual, and economic health, as well as providing community-building, environmental, and education benefits; and

WHEREAS, the City of Albuquerque Parks and Recreation Department administers, through the Open Space Division, one of the nation's best city open space programs; and

WHEREAS, it is important that the City continue to devote resources to the acquisition and protection of Major Public Open Space (MPOS) in order to protect land with valuable natural and cultural resources for the benefit of present and future generations, and to act to proactively protect land ahead of development pressure; and

WHEREAS, opportunities to improve the return on investment the Open Space Trust Fund (Fund) need to be investigated with respect to state law and city policy; and

WHEREAS, the structure and policy guiding the administration of the Fund in the future acquisition and management of MPOS needs to be studied and clarified; and
WHEREAS, the role of the Open Space Advisory Board is to: advise the
EPC, the Mayor and the City Council as to an appropriate city open space
program; advise the City Treasurer on administration and management of the
Fund; make annual recommendations to EPC, the Mayor, and City Council on
updating the program including land and capital improvements; review open
space plans with citizen interest groups and advise the Mayor and City
Council on new plans and plan amendments; assist in negotiations for land
acquisitions upon request; make expenditure recommendations that conform
with state and city policy and account for all funding sources available to
OSAB; approve the sale or lease of certain interests in open space exchange
lands; and

WHEREAS, the definition of MPOS in the 1999 MPOS Facility Plan is
currently inconsistent with the definition in the Albuquerque/Bernalillo County
Comprehensive Plan ("Comprehensive Plan"); and

WHEREAS, environmental education and recreational programs are needed
with a specific focus on promoting equitable access to and understanding of
the natural environment within an urban setting.

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

Section 1. Affirming Major Public Open Space Definition. The definition of
Major Public Open Space, as derived from the Albuquerque/Bernalillo County
Comprehensive Plan, shall be: an integrated network of land and water that
has been or shall be acquired, developed, used, and maintained to retain their
natural character to benefit people throughout the metropolitan area by
conserving resources related to the natural environment, providing
opportunities for outdoor education and passive recreation, or defining the
boundaries of the urban environment. The MPOS network is City-owned Open
Space and is part of a larger system of public open spaces, trails, and parks
managed by City, County, State, and Federal agencies.

Section 2. Fiscal Resources for Major Public Open Space Acquisition and
Management. The Parks and Recreation Department shall annually prepare a
report to City Council on all land acquisitions (including price and source(s) of
funding) and status of properties listed on the priority acquisition list
(including priority acquisitions, if any, purchased by other buyers) for the
previous fiscal year, as part of Council’s annual budget appropriation process.
Consistent with the Facility Plan, the Mayor shall convene a committee to
assess and make recommendations regarding the administration of the Open
Space Trust Fund, with respect to the City Ordinances, state law, and
investment policy and practices that govern the Fund and the use of the Fund.
The committee shall evaluate various proposals to sustainably support the
Fund and generate capacity for the operations, maintenance and land
acquisition of MPOS. Previous legislative proposals to expand the investment
authority of local governments shall be considered. This committee shall be
comprised of the Chief Administrative Officer or designee, and two
representatives from the Parks and Recreation Department, one representative
from the Department of Finance and Administration/Treasury, two
representatives from the Open Space Advisory Board (OSAB), and two
representatives from Council Services. The committee shall consult the State
Investment Officer, Bernalillo County, and the Office of Equity and Inclusion,
as needed. The Mayor shall appoint one of the two representatives from the
OSAB to chair the committee. The Parks and Recreation Department shall
provide administrative support to the committee. The committee shall provide
a report with recommendations to the Mayor and Council within 90 days of the
conclusion of the 2023 Legislative Session.

Section 3. Equitable Access to Parks and Open Space Programs. The
Parks and Recreation Department shall work with the Office of Equity and
Inclusion to make recommendations to City Council, including identifying
operational funding needs, for environmental education and recreational
programs that will increase opportunities for socially equitable access and
enjoyment of MPOS and other parks, trails, and green spaces by all
communities within the city. There is an opportunity to create natural parks
and access points adjacent to MPOS to allow for programming and improved
access.

Section 4. Ordinance Review. The Parks and Recreation Department and
the Open Space Advisory Board shall review and identify the contradictions
between Sections 1 and 2 of the 1999 MPOS Facility Plan, City Ordinances O-
16-13 (Enactment O-2016-008) and O-15-48 (Enactment O-2015-028), and recommend changes to resolve contradictions. The recommendations shall be reviewed by the OSAB and reported to the Administration and Council no later than December 31st, 2022.
PASSED AND ADOPTED THIS 4th DAY OF April, 2022

BY A VOTE OF: 9 FOR 0 AGAINST.

Isaac Benton, President
City Council

APPROVED THIS 14 DAY OF April, 2022

Timothy M. Keller, Mayor
City of Albuquerque

ATTEST:

Ethan Watson, City Clerk