

# CITY of ALBUQUERQUE

## TWENTY FOURTH COUNCIL

COUNCIL BILL NO. R-20-78 ENACTMENT NO. R-2020-081

SPONSORED BY: Cynthia D. Borrego and Diane G. Gibson

1 RESOLUTION

2 APPROVING FISCAL YEAR 2021 APPROPRIATIONS TO PROVIDE FOR  
3 OUTDOOR DINING AND OUTDOOR RETAIL GRANTS TO LOCAL BUSINESSES  
4 DURING THE PUBLIC HEALTH EMERGENCY.

5 WHEREAS, on March 11, 2020 Governor Michelle Lujan Grisham issued  
6 Executive Order 2020-004, Order Declaring a State of Public Health Emergency  
7 relating to the spread of COVID-19; and

8 WHEREAS, current public health orders related to the COVID-19 pandemic  
9 do not allow for indoor dining at restaurants and breweries, but do allow for  
10 expansion of outdoor dining areas into parking lots, sidewalks and parklets;  
11 and

12 WHEREAS, the City Council approved Resolution R-20-34 on May 4, 2020,  
13 which accepted and appropriated \$150,364,461 of CARES Act Funding from  
14 the U.S. Department of the Treasury; and

15 WHEREAS, Section 2 of Resolution R-20-34 requires that all indirect  
16 COVID-19 related expenditures be approved by the City Council before they  
17 are expended; and

18 WHEREAS, the City Council approved approximately \$43,343,000 of CARES  
19 Act grant funding for expenditure through Resolution F/S R-20-73, which  
20 included \$41,332,127 of Payroll Costs, \$1,000,000 of Service Costs; and  
21 \$1,010,870 in Economic Assistance to Small Businesses; and

22 WHEREAS, on June 1, 2020, the City Council adopted Ordinance O-20-16,  
23 establishing the Temporary Outdoor Dining Ordinance, which allows  
24 restaurants to temporarily amend their site plans to allow for outdoor dining  
25 for the duration of the public health emergency restrictions; and

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1 WHEREAS, on June 1, 2020, the City Council adopted Resolution R-20-57,  
2 adopting City policy to allow the establishment of parklets, which allow both  
3 restaurants and retail businesses to expand operations onto one or more on-  
4 street parking places; and

5 WHEREAS, on June 15, 2020, the City Council adopted Ordinance O-20-23,  
6 establishing the Temporary Outdoor Retail Ordinance, which allows  
7 businesses to temporarily amend their site plans to allow for outdoor retail in  
8 parking lots for the duration of the public health emergency restrictions; and

9 WHEREAS, Council Resolution R-20-87 is currently being proposed, and  
10 would direct the Administration to expand the Active Streets Initiative  
11 established by R-20-59, in order to also facilitate safe, socially distanced  
12 outdoor commercial food and beverage services opportunities on certain  
13 streets for duration of the current public health emergency orders; and

14 WHEREAS, the Council wishes to provide support to local restaurants,  
15 breweries, and retail establishments so that they may continue operations  
16 while complying with Public Health Orders issued by the State of New Mexico;  
17 and

18 WHEREAS, the approval to spend these funds is timely and necessary.  
19 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
20 ALBUQUERQUE:

21 Section 1. That \$500,000 is hereby approved from expenditure from the  
22 CARES Act Grant in Operating Grant Fund (265), to be administered by the  
23 Department of Economic Development, to provide assistance to local  
24 restaurants, breweries and retail businesses to allow for expansion of outdoor  
25 dining areas and outdoor retail areas for the duration of the COVID-19 related  
26 public health orders.

1 PASSED AND ADOPTED THIS 3<sup>rd</sup> DAY OF August, 2020  
2 BY A VOTE OF: 8 FOR 0 AGAINST.

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4  
5 Excused: Harris

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10 Patrick Davis, President  
11 City Council  
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14 APPROVED THIS 17 DAY OF August, 2020  
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16 Bill No. R-20-78  
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21  
22 Timothy M. Keller, Mayor  
23 City of Albuquerque  
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25  
26 ATTEST:

27  
28  
29 Ethan Watson, City Clerk  
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