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# CITY OF ALBUQUERQUE

Albuquerque, New Mexico

## Planning Department

Mayor Timothy M. Keller

### INTER-OFFICE MEMORANDUM

February 07, 2023

**TO:** Isaac Benton, President, City Council

**FROM:** Alan Varela, Planning Director   
Alan Varela (Feb 7, 2023 15:19 MST)

**SUBJECT:** AC-23-4, PR-2022-007490, VA-2022-00368:  
Life ROOTS Inc. NM non-profit corp. Appeals the Planning Department granting Dawn Legacy Pointe Temporary Use approval for a Safe Outdoor Space (SOS) located at 1250 Menaul Blvd. NE, zoned NR-LM.

#### Overview

The Planning Department approved the temporary use application on August 10, 2022. The application was processed using the Integrated Development Ordinance (IDO) Section 14-16-6-5(D), "Permit – Temporary Use" and the use specific standards for a SOS in IDO Section 14-16-4-3(G)(8). After review of the SOS application, the Zoning Enforcement Officer (ZEO) determined that the proposed SOS met the regulations of the IDO and it was approved for 40 outdoor spaces 50 occupants. An appeal of this initial approval was received by the Planning Department on August 25, 2022 and the appeal was heard by the Land Use Hearing Officer (LUHO) on September 28, 2022. On October 10, 2022, the LUHO remanded it back to Planning staff with the instructions to assure that individual notice is sent to:

All owners, as listed in the records of the Bernalillo County Assessor, of property located partially or completely within 100 feet in any direction of the subject property. Where the edge of that 100- foot buffer area falls within any public right-of-way, adjacent properties shall be included.

On October 17, 2022, the applicant notified 20 property owners via Certified Mail as required in the LUHO's remand instructions. The application was approved on December 8, 2022.

The City Planning Department received an appeal on the Temporary Use Permit for SOS for the Property from Life Roots inc. NM non-profit corp., Agent Brian A. Thomas Law Offices. The appeal was submitted in a timely manner and prior to the deadline of December 22, 2022.

#### Standing

Pursuant to IDO Table 6-4-2, standing for appeals Temporary Use Permits are based on proximity to the subject property. Property owners within 100 feet and neighborhood associations that include or are adjacent to the property may appeal a Permit – Temporary Use. The appellants are either greater than 100 feet or their association does not include or is not adjacent to the Property. IDO Subsection 14-16-6-4(V)(2)(a)4 grants standing for “Any other person or organization that can demonstrate that his/her/its property rights or other legal rights have been specially and adversely affected by the decision.” The appellants have not provided any proof that this decision has specially or adversely affected their property or other legal rights.

Appellant LifeROOTS Inc. NM non-profit corp, does not have standing because the Appellant’s property at 1111 Menaul BLVD. NE, Albuquerque NM 87107 is located more than 100 feet from the Property.

### **Appeal and Response**

The appellants cite the following reasons for appeal (in bold text). Staff’s response to the appellants’ arguments follow (in regular text). The reasons are summarized in this section. Appellants’ full arguments are available in the appeal applications.

#### **Underlying Property subject to the Appealed Permit**

Staff Response: The location for the permit is located at 1250 Menaul Blvd NE, UPC: 101505924018931414CA. The Safe Outdoor Space Location Application Approval Notification Letter (Exhibit A) clearly lists the site location, UPC and Legal description. In 14-16-4-2: Allowable Uses, SOS is a Temporary Use that requires a permit in a Non-Residential-Light Manufacturing (NR-LM) Zone. As a temporary permit the approval is valid for a period up to two (2) years.

#### **Grounds For Appeal**

Staff Response: The application approval was not “fast tracked,” as alleged in the appeal. The temporary use application was submitted on July 30, 2022 and was approved on August 10, 2022, 11 days after the application was received. Many temporary use applications are approved within two (2) days of receiving, with many approved the same day. The appellant alleges the review was behind “closed doors without any public input, without notice to adjacent and surrounding property owners and without any public hearings”. The IDO requires applications for Permits – Temporary Use to notify abutting property owners. IDO Subsection 14-16-6-5(D)(2)(a)(3) and Table 14-16-6-1-1. The IDO defines “abut” as, “To touch or share a property line.” There are only two (2) lots that abut the Property; one is owned by the City and the other is owned by Sunset Memorial Park. the City was notified and the applicant provided proof of notice to Sunset Memorial Park with the application. Public hearings are not required for an application for a Permit – Temporary Use.

#### **I. The City of Albuquerque Has Field to Consider and Mitigate the Colleterial Impacts of the Permit.**

Staff Response: The Appellant claims the applicant failed to adequately mitigate

collateral impacts. The application submitted did provide plans to mitigate collateral impacts. To mitigate negative impacts, the Safe Outdoor Operation/Security Plan: Dawn Legacy Pointe page 7, Community Commitment states, “A Good Neighbor Agreement will be addressed with surrounding businesses and Neighborhood Associations and a Neighborhood Advisory group will be created to discuss successes and opportunities for improvement. This platform will allow neighborhoods in proximity to other SOS sites in the city to collaborate and share best practices. Safe Outdoor Space Safety Team and Volunteer Training Manual page 7, Safe Outdoor Space Security Protocol under SOS Security, item 1 states “Night Shift: Patrol the perimeter of the SOS Community at least twice during the shift” Any encampments in the vicinity will be reported and addressed per the City of Albuquerque’s Policy for Responding to Encampments on Public Property. Encampments on private property will be reported to and enforced by Code Enforcement using existing ordinances including the IDO and Uniform Housing Code (UHC). The operational plan on page 1 and 2 states procedures on how to report various illegal activity.

**A. The City of Albuquerque Failed to Address the Cultural Impacts of Granting this Permit.**

Staff Response: The appellant alleges the City disregarded a historically disadvantaged section, the City did not select the area or submit the permit/ application for the temporary use. The Appellant expresses concerns about possible cultural impacts activity in the neighborhood. The ZEO determined the applicant met the applicable provisions of the IDO. In addition, the ZEO determined the applicant met the review and decision criteria for a Permit – Temporary Use for a SOS in IDO Subsection 14-16-6-5(D) and Section 14-16-4-3(G)(8).

**II. The Expedited Appel Process is Fundamentally Flawed and Outcome Driven**

Staff Response: The appellant alleges The City failed to notify the Appellants. As previously stated, public notice is not required for an application of a Permit – Temporary Use when, per IDO Table 14-16-6-1-1. City of Albuquerque / Bernalillo County Comprehensive Plan (Comp Plan) is a policy document that is used to guide discretionary zoning decisions and specific zoning regulations in the IDO. The IDO review and decision criteria for a Permit – Temporary Use does not require the applicant to address any policies in the Comp Plan. The City did not error in applying the requirements of the IDO to this application. On October 17, 2022, the Applicant notified 20 property owners via Certified Mail, as required in the LUHO’s remand instructions. The application was approved on December 8, 2022.

The appellant alleges the business is not fit to provide services, The City dose not comme

The City followed the application process for Permit – Temporary Use pursuant to IDO Subsection 14-16-6-5(D).

The Property is in zoning district NR-LM. This temporary use for a SOS is permissive

in the NR-LM zone per IDO Allowable Use Table 14-16-4-2 and does not require a “special use” or “conditional use” approval. In addition, there was not a zone change application on the Property, as alleged in the appeal.

The City denies giving preferential treatment to the applicant.

### **III. Good Cause Exists to Infer that “Dawn Legacy Pointe” is ill-prepared to Engage in the Permitted Activities**

Staff Response: LifeRoots alleges the operating procedures submitted by Dawn Legacy Pointe were copied from an unsanctioned encampment from another city. While the operating procedures were from another operator from another city, nothing prevents an applicant from using procedures from another operator or city.

On June 6, 2022, the City Council passed IDO amendments that included SOSs as a temporary use in the NR-LM zone and use specific standards for SOSs in IDO Subsection 14-16-4-3(G)(8). The applicant did provide a “Safe Outdoor Spaces Operating/Security Plan” with their application that was reviewed and approved by Elizabeth Holguin, Deputy Director, Family and Community Services Department, as required. The City Council did provide direction to City Departments with IDO Subsection 14-16-4-3-(G)(8) use specific standards for SOSs. According to the Safe Outdoor Spaces Operational/ Security Plan the SOS will have a SOS Manager and Assistant will oversee operations daily and be available after hours. Security and clean-up will be done by the on-site management.

IDO Subsection 14-16-4-3(G)(8)(h) states:

Each safe outdoor space development shall include an operations and management plan or security agreement to ensure the safety of individuals occupying the designated spaces.

1. Proof of the plan or agreement shall be required with the application for a safe outdoor space and shall be reviewed by the City’s Department of Family and Community Services.
2. The plan or agreement shall indicate on-site support 24 hours a day, 7 days a week basis.

The IDO requires an operation and management plan or security agreement. An operation and management plan was submitted, negating the need for a security agreement. On-site support 24-hours, 7 days a week will be provided by the occupants with on-site peer support. alleges the operating procedures submitted by Dawn Legacy Pointe were copied from an unsanctioned encampment from another city. While the operating procedures were from another operator from another city, nothing prevents an applicant from using procedures from another operator or city. In addition, operating procedures have since been updated to address concerns and remove references to other operators.

### **4 In Light of the Value of the Property, the City has Higher and Better Uses for the**

**Parcels Subject to the Permit.**

Staff Response: The City cannot comment on theoretical uses property do not currently exist. The SOS is a temporary use permit to the property.

**Criteria for Decision on Appeals**

IDO Subsection 14-16-6-4(V)(4) outlines the criteria for review of an appeal to determine whether the decision-making body made one of the following mistakes:

6-4(V)(4)(a) The decision-making body or the prior appeal body acted fraudulently, arbitrarily, or capriciously.

6-4(V)(4)(b) The decision being appealed is not supported by substantial evidence.

6-4(V)(4)(c) The decision-making body or the prior appeal body erred in applying the requirements of this IDO (or a plan, policy, or regulation referenced in the review and decision-making criteria for the type of decision being appealed).

The Planning Department did not act fraudulently, arbitrarily, or capriciously. The decision to approve the SOS Temporary Permit was supported by substantial evidence in the application. The Planning Department did not error in applying the requirements of the IDO and found that the application met all the IDO requirements for a SOS Temporary Use Permit. The Planning Department request that the ZHE's approval is upheld.

/ Angelo Metzgar /

Angelo Metzgar, code compliance manager  
Code Enforcement Division  
Planning Department  
City of Albuquerque






# LifeROOTS Appeal Final

Final Audit Report

2023-02-07

Created:	2023-02-07
By:	Lucinda Montoya (lucindamontoya@cabq.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAJLGQGoD_2QqyGeMSThcnYVagH_V1z-0z

## "LifeROOTS Appeal Final" History

-  Document created by Lucinda Montoya (lucindamontoya@cabq.gov)  
2023-02-07 - 10:17:05 PM GMT- IP address: 143.120.133.160
-  Document emailed to Alan Varela (avarela@cabq.gov) for signature  
2023-02-07 - 10:17:19 PM GMT
-  Email viewed by Alan Varela (avarela@cabq.gov)  
2023-02-07 - 10:19:45 PM GMT- IP address: 143.120.133.62
-  Document e-signed by Alan Varela (avarela@cabq.gov)  
Signature Date: 2023-02-07 - 10:19:51 PM GMT - Time Source: server- IP address: 143.120.133.62
-  Agreement completed.  
2023-02-07 - 10:19:51 PM GMT



Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

Administrative Decisions	Decisions Requiring a Public Meeting or Hearing	Policy Decisions
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<input type="checkbox"/> Historic Certificate of Appropriateness – Minor (Form L)	<input type="checkbox"/> Master Development Plan (Form P1)	<input type="checkbox"/> Adoption or Amendment of Historic Designation (Form L)
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input type="checkbox"/> Amendment of IDO Text (Form Z)
<input type="checkbox"/> Minor Amendment to Site Plan (Form P3)	<input type="checkbox"/> Demolition Outside of HPO (Form L)	<input type="checkbox"/> Annexation of Land (Form Z)
<input type="checkbox"/> WTF Approval (Form W1)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	<input type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
		<b>Appeals</b>
		<input checked="" type="checkbox"/> Decision by EPC, LC, ZHE, or City Staff (Form A)

APPLICATION INFORMATION			
Applicant:	LifeRoots, Inc. a New Mexico non-profit corporation	Phone:	505-255-5501
Address:	1111 Menaul Boulevard, NE	Email:	
City:	Albuquerque	State:	NM
		Zip:	87107
Professional/Agent (if any):	Brian A. Thomas, Law Offices of Brian A. Thomas, P.C.	Phone:	505-293-1101
Address:	2535 Wyoming Boulevard NE, Suite A	Email:	bthomas@thomaslaw-nm.com
City:	Albuquerque	State:	NM
		Zip:	87112
Proprietary Interest in Site:	List all owners:		

BRIEF DESCRIPTION OF REQUEST
Appeal of issuance of a Temporary Permit for use of premises as a Safe Outdoor Space

SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)			
Lot or Tract No.:	A-1	Block:	Unit:
Subdivision/Addition:		MRGCD Map No.:	36
		UPC Code:	
Zone Atlas Page(s):	H-152	Existing Zoning:	NR-LM
		Proposed Zoning:	NR-LM
# of Existing Lots:	1	# of Proposed Lots:	1
		Total Area of Site (acres):	11.79

LOCATION OF PROPERTY BY STREETS		
Site Address/Street:	1250 Menaul, NE	Between: I-25 Frontage Road (to e) and: Menaul (to n)

CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)
AC-22-12 (and other appeals) previously remanded after prevailing on appeals/Project 2022-007490/VA-2022-00239

Signature:		Date:	December 22, 2022
Printed Name:	Brian A. Thomas	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent	

FOR OFFICIAL USE ONLY					
Case Numbers	Action	Fees	Case Numbers	Action	Fees

Meeting/Hearing Date:		Fee Total:	
Staff Signature:		Date:	
		Project #	





Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

Administrative Decisions	Decisions Requiring a Public Meeting or Hearing	Policy Decisions
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<input type="checkbox"/> Historic Certificate of Appropriateness – Minor (Form L)	<input type="checkbox"/> Master Development Plan (Form P1)	<input type="checkbox"/> Adoption or Amendment of Historic Designation (Form L)
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input type="checkbox"/> Amendment of IDO Text (Form Z)
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<input type="checkbox"/> WTF Approval (Form W1)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	<input type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
		<b>Appeals</b>
		<input checked="" type="checkbox"/> Decision by EPC, LC, ZHE, or City Staff (Form A)

APPLICATION INFORMATION		
Applicant: LifeRoots, Inc. a New Mexico non-profit corporation	Phone: 505-255-5501	
Address: 1111 Menaul Boulevard, NE	Email:	
City: Albuquerque	State: NM	Zip: 87107
Professional/Agent (if any): Brian A. Thomas, Law Offices of Brian A. Thomas, P.C.	Phone: 505-293-1101	
Address: 2535 Wyoming Boulevard NE, Suite A	Email: bthomas@thomaslaw-nm.com	
City: Albuquerque	State: NM	Zip: 87112
Proprietary Interest in Site:	List <u>all</u> owners:	

BRIEF DESCRIPTION OF REQUEST
Appeal of issuance of a Temporary Permit for use of premises as a Safe Outdoor Space

SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)		
Lot or Tract No.: A-1	Block:	Unit:
Subdivision/Addition:	MRGCD Map No.: 36	UPC Code:
Zone Atlas Page(s): H-152	Existing Zoning: NR-LM	Proposed Zoning: NR-LM
# of Existing Lots: 1	# of Proposed Lots: 1	Total Area of Site (acres): 11.79

LOCATION OF PROPERTY BY STREETS		
Site Address/Street: 1250 Menaul, NE	Between: I-25 Frontage Road (to e)	and: Menaul (to n)

CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)
AC-22-12 (and other appeals) previously remanded after prevailing on appeals/Project 2022-007490/VA-2022-00239

Signature:	Date: December 22, 2022
Printed Name: Brian A. Thomas	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

FOR OFFICIAL USE ONLY					
Case Numbers	Action	Fees	Case Numbers	Action	Fees

Meeting/Hearing Date:	Fee Total:
Staff Signature:	Date:
	Project #

**CITY OF ALBUQUERQUE**  
**PLANNING DEPARTMENT**

IN RE:

APPLICATION BY "DAWN LEGACY POINTE'S"  
FOR SAFE OUTDOOR SPACE(S) FOR 1250 MENAUL NE,  
ALBUQUERQUE, NEW MEXICO

**NOTICE OF APPEAL BY LIFEROOTS, INC.**  
**AN IMPACTED NON-PROFIT COMPANY PROVIDING**  
**CARE AND PROGRAMMING TO THE DIFFERENTLY ABLED**

COMES NOW APPELLANT LifeROOTS, Inc., a New Mexico Non-Profit Corporation, recognized as a charitable institution, by and through its counsel of record, the Law Offices of Brian A. Thomas, P.C. (Brian A. Thomas) and submits this Notice of Appeal of a permit previously granted, and which is already on appeal.

**Introduction**

The City of Albuquerque's Planning Department, behind doors closed to the public, without notice to all impacted organizations and neighbors, did so arbitrarily and capriciously. Notice of Decision (Exhibit A). Neither the applicant nor the Planning Department gave notice to all interested, impacted, members of the community, and instead, the City of Albuquerque has continued to perpetuate its self-evident effort to avoid noticing adversely impacted neighbors, providing notice to disinterested non-neighbors, and otherwise violating the City's own ordinances. Notice List (Exhibit B).

In approving the initial permit, the Planning Department did so without due and adequate consideration of the massive adverse consequences to be imposed on a historically impoverished area of the City, unilaterally granted a permit to an

organization that virtually did not exist at the time of its application and has no operational history or competence and which plans to deploy assets that cannot be established, using management which is so poorly organized that they cannibalized documents from operations in other locations, and using a security plan which provides the community no security whatsoever.

In approving the permit a second time – following remand from the Land Use Hearing Officer, the City of Albuquerque appears to have provided LifeROOTS, Inc., with even less notice and completely excluded it from all pre-permitting processes, despite requests to be included. The City of Albuquerque intentionally ignored requests under the Inspection of Public Records Act, violating state law. The City of Albuquerque failed to give LifeROOTS, Inc., notice of the permit being approved, violating the Land Use Hearing Officer's express, written order on remand, an order that the City of Albuquerque publicly (and repeatedly) affirmed that it would follow.<sup>1</sup>

This cobbled-together set of sham procedures were used for the purposes of approving a privatized concentrated encampment enterprise, to be operated on public land. The City of Albuquerque, on its City-owned land could not operate an equivalent concentration of unhoused camping, and now proposes to relegate the task to a completely unprepared pseudo-organization which is really controlled by

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<sup>1</sup> LifeROOTS, Inc., was not the only appellant that the City of Albuquerque and the applicant ignored. Other previous appellants were also excluded, including neighbors, neighborhood associations, businesses, schools, and, it appears, anyone that the City of Albuquerque believed might oppose the application.

another pseudo-organization, neither of which have the capacity to independently perform the contract.

For its part, the Mayor of the City of Albuquerque hatched the crackpot scheme for “Safe Outdoor Spaces” as an outgrowth of the nightmare at Coronado Park. Mr. Keller, somewhat famously announced that he had no plan for the aftermath of closing Coronado Park, see, e.g., “We’re not going to wait any longer” Mayor says on closing Coronado Park, Albuquerque Journal, July 26, 2022 (Exhibit C) (quoting Mayor Keller as declaring ““It is not going to be something where every question is answered and every plan is thought out,” he said of the situation today. “We do not have the luxury of a perfect plan.”). Regrettably, the plan for this Safe Outdoor Space also, does not have a perfect plan, and worse, it has no plan.

For the part of the City of Albuquerque, Mayor Keller has announced that he wants to experiment, using the homeless community as the medium, and unwanted communities as the variable. When asked, just a few days ago, Mayor Keller suggested that Safe Outdoor Spaces were a tiny little thing, really, nothing at all. The reporter then asked:

Jessica: It’s tiny except if it’s happening in your neighborhood where they’re proposing one on the west side. One on I-25 and Menaul. It’s not tiny to them who are worried about these encampments being, you know, even if they’re safe outdoor spaces, worried about just their property values, worried about their kids playing outside. Worried about the elderly. You know, we’ve had an elderly family complaining because they’re right next door to the one that’s proposed at that church on the west side. What do you say to those people?

In response, Mayor Keller baldly declared:

Keller: We might not do them. So we’ll listen to their input. Some places make sense for them and some don’t. Right now, there are zero. So I don’t think this

is going anywhere fast anywhere in our city and we're not spending a lot of time and effort on it. We're just asking for the flexibility to experiment.

