

CITY of ALBUQUERQUE

TWENTY FIFTH COUNCIL

COUNCIL BILL NO. R-22-2 ENACTMENT NO. _____

SPONSORED BY: Dan Lewis

1 RESOLUTION

2 AMENDING THE DECLARATION OF LOCAL EMERGENCY DUE TO NOVEL
3 CORONAVIRUS COVID-19 TO BAN VACCINE REQUIREMENTS FOR CITY
4 EMPLOYEES; SETTING POLICY FOR FUTURE DECLARATIONS

5 WHEREAS, On March 17, 2020, pursuant to Albuquerque's Civil Emergency
6 Powers Ordinance, Mayor Tim Keller declared a Local State of Emergency
7 throughout the City of Albuquerque due to the effects of the novel coronavirus
8 COVID-19; and

9 WHEREAS, The Mayor's Declaration has been amended and extended on a
10 monthly basis, most recently on December 17, 2021, with the Twenty-Sixth
11 Declaration of Local Emergency Due to Novel Coronavirus COVID-19; and

12 WHEREAS, A number of public health measures aimed at reducing
13 transmission of COVID-19 have been implemented at the Federal, State, and
14 Local levels, including but not limited to: face-covering requirements, social
15 distancing requirements, occupancy limits, limitations on gatherings,
16 encouraging increased hand washing, infection testing, contact-tracing,
17 isolation and quarantine, reduction of in-person operations for businesses,
18 closure of "non-essential" businesses, travel restrictions, school closures,
19 cancellation of public events and other mass gatherings, and vaccinations;
20 and

21 WHEREAS, COVID-19 vaccination rates are increasing in the City of
22 Albuquerque, with nearly 80% of Bernalillo County being fully vaccinated and
23 over 90% of County residents having at least one shot; and

24 WHEREAS, The City urges all residents and City employees to receive safe
25 and effective vaccines, however, doing so should be voluntary; and

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1 WHEREAS, The public interest is served by maintaining the liberty of
2 individuals to make intensely personal decision according to their own
3 convictions and comfort with personal medical decisions; and

4 WHEREAS, The decision whether to vaccinate is a personal choice, and
5 City employees should not be coerced into making the decision based on fear
6 of employment-related consequences; and

7 WHEREAS, A City vaccine mandate may lead to employee resignations,
8 further exacerbating the City's shortage of public safety personnel; and

9 WHEREAS, Attempts to implement vaccine mandates at the Federal and
10 State level have faced intense opposition and legal challenges and have been
11 repeatedly suspended and overturned throughout the country; and

12 WHEREAS, Pursuant to § 2-9-1-6 of the Civil Emergency Powers Ordinance,
13 the City Council may amend by resolution any emergency proclamation.

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

16 SECTION 1. The Twenty-Sixth Declaration of Local Emergency Due to
17 Novel Coronavirus COVID-19 is hereby amended to declare that, no City of
18 Albuquerque employee will be required to obtain and/or provide proof of
19 COVID-19 vaccination, and there shall be no consequence for an employee
20 opting not to get vaccinated.

21 SECTION 2. No future emergency declaration shall impose a vaccine
22 mandate for City Employees.

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