



1 retailers offering similar but more limited “non-essential” products, and their  
2 employees, have continued to experience significant hardship by the ordered  
3 closures; and

4 WHEREAS, the disparate impact of the closure orders may suggest that  
5 they may be imprecise or fail to recognize adequate alternatives such as  
6 ordering diminished building occupancies and the required use of face masks  
7 as opposed to complete closures; and

8 WHEREAS, given Albuquerque’s unique situation within the State,  
9 reopening decisions within the City have to be made in a way that most  
10 effectively balances the necessary health safety protections with common  
11 sense limitations that do not unnecessarily burden some businesses over  
12 others, or unnecessarily burden community interests that can continue to be  
13 promoted without any significant additional detriment to community health  
14 and safety; and

15 WHEREAS, a study this month by the University of Hong Kong on indoor  
16 transmission of COVID-19 found that as compared to indoor environments,  
17 there is significantly less likely of COVID-19 outbreaks starting in outdoor  
18 settings; and

19 WHEREAS, on April 23<sup>rd</sup>, the Mayor announced an outline to guide  
20 decisions in the City for reopening, which recognizes the City’s unique  
21 regional characteristics and indicates that a coordinated effort with the  
22 business sector and neighboring communities is envisioned; therefore

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

25 Section 1. The Mayor shall immediately analyze whether:

26 A) A distinction between essential versus non-essential businesses  
27 continues to be necessary to promote the desired health and safety outcomes  
28 or whether more broadly applicable occupancy limitations, physical  
29 distancing and face mask requirements may serve as a suitable alternative to  
30 the mandated closures of only certain businesses: and

31 B) The continued full closure of outdoor activities facilities such as golf  
32 courses or other outdoor recreational facilities continues to be necessary to  
33 promote the desired health and safety outcomes; and

1           **C)     The continued ban on non-emergency medical procedures continues**  
2 **to be necessary to promote the desired health and safety outcomes.**

3           **Section 2.   The Mayor shall enter such appropriate orders relating to the**  
4 **“reopening” of the City as appropriate pursuant to the considerations directed**  
5 **under “Section 1”, above.**

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