KRQE, Mayor Keller Talks About Homeless Issues Going into 2023, krqe.com, December 16, 2022 (Exhibit D). At the time of his statement, there were three approved Safe Outdoor Spaces, another two pending (once of which is presently under review), contrary to his statements to the media. At the same time, and with equal force, neither Mayor Keller nor his staff have met with LifeROOTS, Inc., and have deliberately, calculatedly, and intentionally excluded LifeROOTS, Inc from participating. So, while the Mayor of the City of Albuquerque openly discussed "listening" to the community, and heeding their concerns, he was doing the opposite.

Since the drug dealing, diseases, damage to neighbors and the downtown community from Coronado Park, the City of Albuquerque appears to see the entire matter as a grand social experiment where different disasters are visited on unwanted communities. The notion that the residents and businesses should be part of some sort of mad experiment because they are disposable is one more regrettable mishandling of the issues surrounding the unhoused without due consideration for the massive adverse consequences imposed on the nearby community, or the community at large.

The permit as granted, simply does nothing – nothing at all – to address the concerns of the broader community. It is based on no input from the nearby and impacted community whatsoever, and it does absolutely nothing to ameliorate the collateral consequences of the proposed Safe Outdoor Space. Accordingly, LifeROOTS has no option but to appeal.

For its part, LifeROOTS, Inc., is a New Mexico non-profit institution, a charitable institution recognized by state and federal law, which provides programing, medical support and services to children and adults who are differently abled. These programs include limited medical care and assessments, and the care is provided to fragile members of our society. The permit as issued places this community at dire risk of personal harm and ultimately threatens the viability of the organization because the safety and wellbeing of its participants and employees cannot be provided. The City of Albuquerque has offered nothing to LifeROOTS, Inc., to ensure the safety of its clients and employees, and the implementation of the permit will only have devastatingly adverse consequences on the clients and employees of LifeROOTS, Inc.

### **Standing to Appeal**

LifeROOTS, Inc. owns two buildings located at 1111 Menaul, NE, diagonally across the street from the proposed location for the concentrated encampment enterprise. A map showing the location is attached. Map (Exhibit E) (highlighted, showing LifeROOTS property). Using the metric required by the Land Use Hearing Officer, and the IDO (as opposed to the rule applied by the City of Albuquerque), LifeROOTS' property is within 100' of the boundary of the premises used for the Safe Outdoor Space, and accordingly, would have standing.

LifeROOTS additionally has standing because of present-day impacts from homeless activity, and the increase in that activity that it foresees caused by the permitted use. LifeROOTS is already directly impacted by a bus stop being placed immediately in front of its property, which is the source of transient trespass of

their property, a nearby Human Services Department office which drives significant pedestrian traffic through Appellant's property, together with the rampant criminality in the adjacent half-mile east of I-25, along Menaul. This traffic flow will increase over time, driven by making 1250 Menaul Boulevard a focal point for the transient community. Despite being secured in layers of gating, LifeROOTS vehicles are routinely vandalized or stolen, placing the wellbeing of differently abled participants in direct jeopardy.

LifeROOTS personnel regularly see emotionally or chemically unstable persons weaving in the Menaul roadway, on the median and crossing from south (roughly the area of the permit) to the north side of Menaul. LifeROOTS, Inc., no longer routinely allows its staff to walk to its own parking area unescorted and largely no longer calls law enforcement for assistance, since none will come except in the event of a violent crime. LifeROOTS, Inc's clientele and parents report being accosted in the parking lot at current, needles are routinely discovered in the wee hours of the morning along Menaul, and on the north side of the property. LifeROOTS's ability to function is already jeopardized by the City of Albuquerque's approach to crime and the unhoused in the area.

LifeROOTS reasonably believe that these patterns will accelerate, and not diminish, if this permit stands. Indeed, LifeROOTS, Inc., fully expects that if the permit stands, LifeROOTS will be compelled to consider selling its property, and closing its doors, diminishing services to the differently abled, reducing employment in the Albuquerque Metropolitan area, and further damaging an already damaged part of the City of Albuquerque. Accordingly, the Appellant believes that it

additionally has sufficient standing pursuant to the “Integrated” Design Ordinance (“IDO”) § 6-4(V)(2)(a)(4).

### **Timeliness of this Appeal**

Pursuant to the Notice of Decision, Exhibit A to this Appeal, the decision of the City of Albuquerque’s Planning Department was lodged on December 8, 2022, and accordingly, this appeal is timely. IDO § 6-4(V)(3)(a)(1). The Appellant was not provided notice by the applicant or the City of Albuquerque. There is no evidence that the Applicant or the City attempted to provide notice or engaged in a robust review process prior to issuing a permit to operate a “temporary” concentrated encampment enterprise. Because neither the Appellant nor the City provided LifeROOTS notice of this determination, this appeal would be timely at any point in time, nevertheless, it is timely relative to the issued notice of decision.

### **Underlying Property Subject to the Appealed Permit**

The real property that apparently is intended to host the purported permitted use is located at 1250 Menaul NE. Permit Application Package (Exhibit F). The property consists of more than 15 acres in two plots with varying zoning. Both parcels of land are owned by the City of Albuquerque. The two parcels can be described with Bernalillo County parcel ID/Plot numbers. The first is 101505924018931414CA, and the second is 101505927224131420CA. Both are referenced with the street address of 1205 Menaul, NE in county records.

One portion of the property as a whole is zoned NR-LM. The IDO describes that zoning category as intended “to accommodate moderate-intensity commercial, light assembly, fabrication, and light manufacturing uses, while buffering adjacent



lower-intensity, Residential and Mixed-use zone districts from the traffic, noise, and other impacts of those uses." This purpose does not fairly encompass the usage in the permit. To the contrary, the likely high volume of pedestrian and vehicular traffic will not buffer neighboring areas, but instead, it likely will burden those areas.

To similar effect, notwithstanding that it is coded for "non-residential" uses, the intended purpose of the permit is explicitly contradictory given that it is for semi-permanent encampment for residential purposes. The other parcel is apparently zoned somewhat differently. The property appears to contain a vacant warehouse, which is not even referenced in the permit application or notice of decision. The other parcel is zoned somewhat differently, and the vague information included in the application does not clarify substantively which parcel will be operated in which way, or what efforts would be undertaken to secure the other parcel. The vague, incoherent application, and the even more vague notice, should be considered to weigh against any permit issued by the City of Albuquerque.

### **Grounds for this Appeal**

This Appellant raises several important issues in the appeal, all triggered by the approval process, secretive and uninvolving the public, used by the City of Albuquerque and the applicant, for its approval.<sup>2</sup>

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<sup>2</sup> Appellant LifeROOTS, Inc., and in the interest in brevity, incorporates a number of the excellent arguments offered by the Santa Barbara-Martineztown Neighborhood Association in its appeal by this reference. Where the grounds set forth here reference similar arguments, the intent is to amplify the arguments made thus far, and where new arguments are offered, they are in addition to arguments previously made.

**I. The City of Albuquerque Has Failed to Consider and Mitigate the Collateral Impacts of the Permit.**

In connection with the permit, the City of Albuquerque has no plan whatsoever to address and mitigate the impacts on the surrounding property owners and community at large. To be clear, the collateral effects of camping are profound and represent real, actual dangers to members of the public. As public reporting has established, the City of Albuquerque's inability to provide safe areas for all members of the public means that public areas, funded by the public are now unusable by the public. Areas victimized by camping have discovered used needles, feces, and sometimes dead bodies. The failure to supervise public areas exposes the individual users to risk of rape and attempted murder or worse. The City of Albuquerque's inability to provide substantive law enforcement responses means that the public is growing unsafe in the community, and the lack of planning, from the Planning Department of the City of Albuquerque simply makes the residents of the City of Albuquerque more unsafe.

At it presently sits, commercial users of property no longer bother to report crime, since the City of Albuquerque apparently will not respond unless there is an imminent risk to life. Private owners of property are left to fend for themselves for much the same reason, and it is unsurprising that the City of Albuquerque has urged private property owners to retain their own armed security or suggested that additional sums be paid to the City for more effective law enforcement. There is no evident ability of the City of Albuquerque to provide sufficient crime-deterrence or prevention in this area, and nothing about the permit or its process suggests that the City of Albuquerque is prepared to do so.

The current permit simply disregards the impact on the community as a whole, entirely, making no mention of the impact on the community, managing the heightened risk imposed on the neighborhoods and businesses, and the public at large. Instead, the application and permit presume the agglomeration of crime visited on the area is simply irrelevant.

Similarly, the City of Albuquerque never considered what effect of the change of location would have to the rates of crime experienced in the area. Put differently, without the camp being emplaced and the concentration of unhoused semi-residents plopped in the immediate area, the area to the east, along Menaul is notorious for hotels that no longer rent by the night, restaurants that are unable to operate safely (and often, close permanently), truck stops noted more for their expansive a shadowed parking areas and generally, by the lawless effect that crime has on the neighbors and residents, the owners and operators of business and the devastation visited on the area by poor enforcement.

Nothing about the behind-closed-doors permitting process suggests that the City of Albuquerque considered what effect this permit would have by creating a new locus of these same concerns, under and immediately west of I-25. Put differently, adding to the areas visited with the uncontrolled occupancy by unhoused and those that prey on them simply means that the problem is shifted, not addressed. The City of Albuquerque has failed to have a plan – any plan – to address these matters, a fact that can be established by considering the admissions of the Mayor of the City of Albuquerque in connection with the slow-moving devastation of the area surrounding Coronado Park and The Rock, and his public reasons for

closing Coronado Park altogether. The need to close Coronado Park is not a reason to recreate that devastation on this land, in this community or in this way and the failure to consider the City's inability to administer it suggests that the permit was improvidently granted.

**A. The City of Albuquerque Failed to Address the Cultural Impacts of Granting this Permit.**

The operation of a privatized concentration encampment in a largely unpoliced area of the City has its own immediate consequences. However, the fact that the City and the applicant were privately negotiating for months in advance of applying suggests that the City was amply aware of the disproportionate nature of impacts to this part of the City and preferred to avoid the predictable backlash for, again, selecting a historically disadvantaged, non-Anglo-American section of the City for ruin. Known as a historic area of the City, indeed, one of the first areas developed in the early days of Albuquerque's creation, this area was known as a traditionally Hispanic community. Since then, the area has suffered waves of poor development choices, largely dictated by non-Hispanic decisionmakers.<sup>3</sup>

The community, even with these headwinds has fought to define itself positively. Nothing in the permit application or its grant, or even the IDO authorizes the City of Albuquerque to simply disregard the impact on the Community. To be

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<sup>3</sup> This particular concern has previously appeared in connection with the City's plan to site other homeless shelters, given that the City seems to select historically brown communities often with lower educational and income attainments to host these sites. These siting plans often come with no management or implementation plans to enhance or even stabilize the neighborhoods being obliged to suffer the siting. As a result, those same neighborhoods will continue to suffer even more challenge in overcoming economic and educational attainment challenges.

clear, the permitting process was so poor that it violated the IDO itself. As the IDO explains:

All structures, uses, and activities in any zone district shall be used or occupied to avoid creating any dangerous, injurious, noxious, or otherwise objectionable condition that would *create adverse impacts on the residents, employees, or visitors on the property itself or on neighboring properties*. Uses and activities that operate in violation of applicable State or federal statutes or this IDO are violations of this Section 14-16-5-13 and shall be subject to the penalties of Section 14-16-6-9 (Violations, Enforcement, and Penalties). Property owner responsibilities under this Section include, but are not limited to, compliance with the following standards.

IDO § 5-13(A) (emphasis added); *see also* IDO § 5-13(B)(11) (“All vacant property shall be maintained in a clean condition, free of nuisances, and in compliance with Articles 9-8 and 9-10 of ROA 1994 (Weeds, Litter and Snow and Solid Waste Management and Recycling) and Section 14-3-5-14 of ROA 1994 (Vacant Building Maintenance).”). There simply is nothing in the permitting process that appears to address the predictable likelihood of a nuisance being created that is not wildly dissimilar from Coronado Park, a fetid disaster of drug dealing, prostitution and murder.

Nor, having even more time to consider the collateral and community impacts as required by the IDO, has the City of Albuquerque made an effort to do so here. It is not accidental that another granted permit is less than a mile from Appellant’s business, or 1250 Menaul, and the City of Albuquerque has done nothing to study, measure, or even admit that the density of sites has a collateral, magnifying effect.

This same magnifying, collateral effect means that a homeless population will migrate aggressively up and down Menaul – downtown to shelters and feeding sites,

uptown to feeding sites and revenue opportunities. In the local sense, the City of Albuquerque must have studied the impact of hosting a 50 tent site, and the peripheral visitors to the site, the hangers-on, on nearby businesses. For example, would make adjacent (across the street, in two directions) safer, or would it be a focal point? Would it draw the ancillary unhoused here? Would it make the nearby memorial park – dedicated to honoring the deceased and their families, more likely to host feces and needles on the graves of dead children or less?

These are the sorts of questions that must have been asked in a competent, thoughtful, inclusive, grounded project. Instead, this permit is a fanciful experiment, using the unhoused to “give it a whirl” at the expense of those who live, work, and actually invest in this community. The permitting process’s failure, and the City of Albuquerque’s conspiratorial advanced planning with a preapproved (and yet virtually non-existent) applicant simply defies belief when the net outcome from the permit is uncontrolled devastation on a community of color.

## **II. The Expedited Appeal Process is Fundamentally Flawed and Outcome-Driven.**

Neither the City nor the applicant notified impacted neighbors regarding the permit and the issues that it represented. Even after losing the first appeal on notice grounds, once again, the City of Albuquerque and the Appellant again failed to provide notice to impacted neighbors, and somewhat evidently, did not try.

During the first permitting process, based on public statements from advocates associated with the applicant, the City of Albuquerque and the applicant had begun private negotiations. These negotiations included promises to provide substantial funding, without competitive bidding or a procurement process, and all

to a business entity that was cobbled together just a day or two before the application formally was submitted.<sup>4</sup> The organization has no track record of performing any activity whatsoever, much less specific to the matters in the permit or the ability to implement a contract prospectively.

As a result, the “negotiations” are nothing less than calculated to impose adverse consequences on a community without a plan to even consider them, much less ameliorate them. There are no substantive performance criteria, no means of assessment, no inherently qualifications possessed by the applicant, instead, the permit application simply presupposes that there would never even be a negative outcome.

With no standards being expressed for programing, integration with existing unhoused-aimed services (which there are many), and how an applicant meets or fails to meet requirements for management and site security, there will be no oversight or guarantee of safety for residents of the encampments and the neighboring properties. In effect, what is left is a policy of nothing, and the legislation of a disaster that will victimize those closest to it – the unhoused and the area surrounding these ad hoc privatized encampment concentrations.

Compounding this aspect, and especially given that the entity being licensed is asset-free, there is simply no showing whatsoever that it is capable of addressing the profound liabilities to the neighborhood and the harms that could reasonably be attributed to its unilateral decision-making. Indeed, there is no evidence that Dawn

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<sup>4</sup> The application to form the entity was made on July 26, 2022, but not processed until the day after the application for the permit was granted.

Legacy Pointe bears any risk in the transaction whatsoever because it has no assets, no competency, and it has no obligation to clean up a disaster after the fact. Nor, is the City's involvement a guarantee of any positive outcome, given the management debacle at Coronado Park. Given that the City of Albuquerque already cannot provide safety to its citizens, the notion that an encampment and the safety of the surrounding areas are simply irrelevant is irresponsible, arbitrary and capricious decision-making.

The notion that a non-existent business entity – an empty shell – should be given leave to operate a non-existent, privatized concentration of unhoused camping enterprise, when they have no skill, experience, competency, and no assets simply invites an irresponsible operator to devastate the area further, placing children and adults, homes and businesses, and those lying in repose, in jeopardy.

**III. Good Cause Exists to Infer that “Dawn Legacy Pointe” is Ill-Prepared to Engage in the Permitted Activities.**

Based on the application, and in addition to the foregoing, there are reasons to infer that the applicant is not prepared to engage in the permitted activity. These include the following:

a. The materials submitted with the application are apparently taken from another community. The documents are, to put it gently, are deeply confusing and likely willfully deceptive, given that Camp Hope, in Las Cruces, New Mexico is a government rehousing process, where this encampment is simply a locus of tenting with uncontrolled access surrounding it.

These materials reflect an intention to permit vehicle parking, car-camping, and to allow the site to host sex offenders mere blocks from an elementary school.



There is no evidence that the Applicant is capable of running a robust background check of residents, and given that the City of Albuquerque appears to want to work a “no hands, no responsibility” engagement with “Dawn Legacy Pointe,” it is not clear how residents and members of the community could have trust or confidence that the Applicant, much less the City, would comply with sex offender registration requirements. Instead, the process seems to ignore this, benignly seeming to risk placing children and sex offenders in or near the same camp, without any effort to ensure that minors are protected.<sup>5</sup>

b. The unsigned, vague narrative in the application does not even include the entity’s name, or deliverables. Nothing in the application reflects substantive commitments to provide safety, security, transition to rehousing, or reflects a plan. Instead, it reflects an aspirational hope to visit a camp on 1250 Menaul, NE and to see what comes after. The notion that experimental approaches should be undertaken with the lives of the unhoused and the neighbors being obliged to bear their aftermath is simply irresponsible.

c. There is no evidence that “Dawn Legacy Pointe” has employees, is prepared to contract, or is capable of being insured. It is not even clear that it has a bank account, given that its formation. It is not clear that it is prepared to hire employees, or even has the administrative capacity to do so. Instead, it appears to be connected to another advocacy group that the principally advertises that “We

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<sup>5</sup> The unsigned, undated narrative statement from the Applicant seems to suggest that only women will be permitted in the encampment. However, the rules proposed for the concentrated camping enterprise do not express those rules, and nothing in the permit requires such a restriction. The lack of any restrictions suggests that the permit is unconstitutionally vague and the process used to grant it arbitrary and capricious.

don't sit around and talk about how to best advocate for the people we serve, clutching our pearls and measuring our words." The website refers to guerilla war, and nonconforming approaches. As above, the question is not whether there is a guerilla war underway, the question is whether the permit as issued is consistent with the IDO and the requirements for privatized concentrations of unhoused camping, and whether the application and the even more vague permit are unconstitutionally defective.

d. Nothing in the package purports to address area security. None of the documents included in the application constitute a business or safety plan, and barely constitute a form of an application, given that the criteria that would constitute a nuisance, or how its operators proposed to avoid that. Given the prevalence of drug dealing, prostitution, property damage, vandalism, discovery of feces and needles, and the other ancillary impacts around other focal points for encampments of unhoused, at a minimum the permitting process should transparently disclose how it is going to avoid those, prevent those, and ensure that the neighboring properties were not simply a dumping ground for the predictable consequences from encampments.

The consequences are considered to be substantial, often permanent and requiring substantial remediation:

Encampments can pose public health and safety hazards to encampment residents and to surrounding neighborhoods and businesses. Those hazards include human waste, used needles, rodents, disease, and criminal activity (primarily drug use and prostitution). Encampments also can cause negative impacts on the natural environment. Trash and waste from people living in encampment settings without access to regular sanitation services can pollute waterways and soil.

City Approaches to Encampments and What they Cost, U.S. Housing and Urban Development at 18. The cost of attending to encampments (for more than cleaning the aftermath, to be sure) is not immaterial. In its 2019 study, HUD reviewed four cities, and reported that the costs were typically multiple millions of dollars per city, with a cost per unsheltered resident as high as \$6,000 per resident and the cost of addressing encampments into the millions. The City of Albuquerque has not created the budget capacity to remove even this encampment.

This points to two other failures of the permitting process – the failure to address routine cleaning of the site and the failure to address its permanent removal after the expiration of the permit. The failure to address these issues suggests that the permitting process is not sufficient, final, or publicly disclosed. Either the City of Albuquerque intends its “temporary” permit to permanently site a potential hazardous site on this particular community and has carefully obfuscated this fact, or it is temporary, in which case the conditions for removal have not been explained by either the permittee’s application, or by conditions of approval.

e. In addition to the foregoing, the plan is fundamentally deficient. For example, there is simply no way for the “Dawn Legacy Pointe” managers to ensure that the rules for the facility are being followed, even fewer to ensure that law enforcement would be substantially available to enforce them in the context of criminal conduct. A cellular contact number for APD is hardly sufficient when APD’s response times can be hours if at all. Even if APD is available to enforce private obligations of residents of a privatized concentration of unhoused camping, the cumulative impact will be even more damaging than the devastation of Coronado

Park, where the encampment simply requires endless calls for service, draining the exceptionally limited resources of a law enforcement agency that already has lost its capacity to respond.

f. The Permit Application is Facially Incomplete. In the application and agreement documents, the Applicant is required to enter into “Good Neighbor Agreements” with impacted property owners. Neither the City nor the Applicant have undertaken this, formed good neighbor agreements, and as it relates to LifeROOTS, have completely failed to provide any notice or any substantive contact with LifeROOTS whatsoever (and, it appears, intentionally worked to avoid doing so, despite repeated requests, including, now two different appeals).

