

# City of Albuquerque

## Office of the City Clerk

Richard J. Berry, Mayor

Natalie Y. Howard, City Clerk

### Interoffice Memorandum

August 15, 2016

To: CITY COUNCIL

From: NATALIE Y. HOWARD, CITY CLERK

Subject: BILL NO. R-16-49 ENACTMENT NO. R-2016-061

I hereby certify that on August 12, 2016, the Office of the City Clerk received Bill No. R-16-49 as signed by the president of the City Council, Dan Lewis. Enactment No. R-2016-061 was passed at the August 1, 2016 City Council meeting. The Mayor was unable to sign this legislation due to his absence during the allocated signature timeline. Pursuant to the Albuquerque City Charter Article XI, Section 3, this Resolution is in full effect without Mayor's approval or signature. This memorandum shall be placed in the permanent file for Bill No. R-16-49.

Sincerely,

  
Natalie Y. Howard  
City Clerk

**CITY of ALBUQUERQUE  
TWENTY SECOND COUNCIL**

COUNCIL BILL NO. R-16-49 ENACTMENT NO. R:2016:061

SPONSORED BY: Isaac Benton, by request

**RESOLUTION**

**DESIGNATING THE NORTH CORRIDOR METROPOLITAN REDEVELOPMENT AREA, MAKING CERTAIN FINDINGS AND CONCLUSIONS PURSUANT TO THE METROPOLITAN REDEVELOPMENT CODE, AND AUTHORIZING AND DIRECTING THE METROPOLITAN REDEVELOPMENT AGENCY TO PREPARE A METROPOLITAN REDEVELOPMENT PLAN FOR THE NORTH CORRIDOR METROPOLITAN REDEVELOPMENT AREA.**

**WHEREAS, Section 3-60A-8 NMSA 1978 of the Metropolitan Redevelopment Code (“MR Code”) (Sections 3-60A-1 through 3-60A-48 NMSA 1978) states: “A municipality shall not prepare a metropolitan redevelopment plan for an area unless the governing body by resolution determined the area to be a slum area or a blighted area, or a combination thereof, and designated the area as appropriate for a metropolitan redevelopment project.”; and**

**WHEREAS, the City of Albuquerque (“City”) and the Metropolitan Redevelopment Agency (“MRA”) of the City’s Planning Department and their employees and agents, have for some time, engaged in a study of blighted areas within the City and have submitted their findings and conclusions concerning the area detailed in the North Corridor Metropolitan Redevelopment Area (“North Corridor MR Area”) Designation Report, which is attached as Exhibit A to this Resolution and incorporated herein by reference; and**

**WHEREAS, pursuant to Section 30-60A-8 NMSA 1978 of the MR Code, the Council caused to be published in the Albuquerque Journal, a newspaper of general circulation, a notice containing a general description of the proposed North Corridor MR Area and the date, time and place where the Council will hold a public hearing to consider the adoption of this resolution and**

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1 announcing that any interested party may appear and speak to the adoption of  
2 this resolution; and

3 WHEREAS, the Albuquerque Development Commission held an advertised  
4 public meeting on February 18, 2016, took testimony from the public, and  
5 recommended to the Council the designation of the North Corridor MR Area,  
6 as set forth in the Designation Report attached to this Resolution as Exhibit B;  
7 and

8 WHEREAS, the Council has considered the Designation Report, including  
9 Findings, Determinations and Conclusions in addition to the questions and  
10 comments submitted by members of the public concerning the proposed  
11 North Corridor MR Area.

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

14 SECTION 1. The City Council makes the following Findings of Fact with  
15 respect to the designation of the North Corridor MR Area:

16 A. The North Corridor MR Area is shown on the map attached hereto as  
17 Exhibit A. The boundary of the North Corridor MR Area includes properties  
18 that are not residentially zoned for single family use within the area bounded  
19 by Granite Avenue on the south, the railroad tracks on the east, typically one  
20 property deep on the west side of 4th Street, and the commercial properties  
21 that line Montañó Road. There are additional commercial properties included  
22 at the intersections of major roads with 4th Street and along 4<sup>th</sup> Street to the  
23 northern City limits.

