



City of Albuquerque

Office of the City Clerk

Timothy M. Keller, Mayor

Ethan Watson, City Clerk

Interoffice Memorandum

June 2, 2020

To: CITY COUNCIL

From: Camille Cordova, City Clerk Executive Assistant

Subject: BILL NO. R-20-29; ENACTMENT NO. R-2020-45

I hereby certify that on June 1, 2020, the Office of the City Clerk received Bill R-20-29 as signed by the president of the City Council, Patrick Davis. Enactment No. R-2020-045 was passed at the May 18, 2020 City Council meeting. Mayor Keller did not sign the approved Resolution within the 10 days allowed for his signature and did not exercise his veto power. Pursuant to the Albuquerque City Charter Article XI, Section 3, this Resolution is in full effect without Mayor's approval or signature. This memorandum shall be placed in the permanent file for Bill No. R-20-29.

Sincerely,

Ethan Watson
City Clerk

CITY of ALBUQUERQUE

TWENTY FOURTH COUNCIL

COUNCIL BILL NO. R-20-29

ENACTMENT NO. R-2020-045

SPONSORED BY: Isaac Benton

1 RESOLUTION

2 CONSIDERING WHETHER R-20-5 (ENACTMENT R-2020-027), WHICH
3 DETERMINED THAT A NUISANCE, SUBSTANDARD DWELLING OR
4 STRUCTURE IN NEED OF ABATEMENT AT 1112 IRON AVE SW 87102 WITHIN
5 THE CITY LIMITS OF ALBUQUERQUE, NEW MEXICO, IS SO RUINED,
6 DAMAGED AND DILAPIDATED AS TO BE A MENACE TO THE PUBLIC
7 COMFORT, HEALTH, PEACE OR SAFETY AND THAT IT IS TO BE REQUIRED
8 TO BE REMOVED, SHOULD BE ENFORCED OR RESCINDED.

9 WHEREAS, the buildings or structures and premises are located at 1112
10 Iron Avenue SW, Albuquerque, New Mexico, within Bernalillo County, which
11 location is more particularly described as: *011 054RAYNOLDS ADDN & L12;
12 and

13 WHEREAS, on March 2, 2020, the City Council approved R-20-05 ("the
14 Removal Resolution"), which required the removal of the buildings or
15 structures at 1112 Iron Avenue SW, and the Removal Resolution was signed
16 by the Mayor and enacted as R-2020-027; and

17 WHEREAS, Section 3-18-5 NMSA 1978 and Section 2 of the Removal
18 Resolution provide that within ten days of the receipt of a copy of the Removal
19 Resolution, the owner of the structures shall commence removing the
20 structures, or file a written objection with the municipal clerk asking for a
21 hearing before the governing body of the municipality; and

22 WHEREAS, the owner of the property filed a written objection to the
23 Removal Resolution requesting a hearing before the City Council; and

24 WHEREAS, pursuant to Section 3-18-5 NMSA 1978, if such a written
25 objection is filed, the Council shall:

26 (1) fix a date for a hearing on its resolution and the objection; and

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1 (2) consider all evidence for and against the Removal Resolution at the
2 hearing; and

3 (3) determine if its resolution should be enforced or rescinded; and

4 WHEREAS, if the council acts to “pass” this resolution the Removal
5 Resolution will be rescinded and the buildings or structures will be allowed to
6 remain in place, or if the Council acts to “not pass” or otherwise fails to pass
7 this resolution, the Removal Resolution will remain in full force effect, and the
8 buildings or structures will be required to be removed.

9 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
10 ALBUQUERQUE:

11 After a hearing during which all evidence presented for and against the
12 Removal Resolution was considered, the Removal Resolution (R-20-
13 05/Enactment No. R-2020-027) is hereby rescinded. However, the City shall
14 prioritize continued monitoring of this property, and if any nuisance
15 conditions return or continue to persist into the future, the Planning
16 Department shall swiftly prepare a subsequent nuisance abatement resolution
17 for Council Action, and shall act swiftly to complete any and all associated
18 abatement measures including but not limited to removal of structures.

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1 PASSED AND ADOPTED THIS 18th DAY OF May, 2020
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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10 Patrick Davis, President
11 City Council
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14 APPROVED THIS _____ DAY OF _____, 2020
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18 Bill No. R-20-29
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23 Timothy M. Keller, Mayor
24 City of Albuquerque
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26 ATTEST:
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29 Ethan Watson, City Clerk
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