**IV. In Light of the Value of the Property, the City has Higher and Better Uses for the Parcels Subject to the Permit.**

As a form of a fiduciary of its citizens – all of them – the City of Albuquerque has duties to manage the City owned land for the betterment of all citizens. The parcels subject to the permit have potential taxable value of nearly \$3.5 million, and in an area of the City ripe for responsible, modern development. The area of the City is one in which residential property is in high demand, as is warehouse-eligible land. On the other hand, the land is not particularly scenic, despite its excellent access to the Interstates nearby. A wide variety of commercial purposes would improve the revenue generation for the City of Albuquerque, support job growth, and generally contribute to the well-being of the community and this particular area of the City of Albuquerque. The permitting process did not consider these purposes, or other competing locations for a permit, and thus is arbitrary and capricious.

**V. This Appeal is Authorized by the Appellant**

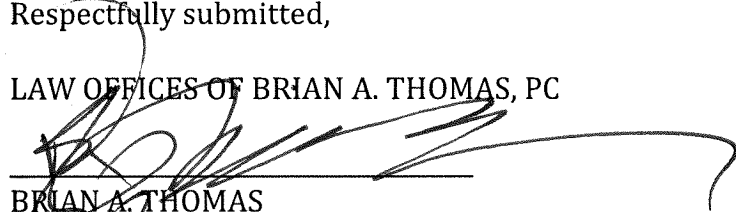
Pursuant to the IDO, this appeal, on behalf of LifeROOTS, Inc., is hereby authorized by its Chief Executive Officer. Letter of Authorization (Exhibit G).

**Relief Sought**

The Appellant respectfully requests that the decisions attached as Exhibit A be reversed, and that the permit be withdrawn.

Respectfully submitted,

LAW OFFICES OF BRIAN A. THOMAS, PC



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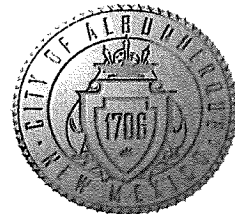
BRIAN A. THOMAS  
2535 Wyoming Boulevard, NE, Suite A  
Albuquerque, NM 87112  
(505) 293-1101



# CITY OF ALBUQUERQUE

## CODE ENFORCEMENT

Plaza Del Sol Building, Suite 500  
600 2<sup>nd</sup> Street NW  
Albuquerque, NM 87102  
Tel: (505) 924-3850 Fax: (505) 924-3847



December 8, 2022

Dawn Legacy Pointe  
8409 Central Ave NE  
Albuquerque, NM 87108

### **RE: Safe Outdoor Space Location Application Approval Notification**

**Location Address:** 1250 Menaul NE, Albuquerque NM 87102

**Legal Description:** RIGHT OF WAY ACCESS CONTROL & MONUMENTATION MAP OF NEW MEXICO STATE HIGHWAY & TRANSPORTATION DEPARTMENT SPRINGER-SPEECHLY TR A-1 CONT 11.7263 AC

**Parcel ID:** 101505924018931414CA

Operator of Safe Outdoor Space:  
**Dawn Legacy Pointe**

Integrated Development Ordinance (IDO) Zone:  
**NON-RESIDENTIAL – LIGHT MANUFACTURING (NR-LM)**

The Safe Outdoor Space Location Application for this location address is APPROVED.

This notification certifies that the requirements for zoning and in the IDO have been satisfied for the above location. This approval is limited to Safe Outdoor Space. If you are NOT a religious institution, a \$75 Temporary Use Permit fee must be paid prior to operating.

Depending on the specific nature of Safe Outdoor Space activities at this location, additional City approvals may be required including, but not limited to, Fire Marshal's Office inspection(s), and Building Safety inspection(s) for remodeling and/or construction. During operation, the Safe Outdoor Space shall remain in compliance with all applicable codes and regulations. Unless the operator is a religious institution, this approval is valid for a period of up to two (2) years. After two (2) years, an application must be submitted for up to an additional two (2) years.

If the above-named Safe Outdoor Space is not operating at this location within 180 days of this approval notification, this Safe Outdoor Space Location Approval will expire and the location shall no longer be reserved for the above-named Safe Outdoor Space, unless a written extension has been granted by the Planning Department.

Sincerely,

  
Angelo E. Metzgar,  
Code Compliance Manager







✓ ~~ALB BOCA HOTEL LIMITED PRSHP~~  
1000 MARKET ST BLDG 1  
PORTSMOUTH NH 03801

✓ ~~CITY OF ALBUQUERQUE~~  
PO BOX 2248  
ALBUQUERQUE NM 87103-2248

✓ ~~DCI DONOR SERVICES INC~~  
1633 CHURCH ST SUITE 500  
NASHVILLE TN 37203-2948

✓ ~~ALB BOCA HOTEL LIMITED PRSHP~~  
1000 MARKET ST BLDG 1  
PORTSMOUTH NH 03801

✓ ~~T-MOBILE PCS HOLDINGS LLC~~  
12920 SE 38TH ST  
BELLEVUE WA 98006-1350

✓ ~~ARCHDIOCESE SANTA FE CEMETERY~~  
CATHOLIC SERVICE BLDG  
4000 ST JOSEPHS PL NW  
ALBUQUERQUE NM 87120-1714

✓ ~~M-F PARTNERSHIP~~  
PO BOX 35280  
ALBUQUERQUE NM 87176-5280

✓ ~~SUNSET MEMORIAL PARK~~  
PO BOX 25063  
ALBUQUERQUE NM 87125-0063

✓ ~~ABQ 1701 LLC~~  
3304 W HISTORIC HWY 66  
GALLUP NM 87301-6841

✓ ~~BFAR HOTELS GROUP INCORPORATED~~  
200 MILL ST  
RENO NV 89501-1535

✓ ~~ALBUQ METROPOLITAN BOARD OF~~  
REALTORS INC  
1635 UNIVERSITY BLVD NE  
ALBUQUERQUE NM 87102

✓ ~~CFF II SUN VILLAGE LLC & CSA II SUN~~  
VILLAGE LLC C/O JESSE MCBAY  
8012 BEE CAVES RD SUITE 300  
AUSTIN TX 78746-4902

✓ ~~1509 UNIVERSITY BLVD NM LLC~~  
4525 WILSHIRE BLVD SUITE 210  
LOS ANGELES CA 90010-3846

✓ ~~ALB BOCA HOTEL LIMITED PRSHP C/O~~  
OCEAN PROPS ATTN: N HEBERT  
1000 MARKET ST UNIT 1  
PORTSMOUTH NH 03801-3358

✓ ~~ASSOCIATED GENERAL CONTRS~~  
1615 UNIVERSITY BLVD NE  
ALBUQUERQUE NM 87102

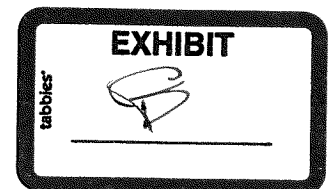
✓ ~~CHAMISA PROPERTIES LLC~~  
1617 UNIVERSITY BLVD NE  
ALBUQUERQUE NM 87102

✓ ~~GAECHTER OUTDOOR ADVERTISING INC~~  
C/O MIKE GAECHTER PRESIDENT  
13 HORIZON DR  
FRISCO TX 75034-6840

✓ ~~GREATER ALBUQUERQUE ASSOCIATION~~  
OF REALTORS INC  
1635 UNIVERSITY AVE NE  
ALBUQUERQUE NM 87102-1710

✓ ~~TA OPERATING CORPORATION C/O TAX~~  
DEPARTMENT  
24601 CENTER RIDGE RD  
WESTLAKE OH 44145-5634

✓ ~~JMDH REAL ESTATE OF ALBUQUERQUE~~  
LLC ATTN: CEO  
1710 WHITESTONE EXPRESSWAY  
FLUSHING NY 11357





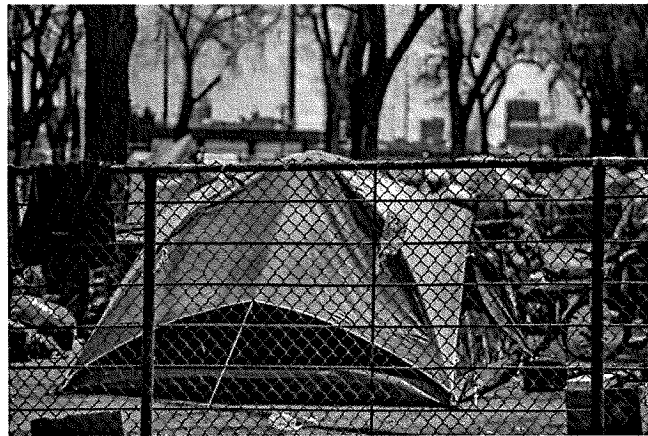


# 'We're not going to wait any longer,' mayor says of Coronado Park

BY JESSICA DYER AND RICK NATHANSON / JOURNAL STAFF WRITERS

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UPDATED: TUESDAY, JULY 26TH, 2022 AT 11:15PM



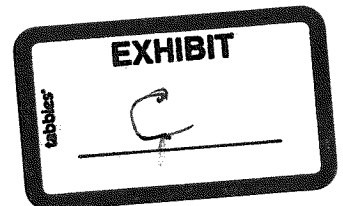
The city of Albuquerque plans to close Coronado Park in August. (Roberto E. Rosales/Journal)

*Copyright © 2022 Albuquerque Journal*

Calling it “the most dangerous place in the state of New Mexico,” Albuquerque Mayor Tim Keller says closing Coronado Park is imperative, even without a fully formed plan for how to do it and what happens next.

A day after announcing the park’s impending closure, Keller provided more insight into why he is shuttering the park that hosts one of the city’s largest un-sanctioned homeless encampments. He said he had to act due to the rampant criminal activity and to preserve any chance the city has of using it as a park in the future.

“We’re not going to wait any longer,” the mayor said Tuesday during a media briefing near the park where dozens of people were congregated around tents and other makeshift shelters. “We have all the evidence we need that says that we have to do something different.”



Some people who live at the park agree that it is unsafe, but say the city should not shut it down.

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Albuquerque's mayor has announced that Coronado Park will close in August. The park, which is located near 2nd street and I-40, currently houses many homeless people. (Roberto E. Rosales/Albuquerque Journal)

“This place is dangerous, it’s a nuisance, and it’s unfortunate that people in our situation cannot be nice and coexist with each other, but it really sucks to see this park go because this is the only place where we have community and can be together,” William Cole, 37, told a Journal reporter Tuesday.

He also offered a warning: “If we spread out throughout the city, it’s not really good for nobody.”

Officials say as many as 120 people currently camp at the park and that all will be offered services, such as a shelter bed, before the park is locked up some time in August. Keller said there is a sufficient supply of open shelter beds to accommodate all of the park’s current residents.

A recent survey of 71 people in the park found that 10 had already qualified for and received a voucher for rental assistance, said Carol Pierce, director of the city’s Family and Community Services Department.

“We want to really work with them intensively to figure out what are the barriers to using that housing voucher and get them safely housed,” Pierce said.

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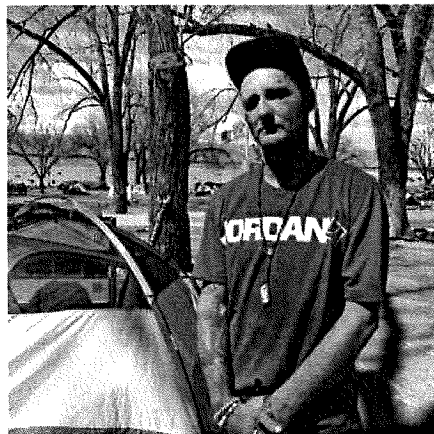
The mayor acknowledged that the closure would be a messy process and that dispersing park residents could create other problems.

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He also reiterated that no decision has been made about the park's specific closure date and what will happen long term to the property near Third and Interstate 40. He said options include reopening it as a park, using it for the neighboring fire station's expansion or turning it into a "safe outdoor space" – a managed site with rules, toilets and showers where people who are homeless can legally camp.

"It is not going to be something where every question is answered and every plan is thought out," he said of the situation today. "We do not have the luxury of a perfect plan."

Keller on Tuesday pushed back against criticism that he made the closure decision without first notifying or consulting with key constituencies, such as the area neighborhood association. Keller had said a few weeks ago that his administration would have a new plan for Coronado Park by the end of July, so he said the news should not have been a surprise. He said the city would now begin sorting out the closure details and future plans with service providers, park residents, neighbors and other elected officials.



William Cole offered a warning about shutting Coronado Park: "If we spread out throughout the city, it's not really good for nobody." (Rick Nathanson/Albuquerque Journal)

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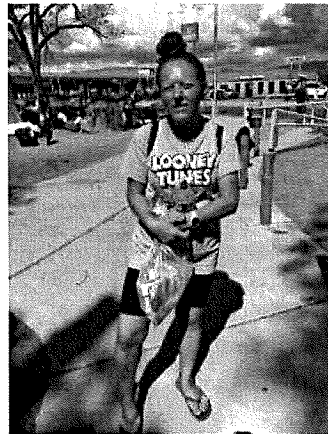
"This is the first step. We welcome everyone to help us problem-solve, but someone has to step up and make a decision," he said. "And that's what people elected me to do."

Keller repeatedly cited the park's public safety issues, including five homicides over the past few years. Journal reporting shows four homicides at the park and another near the park since April 2018.

Albuquerque Police Lt. Nick Wheeler told reporters Tuesday that officers had responded to the park 651 times in 2021 and 312 times so far in 2022. He said criminal activity had spiked at the park over the past three years, though neither he nor a department spokeswoman were immediately able to provide data charting the calls for service to the park over the past decade.

Wheeler also said there had been 16 stabbings at the park in the past two years, including one last week, and that, in the past 30 days, law enforcement had seized from the park 4,500 fentanyl pills, more than 5 pounds of methamphetamine, 24 grams of heroin and 29 grams of cocaine. All those drugs were tied to a single bust in late June that occurred at a nearby motel, not the park, though an APD spokeswoman said the suspect was "mainly doing all their distributions (at the park)."

People who live in Coronado Park agree it has problems.



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Brandy Page says that, despite Coronado being dangerous, and having her belongings stolen once again at the park, she believes it "should not be completely shut down." (Rick Nathanson/Albuquerque Journal)

"Yeah, this place is dangerous. There's drugs, alcohol, there are fights here constantly and something should be done to control all that," said Brandy Page, 39, who has lived on and off at Coronado Park for six months.

She said all of her stuff was stolen "for the 20th time" on Monday night. Despite that, she said the park residents

'We're not going to wait any longer,' mayor says of Coronado Park - Albuquerque Journal

"have a right to live somewhere, and in no way do I think it should be completely shut down."

She said she did not want to stay in a shelter – a common sentiment.

Homeless for much of the past eight years, 56-year-old Oriol Chavez said he has stayed in shelters before and, even though Coronado Park "is very, very dangerous," he does not want to stay in a shelter.

He said he feels he now has "nowhere to go."

Not everyone agrees that Coronado is menacing. Sol Badguy, as he calls himself, said that "there are dangerous moments here, but there are dangerous moments everywhere – you can be safe in your home, and somebody can come in and hurt you there."

For him and others, Coronado "is not just a park for us, it's our home, and I think it's wrong that Mayor Keller wants to take away our home."

Badguy came to Albuquerque from New Orleans, where he was displaced by Hurricane Katrina in 2005. He said he refuses to stay in a shelter because it would be like being in captivity. "That's treating us like animals, and that's not OK."

Home » ABQnews Seeker » **'We're not going to wait any longer,' mayor says of Coronado Park**

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ALBUQUERQUE NEWS

### Mayor Keller talks about homelessness issues going into 2023

by: [Scott Brown](#), [Jessica Garate](#)  
Posted: Dec 15, 2022 / 05:30 PM MST  
Updated: Dec 16, 2022 / 05:18 AM MST

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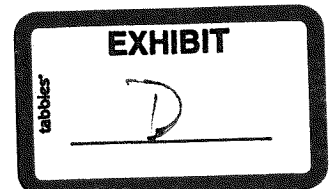
ALBUQUERQUE, N.M. (KRQE) – As 2022 wraps up, News 13 sat down with Albuquerque Mayor Tim Keller for an in-depth look at the issues facing our city. He talked about the homeless problem and why he thinks the city will start seeing a difference next year.

“You know, it’s a major issue and all around the country and certainly, right here in Albuquerque,” Mayor Keller said. During his five years in office, the mayor of Albuquerque spent a lot of time and resources trying to solve the city’s homeless problem.

**Heading Home gets contract with Gateway Center >**

When asked what his assessment of where the homeless problem stands currently and whether it’s fixable, he says, “I’m not sure because it depends on national trends, but I do know there are major things that we have in the works that are going to make a difference that I think people are going to see when they drive through Albuquerque or they’re out and about. You’re going to notice a difference.”

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health treatment area. That's another 40 beds. So by March, we should have about 500 people getting help every day in the old Lovelace Hospital. And by this time, that time next year, the following year, we should have 1,000 people in Albuquerque getting out there. And that's what we need because the problem is so big, but if you take 1,000 people off the street like we're going to notice in a good way." News 13 asked the Mayor what happens when the homeless don't want to go to the new shelter.

**Survey shows what the homeless would like to see at Albuquerque Gateway Center >**

Back in August, when the city closed Coronado Park, the mayor said everyone there was offered a bed and services. Most of them refused the help, a problem the city's outreach workers encounter every day on the streets.

News 13 asked the mayor if he would support a similar proposal to New York City's. The mayor there has ordered police and emergency medical workers to hospitalize people deemed too mentally ill to care for themselves, even if they're not a threat to others.

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"But we have to have somewhere to take folks, and this is the problem in New Mexico," Mayor Keller said. "Right now, on a Saturday afternoon, whether there's somebody who's addicted or they're mentally ill, there is literally nowhere they can go, or we can take them, other than the emergency room or jail - and neither of those are good answers. And that's why the Gateway Center is so important. So this 24/7 first responder drop-off is a gateway into treatment and staying off the street. And until our city has this, we will not be able to make progress or even try new ideas. Because right now, what they're trying in New York would never work with our consent decree, [and] would also never work with where we're at with behavioral health. It's just not even feasible here," Keller said.

**City begins filling key positions for Gateway Center >**

When asked what the city will do when someone says they don't want help? "Well, eventually, we're not going to let him sleep on the streets. We're not going to let him do that," Mayor Keller said.

That's because the mayor says another goal is increasing housing. "So we're short 30,000 houses and this has now been well-studied. And so right now, going through council in this winter are some zoning changes that are going to determine the future of Albuquerque," said Keller. "Whether we're going to be sort of flat and spread out, sort of like a Dallas or a Phoenix, or whether we're going to sort of grow with more infill with casitas and things like that. That will all be determined this winter and it'll define our city landscape for a decade."

And, with more housing, "[an] increased number of housing vouchers, or increased availability of housing, and then we can actually say, 'yeah, you can't just live on the street.' I mean, that's the end goal but it's also because you can actually go to a shelter or housing," said Mayor Keller.

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The mayor's third plan to help with homelessness, he says is already working. The city's new Community Safety Department, a team responding to 911 calls for mental health, substance use, and homelessness.

"That is an alternative response that is taking 21,000 calls away from APD and a lot of them are down and outs or add<sup>n</sup> on issues or mental

### Mayor Keller talks 3-point plan for homeless problem

News 13 also asked the mayor about the controversial plan for sanctioned homeless camps across the city. "but I've never said it's really going to move the needle on homelessness in the city," said Keller. "It was actually council's idea that I agreed to and then they changed their mind. So I think this is really, it's much ado about a small thing. And I just think it's a tiny tool and I need every tool, so I'll take a tiny one too."

