CITY of ALBUQUERQUE TWENTY FOURTH COUNCIL

COUNCIL	BILL NOR-21-209 ENACTMENT NO			
SPONSORED BY: Isaac Benton				
1	RESOLUTION			
2	AMENDING THE DECLARATION OF LOCAL EMERGENCY DUE TO NOVEL			
3	CORONAVIRUS COVID-19 TO REQUIRE VACCINATION OF CERTAIN CITY			
4	EMPLOYEES.			
5	WHEREAS, The COVID-19 pandemic is a unique crisis that was unforeseen			
6	and unavoidable and which continues to spread throughout New Mexico and			
7	has taken the lives of over 4,900 New Mexicans; and			
8	WHEREAS, The B.1.617.2 "Delta" variant now makes up the majority of new			
9	infections in the United States and is significantly more contagious than			
10	previous variants of the virus; and			
11	WHEREAS, the further spread of COVID-19 in the State of New Mexico			
12	poses a threat to the health, safety, and wellbeing of all New Mexicans; and			
13	WHEREAS, Albuquerque is the largest city in the state and the City of			
₌ 14	Albuquerque employs over 6,000 employees; and			
14 New 15 Deletion 16 16	WHEREAS, COVID-19 poses an immediate threat to the health, safety, and			
	wellbeing of City employees and community members, employees deserve			
17 17 18 19 19 19 19 19 19 19 19 19 19 19 19 19	safe and healthy work environments, and community members deserve safe			
18 <u>19</u> 18	access to city facilities and safe interactions with City employees; and			
19	WHEREAS, City employees who become ill cannot adequately perform			
DS 20	their duties, which disrupts the mission and orderly operation of the City			
jag ± 21	government; and			
計 22	WHEREAS, Increasing COVID-19 cases among the unvaccinated are filling			
23	up local hospitals, threatening to unreasonably strain the medical and			
24 g	emergency service resources available in the City; and			
-Bracketed/Underscore -Bracketed/Strikethrough 27	WHEREAS, Albuquerque's ability to economically recover from the COVID-			
[_] 26	19 pandemic is hindered by unvaccinated individuals who further spread the			

virus; and

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1	WHEREAS, Unvaccinated City employees who work in frontline areas are at
2	increased risk of contracting COVID-19 and/or spreading it to some of our
3	most vulnerable populations; and
4	WHEREAS, Public safety employees tend to have the most direct, personal,
5	and close-contact interaction with the public, often under emergency
6	circumstances in which social distancing and mask-wearing are not always
7	possible to maintain or effective; and
8	WHEREAS, Vaccinations against COVID-19 are safe and highly effective
9	against spreading the virus and reducing serious illness, hospitalizations, and
10	deaths; and
11	WHEREAS, Vaccinations against COVID-19 are free and readily available to
12	all New Mexicans; and
13	WHEREAS, the refusal to receive the COVID-19 vaccine not only endangers
14	the individual but the entire community, and further jeopardizes the progress
15	the State of New Mexico and City of Albuquerque have made against the
16	pandemic by allowing the virus to transmit more freely and mutate into more
17	transmissible or deadly variants; and
18	WHEREAS, On August 23, 2021, the Pfizer-BioNTech COVID-19 Vaccine
19	received full U.S. Food and Drug Administration approval; and
20	WHEREAS, On September 9, 2021, President Joe Biden announced that
21	federal government employees and contractors will be required to be fully
22	vaccinated against COVID-19 and the Occupational Safety and Health
23	Administration will create a rule for private businesses with 100 or more
24	employees to require their employees to be vaccinated or undergo weekly
25	testing; and
26	WHEREAS, On September 24, 2021, Albuquerque Mayor Timothy M. Keller
27	issued the Twenty-Third Declaration of Local Emergency Due to Novel
28	Coronavirus COVID-19; and
29	WHEREAS, The Twenty-Third Declaration of Local Emergency Due to Novel
30	Coronavirus COVID 19 refers to Governor Michelle Lujan-Grisham's August 2,
31	2021 Executive Order 2021-046, which requires State employees who are not
32	fully vaccinated against COVID-19 and willing and able to provide adequate
33	proof of such vaccination to provide adequate proof that the employee has

	1	tested negative for COVID-19 on a weekly basis and wear a face covering at all
	2	times during the course and scope of their employment; and
	3	WHEREAS, Pursuant to § 2-9-1-6 of the Civil Emergency Powers Ordinance,
	4	the City Council may amend by resolution any emergency proclamation.
	5	BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
	6	ALBUQUERQUE:
	7	SECTION 1. The Twenty-Third Declaration of Local Emergency Due to
	8	Novel Coronavirus COVID-19 is hereby amended to also require City of
	9	Albuquerque public safety employees to provide proof of vaccination against
	10	COVID-19, or in the event of a documented medical or religious exemption,
	11	provide proof of negative COVID-19 testing on a weekly basis.
	12	SECTION 2. These requirements are mandatory for all City public safety
	13	employees, pursuant to the City's emergency powers. To the extent
	14	necessary, the City Administration shall initiate discussions with Collective
	15	Bargaining Units to implement these requirements for union members.
	16	SECTION 3. The requirements for City employees described in Section 1
	17	will become effective and start being implemented no later than three weeks
	18	from the date of enactment of this resolution.
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