



TIMOTHY M. KELLER, MAYOR

CITY OF ALBUQUERQUE
OFFICE OF THE MAYOR/ CHIEF ADMINISTRATIVE OFFICE

INTEROFFICE MEMORANDUM

TO: CITY COUNCIL

FROM: TIMOTHY M. KELLER, MAYOR 

SUBJECT: VETO OF R-22-56, ESTABLISHING A MORATORIUM FOR SAFE OUTDOOR SPACES AS REGULATED IN THE INTEGRATED DEVELOPMENT ORDINANCE FOR A PERIOD OF 12 MONTHS OR UNTIL THE INTEGRATED DEVELOPMENT ORDINANCE IS AMENDED, WHICH EVER OCCURRS FIRST (BASSAN)

DATE: AUGUST 26, 2022

Like most major American cities, over the past several years we have seen an increase in the number of unhoused individuals on our streets. Although this problem is not unique to Albuquerque, it is clear that we must find innovative solutions to address this challenge. We must work together as elected officials to provide needed services, temporary shelter for individuals and families and permanent housing for all, while keeping our neighborhoods, our parks, and our businesses safe.

Currently across our country, there is no singular idea that seems to be having a material impact in this area. What has been shown is that cities need the flexibility and availability of a wide range of options to be able to match the wide range of situations we find in our unsheltered

population. My administration is committed to considering every tool to provide solutions to homelessness, including working with local business and faith-based partners, supporting the efforts of the multiple city departments working on addressing the causes and effects of homelessness, such as fully funding and staffing the Gateway Center, supporting resources and services for the vulnerable and the unhoused, and acquiring and developing more transitional, supportive, affordable and long-term housing options.

Our obligation as elected officials is to work together to respond to the needs of our community with open minds and intentional leadership. We simply cannot limit our options for addressing the needs of our most vulnerable residents. We need every tool at our disposal to confront the unhoused crisis and we need to be willing to act courageously.

Lastly, it is my Administration's intent to work to make policies effective for stakeholders that engage with our government. As a former state Senator, I understand there are times when new policies need to be changed based on new information or after re-evaluating tested policies. However, reasonable time, testing and piloting has not been allowed in this short two month time frame. With several Safe Outdoor Spaces permitted or pending, I am also not encouraged by the likelihood of exposing the City and the community to prolonged legal issues.

For these reasons, I am exercising my veto authority for R-22-56. I have consistently advocated for an all-of-the-above approach to address homelessness in Albuquerque. I look forward to working with City Council, the community, and local business, faith and community partners to thoughtfully consider and implement realistic, effective, and compassionate solutions in the future.

CITY OF ALBUQUERQUE
CITY COUNCIL

INTEROFFICE MEMORANDUM

TO: Timothy M. Keller, Mayor

FROM: Chris Melendrez, Director of Council Services

Off 8/17/22

SUBJECT: Transmittal of Legislation

Transmitted herewith is Bill No. R-22-56 Establishing A Moratorium For Safe Outdoor Spaces As Regulated In The Integrated Development Ordinance For A Period Of 12 Months Or Until The Integrated Development Ordinance Is Amended, Whichever Occurs First (Bassan), which was passed at the Council meeting of August 15, 2022, by a vote of 6 FOR AND 3 AGAINST.

For: Bassan, Grout, Jones, Lewis, Peña, Sanchez
Against: Benton, Davis, Fiebelkorn

In accordance with the provisions of the City Charter, your action is respectfully requested.

CITY of ALBUQUERQUE

TWENTY FIFTH COUNCIL

COUNCIL BILL NO. R-22-56 ENACTMENT NO. _____

SPONSORED BY: Brook Bassan

1 RESOLUTION

2 ESTABLISHING A MORATORIUM FOR SAFE OUTDOOR SPACES AS
3 REGULATED IN THE INTEGRATED DEVELOPMENT ORDINANCE FOR A
4 PERIOD OF 12 MONTHS OR UNTIL THE INTEGRATED DEVELOPMENT
5 ORDINANCE IS AMENDED, WHICHEVER OCCURS FIRST.

6 WHEREAS, O-22-10 established a new land use in the Integrated
7 Development Ordinance (IDO) called Safe Outdoor Spaces; and

8 WHEREAS, Safe Outdoor Spaces are defined as: "A lot, or a portion of a
9 lot, developed to provide designated spaces for occupancy by tents,
10 recreational vehicles, and/or light vehicles. Designated spaces are provided to
11 occupants at no charge. A safe outdoor space offers social services and
12 support facilities."; and

13 WHEREAS, Safe Outdoor Spaces may have unavoidable adverse impacts
14 on the communities in which they are placed; and

15 WHEREAS, during the deliberation of O-22-10 there was broad opposition
16 to the concept of Safe Outdoor Spaces; and

17 WHEREAS, there are other viable, more appropriate solutions to
18 addressing homelessness in Albuquerque such as utilizing existing overnight
19 shelter beds, increasing access to services, and incentivizing housing
20 development; and

21 WHEREAS, for these reasons Safe Outdoor Spaces are not an appropriate
22 allowable land use in the IDO; and

23 WHEREAS, Safe Outdoor Spaces should be removed in its entirety from
24 the IDO; and

[Bracketed/Underscored Material] - New
[Bracketed/Strikethrough Material] - Deletion

1 WHEREAS, this moratorium will allow time for a companion ordinance to
2 be considered by both the Environmental Planning Commission and the City
3 Council that proposes to remove Safe Outdoor Spaces from the IDO.
4 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
5 ALBUQUERQUE:

6 SECTION 1. LAND USE APPLICATIONS AND APPROVALS. The City of
7 Albuquerque shall not accept or approve any pending building permits or land
8 use applications or requests for Safe Outdoor Spaces until the sooner of
9 August 1st 2023, or upon final action by the City Council on bill O-22-33, after
10 which time the City shall take no action inconsistent with bill O-22-33.

11 SECTION 2. CITY PROPERTY. The City shall not authorize the operation of
12 a Safe Outdoor Space on City property, shall halt any pending review or
13 authorization process in furtherance of the occupancy of City property for this
14 purpose, and shall not enter into any new lease or other agreement for this
15 purpose during the duration of this moratorium.

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

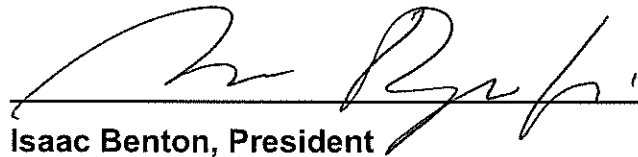
31

X:\CL\SHARE\CL-Staff_Legislative Staff\Legislation\25 Council\R-56final.docx

PASSED AND ADOPTED THIS 15th DAY OF August, 2022
BY A VOTE OF: 6 FOR 3 AGAINST.

For: Bassan, Grout, Jones, Lewis, Peña, Sanchez

Against: Benton, Davis, Fiebelkorn



Isaac Benton, President
City Council

APPROVED THIS 26 DAY OF August, 2022

Bill No. R-22-56



Timothy M. Keller, Mayor
City of Albuquerque

ATTEST:

Ethan Watson, City Clerk