

CITY of ALBUQUERQUE

TWENTY FOURTH COUNCIL

COUNCIL BILL NO. R-20-87 ENACTMENT NO. _____

SPONSORED BY: Isaac Benton

1 **RESOLUTION**

2 **DIRECTING THE ADMINISTRATION TO EXPAND THE “ACTIVE STREETS**
3 **INITIATIVE” ESTABLISHED BY R-20-59 IN ORDER TO ALSO FACILITATE**
4 **SAFE, SOCIALLY-DISTANCED OUTDOOR COMMERCIAL FOOD AND**
5 **BEVERAGE SERVICE OPPORTUNITIES ON CERTAIN STREETS DURING THE**
6 **PRESENT PUBLIC HEALTH EMERGENCY; APPROVING THE USE OF CARES**
7 **ACT FUNDING FOR RELATED COSTS.**

8 **WHEREAS, the COVID-19 public health emergency has created the need to**
9 **socially distance in all spaces, both indoors and outdoors; and**

10 **WHEREAS, as the present COVID-19 public health emergency continues,**
11 **the City’s commercial food and beverage service establishments are**
12 **negatively impacted by necessary limitations on commercial indoor dining**
13 **activities and needs for social distancing; and**

14 **WHEREAS, the City Council previously approved R-20-59, which was**
15 **enacted on June 9, 2020, which established a policy to allow access to certain**
16 **street spaces to walk, bike, roller skate, or otherwise recreate outdoors to**
17 **promote the health and well-being of the residents of Albuquerque; and**

18 **WHEREAS, R-20-59 did not specifically address temporary commercial**
19 **food and beverage service in city roadways, but allowing such activities in**
20 **appropriate locations would similarly promote the health and wellbeing of**
21 **residents and businesses alike; and**

22 **WHEREAS, the City Council approved Resolution R-20-34 on May 4, 2020,**
23 **which accepted and appropriated \$150,364,461 of CARES Act funding from the**
24 **U.S. Department of the Treasury; and**

1 WHEREAS, to date, the City Council has approved approximately \$45
2 million of CARES Act grant funding for expenditure through Resolution F/S R-
3 20-73; and

4 WHEREAS, the approval to spend these funds for the purposes described
5 in the Resolution are timely and necessary.

6 **BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF**
7 **ALBUQUERQUE:**

8 **SECTION 1.** The Administration shall collaborate with local businesses,
9 their trade associations, active living advocates, the Complete Streets
10 Advisory group, local businesses, and the applicable City departments,
11 including the Department of Municipal Development, Planning, and the Office
12 of Equity and Inclusion to identify low-volume roadways in the city to include
13 commercial food and beverage service by restaurants, pubs, bars, breweries
14 and similar food and beverage service establishments into the Active Streets
15 Initiative established by R-20-59, so that certain streets may be temporarily
16 dedicated for commercial activities. These roadways shall be closed as
17 appropriate to vehicular traffic except for local traffic, deliveries, and
18 emergency vehicles, through temporary barricading with consideration to
19 allow residents to move safely through them. Roadways in all City Council
20 districts shall be considered.

21 **SECTION 2.** The following criteria shall be considered, at a minimum, to
22 determine whether a street would be a good candidate for the outdoor food
23 and beverage service component of this Active Streets Initiative:

24 a. The street does not carry transit services;

25 b. The street is classified as a local street or a designated bicycle
26 boulevard with low traffic volumes;

27 c. Access plans shall be considered for roadways that have abutting
28 businesses, including the need for on-street parking, space for takeout, drop-
29 off, pickups, or outdoor table service; and

30 d. The street abuts the lawfully operated commercial food and beverage
31 service establishment proposing to utilize it for this Active Streets purpose.

32 **SECTION 3.** The Administration shall identify the first set of roadways
33 within two weeks of the adoption of this Resolution and shall make the City

1 Council and the public aware of what roadways have been chosen. These
2 roadways shall remain closed until the current public health order and all
3 social-distancing directives have been lifted. The administration shall develop
4 and execute any necessary instruments authorizing the use of an Active Street
5 by a commercial user with assurances for all necessary conditions and
6 safeguards.

7 SECTION 4. CARES ACT funding in an amount up to \$500,000 is approved
8 for use from the Operating Grant Fund (265) for any costs associated with
9 temporary barricading or other physical changes necessary to implement the
10 objectives of this resolution.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32