*Jessica: It's tiny except if it's happening in your neighborhood where they're proposing one on the west side. One on I-25 and Menaul. It's not tiny to them who are worried about these encampments being, you know, even if they're safe outdoor spaces, worried about just their property values, worried about their kids playing outside. Worried about the elderly. You know, we've had an elderly family complaining because they're right next door to the one that's proposed at that church on the west side. What do you say to those people?*

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*Keller: We might not do them. So we'll listen to their input. Some places make sense for them and some don't. Right now, there are zero. So I don't think this is going anywhere fast anywhere in our city and we're not spending a lot of time and effort on it. We're just asking for the flexibility to experiment.*

He says to tackle the city's homeless problem, he's had to make tough decisions. "No one wants any of this in their neighborhood. But the reality is, it's here anyway. And I would rather have a safe, secure place where people can get treatment than just people sleeping in my yard," says Keller. "And that's the fundamental choice for the whole city. And so, you know, these treatment centers have to go somewhere. And I represent the whole city and so I will certainly look on an individual basis, what makes sense and what doesn't. But in general, we have to build more housing and we have to have more shelter space and we got to put them somewhere in the city. So that's just part of having to lead and make those tough decisions, putting the greater city ahead of perhaps one neighborhood."

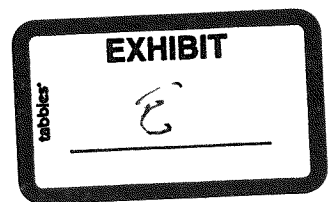
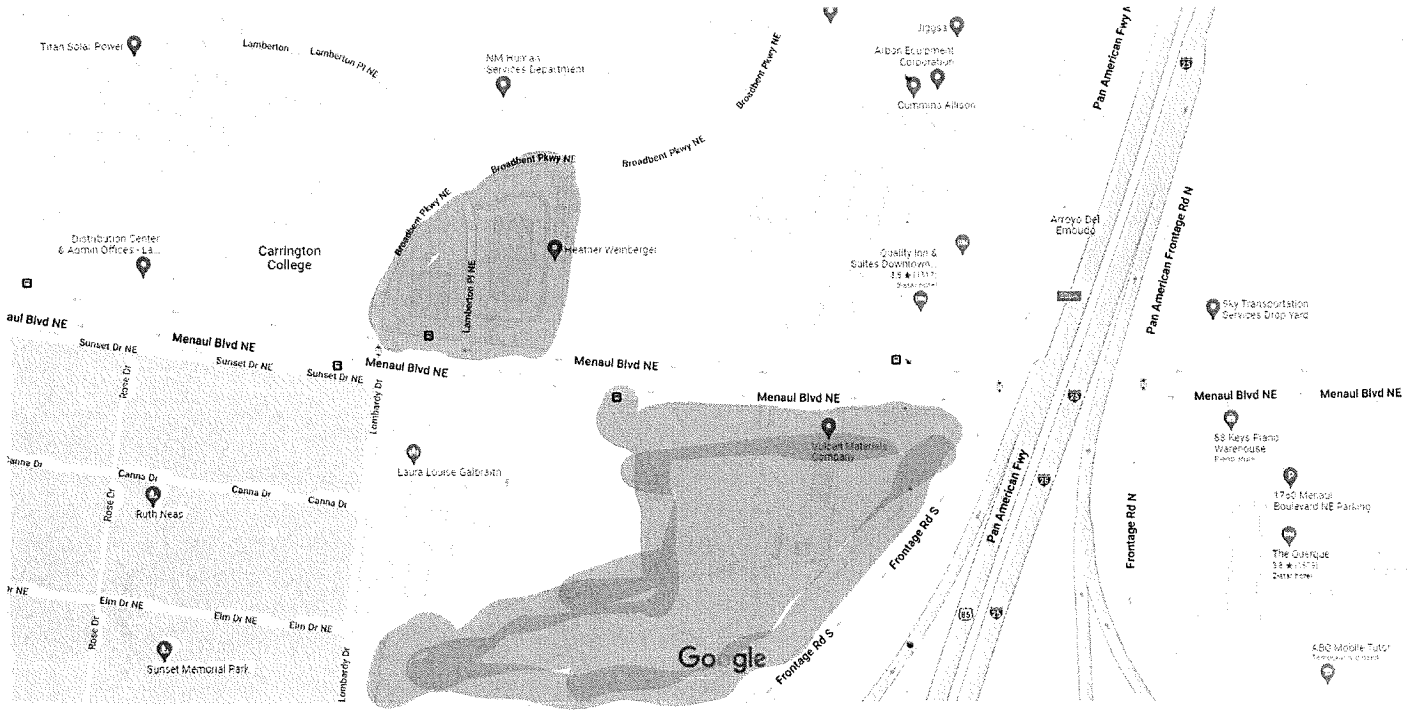
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#### AROUND THE WEB






Google Maps





REVIEWED BY FCS 8/11/22

  
Elizabeth Helgin

## SAFE OUTDOOR SPACES OPERATIONAL/SECURITY PLAN

How do we get them in the door?

Once the facility is ready, the SOS Manager and the person selected for Outreach will begin visiting the encampments that are ranked in order of priority, as far as the need to disband them and get the individuals in a secure situation with the basic services they need.

The description of what is available at the Safe Outdoor Space is made clear to the individuals that are spoken to. (If the Mayor and ABQ Police Dept. have decided to enforce the trespassing laws that apply especially to City Parks, that enforcement will be made clear to the person - it may help them to decide they would like to apply for a designated space.)

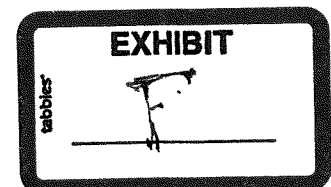
If they decide they would like to apply, the Outreach person will sit down with the individual and review the Registration form and fill in as much as possible.

A decision has to be made as to whether the individual will be able to reside in the Safe Outdoor Space. The SOS Manager has to have experience in dealing with mental illness, drug and alcohol addiction, and how this person would be able to handle the Rules for being in a designated space.

Not everyone will be a good fit. Those who have become homeless because of circumstances beyond their control; those who want to work but need a permanent place to clean up, receive mail, and get help obtaining a job are going to be at the top of the list as far as securing a space. We will take people who do take drugs, drink alcohol - but none of that is allowed when in the facility, and they have to follow the rules. Sex offenders will not be accepted as required by Safe Outdoor Spaces amendments passed by the City Council of Albuquerque.

We will coordinate with the other Non-Profits that can offer services that will help our residents. Being in 1 place is going to be really efficient for them - I have spoken with many of them and they feel this will be a big improvement over what they have to do now - track the people down that need help. Our Registration Form will help determine which individuals to work with, thus further increasing efficiency.

Once the individual signs the necessary paperwork, then we have to get them and their personal belongings to the Safe Outdoor Space. We are going to need a van or pickup truck to be able to do that.



This is critical: the reason the ABQ police will be able to enforce the trespassing laws is that homeless individuals will be able to go to an alternative location where they are not trespassing, AND take their personal property with them.

What happens after individuals are assigned a Designated Space?

Once in the Safe Outdoor Space, the Rules and service requirements (6 hours per week) will apply.

There is 1 mandatory meeting per month for all residents. Additionally, there is a meeting every week to discuss what is going on in the Safe Outdoor Space, solve problems that arise, etc.

There is an ONSITE Manager and an ASSISTANT who will help oversee the operation of the Safe Outdoor Space daily. The SOS Manager is off site after hours, but available if there is an emergency. Both ONSITE Manager and ASSISTANT will be supplied with cell phones to be able to communicate with police and the SOS Manager.

Scheduling for Security and Cleanup will be done by the onsite management. If a resident fails to show up for their scheduled duty, one of the onsite managers will fill in.

There will be 6' fencing with screening (like a tennis court) and gates around the Safe Outdoor Space. The gates will be open from 7:00am to 8:00pm, then they will be locked for the night. There will also be a Safety Shack for the residents on security to occupy; it will have lights and other necessary equipment to perform their duties.

All requirements for Safe Outdoor Spaces will be observed based upon amendments passed by the City Council of Albuquerque, New Mexico.

Initially, the Safe Outdoor Spaces will have temporary and portable showers, bathrooms, hand washing stations, and meeting spaces. If the City Council removes the temporary edict, then permanent structures will be built to provide the above.



SAFE OUTDOOR SPACE REGISTRATION FORM

Full Name/Nickname:

Date of Intake:

D.O.B./Age:

Date of Entry:

Race/Language:

Date vacated:

Gender:

Veteran:

Health Concerns:

Pets:

Resident has read Rules \_\_\_\_\_

Staff Signature: \_\_\_\_\_

Status:

I hereby acknowledge that Safe Outdoor Spaces works closely with all branches of Law Enforcement. Safe Outdoor Spaces will not shelter residents absconding from the law and will assist law enforcement officials with vacating residents with open warrants.

Sign: \_\_\_\_\_

Employment: periodic – p/t – f/t- day labor

Income: Disability – Gen. Assist. – SSI-SSDI – SNAP – Retirement – Veteran

Received:

Basic Needs: ID – Birth Certificate – Social Security Card

Seeking Housing: Yes No Housing Received:

Education: GED – College – Vocational Potential residents will be screened for housing barriers. If you have zero barriers to housing and are not working with a Housing Case Manager, tenancy if denied at intake.



CM Init: ANON   
 TRANSLATOR  New?

## INTAKE REPORT TRACKING

Last Name,      First Name

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_ Intake Date: \_\_\_\_\_  
 Ethnicity: \_\_\_\_\_ Race: \_\_\_\_\_ Veteran: \_\_\_\_\_ Education \_\_\_\_\_  
 Birth Date: \_\_\_\_\_ Social Security Number: \_\_\_\_\_  
 Married:  Single:  Div.:  Sep.:  Wid.:  Partner  Referred by: \_\_\_\_\_  
 Past Month's Residence: \_\_\_\_\_ Current: \_\_\_\_\_  
 Number of continuous months homeless: \_\_\_\_\_ Number of times homeless in past 3 yrs: \_\_\_\_\_  
 Chronically Homeless Yes  No  [Homeless+ Disability + (12 mo. Continuous, or 4+ times for 12+ mo., in 3 yrs.)]  
 Income at Intake: \_\_\_\_\_ Sources: \_\_\_\_\_  
 Resources at Intake: \_\_\_\_\_  
 Number in Household: Adult(s) \_\_\_\_\_ Children \_\_\_\_\_ City of Residence: \_\_\_\_\_

<u>PRIMARY DISABILITY</u>	
Severe Mental Illness	_____
Chronic Alcohol	_____
Drug Abuse	_____
AIDS & Related Diseases	_____
Developmental Disability	_____
Physical	_____
Other _____	_____
_____	_____

<u>PRIMARY PROBLEMS</u>		
Financial _____	ID _____	Health _____
Transportation _____	Mental Illness _____	
Domestic Violence _____		
Substance Abuse _____	Housing _____	
Other _____		
_____		
_____		
_____		

Relationship (To Adult above)	Vet	Hisp	Race (see Code below)	DoB	Age	SS#	D-devl P=phys M=mntl	Income 60%-80% AMI

<p><b><u>FOOD STAMPS</u></b>          Has them _____          Does not _____          Unknown _____</p> <p><b><u>MORE BENEFITS</u></b>          SCHIP _____          Vet Hlth Care _____          WIC _____          Wkmans Comp _____          Other Cash Inc _____          Other Non-Cash Inc _____          Other: _____</p>	<p><b><u>BENEFITS</u></b>          SSI _____          SSD _____          Soc. Sec. _____          Health Insurance _____          Medicaid _____          Medicare _____          General Assistance _____          Work Income _____          AFDC/TANF _____          Veteran's _____          Child Support _____          Unemp Benefits _____</p>	<table style="width: 100%; border-collapse: collapse;"> <tr><td>a.</td><td>American Indian or Alaskan Native</td></tr> <tr><td>b.</td><td>Asian</td></tr> <tr><td>c.</td><td>Black or African-American</td></tr> <tr><td>d.</td><td>Native Hawaiian or Other Pacific Islander</td></tr> <tr><td>e.</td><td>White</td></tr> <tr><td>f.</td><td>American Indian/Alaskan Native &amp; White</td></tr> <tr><td>g.</td><td>Asian &amp; White</td></tr> <tr><td>h.</td><td>Black/African American &amp; White</td></tr> <tr><td>i.</td><td>American Indian/Alaskan Native &amp; Black/African American</td></tr> <tr><td>j.</td><td>Other Multi-Racial</td></tr> </table>	a.	American Indian or Alaskan Native	b.	Asian	c.	Black or African-American	d.	Native Hawaiian or Other Pacific Islander	e.	White	f.	American Indian/Alaskan Native & White	g.	Asian & White	h.	Black/African American & White	i.	American Indian/Alaskan Native & Black/African American	j.	Other Multi-Racial
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h.	Black/African American & White																					
i.	American Indian/Alaskan Native & Black/African American																					
j.	Other Multi-Racial																					

## Δ CAMP HOPE AGREEMENTS 2018 Δ

1. No use, sale, trade or purchase of alcohol or drugs (of any kind)
2. No intoxicated or disruptive behavior
3. No threatening, violent, intimidating or aggressive behavior or language
4. No firearms or illegal weapons allowed on campgrounds or MVCH property
5. No abusive language or discriminatory speech
6. No vandalism including graffiti or urinating or defecating on premises
7. No stealing or destruction of others' personal property, or property designated as belonging to Camp Hope or MVCH.
8. No open fires, to include camping stoves anywhere on the campgrounds or MVCH campus. Grilling is allowed in the designated camp grill area. The horno may be used for cooking but must first be approved by MVCH staff.
9. Visiting minors must be accompanied and supervised by an adult and are not allowed overnight. MVCH staff can assist unaccompanied youth and parents who have children to find emergency shelter.
10. Limited guests (2 per resident) are allowed during the hours of 7 am and 6 pm if they follow the rules. No overnight guests. You are responsible for the actions of your guests. ALL guests are required to sign in, and if hosting a guest you MUST meet them at the guard shack. No unattended visitors in or around Camp Hope or the garden area.
11. No guests except direct family members on the weekend.
12. Overnight stays are limited to registered campers.
13. No one with open warrants is allowed at Camp Hope.
14. No loitering is permitted in front of or around any of the MVCH Alliance Agencies when businesses are closed. Between the hours of 6 pm and 6 am, and on weekends and holidays, Camp Hope is the only area open to people on campus (anyone on campus must be a resident or visiting a resident of Camp Hope).
15. Campers, whether in tents or approved vehicles, may not connect to campus electricity or water. Campers may not use extension cords or hoses. Requests for special needs may be granted in writing by the MVCH Camp Coordinator.
16. No smoking is allowed in tents. Cigarettes should be extinguished in designated containers and butts put in proper containers.
17. No littering.
18. Keep your tent area tidy. Belongings must be confined to inside the tent pad space. Help keep the camp clean.
19. Camp Hope is *emergency sheltering in alternative structures*. If you are not actively working with Camp Hope Coordinator, looking for employment, or applying for housing, you cannot stay in the camp.
20. If you will be gone from camp for longer than 3 days you must communicate with camp manager or camp coordinator about circumstances. Camp Hope is not intended to be a secondary residence. Campers are not allowed to repeatedly stay elsewhere and return to camp intermittently. There are exceptions such as staying at the Gospel Rescue Mission during nights of extremely cold weather.

21. It is recommended that all residents perform and record 6 hours of service in camp a week.
22. Every Tuesday at 10:00 AM the Camp hosts "The Great Conversation". The conversation allows campers, staff, and community members to address our differences and to recognize how much we all have in common. The first Tuesday of every month is a mandatory camp meeting, and the first two meetings after your intake are also mandatory.
23. Campers will stay in the defined campground. A few spaces are available on the Camp parking area for vehicles to be used by camp residents. Vehicles must be registered and given permission to be on the Camp Hope premises. Their owners must follow all Camp Hope rules.
24. No unregistered or inoperable vehicles are allowed on the campus at any time.
25. Campers are responsible for cleaning up their tent before they move out of Camp. Residents who leave an untidy tent space will not be allowed back in camp. They will also be added to the MVCH banned list for littering (The number of months they are banned depends on the number of prior offenses by the resident). If items left behind are not removed within 3 days, they will be discarded as MVCH is not responsible for storing camp resident's property.
26. Donations may not be sold to anyone, for any amount. Anyone found breaking this agreement will be asked to vacate immediately.
27. When leaving Camp Hope, you may only leave with one reasonable truckload of items. This is to prevent hoarding and excess usage of camp resources.
28. Campers who have complaints must follow the Grievance procedure.
29. All dogs and pets coming in to Camp must be up to date on shots and be spayed or neutered. If residents need help with either they will be referred to agencies that may assist them. All dogs must be on a leash at all times as this is City of Las Cruces property.
30. Sex offenders must be registered with the LCPD/Sheriff Dept. Schools within one mile must be notified. This is the responsibility of the offender.
31. No drugs except as prescribed and taken as prescribed.
32. All residents must be fully clothed in common areas.
33. Camp quiet hours are 10:00 p.m to 8:00 a.m.
34. Camp Clean up Fridays 9-10 a.m.
35. MVCH has a responsibility to maintain confidentiality, respect and privacy for all residents at the Camp. We ask that clients not utilize social media when regarding to Camp Hope concerns. Contact the Camp Hope Outreach Coordinator for anything in regard to the Camp and Social media.

**There is ZERO tolerance for criminal behavior including alcohol and drug use, weapons violations, stealing, vandalism, assault, battery, etc. Offenses will be reported to MVCH staff and appropriate authorities. Criminal behavior will be reported to and dealt with by the Las Cruces Police Department.**



MESILLA VALLEY COMMUNITY OF HOPE

## Camp Hope Participant Assumption of Risk and Waiver of Liability Relating to Coronavirus/COVID-19

The novel coronavirus, COVID-19, has been declared a worldwide pandemic by the World Health Organization. COVID-19 is extremely contagious and is believed to spread mainly from person-to-person contact. As a result, federal, state, and local governments and federal and state health agencies recommend social distancing and have, in many locations, prohibited the congregation of groups of people.

The MVCH Camp Hope Program has put in place preventative measures and protocols, where possible, to reduce the spread of COVID -19; however, MVCH cannot guarantee that you will not become infected with COVID-19. Attending or participating in the Camp Hope program could increase your risk of contracting COVID-19.



By signing this agreement, I acknowledge the contagious nature of COVID-19 and voluntarily assume the risk that I may be exposed to, or infected by COVID-19 by participating in the Camp Hope program, and that such exposure or infection may result in personal injury, illness, permanent disability, and death. I understand that the risk of becoming exposed to or infected by COVID-19 by participating in the Camp Hope program may result from the actions, omissions, or negligence of myself and others, including, but not limited to, MVCH, City employees and contractors, subcontractors, or their respective employees.

I voluntarily agree to assume all of the foregoing risks and accept sole responsibility for any injury to myself including, but not limited to, personal injury, disability, and death, illness, damage, loss, claim, liability, or expense, of any kind, that I may experience or incur in connection with my participating in the Camp Hope program (the "Claims"). I hereby release, covenant not to sue, discharge, and hold harmless MVCH and the City of Las Cruces, its employees, agents, volunteers and representatives, of and from the Claims, including all liabilities, claims, actions, damages, costs or expenses of any kind arising out of or relating thereto. I understand and agree that this release includes any Claims based on the actions, omissions, or negligence of MVCH, the City of Las Cruces, its employees, agents, volunteers and representatives, whether a COVID -19 infection occurs before, during, or after participation in the Camp Hope program.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Print Name \_\_\_\_\_

Date \_\_\_\_\_

I understand that if I violate the rules of the camp or the rules of MVCH I will be asked to leave the camp. I agree that I received the rules and I understand them in full.

\_\_\_\_\_  
Resident Name/Signature Date

\_\_\_\_\_  
Witness Name/Signature Date

I understand that depending on the nature of the crime committed or rule infraction, I may be asked to leave the camp immediately. I agree that I will leave the camp or that I may risk being banned from the property or risk the police being called.

\_\_\_\_\_  
Resident Name/Signature Date

\_\_\_\_\_  
Witness Name/Signature Date

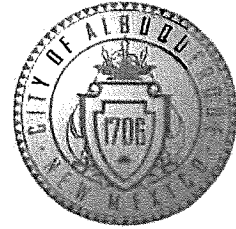
I realize that I am staying at Camp Hope of my own volition. I understand that paid staff is not on-hand at the camp at all times.

Camp Hope resident does hereby release and forever discharge and hold harmless MVCH and its successors and assigns from any and all liability, claims, and demands of whatever kind or nature, either in law or in equity that arise or may hereafter arise from the resident's stay at Camp Hope. I agree to defend, indemnify and save harmless MVCH and its officers, agents and employees from any and all suits, actions and claims of any character brought because of any injury or damage received or sustained by any person, persons or property.

