

# CITY of ALBUQUERQUE

## TWENTY THIRD COUNCIL

COUNCIL BILL NO. R-19-174

ENACTMENT NO. R-2019-063

SPONSORED BY: Isaac Benton, by request

### RESOLUTION

APPROVING THE MAJOR EXPANSION OF THE OLD ALBUQUERQUE HIGH SCHOOL METROPOLITAN REDEVELOPMENT AREA AND RENAMING THE EXPANDED AREA AS THE EAST DOWNTOWN/ HUNING HIGHLANDS/ SOUTH MARTINEZTOWN METROPOLITAN REDEVELOPMENT AREA, MAKING CERTAIN FINDINGS AND CONCLUSIONS PURSUANT TO THE METROPOLITAN REDEVELOPMENT CODE.

WHEREAS, the Old Albuquerque High School Metropolitan Redevelopment Area was designated by the City of Albuquerque (the "City"), per Resolution 5-1980, as a Metropolitan Redevelopment Area appropriate for a metropolitan redevelopment project based on the criteria required for designation as a blighted area pursuant to the New Mexico State Law/Metropolitan Redevelopment Code ("MR Code"); and

WHEREAS, the City wishes to expand and rename the Old Albuquerque High School Metropolitan Redevelopment Area to encompass the surrounding and adjacent area which is blighted and appropriately identify the expanded area; and

WHEREAS, Section 3-60A-7 NMSA 1978 of the MR Code states: "No local government shall exercise any of the powers conferred upon local governments by the Redevelopment Law until the local government has adopted a resolution finding that:

1       A. one or more slum area or blighted areas exist in the local government's  
2 jurisdiction; and

3       B. the rehabilitation, conservation, slum clearance, redevelopment or  
4 development, or a combination thereof, of and in such area is necessary in the  
5 interest of the public health, safety, morals or welfare of the residents of the  
6 local government's jurisdiction"; and

7       WHEREAS, the City of Albuquerque ("City") and the Metropolitan  
8 Redevelopment Agency ("MRA") of the City's Planning Department, have  
9 engaged in a study of the East Downtown/ Huning Highlands/ South  
10 Martineztown Area ("Edo MR Area") and have submitted their findings and  
11 conclusions concerning the blighted area as detailed in the East Downtown/  
12 Huning Highlands/ South Martineztown Metropolitan Redevelopment Area  
13 Designation Report ("Edo Report"), and which is attached as Exhibit B to this  
14 Resolution and incorporated herein by reference; and

15       WHEREAS, pursuant to Section 3-60A-8(A) NMSA 1978 of the MR Code, the  
16 Council caused to be published in the Albuquerque Journal, a newspaper of  
17 general circulation, a notice containing a general description of the proposed  
18 Edo MR Area and the date, time and place where the Council will hold a public  
19 hearing to consider the adoption of this Resolution and such notice was  
20 published twice with the last publication at least twenty days prior to the  
21 Council hearing; and

22       WHEREAS, the Council has considered the Edo MR Report, including  
23 Findings, Determinations, and Conclusions in addition to the questions and  
24 comments submitted by members of the public concerning the proposed Edo  
25 MR Area.

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

28       SECTION 1. The City Council makes the following Findings of Fact with  
29 respect to the designation of the Edo MR Area:

1       A.     The Edo MR Area is shown on the map attached hereto as Exhibit A.  
2     The boundary of the Edo MR Area generally includes properties along the  
3     Central Avenue corridor between Broadway Boulevard and Oak Street, along  
4     the east side of Broadway Boulevard between Coal Avenue and Lomas  
5     Boulevard, and along Dr. Martin Luther King Jr. Avenue between Broadway  
6     Boulevard and Interstate 25.

7       B.     The Edo MR Area meets the definition of a blighted area as defined in  
8     Section 3-60A-4(F) NMSA 1978 of the MR Code. The presence of the following  
9     conditions is substantially impairing the sound growth and economic health  
10    and well-being of the City: (1) a substantial number of deteriorated or  
11    deteriorating structures; (2) deterioration of site improvements; (3) a  
12    significant number of commercial or mercantile businesses have closed or  
13    significantly reduced their hours of operation due to the economic losses or  
14    loss of profit due to operating in the area; and (4) low levels of commercial  
15    activity or redevelopment.

16      C.     The combination of the above stated factors is an economic and  
17    social burden and is a menace to the public health, safety, morals or welfare of  
18    the residents of Albuquerque, and the rehabilitation, conservation,  
19    redevelopment or development, or a combination thereof, of and in such area  
20    is necessary.

21      SECTION 2. In accordance with the requirements of Section 3-60A-4(J)  
22    NMSA 1978 of the MR Code, the Council hereby designates the area that is  
23    described in Section 1.A above, and shown in the official Edo MR Boundary  
24    map attached hereto as Exhibit A, to be blighted and a “metropolitan  
25    redevelopment area” appropriate for metropolitan redevelopment projects.  
26    This area shall be officially referred to as the East Downtown/ Huning  
27    Highlands/ South Martineztown Area Metropolitan Redevelopment Area, and  
28    commonly referred to as the Edo MR Area, to distinguish it from other  
29    metropolitan redevelopment areas.

1       SECTION 3. The MRA is hereby authorized and directed to prepare a  
2 Metropolitan Redevelopment Plan, as defined in Section 3-60A-4(K) NMSA  
3 1978 of the MR Code, for the Edo MR Area, which shall: (1) seek to eliminate  
4 the problems created by the blighted conditions of the area; (2) conform to  
5 and coordinate with the Albuquerque/Bernalillo County Comprehensive Plan,  
6 and any other applicable plans or policies; and (3) be sufficient to indicate the  
7 proposed activities to be carried out in the area.

8       SECTION 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence,  
9 clause, word or phrase of this resolution is for any reason held to be invalid or  
10 unenforceable by any court of competent jurisdiction, such decision shall not  
11 affect the validity of the remaining provisions of this resolution. The Council  
12 hereby declares that it would have passed this resolution and each section,  
13 paragraph, sentence, clause, word or phrase thereof irrespective of any  
14 provisions being declared unconstitutional or otherwise invalid.

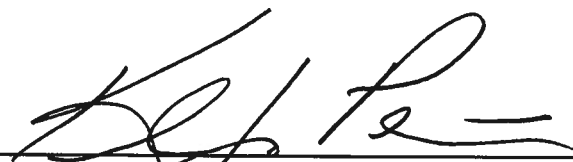
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1 PASSED AND ADOPTED THIS 19<sup>th</sup> DAY OF August, 2019  
2 BY A VOTE OF: 6 FOR 0 AGAINST.

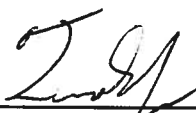
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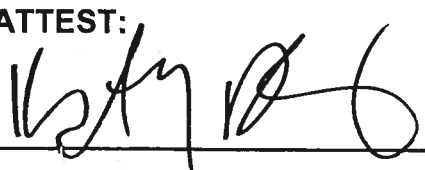
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Klarissa J. Peña, President  
City Council

APPROVED THIS 11 DAY OF September, 2019

Bill No. R-19-174

  
Timothy M. Keller, Mayor  
City of Albuquerque

ATTEST:  
  
Katy Duhigg, City Clerk