## CITY of ALBUQUERQUE TWENTY FOURTH COUNCIL

ENACTMENT NO. 3-2022-034 COUNCIL BILL NO. R-21-230 SPONSORED BY: Isaac Benton and Tammy Fiebelkorn 1 RESOLUTION DESIGNATING THE MENAUL METROPOLITAN REDEVELOPMENT AREA, 2 MAKING CERTAIN FINDINGS AND CONCLUSIONS PURSUANT TO THE 3 METROPOLITAN REDEVELOPMENT CODE, AND AUTHORIZING AND 4 DIRECTING THE CITY TO PREPARE A METROPOLITAN REDEVELOPMENT 5 PLAN FOR THE MENAUL METROPOLITAN REDEVELOPMENT AREA. 6 WHEREAS, Section 3-60A-7 NMSA 1978 of the MR Code states: "No local 7 government shall exercise any of the powers conferred upon local 8 governments by the Redevelopment Law until the local government has 9 10 adopted a resolution finding that: Deletion Bracketed/Underscored Material] - New A. one or more slum area or blighted areas exist in the local government's 11 12 jurisdiction; and Bracketed/Strikethrough Material] -B. the rehabilitation, conservation, slum clearance, redevelopment or 13 14 development, or a combination thereof, of and in such area is necessary in the interest of the public health, safety, morals or welfare of the residents of the 15 local government's jurisdiction"; and 16 17 WHEREAS, the City of Albuquerque ("City") and the Metropolitan 18 Redevelopment Agency ("MRA") of the City and their employees and agents, have for some time, engaged in a study of blighted areas within the City and 19 20 have submitted their findings and conclusions concerning the area detailed in the Menaul Metropolitan Redevelopment Area ("Menaul MR Area") Designation 21 22 Report, which is attached as Exhibit B to this Resolution and incorporated 23 herein by reference: and 24 WHEREAS, pursuant to Section 3-60A-8(A) NMSA 1978 of the MR Code, the Council caused to be published in the Albuquerque Journal, a newspaper of 25 general circulation, a notice containing a general description of the proposed 26

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- 1 Menaul MR Area and the date, time and place where the Council will hold a
- 2 public hearing to consider the adoption of this Resolution and such notice
- 3 was published twice with the last publication at least twenty days prior to the
- 4 Council hearing; and
- 5 WHEREAS, the Council has considered the Designation Report, including
- 6 Findings, Determinations, and Conclusions in addition to the questions and
- 7 comments submitted by members of the public concerning the proposed
- 8 Menaul MR Area.
- 9 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
- 10 ALBUQUERQUE:
- 11 SECTION 1. The City Council makes the following Findings of Fact with
- 12 respect to the designation of the Menaul MR Area:
- 13 A. The Menaul MR Area is shown on the map attached hereto as Exhibit
- 14 A. The Menaul MR Area is located along Menaul Boulevard, between Interstate
- 15 25 and the North Diversion Channel. The geographic boundaries generally
- 16 includes properties along the Menaul Boulevard corridor between Interstate 25
- 17 and the North Diversion Channel, with Phoenix Avenue as a northern
- 18 boundary and Interstate 40 as the southern boundary.
  - 19 B. The Menaul MR Area meets the definition of a blighted area as
    - defined in Section 3-60A-4(F) NMSA 1978 of the MR Code. The presence of the
    - following conditions is substantially impairing the sound growth and
    - economic health and well-being of the City: (1) a substantial number of
- 23 deteriorated or deteriorating structures; (2) deterioration of site
- 24 improvements; (3) a significant number of commercial or mercantile
- 25 businesses have closed or significantly reduced their hours of operation due
- 26 to the economic losses or loss of profit due to operating in the area; and (4)
  - low levels of commercial activity or redevelopment.
  - C. The combination of the above stated factors is an economic and
- 29 social burden and is a menace to the public health, safety, morals or welfare of
- 30 the residents of Albuquerque, and the rehabilitation, conservation,
- 31 redevelopment or development, or a combination thereof, of and in such area
- 32 is necessary.

1	SECTION 2. In accordance with the requirements of Section 3-60A-8 NMSA
2	1978, the Council hereby designates the area that is described in Section 1.A
3	above, and shown in the official Menaul MR Boundary map attached hereto as
4	Exhibit A, to be a 'metropolitan redevelopment area' as defined by Section 3-
5	60A-4 (M) NMSA 1978 and finds it to be appropriate for a metropolitan
6	redevelopment project or projects. This area shall be referred to as the Menaul
7	MR Area to distinguish it from other metropolitan redevelopment areas.
8	SECTION 3. The MRA of the City is hereby authorized and directed to
9	prepare a Metropolitan Redevelopment Plan, as defined by Section 3-60A-4 (N)
10	NMSA 1978, for the Menaul MR Area, which, without limitation, shall: (1) Seek
11	to eliminate the problems created by the blighted conditions of the area; (2)
12	Conform to and coordinate with the Albuquerque/Bernalillo County
13	Comprehensive Plan, and any other applicable plans or policies; and (3) Be
14	sufficient to indicate the proposed activities to be carried out in the area,
15	including, but not limited to, any proposals for land acquisition,
16	redevelopment, improvements, rehabilitation and conservation and the plan's
17	relationship to definite local objectives respecting land uses, improved traffic
18	patterns and controls, public transportation, public utilities, recreational and
19	community facilities, housing facilities, commercial activities or enterprises,
20	and other public improvements.
21	SECTION 4. INCORPORATION. This shall be incorporated into Chapter 1
22	(Land Use), Article 12 Metropolitan Redevelopment Areas and Plans) of the
23	Albuquerque Code of Resolutions.
24	SECTION 5. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
25	clause, word or phrase of this resolution is for any reason held to be invalid or
26	unenforceable by any court of competent jurisdiction, such decision shall not
27	affect the validity of the remaining provisions of this resolution. The Council
28	hereby declares that it would have passed this resolution and each section,
29	paragraph, sentence, clause, word or phrase thereof irrespective of any
30	provisions being declared unconstitutional or otherwise invalid.
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1	PASSED AND ADOPTED THIS <u>16<sup>th</sup></u> DAY OF <u>May</u> , 2022
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9	Isaac Benton, President
10	City Council
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14	APPROVED THIS, DAY OF, 2022
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