\_\_\_\_\_  
Resident Name/Signature Date

\_\_\_\_\_  
Witness Name/Signature Date

# CITY OF ALBUQUERQUE



*Solid Waste Management Department*  
Matthew Whelan, Director

July 31, 2022

Dawn Legacy Pointe  
Fiscally sponsored by Street Safe New Mexico, a non-profit 501 (c)(3)

Dear Dawn Legacy Pointe,

The City has received your request to use City-owned property for a Safe Outdoor Space as described in the Integrated Development Ordinance, effective July 28, 2022. The property requested is located at 1250 Menaul NE, plat number: SP-81-349. This property is zoned Non-Residential-Light Manufacturing (NR-LM). You have requested the use of 1 acre of this property,

The City grants permission to use this site temporarily for 6 months, with a possible extension of 6 months pending your approved Safe outdoor Space application. This permission is granted however; a lease agreement or license agreement between the City of Albuquerque's Solid Waste Management Department and Dawn Legacy Point will need to be executed prior to commencing operations.

PO Box 1293

Albuquerque

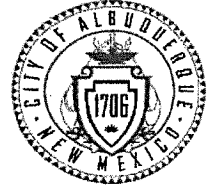
NM 87103

[www.cabq.gov](http://www.cabq.gov)

Sincerely,

Matthew Whelan

City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

July 30, 2022  
[Date\*]

City of Albuquerque  
[Name\* of Abutting Property Owner]

PO Box 2248 Albuquerque, New Mexico 87103-2248  
[Address\* of Property Owner]

RE: Public Notice of Temporary Use Permit

Dear City of Albuquerque [Name\* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-5(D)(2), this is written notice to you as an abutting Property Owner that an application for a Temporary Use Permit will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@cabq.gov](mailto:codeenforcement@cabq.gov).

1. Property Owner of Subject Property\* City of Albuquerque
2. Agent\* [if applicable] \_\_\_\_\_
3. Subject Property Address\* 1250 Menaul Blvd. NE
4. Location Description vacant land - SW corner of Menaul and Frontage Road
5. Zone Atlas Page H-15-Z [Available here: <http://data.cabq.gov/business/zoneatlas/>]
6. Legal Description not available
7. Area of Property [typically in acres] 0.79 acres
8. IDO Zone District NR-LM
9. Overlay Zone(s) [if applicable] \_\_\_\_\_
10. Center or Corridor Area [if applicable] \_\_\_\_\_
11. Current Land Use [vacant, if none] None - vacant
12. Deviations Requested [if applicable] \_\_\_\_\_
13. Variances Requested [if applicable] \_\_\_\_\_

The application will request the temporary use for the following land uses and/or activities:

Safe Outdoor Space



City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit

[Note: Items with an asterisk (\*) are required.]

The application will request that the temporary use be allowed for the following duration:

24 months with an additional [ex: number of days/months/years].  
24 months is approved by City of Albuquerque.

This temporary use will operate in the following days and times:

24 hours a day / 365 days a year

NOTE: Anyone may request and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project [IDO Subsection 14-16-6-4(D)]. To request a Facilitated Meeting regarding this project, contact the Planning Department at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or 505-924-3955. To view and download the Facilitated Meetings Criteria, visit <http://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development>.

Please contact me with any questions or concerns at 720.333.8288 [phone number\*] or via s.goodco@gmail.com [email\*].

More information about the project can be found here: [project webpage\*, if applicable]

**Useful Links**

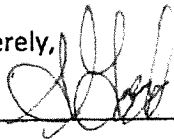
**Integrated Development Ordinance (IDO):**

<http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Sincerely,



[Agent/Property Owner/Developer/Operator]

Cc: \_\_\_\_\_ [Other Property Owners, if any]

7022 1670 0003 2927 4442

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For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

ALBUQUERQUE, NM 87107

Certified Mail Fee \$4.00

Extra Services & Fees (check box, add fee)

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Adult Signature Required \$0.00

Adult Signature Restricted Delivery \$0.00

Postage \$0.60

Total Postage and Fees \$7.85

Postmark  
 HIGHLAND STATION USPS  
 ALBUQUERQUE NM 87108-9998  
 AUG 05 2022  
 08/05/2022

Send To  
 Dawn Legacy Pointe  
 Street and Apt. No., or P.O. Box No.  
 8409 Central Ave NE  
 City, State, ZIP+4®  
 ALB NM 87108

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



HIGHLAND  
 111 ALVARADO DR SE  
 ALBUQUERQUE, NM 87108-9998  
 (800)275-8777

08/05/2022 11:11 AM

Product	Qty	Unit Price	Price
First-Class Mail® Letter	1		\$0.60
Albuquerque, NM 87107 Weight: 0 lb 0.60 oz Estimated Delivery Date Mon 08/08/2022			
Certified Mail®			\$4.00
Tracking #: 70221670000329274442			
Return Receipt			\$3.25
Tracking #: 9590 9402 7272 1284 5409 63			
<b>Total</b>			<b>\$7.35</b>
US Flags	20	\$0.60	\$12.00
<b>Grand Total:</b>			<b>\$19.85</b>
Credit Card Remit			\$19.85
Card Name: VISA Account #: XXXXXXXXXXXX1746 Approval #: 03624C Transaction #: 300 AID: A0000000031010 Chip AL: VISA CREDIT PIN: Not Required CHASE VISA			

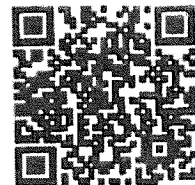
\*\*\*\*\*  
 Every household in the U.S. is now eligible to receive a third set of 8 free test kits.  
 Go to [www.covidtests.gov](http://www.covidtests.gov)  
 \*\*\*\*\*

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit [www.usps.com](http://www.usps.com) USPS Tracking or call 1-800-222-1811.

Preview your Mail  
 Track your Packages  
 Sign up for FREE @  
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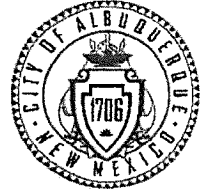
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or call 1-800-410-7420.

City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

8/4/22  
[Date\*]

Sunset Memorial Park  
[Name\* of Abutting Property Owner]

924 Menaul Blvd. NE ABQ, NM 87107  
[Address\* of Property Owner]

RE: Public Notice of Temporary Use Permit

Dear Sunset Memorial Park owner [Name\* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) **Subsection 14-16-6-5(D)(2)**, this is written notice to you as an abutting Property Owner that an application for a **Temporary Use Permit** will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@cabq.gov](mailto:codeenforcement@cabq.gov).

1. Property Owner of Subject Property\* City of Albuquerque
2. Agent\* [if applicable] not applicable
3. Subject Property Address\* 1250 Menaul Blvd. NE
4. Location Description NE corner of Menaul and I-25 Frontage Road
5. Zone Atlas Page H-15-Z [Available here: <http://data.cabq.gov/business/zoneatlas/>]
6. Legal Description not available
7. Area of Property [typically in acres] 0.79 acres
8. IDO Zone District NR-LM
9. Overlay Zone(s) [if applicable] —
10. Center or Corridor Area [if applicable] —
11. Current Land Use [vacant, if none] vacant
12. Deviations Requested [if applicable] —
13. Variances Requested [if applicable] —

The application will request the temporary use for the following land uses and/or activities:

Safe Outdoor Space

City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit

[Note: Items with an asterisk (\*) are required.]

The application will request that the temporary use be allowed for the following duration:

6 months with an additional 6 months possible  
[ex: number of days/months/years].  
unless extensions are granted by the City of ABQ.

This temporary use will operate in the following days and times:

24 hours daily - 365 days per year

NOTE: Anyone may request and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project [IDO Subsection 14-16-6-4(D)]. To request a Facilitated Meeting regarding this project, contact the Planning Department at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or 505-924-3955. To view and download the Facilitated Meetings Criteria, visit <http://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development>.

Please contact me with any questions or concerns at 720-333-8288 [phone number\*] or via s.goodco@gmail.com [email\*].

More information about the project can be found here: [project webpage\*, if applicable]

not applicable

Useful Links

**Integrated Development Ordinance (IDO):**

<http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

**IDO Interactive Map**

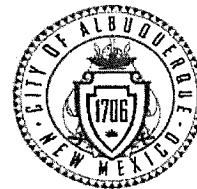
<https://tinyurl.com/IDOzoningmap>

Sincerely,

[Signature] [Agent/Property Owner/Developer/Operator]

Cc: City of Albuquerque [Other Property Owners, if any]

City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

July 30, 2022  
[Date\*]

Sunset Memorial Park  
[Name\* of Abutting Property Owner]

924 Menaul Blvd. NE ABQ, NM 87107  
[Address\* of Property Owner]

RE: Public Notice of Temporary Use Permit

Dear Sunset Memorial Park [Name\* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-5(D)(2), this is written notice to you as an abutting Property Owner that an application for a Temporary Use Permit will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@cabq.gov](mailto:codeenforcement@cabq.gov).

1. Property Owner of Subject Property\* City of Albuquerque
2. Agent\* [if applicable] \_\_\_\_\_
3. Subject Property Address\* 1250 Menaul Blvd. NE
4. Location Description vacant land - SW corner Menaul and Frontage Road
5. Zone Atlas Page H-15-Z [Available here: <http://data.cabq.gov/business/zoneatlas/>]
6. Legal Description not available
7. Area of Property [typically in acres] 0.79 acres
8. IDO Zone District NR-LM
9. Overlay Zone(s) [if applicable] \_\_\_\_\_
10. Center or Corridor Area [if applicable] \_\_\_\_\_
11. Current Land Use [vacant, if none] None - vacant
12. Deviations Requested [if applicable] \_\_\_\_\_
13. Variances Requested [if applicable] \_\_\_\_\_

The application will request the temporary use for the following land uses and/or activities:

Safe Outdoor Space

City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit

[Note: Items with an asterisk (\*) are required.]

The application will request that the temporary use be allowed for the following duration:

24 months with additional [ex: number of days/months/years].  
24 months if approved by the City of Albuquerque

This temporary use will operate in the following days and times:

24 hours a day / 365 days a year

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Useful Links

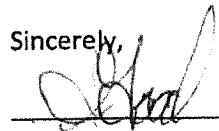
**Integrated Development Ordinance (IDO):**

<http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Sincerely,

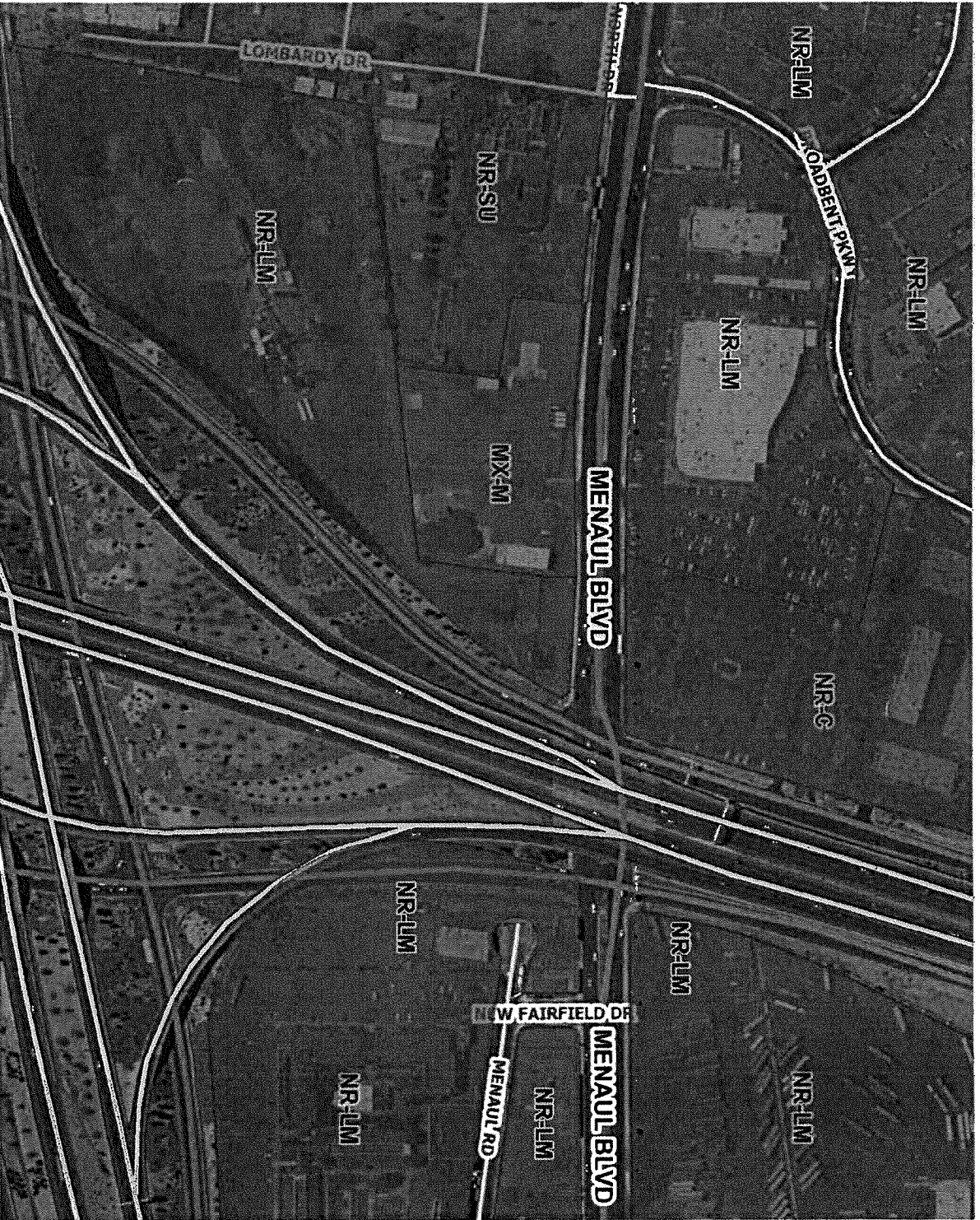


[Agent/Property Owner/Developer/Operator]

Cc: \_\_\_\_\_ [Other Property Owners, if any]



# 1250 Menaul Blvd NE Vicinity Map



601  
 0 301 601 Feet  
 WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
 7/20/2022 © City of Albuquerque  
 1:3,607

The City of Albuquerque ("City") provides the data on this website as a service to the public. The City makes no warranty, representation, or guaranty as to the content, accuracy, timeliness, or completeness of any of the data provided at this website. Please visit <https://www.cabq.gov/abq-data/abq-data-disclaimer-1> for more information.  
 THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Legend

- IDO Zoning
  - RA
  - R-1A
  - R-1B
  - R-1C
  - R-1D
  - R-T
  - R-MC
  - R-ML
  - R-MH
  - MX-T
  - MX-L
  - MX-M
  - MX-H
  - MX-FB-ID
  - MX-FB-FX
  - MX-FB-JD
  - NR-C
  - NR-AP
  - NR-LM
  - NR-GM
  - NR-SU
  - NR-PO-A
  - NR-PO-B
  - NR-PO-C
  - NR-PO-D
  - PD
  - PC
  - UNCL
- Bernalillo County Parcels
- Primary Streets

## Notes



# 1250 Menaul Blvd NE Vicinity Map



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
8/1/2022  
© City of Albuquerque

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**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

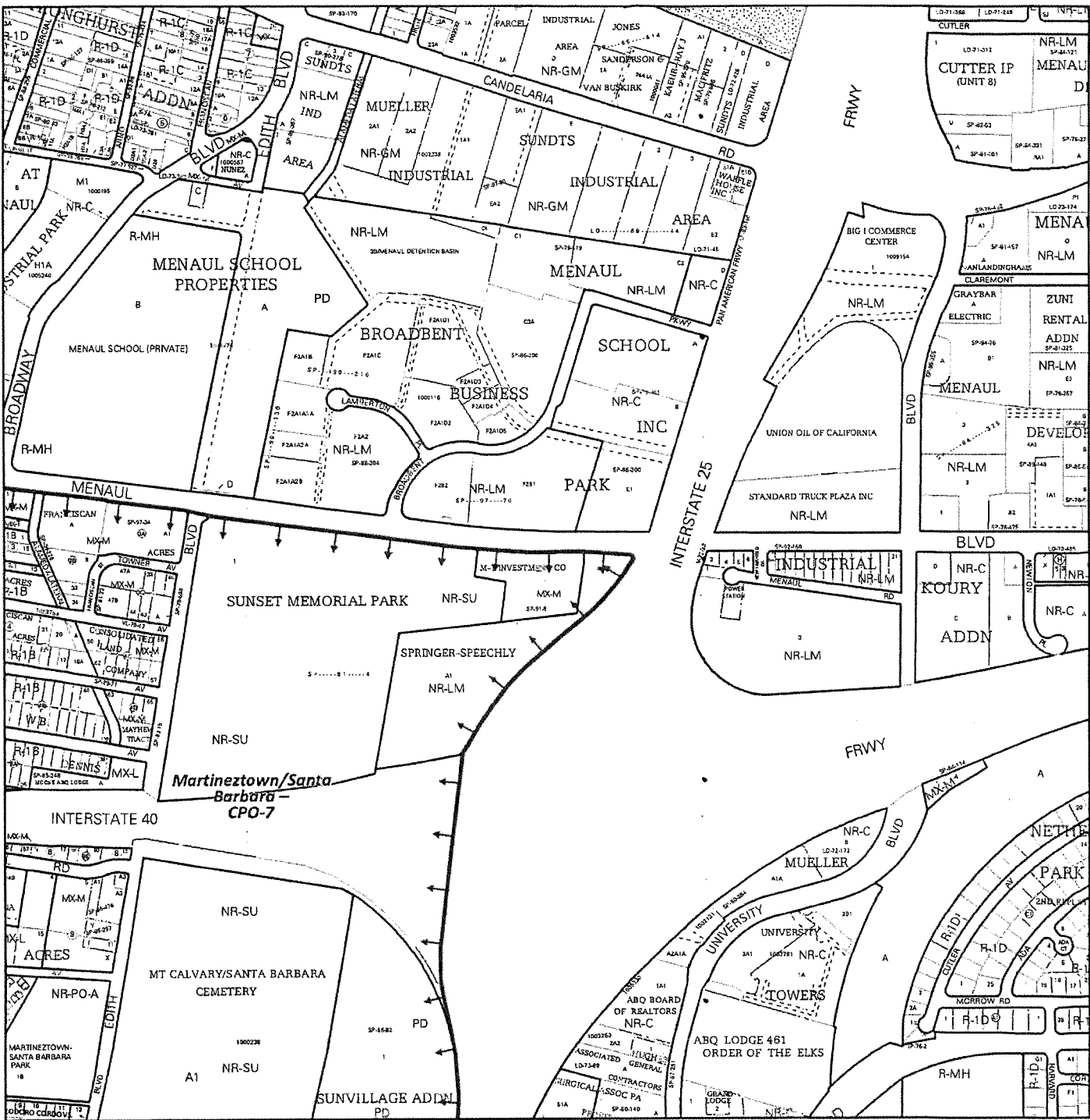


## Legend

- IDO Zoning
- R-A
- R-1A
- R-1B
- R-1C
- R-1D
- R-T
- R-MC
- R-ML
- R-MH
- R-MT
- R-M
- MX-L
- MX-M
- MX-H
- MX-FB-ID
- MX-FB-FX
- MX-FB-JUD
- NR-C
- NR-AP
- NR-LM
- NR-GM
- NR-SU
- NR-PO-A
- NR-PO-B
- NR-PO-C
- NR-PO-D
- PD
- PC
- UNCL
- Bernalillo County Parcels
- Primary Streets

## Notes






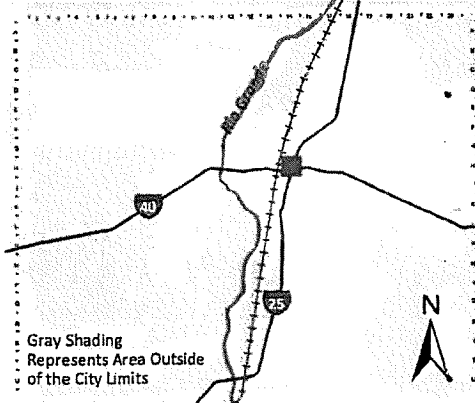
For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

## IDO Zone Atlas

### May 2018



IDO Zoning information as of May 17, 2018  
The Zone Districts and Overlay Zones are established by the Integrated Development Ordinance (IDO).



Gray Shading  
Represents Area Outside  
of the City Limits

Zone Atlas Page:  
**H-15-Z**

- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

0 250 500 1,000  
Feet

August 3, 2022

Jeremy,

Please find enclosed the substitute Vicinity Map and Site Plan for the Safe Outdoor Space application from Dawn Legacy Pointe.

The City wanted them to use a different portion of the same property noted in their application.

Please let me know if you require anything else.

