



Legislation Text

File #: R-21-209, Version: 1

CITY of ALBUQUERQUE
TWENTY FOURTH COUNCIL

COUNCIL BILL NO. R-21-209 ENACTMENT NO. _____

SPONSORED BY: Isaac Benton

RESOLUTION

Amending The Declaration Of Local Emergency Due To Novel Coronavirus COVID-19 To Require Vaccination Of Certain City Employees (Benton)

WHEREAS, The COVID-19 pandemic is a unique crisis that was unforeseen and unavoidable and which continues to spread throughout New Mexico and has taken the lives of over 4,900 New Mexicans; and

WHEREAS, The B.1.617.2 “Delta” variant now makes up the majority of new infections in the United States and is significantly more contagious than previous variants of the virus; and

WHEREAS, the further spread of COVID-19 in the State of New Mexico poses a threat to the health, safety, and wellbeing of all New Mexicans; and

WHEREAS, Albuquerque is the largest city in the state and the City of Albuquerque employs over 6,000 employees; and

WHEREAS, COVID-19 poses an immediate threat to the health, safety, and wellbeing of City employees and community members, employees deserve safe and healthy work environments, and community members deserve safe access to city facilities and safe interactions with City employees; and

WHEREAS, City employees who become ill cannot adequately perform their duties, which disrupts the mission and orderly operation of the City government; and

WHEREAS, Increasing COVID-19 cases among the unvaccinated are filling up local hospitals, threatening to unreasonably strain the medical and emergency service resources available in the City; and

WHEREAS, Albuquerque's ability to economically recover from the COVID-19 pandemic is hindered by unvaccinated individuals who further spread the virus; and

WHEREAS, Unvaccinated City employees who work in frontline areas are at increased risk of contracting COVID-19 and/or spreading it to some of our most vulnerable populations; and

WHEREAS, Public safety employees tend to have the most direct, personal, and close-contact interaction with the public, often under emergency circumstances in which social distancing and mask-wearing are not always possible to maintain or effective; and

WHEREAS, Vaccinations against COVID-19 are safe and highly effective against spreading the virus and reducing serious illness, hospitalizations, and deaths; and

WHEREAS, Vaccinations against COVID-19 are free and readily available to all New Mexicans; and

WHEREAS, the refusal to receive the COVID-19 vaccine not only endangers the individual but the entire community, and further jeopardizes the progress the State of New Mexico and City of Albuquerque have made against the pandemic by allowing the virus to transmit more freely and mutate into more transmissible or deadly variants; and

WHEREAS, On August 23, 2021, the Pfizer-BioNTech COVID-19 Vaccine received full U.S. Food and Drug Administration approval; and

WHEREAS, On September 9, 2021, President Joe Biden announced that federal government employees and contractors will be required to be fully vaccinated against COVID-19 and the Occupational Safety and Health Administration will create a rule for private businesses with 100 or more employees to require their employees to be vaccinated or undergo weekly testing; and

WHEREAS, On September 24, 2021, Albuquerque Mayor Timothy M. Keller issued the Twenty-Third Declaration of Local Emergency Due to Novel Coronavirus COVID-19; and

WHEREAS, The Twenty-Third Declaration of Local Emergency Due to Novel Coronavirus COVID 19 refers to Governor Michelle Lujan-Grisham's August 2, 2021 Executive Order 2021-046, which requires State employees who are not fully vaccinated against COVID-19 and willing and able to provide adequate proof of such vaccination to provide adequate proof that the employee has tested negative for COVID-19 on a weekly basis and wear a face covering at all times during the course and scope of their employment; and

WHEREAS, Pursuant to § 2-9-1-6 of the Civil Emergency Powers Ordinance, the City Council may amend by resolution any emergency proclamation.

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

SECTION 1. The Twenty-Third Declaration of Local Emergency Due to Novel Coronavirus COVID-19 is hereby amended to also require City of Albuquerque public safety employees to provide proof of vaccination against COVID-19, or in the event of a documented medical or religious exemption, provide proof of negative COVID-19 testing on a weekly basis.

SECTION 2. These requirements are mandatory for all City public safety employees, pursuant to the City's emergency powers. To the extent necessary, the City Administration shall initiate discussions with Collective Bargaining Units to implement these requirements for union members.

SECTION 3. The requirements for City employees described in Section 1 will become effective and start being implemented no later than three weeks from the date of enactment of this resolution.