



Legislation Text

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CITY of ALBUQUERQUE
TWENTY FOURTH COUNCIL

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

SPONSORED BY: Isaac Benton

RESOLUTION

Directing The Administration To Expand The “Active Streets Initiative” Established By R-20-59 In Order To Also Facilitate Safe, Socially-Distanced Outdoor Commercial Food And Beverage Service Opportunities On Certain Streets During The Present Public Health Emergency;

Approving The Use Of Cares Act Funding For Related Costs (Benton)

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

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

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

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

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

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

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

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

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

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

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

- a. The street does not carry transit services;
- b. The street is classified as a local street or a designated bicycle boulevard with low traffic volumes;
- c. Access plans shall be considered for roadways that have abutting businesses, including the need for on-street parking, space for takeout, drop-off, pickups, or outdoor table service; and
- d. The street abuts the lawfully operated commercial food and beverage service

establishment or retail establishment proposing to utilize it for this Active Streets purpose.

SECTION 3. The Administration shall identify the first set of roadways within two weeks of the adoption of this Resolution and shall make the City Council and the public aware of what roadways have been chosen. These roadways shall remain closed until the current public health order and all social-distancing directives have been lifted. The administration shall develop and execute any necessary instruments authorizing the use of an Active Street by a commercial user with assurances for all necessary conditions and safeguards. If in the course of implementing this Resolution a conflict arises between a food/beverage establishment and a retail establishment for use of expanded space, preference will be given to the food/beverage establishment.

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

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