Thanks,

Brad Day

505.328.3726

bradwday1@gmail.com

**Palmer, Jeffrey**

---

**From:** Brad Day <bradwday1@gmail.com>  
**Sent:** Thursday, August 4, 2022 7:36 PM  
**To:** Palmer, Jeffrey  
**Subject:** Re: SOS application for 1250 Menaul Blvd NE

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Mr. Palmer, your representation of the Site Plan for our Safe Outdoor Space at 1250 Menaul Blvd. NE, Albuquerque, New Mexico is correct. I would add 2 clarifications: 4. The maximum occupancy is 50 persons. 6. The fence also will have a screen attached making it opaque as required. Thank you for your help in this matter.

Brad Day

On Thu, Aug 4, 2022 at 4:57 PM Palmer, Jeffrey <[jppalmer@cabq.gov](mailto:jppalmer@cabq.gov)> wrote:

Good afternoon, Brad,

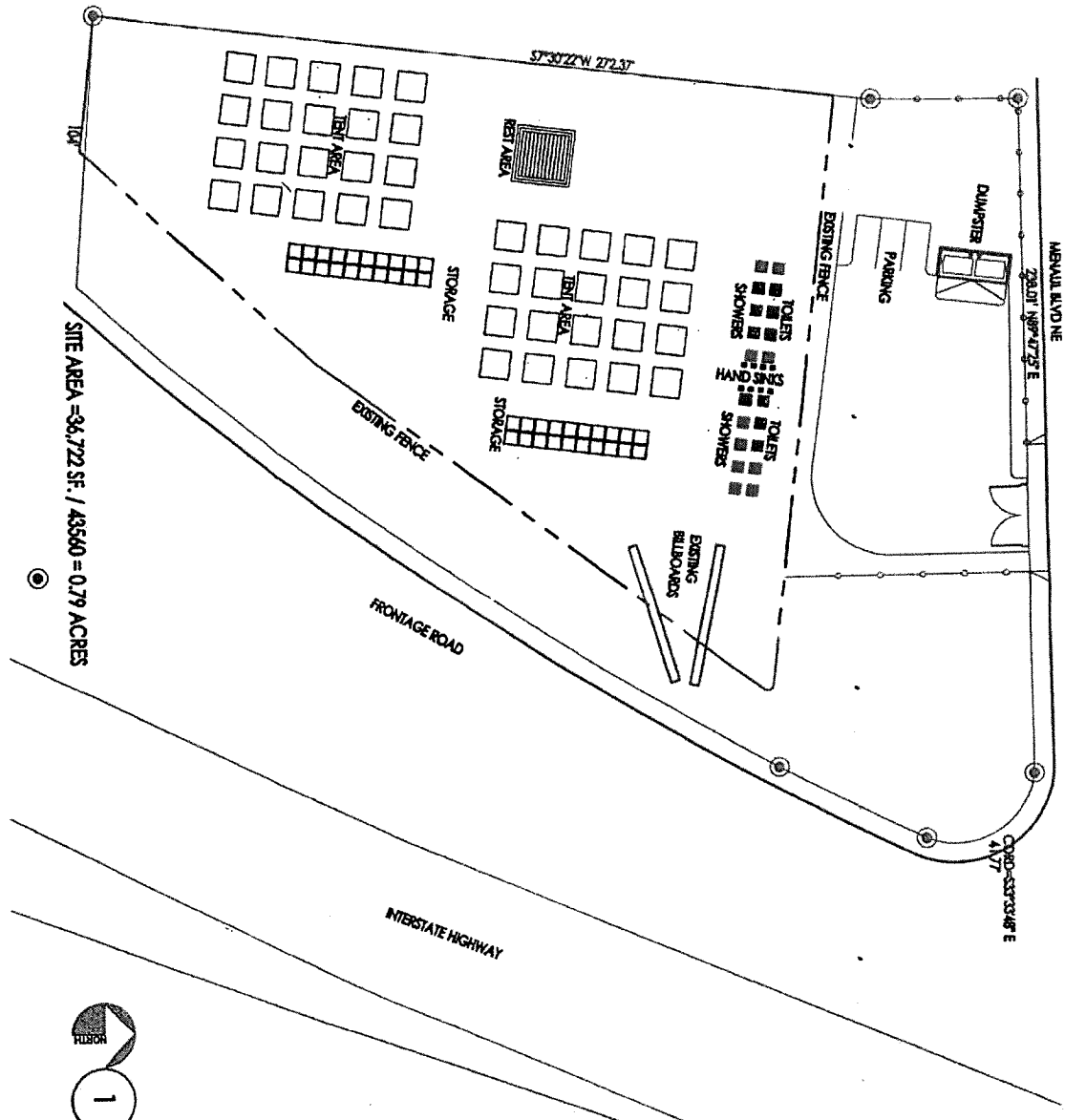
As we discussed this afternoon, we are in the process of reviewing the application submitted by you for Dawn Legacy Pointe, to be located at 1250 Menaul Blvd NE.

Based on our review of the Site Plan, and on our subsequent discussion, I would like to confirm the accuracy of our interpretation of the Site Plan regarding the following items:

1. Toilets = 10 shown
2. Showers = 10 shown
3. Hand sinks = 8 shown
4. Designated spaces = 40 shown (Note: with a maximum occupancy plan for 50, as per the approved Operational Plan)
5. Distance from Toilets and Handwashing stations to further designated space = 200 feet (per measurement on scaled drawing provided).
6. Height of fence = 6 feet

Please confirm that this information is correct and/or provide clarification if needed. Thank you.

Respectfully,



104°  
 SITE AREA = 36,722 SF. / 43560 = 0.79 ACRES

S7°30'22\"/>

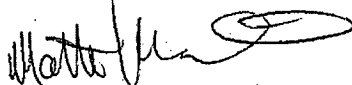
MANUAL BLVD NE  
 280 FT 109° 47' 23\"/>

CRD-STR-348 E  
 41/7'

1 SITE PLAN  
 1" = 40'-0"





To: City of Albuquerque, department appropriate  
From: Matthew Molina, President/CEO   
Subject: Authorization to submit Appeal letter on behalf of LifeROOTS  
Date: 12/22/2022

As the Chief Executive Officer of LifeROOTS, Inc., a New Mexico non-profit corporation, and on behalf of LifeROOTS, Inc., I hereby authorize the Law Offices of Brian A. Thomas, P.C., through Brian A. Thomas, to file the administrative appeal to which this letter is attached.

Providing people with disabilities and their families the resources and support they need to empower their lives and shape their futures.

---

1111 Menaul Blvd. NE., Albuquerque, NM 87107 Phone: 505-255-5501 Fax: 505-255-9971 [www.liferootsnm.org](http://www.liferootsnm.org)

## MEMORANDUM

To: Planning Department, City of Albuquerque

Attn: Jeff Palmer

From: Brad Day, Volunteer Consultant



Dawn Legacy Pointe, Safe Outdoor Space Operator/Applicant 1250 Menaul Blvd. NE Site

Mr. Palmer, there are additional documents attached that need to be delivered to the Hearing Officer for appeals in re our Approval for the Safe Outdoor Space we will install at the address above:

- 1) The Dawn Legacy Pointe Client Resident Agreement which contains the rules that all residents of the Safe Outdoor Space must comply with. No individual will be admitted without agreeing to the terms of this document.
- 2) Safe Outdoor Space Application Form: This document must be completed by all homeless individuals wanting to reside in the facility. The Application must be approved by the Staff of the Safe Outdoor Space.
- 3) The original Application, which was completed on the website of the Planning Department. The Application was approved in August, 2022.

Since we have completed the Notification of additional property owners as required by the Hearing Officer, and the Rehabilitative Meeting as requested - there are no other outstanding issues to our receiving our Approved Status of our site.

We therefore respectfully request you issue our Permit for Temporary Use as a Safe Outdoor Space at 1250 Menaul Blvd. NE immediately.

If there are other appeals, we will answer them at the hearing - but time is of the essence as we have been dealing with these procedures since August, 2022 - Thank you.

## **Dawn Legacy Pointe Client Resident Agreement**

### **PLEASE AGREE TO NOT ENGAGE IN THE FOLLOWING:**

1. Use, sale, trade, or purchase of alcohol or drugs of any kind, intoxication, or any disruptive behavior.
2. Threatening, violent, intimidating, or aggressive, abusive, and discriminatory behavior or language.
3. Carrying of firearms or illegal weapons in Dawn Legacy Pointe.
4. Vandalism and graffiti on premises.
5. Urinating or defecating outside the toilets.
6. Stealing or destruction of others' personal property, or property designated as belonging to Dawn Legacy Pointe, donors, or our sponsors.
7. Open fires, including camping stove anywhere on the property. Grilling is allowed at the designated grill. Any horns must be used in the grilling area and must be approved by Dawn Legacy Pointe staff.
8. No one with open warrants is allowed on Dawn Legacy Pointe property.
9. Loitering is not permitted in front or around the Dawn Legacy Pointe property when businesses are closed. Between the hours of 6pm and 6am, and on weekends and holidays, Dawn Legacy Pointe is the only area open to people and anyone on the property must be a resident or a guest that has been checked in.
10. Connecting to the electricity or running water on the property, including via extension cords or hoses. Requests for special needs may be granted in writing by the Dawn Legacy Pointe board or manager.
11. Smoking is not allowed in the tents. Cigarettes should be extinguished in designated containers and butts put in proper containers.
12. Littering. Help keep the camp clean by picking up trash you see.
13. Donations may not be sold to anyone, for any amount. Anyone found breaking this agreement will be asked to vacate immediately.
14. Drugs: except as prescribed and taken as prescribed.
15. Due to the nature of who Dawn Legacy Pointe prioritizes, we do not accept sex offenders or anyone convicted of human trafficking.

### **RESPONSIBILITIES:**

16. Keep your tent area tidy. Belongings must be confined to inside your tent, vehicle, rv or your designated storage unit
17. Dawn Legacy Pointe is a temporary emergency shelter alternative structure, which means you must be working with a social worker, case manager, care coordinator, or other designated person to overcome barriers (including seeking work or other sources of income) in order to find permanent housing.



18. If you will be gone from the camp for longer than 3 days you must communicate with the Dawn Legacy Pointe manager about the circumstances. Dawn Legacy Pointe is not intended to be a secondary residence, therefore you may not regularly stay elsewhere and return to camp intermittently. This is out of respect for the peers who still need a place to stay. Some exceptions may be made such as staying at an indoor shelter during nights of extreme weather.
19. It is recommended that all residents perform and record 6 hours of service at Dawn Legacy Pointe per week
20. Every Tuesday at 10am we host "Communication Circle". The conversations allow client residents, staff, and community members to address out differences and to recognize how much we all have in common. The first Tuesday of every month is a mandatory meeting, and the first two meetings after your intake are also mandatory.
21. Client residents will stay in the defined campground. A few spaces are available for vehicles or RVs to be parked by client residents. Vehicles must be registered, operable, and given permission to be on the Dawn Legacy Pointe property. The vehicle owners must follow all the Dawn Legacy Pointe rules.
22. Campers are responsible for cleaning up their tent before they move out of Dawn Legacy Pointe. Anyone who leaves an untidy tent space will not be allowed back. They will also be added to the Dawn Legacy Pointe banned list for littering, and the number of months they are banned depends on the number of prior offenses they have had. If items left behind are not removed within three days they will be discarded as Dawn Legacy Pointe is not responsible for storing property.
23. When leaving Dawn Legacy Pointe, you may only leave with one reasonable truckload of items. This is to prevent hoarding and excess usage of camp resources.
24. Client residents who have complaints must follow the grievance procedure.
25. All dogs and pets coming into Dawn Legacy Pointe must be up to date on shots and spayed/neutered. If client residents need help with either they will be referred to agencies that may assist them. All dogs must be on a leash at all times as this is city owned property.
26. All residents must be fully clothed in the common areas.
27. Quiet hours are 10pm to 8am.
28. Clean up occurs on Fridays from 9am to 10am.
29. Dawn Legacy Pointe and client residents have a responsibility to maintain confidentiality, respect, and privacy for all other client residents. Do not use social media regarding concerns with or between client residents. Contact the Dawn Legacy Pointe manager or board for anything regarding Dawn Legacy Pointe or social media

I understand that if I violate the Dawn Legacy Pointe Client Resident Agreement I will be asked to leave. I have received the agreement and I understand the agreement in full. Criminal behavior or offences will be reported to and dealt with by the Albuquerque Police. I understand that depending on the nature of the crime committed or the agreement infraction, I may be

asked to leave immediately and permanently. I realize that I am staying at Dawn Legacy Pointe of my own volition. I understand that paid staff may not be on-hand at the property at all times.

I, as a client resident of Dawn Legacy Pointe, hereby release and forever discharge and hold harmless Dawn Legacy Pointe and its successors and fiscal sponsor or assign from any and all liability, claims, and demands of whatever kind or nature, either in law or in equity that arise or may hereafter arise from the stay at Dawn Legacy Pointe. I agree to defend, indemnify, and save harmless Dawn Legacy Pointe and its officers, agents, employees, and fiscal sponsor from any and all suits, actions, claims of any character brought because of any injury or damage received or sustained from any person, persons, or property.

---

Resident Name	Signature	Date
---------------	-----------	------

---

Witness Name	Signature	Date
--------------	-----------	------

# Safe Outdoor Space Application Form

Please use this form to apply for Dawn Legacy Pointe to become a client resident of our Safe Outdoor Space.

Note: Each adult must fill out the form separately. If parents are applying together, please list the children on only one of the application forms. The section for the information of any children is towards the bottom of the form.

Be sure to read the Dawn Legacy Pointe Client Resident Agreement. Upon entering Dawn Legacy Pointe, new residents must sign an Assumption of Risk and Waiver of Liability.

\* Required

1. How did you hear about us?

---

2. Name of person filling out the form \*

---

**3. Relationship to the applicant**

*Check all that apply.*

- Self
- Family
- Friend
- Service provider
- Other: \_\_\_\_\_

**4. Last name (Applicant) \***

\_\_\_\_\_

**5. First Name (Applicant) \***

\_\_\_\_\_

**6. Preferred or nickname**

\_\_\_\_\_

**7. Date of birth \***

*Example: January 7, 2019*

8. Last four digits of social security number (SSN) i.e. 0123 if unknown enter 0000.

---

9. Race \*

*Check all that apply.*

- First Nations / Indigenous
- Hispanic or Latina/o
- Hawaiian or Pacific Islander
- African American or African
- Middle Eastern
- Asian
- Caucasian
- Prefer not to say
- Other: \_\_\_\_\_

10. Gender \*

Mark only one oval.

- Female (Cis or Trans)
- Male (Cis or Trans)
- Two-spirit
- Non-binary
- Other: \_\_\_\_\_

11. Have you met the federal definition for having experienced sex trafficking? Generally: force, fraud, coercion used \*  
to recruit, obtain, or provide for the purpose of sexual exploitation.

Mark only one oval.

- Yes
- No
- Unsure

12. Have you participated in **any** sector of the sex trade to survive? \*

Mark only one oval.

- Yes
- No
- Prefer not to answer

13. Do you have any reason to believe someone (or a group) is looking for you *and* that your life may be at risk if you are found by the person(s)? \*

Mark only one oval.

- No
- Yes

14. Are you a military veteran? \*

Mark only one oval.

- Yes
- No

15. Health concerns - please list anything you feel we may ever need to be aware of in an emergency

---

---

---

---

---

---

---

---

16. Marital status

Mark only one oval.

- Married
- Single
- Divorced
- Separated
- Significant other / partner

17. Primary language

Mark only one oval.

- English
- Spanish
- Other: \_\_\_\_\_



18. Other languages spoken

---

19. What barriers are keeping your from moving forward in life?

*Check all that apply.*

- Financial/money issues
- Lack of identification
- Domestic violence
- Substance abuse
- Physical health
- Mental health
- Alcoholism
- Housing
- Other: \_\_\_\_\_

20. Number of months precariously housed (couch surfing, motel rooms, etc) \*

Mark only one oval.

- Not applicable
- Less than one month
- 1 month
- 2 months
- 3 months
- 4 months
- 5 months
- 6 months
- 7 months
- 8 months
- 9 months
- 10 months
- 11 months
- 1 year
- 2 years
- 3 years
- 4 years
- 5 - 10 years
- 11 - 15 years
- 16 - 20 years
- 21 - 25 years
- 25 - 30 years



31 years or more

21. Number of continuous months homeless (literal homelessness - not couch surfing, renting motel, etc. - ) \*

Mark only one oval.

- Not applicable
- 1 month
- 2 months
- 3 months
- 4 months
- 5 months
- 6 months
- 7 months
- 8 months
- 9 months
- 10 months
- 11 months
- 1year
- 2 years
- 3 years
- 4 years
- 5 - 10 years
- 11 - 15 years
- 16 - 20
- 21 - 25 years
- 26 - 30 years
- 31 years or more

**22. Past month's residence**

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**23. Current residence**

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**24. Pets**

*Check all that apply.*

- None
- Cat(s)
- Dog(s)
- Other: \_\_\_\_\_

25. Number of pets

Mark only one oval.

- None
- 1
- 2
- 3
- 4

26. Number of times homeless in the past 3 years \*

Mark only one oval.

- 1 time continuously
- 2
- 3
- 4
- 5
- 7
- 8
- 9
- 10
- 11
- 12
- 13 or more

27. Employment

Mark only one oval.

- Periodic
- Full-time
- Part-time
- Day labor
- Unemployed
- Other: \_\_\_\_\_



28. What is your level of education? \*

Mark only one oval.

- Less than 5th grade
- 6th to 8th grade
- 9th to 12th grade
- High school diploma
- General Education Diploma (GED) or Hi-SET
- Technical school
- Some college
- Associates degree
- Bachelors degree
- Masters or graduate degree
- Post-graduate degree (Doctorate, PhD, JD, etc.)

088

29. Are you a student?

Mark only one oval.

- Yes
- No
- No, but I would like to be
- Other: \_\_\_\_\_

**30. Income & Benefits \***

*Check all that apply.*

- SNAP / Food Stamps
- General aka "cash assistance" or Aged/Blind/Disabled funds from HSD
- Social Security Insurance - SSI (Usually \$841/mo +/-)
- Social Security Disability Insurance - SSDI Disability (Usually \$1k/mo or more)
- Social Security Retirement
- Veteran benefits
- Earned income from employment, contract, or freelance work
- AFDC/TANF
- Child support
- Unemployment
- Medicaid
- Medicare
- Veteran Health Care
- Health insurance other than medicaid/medicare
- SCHIP
- Trust fund
- Workers' compensation aka Workmen's comp
- Passive investments
- Other cash income
- Other non-cash income
- None
- Other: \_\_\_\_\_

31. What is your estimated total monthly income? Format: \$0.00. Include SNAP/Food Stamps.

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32. When do you usually receive your income each month?

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33. What resources (other than financial income) do you currently have? i.e. vehicles, real estate, electronics, etc.

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**34. Identification needed \***

*Check all that apply.*

- State ID
- State Driver's License
- Birth Certificate
- Social Security Card
- None
- Other: \_\_\_\_\_

**35. If housing were available for people living with HIV or AIDS, would you be interested in it? \***

*Mark only one oval.*

- Yes
- No
- Maybe

**36. Mental health concerns \***

*Mark only one oval.*

- Yes
- No
- Previously, but not currently

37. Physical disability/ies \*

Mark only one oval.

- Yes
- No

38. Alcoholism \*

Mark only one oval.

- Yes
- No
- Previously, but not currently

39. Drug abuse \*

Mark only one oval.

- Yes
- No
- Previously, but not currently

40. Developmental disability \*

Mark only one oval.

- Yes
- No

41. Do you have any vulnerabilities not covered by previous questions that we should consider?

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42. Last four digits of you social security number (SSN) \*

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43. Number of adults in the immediate household/family

Check all that apply.

- 1
- 2
- 3
- 4
- 5
- Other: \_\_\_\_\_

44. Number of children in the immediate household/family

Check all that apply.

- 1 child
- 2
- 3
- 4
- Other: \_\_\_\_\_

45. For each child list:

- 1) If you currently have custody, or if you need housing to attain custody
- 2) First and last name
- 3) Date of birth
- 4) Last 4 digits of social security number (SSN)
- 5) Any disabilities (i.e. developmental, physical, mental)
- 6) Any income such as SSI or employment if a teen
- 7) City of residence

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46. Name of applicant's partner if applying together (must fill out this application separately)

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47. Do you have a phone number? \*

*Check all that apply.*

- Yes, a cell phone, but I do not want to receive texts
- Yes, a cell phone, and I would like to receive texts
- Yes, but not a cell phone
- No



48. What is the phone number, if applicable?

Format as: 000-000-0000

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49. May we leave a message at this number?

Mark only one oval.