24 B. The North Corridor MR Area has exhibited the following conditions:  
25 (1) Business Turnover: The North Corridor MR Area displays high levels of  
26 business turnover and a total reduction in the number of businesses operating  
27 in the area since 1999; (2) Crime: The area has been subject to property and  
28 violent crime; (3) Public Infrastructure: Much of the existing infrastructure has  
29 started to deteriorate, has out-lived its usefulness or is out of date; (4) Private  
30 Property: Some private property in the North Corridor MR Area is uninviting,  
31 unkempt or unappealing, and there are vacant lots interspersed among  
32 developments; (5) Household Income: Based on Block Group Data from the  
33 US 2010 Decennial Census, the median income within and near the North

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1 Corridor MR Area is significantly below the City’s area median income. These  
2 conditions have led to the North Corridor MR Area having the following  
3 conditions of blight as defined by the MR Code: (1) A significant number of  
4 commercial or mercantile businesses that have closed or significantly  
5 reduced their operations due to the economic losses or loss of profit due to  
6 operating in the area; (2) Low levels of commercial activity or redevelopment  
7 or any combination of such factors; (3) Conditions that substantially impair or  
8 arrest the sound growth and economic health and well-being of a municipality  
9 or locale within a municipality; or (4) An area that retards the provisions of  
10 housing accommodations or constitutes an economic or social burden and is  
11 a menace to the public health, safety, morals or welfare in its present  
12 condition and use.

13 C. The rehabilitation, conservation, redevelopment or development, or a  
14 combination thereof, of and in the North Corridor MR Area is necessary in the  
15 interest of the public health, safety, morals or welfare of the residents of  
16 Albuquerque.

17 SECTION 2. In accordance with the requirements of Section 3-60A-8 NMSA  
18 1978, the Council hereby designates the area that is described in Section 1.A  
19 above, and shown in the official North Corridor MR Area boundary map  
20 attached hereto as Exhibit A, to be a ‘metropolitan redevelopment area’ as  
21 defined by Section 3-60A-4 (M) NMSA 1978 and finds it to be appropriate for a  
22 metropolitan redevelopment project or projects. This area shall be referred to  
23 as the North Corridor MR Area to distinguish it from other metropolitan  
24 redevelopment areas.

25 SECTION 3. The MRA of the Planning Department is hereby authorized and  
26 directed to prepare a Metropolitan Redevelopment Plan, as defined by Section  
27 3-60A-4 (N) NMSA 1978, for the North Corridor MR Area, which, without  
28 limitation, shall: (1) Seek to eliminate the problems created by the blighted  
29 conditions of the area; (2) Conform to and coordinate with the  
30 Albuquerque/Bernalillo County Comprehensive Plan, any applicable Rank 2  
31 and 3 plans, and any other applicable plans or policies; and (3) Be sufficient to  
32 indicate the proposed activities to be carried out in the area, including, but not  
33 limited to, any proposals for land acquisition, redevelopment, improvements,

1 rehabilitation and conservation and the plan's relationship to definite local  
2 objectives respecting land uses, improved traffic patterns and controls, public  
3 transportation, public utilities, recreational and community facilities, housing  
4 facilities, commercial activities or enterprises, and other public improvements.

5 SECTION 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence,  
6 clause, word or phrase of this resolution is for any reason held to be invalid or  
7 unenforceable by any court of competent jurisdiction, such decision shall not  
8 affect the validity of the remaining provisions of this resolution. The Council  
9 hereby declares that it would have passed this resolution and each section,  
10 paragraph, sentence, clause, word or phrase thereof irrespective of any  
11 provisions being declared unconstitutional or otherwise invalid.

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1 PASSED AND ADOPTED THIS 1<sup>st</sup> DAY OF August, 2016  
2 BY A VOTE OF: 8 FOR 0 AGAINST.

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Excused: Lewis

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Dan Lewis, President

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City Council

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13 APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

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17 Bill No. R-16-49

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Richard J. Berry, Mayor

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City of Albuquerque

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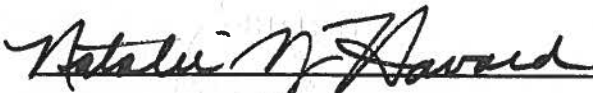
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27 ATTEST:

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Natalie Y. Howard, City Clerk

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