- Yes
- No

50. What is your email address, if applicable?

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51. Where else do you receive services, or who else can we contact to reach you if your phone is off or e-mail bounces back?

Please list: Non-profits names, contact names and relationships (i.e. caseworker, friend, family), contact details, etc.

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52. Please link us to any social media or photos of you in case we need to contact service providers to help contact you. Sometimes a photo can jog their memory!

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53. Emergency contact(s) with phone, email, address, etc.

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54. Has the applicant read the Dawn Legacy Pointe Client Resident Agreement? \*

Mark only one oval.

Yes

No

This content is neither created nor endorsed by Google.



# Safe Outdoor Space (SOS) Application

Submitted by: Anonymous user

Submitted time: Jul 30, 2022, 9:30:19 AM

*To: Planning Dept  
Safe Outdoor Space  
1250 Menaul*

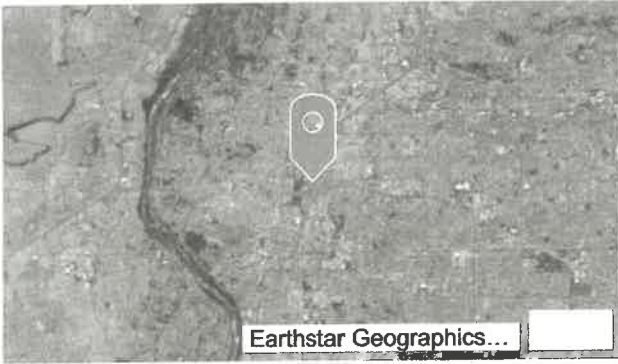
What is the address of the proposed location?

**1250 Menaul Blvd NE Albuquerque, New Mexico 87107**

- Application*
- Licensing Agreement*

Map the proposed SOS location.

**Lat: 35.108531 Lon: -106.629235**



Enter the Bernalillo County Tax Assessor Uniform Property Code (UPC).

**Not available currently**

What is the City Council District for the proposed SOS location?

**2**

Enter the applicant's name.

**Dawn Legacy Pointe, fiscally sponsored by Street Safe New Mexico, a Non-Profit 501 (c)(3)**

Enter the SOS operator's name.

**same as above**

Mailing address of applicant.

**8409 Central Ave. NE Albuquerque, New Mexico 87108**

Email address of applicant.

**s.goodco@gmail.com**

Phone number of applicant.

**720-333-8288**

What is the maximum number of designated spaces proposed for this location?

**40**

What is the maximum number of occupants proposed for this location?

**50**

Is this activity being conducted by a Religious Institution?

**No**

What is the IDO Zone District for this location?

**NR-LM**

Is the IDO Zone District a mixed-use (MX) zone?

**No**

Upload these required documents:

**DOCX** Essentials for Safe Outdoor Spaces.docx  
14.8KB

I hereby acknowledge that I have submitted the required documents and that they are correct and complete to the best of my knowledge. I affirm that all information provided in this application is true. I understand that any false information will result in the rejection of this application for an SOS or will automatically void an approved application.

**Yes**

I hereby acknowledge and understand that I am required to comply with the City of Albuquerque Integrated Development Ordinance (IDO).

**Yes**

I hereby acknowledge and understand all of the following:

**Yes**

# CITY OF ALBUQUERQUE



*Solid Waste Management Department*  
Matthew Whelan, Director

July 31, 2022

Dawn Legacy Pointe  
Fiscally sponsored by Street Safe New Mexico, a non-profit 501 (c)(3)

Dear Dawn Legacy Pointe,

The City has received your request to use City-owned property for a Safe Outdoor Space as described in the Integrated Development Ordinance, effective July 28, 2022. The property requested is located at 1250 Menaul NE, plat number: SP-81-349. This property is zoned Non-Residential-Light Manufacturing (NR-LM). You have requested the use of 1 acre of this property,

The City grants permission to use this site temporarily for 6 months, with a possible extension of 6 months pending your approved Safe outdoor Space application. This permission is granted however; a lease agreement or license agreement between the City of Albuquerque's Solid Waste Management Department and Dawn Legacy Point will need to be executed prior to commencing operations.

PO Box 1293

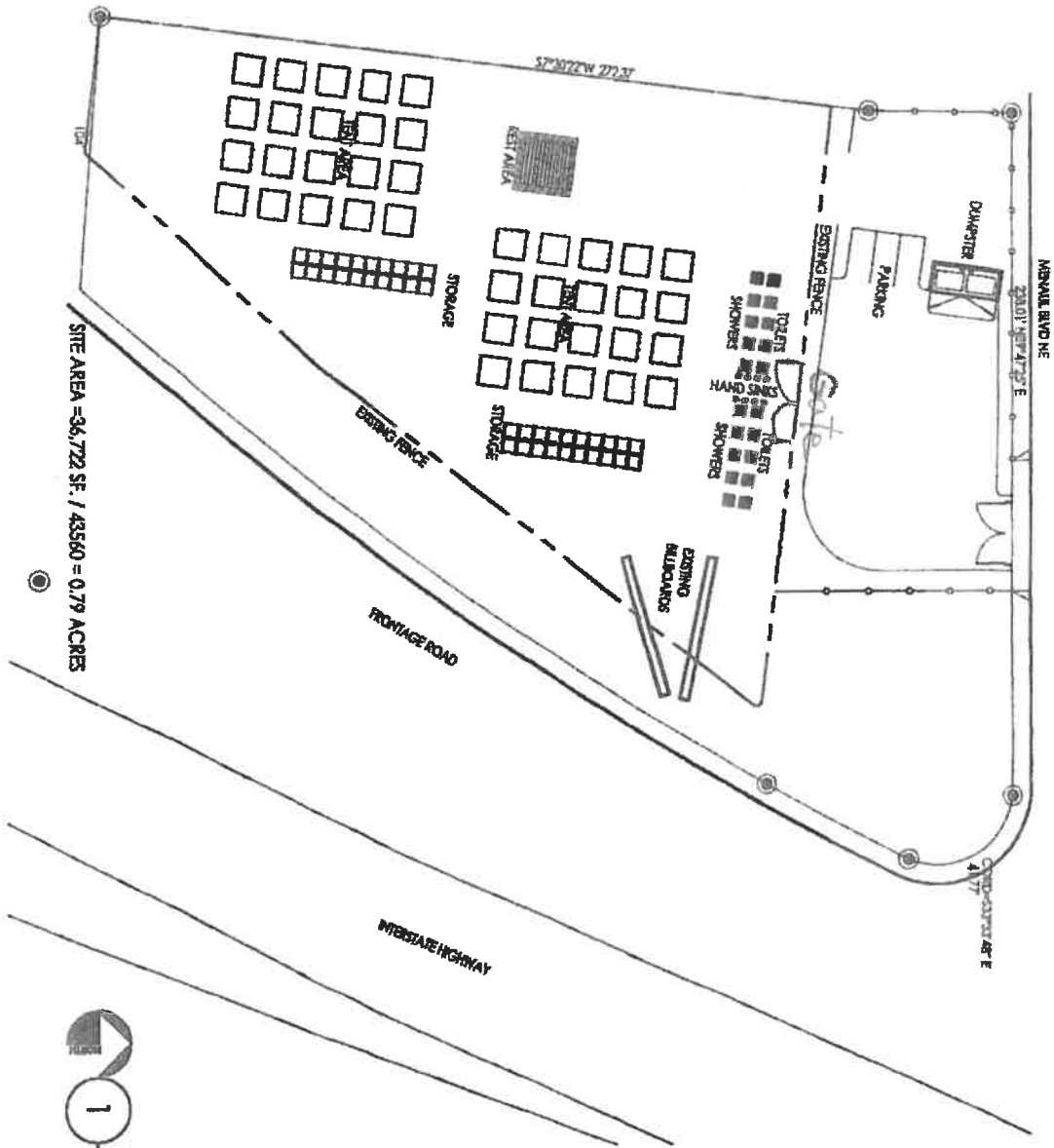
Albuquerque

NM 87103

[www.cabq.gov](http://www.cabq.gov)

Sincerely,

Matthew Whelan



 1 SITE PLAN  
1" = 40'-0"

## SHORT TERM LICENSE AGREEMENT

This License Agreement (“Agreement”) is made and entered into as of the date of the last signature below, by and between the **City of Albuquerque**, New Mexico, a municipality (“Licensor”), and **non-profit 501 (c) 3 Street Safe New Mexico’s fiscally sponsored Dawn Legacy Pointe** (“Licensee”) located at 1250 Menaul NE Albuquerque NM, 87107, Licensor and Licensee may be referred to herein each as a “Party” and collectively the “Parties.”

### RECITALS

**WHEREAS**, Licensor is the owner of that certain one (1) acre of real property located at 1250 Menaul Boulevard NE, Albuquerque, NM, 87107, as more specifically shown on **Exhibit A** hereto (the “Property”);

**WHEREAS**, Licensee will use the Property for the purpose of providing a short term Safe Outdoor Space for a limited number of people experiencing homelessness; and

**WHEREAS**, Licensor is willing to license certain rights to Licensee for the use of the Property for that purpose; and

**WHEREAS**, the Parties desire by this Agreement to provide for the licensing by Licensor to Licensee of the right to use and occupy a portion of the Property as more particularly described below and subject to the terms and conditions as set forth herein (the “Licensed Area”).

### AGREEMENT

**NOW, THEREFORE**, in consideration of the mutual covenants and obligations contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. **License**. Licensor hereby grants to Licensee, and Licensee hereby accepts, a license to use and occupy the Licensed Area (as defined below) for the Purpose (as defined below) granted herein (the “License”) for the License Period (as defined below).
2. **Licensed Area**. The “Licensed Area” shall be per **Exhibit A**.
3. **Purpose**. Licensee may use the Licensed Area for the purpose of operating a short term Safe Outdoor Space for people experiencing homelessness. The Property must be maintained by Licensee to ensure that the Integrated Development Ordinance’s requirements for a Safe Outdoor Space are complied with at all times during the License Period.
4. **License Period; Expiration; Renewal**.
  - a. The License for the Licensed Area granted hereunder shall commence on date of the final signature below (the “Commencement Date”), and Licensee shall



then have access to the Licensed Area twenty-four (24) hours a day, seven (7) days a week.

- b. The initial License Period shall be for a period of six (6) months (“Initial License Period”). The Licensor, in its sole discretion, has the right to extend the License Period for an additional six (6) month period subject to the terms and conditions set forth herein (unless changes are mutually agreed to in writing by the Parties). The Initial License Period together with all License Renewal Periods shall collectively be referred to herein as “The License Period.”
- c. The License Period shall expire and the rights granted hereunder shall terminate the earlier of (i) upon the non-renewal of the License as set forth herein, or (ii) early cancellation pursuant to Section 11(F), below. (the “Expiration Date”)
- d. All improvements constructed by Licensee or any of their invitees must be removed and the property restored to its pre-licensed condition if requested by the Licensor within thirty (30) days after the Expiration Date. If the improvements are not so removed, then the Licensor may elect, at its sole discretion, to remove the improvements and place, and charge Licensee and/or its funding entity the entire cost of said removal and restoration.

5. **Access.** Licensee shall have access to the Licensed Area during the License Period; however, Licensor, its employees, contractors, and agents shall also at all times have access to the Licensed Area. Licensee understands that Licensee shall have no access to the any other portions of the adjacent Licensor’s property without first obtaining the permission of Licensor.

6. **License Fee.** Licensee shall pay fair market value in the amount of Two Thousand, Seven Hundred Dollars and No Cents (\$ 2,700.00) per month to Licensor during the License Period for use of the Licensed Area as set forth herein (the “License Fee”). Licensee shall pay the License Fee to the Licensor, in advance, on the first day of each calendar month beginning on the Commencement Date.

7. **Condition of Licensed Area.** Licensee agrees to notify Licensor of any condition in the Licensed Area that Licensee deems hazardous or dangerous in any way; however, this provision shall not extend the liability of Licensor under this Agreement, and Licensee hereby expressly agrees and acknowledges that it has, prior to the execution of this Agreement, inspected the Licensed Area, and hereby accepts the Licensed Area in its “as is” “where is” and “with all faults” condition. Licensee shall leave the Licensed Area in substantially as good condition as when received, excepting reasonable wear and tear.

8. **Insurance.**

A. **Minimum Requirements.** During the License Period, Licensee shall obtain and maintain at its expense, insurance in the kinds and amounts set forth below:

- a. Commercial general liability insurance applying to third party claims for bodily injury or property damage, including coverage for “premises/operations,” and “blanket contractual” liabilities, written on an occurrence basis with limits not less than \$2,000,000 per occurrence, \$2,000,000 personal injury, \$1,000,000 professional liability, and \$2,000,000 general aggregate, or such higher amounts and additional coverages as Licensor may reasonably require from time to time.
  - b. The policies of insurance must include coverage for all operations performed by the Licensee and contractual liability coverage, which shall specifically insure the hold harmless provisions of the Agreement.
  - c. Workers' Compensation Insurance for its employees in accordance with the provisions of the Workers' Compensations Act of the State of New Mexico.
  - d. Automobile Liability Insurance. An automobile liability policy with liability limits in amounts not less than \$1,000,000 combined single limit of liability for bodily injury, including death, and property damage in any one occurrence. Said policy of insurance must include coverage for the use of all of Licensee's owned, non-owned, hired automobiles, vehicles, and other equipment both on and off work locations.
  - e. Sexual Abuse Molestation Coverage: Sexual abuse molestation insurance in an amount not less than \$1,000,000 combined single limit of liability per occurrence with a general aggregate of \$1,000,000.
- B. Licensee's Contractors.** Licensee shall require that all contractors and subcontractors engaged by them to perform any work on or in relation to the Property carry insurance in the kinds and amounts set forth above at all times during the performance of such work, and that all liability policies name Licensor and its directors, officers, partners, agents, employees, members, trustees, and shareholders as additional insureds by endorsement approved by Licensor.
- C. Policy Requirements.** Licensee's insurance policies shall:
- a. Be issued by insurers reasonably acceptable to Licensor and rated A- VII or better by A.M. Best.
  - b. Cover all operations under this Agreement, whether performed by Licensee or its contractors, employees, volunteers, or representatives;
  - c. As to liability policies, name Licensor and its respective directors, officers, partners, agents, employees, members, trustees, and shareholders as additional insureds, by endorsement approved by Licensor;
  - d. Be non-contributing and apply as primary, and not as excess to, any other insurance available to Licensor;
  - e. Not be invalidated with respect to the interests of Licensor and the holder of any encumbrance on the Property by reason of any breach or violation by

Licensee of any warranties, representations, declarations or conditions contained in the policies;

- f. Contain a requirement by the insurer to notify Licensor and the holder of any encumbrance on the Property designated by Licensor, in writing not less than thirty (30) days prior to any cancellation, termination, or non-renewal of the policy; and
- g. Be reasonably satisfactory in form, substance, limits, deductibles and retentions to Licensor.

D. **Evidence of Coverage.** Licensee shall deliver to the Licensor certificate(s) of insurance or, if required by the Licensor, certified copies of each such insurance policy as soon as practicable after the placing of the required insurance and periodically thereafter upon renewal or replacement of the policies then in force, which shall occur at least thirty (30) days prior to the expiration or cancellation thereof. A certificate of insurance that states that the failure to give the Licensor notice imposes no liability or obligation on the insurer shall not be in compliance with this provision. All certificates of insurance shall provide that thirty (30) days' written notice be given to the Director, Risk Management Department, City of Albuquerque, P.O. Box 1293, Albuquerque, New Mexico 87103, before a policy is canceled, materially changed, or not renewed. Licensor shall have the right to request current confirmation of insurance coverage from time to time. No review or approval of any such insurance certificate by the Licensor shall derogate or diminish the Licensor's rights or Licensee's obligations. Licensor reserves the right in the event of a failure to provide evidence of insurance to cancel this Agreement immediately.

9. **Compliance with Law.** Licensee shall comply with all relevant laws, rules, regulations, orders, and ordinances with regard to any activities contemplated hereunder with regard to the Licensed Area.

10. **Permits and Licenses.** Licensee shall procure, at its sole expense, any permits and licenses required to construct improvements if construction or trade permits are required. Licensee must follow all applicable laws, ordinances, and governmental regulations.

11. **Miscellaneous.**

A. **Signage.** Signs, banners, permits, etc. ("Signage") may not be erected on the Licensed Area unless the permission of the Licensor is obtained in advance and only if such displays do not deface the Property; and, before any such permission is given, Licensee must provide to Licensor the content, including any writing or imaging, that will be contained on the Signage.

B. **Liability.** Licensee shall be responsible for any and all loss, damage, or injury that might be the result of their respective of joint activities on or relating to the Licensed Area. Licensee agrees that Licensor will not be responsible for any loss

or theft of, or damage to, any parts, equipment, or other property stored or left on the Licensed Area by License, or its agents, employees, representatives, contractors, and invitees. Licensor shall not be responsible for liability incurred as a result of another Party's acts or omissions in connection with this Agreement and shall not be liable for liability incurred as a result of the acts of any invitee of Licensee.

**C. Indemnification.**

- i. Licensees' Indemnity Obligation. Licensee shall defend, save, hold harmless, and indemnify Licensor from any and all claims for the loss, damage, or injury to any person or property arising or resulting from their respective of joint activity on or in relation to the Licensed Area.
- ii. Indemnification Limitation. To the extent, if at all, a court of competent jurisdiction determines that Section 56-7-1 NMSA 1978 applies to any indemnification provisions in this Agreement, including certain types of insurance coverage as set forth in Section 56-7-1 NMSA 1978, such provisions shall not extend to liability, claims, damages, losses, or expenses, including attorney fees, arising out of bodily injury to persons or damage to property caused by or resulting from, in whole or in part, the negligence, act, or omission of the indemnitee or additional insured, as the case may be, its officers, employees, or agents and shall further be modified, if required, by the provisions of Section 56-7-1(B) NMSA 1978.

**D. No Assignment.** The License granted herein is personal to Licensee and shall not be assigned, nor shall Licensee sublicense its rights hereunder in whole or in part, or otherwise permit the use of the Licensed Area by any third party unless authorized in writing by Licensor.

**E. Entire Agreement.** This Agreement embodies and constitutes the entire understanding between the Parties with respect to the subjects covered herein.

**F. Cancellation.** Upon fifteen (15) days' advance written notice to Licensee, Licensor reserves the right to cancel this Agreement at any time for any reason including a conflict with or a determination that Licensee's use is inappropriate. Furthermore, if Licensee is determined to be in breach of this Agreement, Licensor shall issue a written notification of the nature of the breach, at which time Licensee shall have a maximum of five (5) days to come into compliance. If Licensee fails to come into compliance, as determined by Licensor in its sole discretion, then Licensor shall have the right to immediately terminate the License.

**G. Severability.** If any provision of this Agreement is deemed to be unlawful by a court of competent jurisdiction, the unlawful provision shall be considered stricken from this Agreement, with the remaining provisions unaffected and given full force and effect.

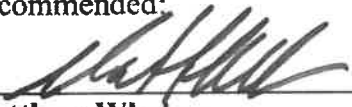
- H. **Governing Law.** This Agreement is and shall be governed by and construed in accordance with the laws of the State of New Mexico.
- I. **Attorney fees.** Licensee and MAS Location Owner jointly agree to be responsible for all costs, attorney's fees, and expenses incurred by Licensor in enforcing its rights pursuant to Agreement, or in pursuing all available remedies which may be allowed herein or at law or in equity.
- J. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be a fully binding and enforceable agreement against the Party signing such counterpart, but all such counterparts shall together constitute one agreement.
- K. **Electronic Signatures.** Authenticated electronic signatures are legally acceptable pursuant to Section 14-16-7 NMSA 1978. The Parties agree that this Agreement may be electronically signed and that the electronic signatures appearing on the Agreement are the same as handwritten signatures for the purposes of validity, enforceability, and admissibility.

**IN WITNESS WHEREOF, the Parties hereto have signed this License Agreement as of the date indicated by each signature and being the Agreement is effective after approval upon the signature of the City's Chief Administrative Officer or his authorized designee.**

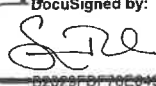
THIS SECTION INTENTIONALLY LEFT BLANK. SIGNATURE PAGE TO FOLLOW.

**Licensor:**  
**CITY OF ALBUQUERQUE**  
**A NEW MEXICO MUNICIPAL**  
**CORPORATION**


Recommended:

  
\_\_\_\_\_  
**Matthew Whelan** **8/12/22**  
**Director, Department of Solid Waste** **DATE**  
**City of Albuquerque**

**Approved:**

DocuSigned by:  
  
\_\_\_\_\_  
**Lawrence Rael** **8/15/2022 | 1:51 PM MDT**  
**Chief Administrative Officer** **DATE**  
**City of Albuquerque**

**Licensee:**  
**Dawn Legacy Pointe, fiscally sponsored by**  
**Street Safe New Mexico**

  
\_\_\_\_\_  
**S. Kylea Good, CEO.** **Aug 12, 2022**  
**Principal** **DATE**

FIRST SUPPLEMENTAL AGREEMENT  
TO  
SHORT TERM LICENSE AGREEMENT  
CCN#

**THIS FIRST SUPPLEMENTAL AGREEMENT** is made and entered into upon the date of the last signature below, by and between the City of Albuquerque, New Mexico, a municipal corporation (“Licensor”), and **non-profit 501(c)3 Street Safe New Mexico’s fiscally sponsored Dawn Legacy Pointe** (“Licensee”), located at 1250 Menaul NE, Albuquerque, NM 87107. Licensor and Licensee may be referred to herein each as a “Party” and collectively as the “Parties.”

**RECITALS**

WHEREAS, the Licensor and the Licensee entered into a Short Term License Agreement dated August 15, 2022, hereafter referred to as the "Original Agreement," whereby the Licensor agreed to license certain Property to the Licensee for the purpose of providing a short term Safe Outdoor Space for a limited number of people experiencing homelessness; and

WHEREAS, the Licensor and the Licensee have agreed in this First Supplemental Agreement to modify the time of commencement of the License and the insurance requirements of the Original Agreement; and

WHEREAS, the Parties agree that all modifications to the time of commencement of the License and the insurance requirements are applicable from the date of the execution of the Original Agreement, August 15, 2022.

NOW THEREFORE, in consideration of the premises and mutual obligations herein, the parties hereto do mutually agree as follows:

1. Section 4.a. and 4.b. of the Original Agreement are hereby amended to read as follows:
  - a. The License for the Licensed Area granted hereunder shall commence on the date when the Licensee **first enters upon and occupies the land for the purpose of operating a Safe Outdoor Space, or for the purpose of readying the land for the operation of a Safe Outdoor Space** (the “Commencement Date”), and the Licensee shall then have access to the Licensed Area twenty-four (24) hours a day, seven (7) days a week. **The Licensee shall provide notice to the City of the Commencement Date.**
  - b. The initial License Period shall be for a period of six (6) months (“Initial License Period”) **from the Commencement Date.** The Licensor, in its sole discretion, has the right to extend the License Period for an additional six (6) month period subject to the terms and conditions set forth herein (unless changes are mutually agreed to in writing

by the Parties). The Initial License Period together with all License Renewal Periods shall collectively be referred to herein as “The License Period.”

2. Section 8.A. of the Original Agreement is hereby deleted in its entirety and replaced with the following:

a. **Commercial General Liability Insurance:** A commercial general liability insurance policy with occurrence coverage as follows:

<b>\$1,000,000 per claim</b>	Bodily Injury/Property Damage
<b>\$1,000,000 per claim</b>	Personal/Advertising Injury
<b>\$1,000,000 aggregate</b>	Products Liability/Completed Operations Hazard
<b>\$50,000 any one fire</b>	Fire Damage
<b>\$ 5,000 any one person</b>	Medical Payments

Said policy of insurance must include coverage for all operations performed for the City by the Licensee and contractual liability coverage shall specifically insure the hold harmless provisions of this Agreement.

b. **Commercial Automobile Liability Insurance (“CAL”):** A CAL policy with not less than a \$1,000,000 combined single limit of liability for bodily injury, including death, and property damage in any one claim. The CAL policy must include coverage for the use of all owned, non-owned, and hired automobiles, vehicles and other equipment both on and off work.

c. **Workers' Compensation Insurance:** Workers' Compensation Insurance for the Licensee’s employees when required by, and in accordance with, the provisions of the Workers' Compensation Act of the State of New Mexico (“Act”). The Licensee must have three (3) or more employees to trigger the Act’s workers’ compensation insurance requirement. Per the Act, this number includes the owner of the business.

d. **Professional Liability (Errors and Omissions) Insurance:** Professional liability (errors and omissions) insurance in an amount not less than \$1,000,000 per claim on a claims-made basis, with an aggregate limit of liability of \$3,000,000.

e. **Sexual Abuse Molestation Coverage:** Sexual abuse molestation insurance in an amount not less than \$1,000,000 combined single limit of liability per claim with a general aggregate of \$1,000,000.

f. **Other Coverage Enhancements and e-MD Coverage** as described in relevant policy.



- g. **Increased Limits:** If, during the term of this Agreement, the City requires the Licensee to increase the maximum limits of any insurance required herein, an appropriate adjustment in the Licensee's license amount will be made.
- 3. By signing this Agreement, the Parties ratify the modifications specified in Section 1 and Section 2 of this First Supplemental Agreement from the date of execution of the Original Agreement through to the execution of this First Supplemental Agreement. Further, the parties explicitly agree that all of the terms and conditions of the Original Agreement, including but not limited to all other insurance requirements not modified in Section 2 of this First Supplemental Agreement, and indemnification requirements, are applicable continuously commencing on the date of execution of the Original Agreement.
- 4. Except as herein expressly amended, the terms and conditions of the Original Agreement shall remain unchanged and shall continue in full force and effect unless there is a conflict between the terms and conditions of the Original Agreement and this First Supplemental Agreement, in which event, the terms and conditions of this First Supplemental Agreement shall control.
- 5. This Agreement shall not become effective or binding until approved by the highest approval authority required by the City under this Agreement.
- 6. Authenticated electronic signatures are legally acceptable pursuant to Section 14-16-7 NMSA 1978. The parties agree that this Agreement may be electronically signed and that the electronic signatures appearing on this Agreement are the same as handwritten signatures for the purposes of validity, enforceability, and admissibility.

SIGNATURES ON NEXT PAGE


IN WITNESS WHEREOF, the Parties hereto have signed this First Supplemental Agreement to the Short Term License Agreement as of the date indicated by each signature and being the Agreement is effective after approval upon the signature of the City's Chief Administrative Officer or his authorized designee.


Licensor:  
CITY OF ALBUQUERQUE  
A NEW MEXICO MUNICIPAL  
CORPORATION

Licensee:  
Dawn Legacy Pointe, fiscally sponsored by  
Street Safe New Mexico:

Recommended By:

Approved By:

DocuSigned by:  
  
A48F4D1G1344490...  
Matthew Whelan  
Director, Department of Solid Waste  
City of Albuquerque

DocuSigned by:  
  
B8723GAB8FG2421...  
S. Kylea Good, CEO  
Principal  
Dawn Legacy Pointe, fiscally sponsored by  
Street Safe New Mexico

Date: 11/17/2022 | 8:03 AM PST

Date: 11/14/2022 | 11:12 AM MST

Approved By:

DocuSigned by:  
  
D2029FDF70E649F...  
Lawrence Rael  
Chief Administrative Officer  
City of Albuquerque

Date: 11/18/2022 | 2:09 PM MST

# CITY OF ALBUQUERQUE

## CODE ENFORCEMENT

Plaza Del Sol Building, Suite 500  
600 2<sup>nd</sup> Street NW  
Albuquerque, NM 87102  
Tel: (505) 924-3850 Fax: (505) 924-3847



December 8, 2022

Dawn Legacy Pointe  
8409 Central Ave NE  
Albuquerque, NM 87108

### **RE: Safe Outdoor Space Location Application Approval Notification**

**Location Address:** 1250 Menaul NE, Albuquerque NM 87102

**Legal Description:** RIGHT OF WAY ACCESS CONTROL & MONUMENTATION MAP OF NEW MEXICO STATE HIGHWAY & TRANSPORTATION DEPARTMENT SPRINGER-SPEECHLY TR A-1 CONT 11.7263 AC

**Parcel ID:** 101505924018931414CA

Operator of Safe Outdoor Space:  
**Dawn Legacy Pointe**

Integrated Development Ordinance (IDO) Zone:  
**NON-RESIDENTIAL – LIGHT MANUFACTURING (NR-LM)**

The Safe Outdoor Space Location Application for this location address is APPROVED.

This notification certifies that the requirements for zoning and in the IDO have been satisfied for the above location. This approval is limited to Safe Outdoor Space. If you are NOT a religious institution, a \$75 Temporary Use Permit fee must be paid prior to operating.

Depending on the specific nature of Safe Outdoor Space activities at this location, additional City approvals may be required including, but not limited to; Fire Marshal's Office inspection(s), and Building Safety inspection(s) for remodeling and/or construction. During operation, the Safe Outdoor Space shall remain in compliance with all applicable codes and regulations. Unless the operator is a religious institution, this approval is valid for a period of up to two (2) years. After two (2) years, an application must be submitted for up to an additional two (2) years.

If the above-named Safe Outdoor Space is not operating at this location within 180 days of this approval notification, this Safe Outdoor Space Location Approval will expire and the location shall no longer be reserved for the above-named Safe Outdoor Space, unless a written extension has been granted by the Planning Department.

Sincerely,

  
Angelo D. Metzgar,  
Code Compliance Manager

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Sincerely,

  
Angelo D. Metzgar,  
Code Compliance Manager

## SAFE OUTDOOR SPACE APPROVAL

TO: Jeremy Keiser

City of Albuquerque Planning Department

FROM: Dawn Legacy Pointe

Operator

Mr. Keiser, we have complied with the Notice Requirements that the Hearing Officer required - all 20 property owners. Our understanding is that our Approval for the Safe Outdoor Space at 1250 Menaul Blvd. NE is now in effect.

If there are more appeals, we trust that the Hearing Officer will hear them expeditiously and make a final recommendation. There were 2 items that were mentioned in his remand that need your attention:

- 1) We did fill out an Application on the Planning Department's website. The Hearing Officer stated that there was no copy of our Application in the documents the Planning Department gave him. Please make sure he receives it.
- 2) The Hearing Officer mentioned there was a few pages on the Security and Operation Plan for the Safe Outdoor Space. This was an Executive Summary we submitted which was approved by Family and Community Services. There is a lot more detail which may be important to the Hearing Officer.

Therefore, we are giving Jeff Palmer a copy of the much more detailed Security and Operation Plan supplement which may be of interest to the Hearing Officer. Please make sure he receives this also.

Thank you and your Department for your assistance in helping us to provide a safe and secure option for homeless women who are now on the street.

# Safe Outdoor Space Safety Team and Volunteer Training Manual

## Contents

1. Roles, responsibilities, and volunteer opportunities
2. General safety protocol
3. Daily camp management and camp office management
4. Day shift/guest sign-in duties and night shift duty paperwork

### **1. Roles, responsibilities, and volunteer opportunities**

- a. SOS Office Management** - maintaining the SOS's records and paperwork
- b. Safety team management** - scheduling and managing day and night shift duties, overseeing daily functions, emergency response
- c. Day shift sign-in duty** - making sure all guests that enter the SOS sign in; monitoring guests while in the camp
- d. Night shift safety watch** - hourly SOS walk through, and emergency response
- e. SOS grounds upkeep** - emptying garbage cans, cigarette butts and debris, clean camp perimeter, dishes, outside coffee station, tent maintenance, bathroom clean-up
- f. Donation trailer clean-up** - sort donations in the donation trailer, distribute donations, accept donations from donors and give donation receipts
- g. Clean-up** - debris around any garden spaces and around parking lot
- h. Volunteer Projects** - any special projects like gardens or when groups come

### **2. General safety protocol**

- a. Emergency phone numbers** - these numbers are in order of response priority, and chain of communication
- b. Police, Fire, Medical** - 911
- c. Police dispatch** - (505)n 243- COPS / 311 for ABQ Community Safety

Safety at Safe Outdoor Spaces is always a primary concern, and has been part of the way we as an unhoused community have invested in forming our own self governance. Like any community, we are concerned about fire safety, criminal behavior, mental/general health issues, as well as making sure our residents can endure the elements. Being part of the Volunteer Staff and Safety Team is about taking care of ourselves and each other, even though this is a transitional situation for most, to be vigilant in learning to communicate with each other and remind each other about the privilege of living at the Safe Outdoor Space, and that is it up to all of us to make it work out.

Many challenges are faced out here, drug and alcohol abuse, theft, violence, mental health problems, and chronic health issues. Dealing with these conflicts with patience and compassion, together, one person at a time, all learning the appropriate responses to any of the micro-crises that arise, is the key that continues to allow the Safe Outdoor Space to grow in peace, and help people along the way. It is important, as while still learning to meet the challenges better, to outline strategies for Staff, Volunteers, and Client Residents on how to approach different emergency situations.

- A. Aggression and physical violence - 911 - Police
- B. Drug and alcohol abuse - 911 - Police or Emergency Medical Technical (EMT)
- C. Health issues - 911 - EMT
- D. Mental health, depression, suicide, anxiety - 911 - Police/EMT
- E. Conflicts outside of the SOS - 911 - Police

In all cases, after the appropriate authorities are called, notify SOS Staff to let them know what is going on. If the emergency is severe, also call the Board Chair. Please write down and file an incident report for each situation and make sure it is given to the SOS Staff immediately.

### **3. Daily SOS management**

The SOS Management has been responsible for creating their own office and format for how the daily functions and operations of the SOS and the client residents that live here together as a community can work together more effectively. It has been our goal to leave a working template behind so that a new group of volunteers can easily assume the roles and tasks at hand, and to be able to continue to grow and expand our working relationship with other organizations. There is a file for every aspect of what we do here and we are constantly trying to improve how to make the paperwork easy to access and understand. Be diligent to get the hang of it.

#### **Registering New Clients - Intake**

When someone wants to move into the SOS, they must first apply and if accepted do an intake with SOS Staff (typically the SOS Outreach Coordinator). After an individual has an intake slip from the Staff Member, they will be directed to where they will find out what tent site they will be on and get added to the roster.

#### **SOS Placement**

- A. Resident Information - double check - date of birth, veteran status, pets, vehicle numbers (VIN/license plate), and emergency contacts on the intake

sheet so that they can be entered into the client resident roster and SOS database. Our office uses a **SOS Status Tracking Form**, which the new resident should fill out before being placed, so that we can better help people find work, get housing, or receive services. **Make sure to also write the current date and the tent or space the new resident is moving into on the intake sheet.** The intake sheet can then be filed in the Current Registrations Folder so that this information can be entered into the database the next time the SOS Roster is updated. The new resident should then be given a copy of the rules, in English or Spanish, and **sign the rules sheet** which is in the SOS Rules folder.

- B. Moving In - After all this has been done, the new Client Resident is ready to move in. Ask if they need any gear such as sleeping bags, blankets, pillows, pads, etc. The SOS Community Manager or Coordinator will get them if there are not any in the SOS storage. Make sure to ask the new Client Resident if they have any questions about the SOS, and try to make them feel welcome.

### **Camp Roster**

The SOS Roster needs to be updated at least once per week, or as needed depending on how much traffic there is of Client Residents moving in and out. If the roster is not kept up it makes it hard to see who is in the SOS and what spaces are available for potential Client Residents to move into. It is also the SOS Staff responsibility to keep the roster up to date so that the Albuquerque Police Department (APD), EMTs, and Fire Response can be easily directed to who and where residents are in case of an emergency.

SOS Roster information is updated by the SOS Outreach Coordinator in Google Drive and shared with various SOS Staff and Board of Directors.

### **Vacated Records**

Whenever a Client Resident vacates the SOS, for whatever reason, it is documented and tracked to the data team. If they get housing, are asked to leave for violating the rules, move somewhere else, leave for health reasons, or even go MIA, write their status on the Client Resident's Intake Form with the date they vacate. There is also a Vacated Form in the Vacated file, where the Intake Form is then filed after being updated, that should also be filled out with the same information. Vacated files should be updated weekly, including transferring the current information to the computer database Vacated file. This information is also part of the Monthly Reports that are filed before the end of each month.

### **Personal Belongings Inventory and Storage**



If a Former Client Resident leaves the SOS, but cannot take all their belongings with them, the SOS can keep personal possessions in storage for up to three (3) calendar days. Their belongings must be properly bagged and labeled with their full name and the date before being put into the storage container. A rudimentary inventory of the Former Client Resident's belongings, number of bags/suitcases, gear, tent etc. must be logged in the Personal Belongings Sheet, dated, and filed. When the Former Client Resident comes to pick up their belongings, the date and initials of the individual should be put on the Personal Belongings Inventory Sheet next to their entry.

#### **4. Day Shift/Guest Sign-in Duties and Night Shift Duty**

##### **Safety team assignment - day/night shift duty:**

It generally is good practice to get Client Residents to sign up for day or night shifts on Sunday, or before the next SOS business week starts, for the *whole* week. The days, shifts (AM/PM), and the names of the Volunteers should be written on the dry erase board, *clearly*, so that everyone can see who is working. At the beginning or end of each volunteer shift, the Volunteer needs to sign the Service Hours Log so that the service hours can be tallied up at the end of each month for the SOS. The tally is required and we must be submitting all the volunteer hours monthly.

##### **Day Guest Sign-In**

Every morning at 7am the first person on watch can get the Guest Sign-in clipboard. It is important that every person that walks through the front gates, including Volunteers, signs in. When someone signs in as a Client Resident Guest, make sure the Client Resident they are visiting is currently at the SOS. Client Resident Guests that remain at the SOS for more than an hour, or repeatedly come and go after signing in once, should be asked to leave. The Client Resident the Guest was visiting should be immediately informed of the rule infraction. Client Residents must always be present at the SOS when their Guest is on the SOS property, and Guests will be asked to leave if this rule is broken. Client Residents who break the rule should be immediately notified of the rule upon their return. If the clipboard runs out of Sign-in Sheets during the course of the day, you can get new ones in the Guard Shack in the folder marked SOS Sign-in Sheets. Guests who sign-in on the clipboard are here to visit Client Residents or to volunteer. People who do not live at the SOS and are not volunteering or being given a tour by a designated Staff, Board, or Volunteer are not to be wandering around, consuming beverages or food, or loitering and under no circumstances are guests allowed in residents' tents. At the end of the day, the Volunteer on the last shift can return the

Guest Sign-in clipboard to its proper place. Remember, there are no client resident guests allowed in the SOS before 7am or after 6pm, and that is every client resident's responsibility.

### **Night Shift Safety Team Duties**

At 6pm the first person on night watch can get the Time Log Sheet, so that they can log every hour when they walk around the SOS. If something is seen that is not a serious situation that needs an incident report, it can be written on the Time Log Sheet so that Staff or the Board can address it the following day. For any situation that involves confrontation or may require 911, please wake up the SOS Community Manager so you are not getting involved with emergency situations alone. In the event of any emergency situation, an incident report should be written immediately while the situation and details are easily recalled, so that the report can be given to the SOS Staff and Board Chair first thing in the morning. If the Night Shift Safety Team are using flashlights, please remember to put the batteries in the charger so the following Night Shift Safety Team will have a fully charged flashlight.

*Remember - if you see something suspicious outside the community at night, do not approach by yourself. Wake up another Staff Member, SOS Volunteer, or Client Resident to keep watch or approach with you!*

### **SOS Paperwork**

All incident reports should be filled out shortly after the situation occurs so that the details are fresh. Please write clearly, professionally, and include all the important information so the SO Staff can know exactly what occurred. These reports are not a place to vent, so be careful not to embellish the incident. Have all the witnesses of the incident sign and date the report along with any other Safety Team members that were present. After discussing it with the SOS Community Manager, make a recommendation as necessary.

If the SOS Client Resident has a grievance of any kind they should request and be provided with a Grievance Form, which are kept in the Guard Shack. It is their responsibility to fill the form out, take a photo of the Grievance Form if they wish, and submit the Grievance Form to the SOS Staff. Try not to get involved in disputes in the camp, but simply direct Client Residents to follow the correct grievance procedure.

### **Volunteer Hours Log**

The Volunteer Hours Log is kept in the SOS Guard Shack. When volunteers are starting or ending their shifts they *must* sign the Volunteer Hours Log. SOS staff who noticed the Volunteer Hour Log has not been signed by a Volunteer are responsible for ensuring the Volunteer signs the log. All volunteer hours including sign-in desk duty, night watch, trash can emptying, grounds maintenance, camp upkeep, and also special projects should be logged shortly after they are completed. At the end of the month, these volunteer hours are tallied and given to the SOS Staff and Board so the SOS can help the agency represent the work being done accurately including for funding reports.

### **Donations Log**

The Donations Log is also kept in the Guard Shack, and should be utilized for incoming donations. Whenever an individual or group brings items to the SOS Community, ask for their name and if they would like a receipt for a tax deduction. If they do not want a receipt for tax deduction purposes, simply list the items donated and the appropriate information in the log. Some donors may also choose to remain anonymous. The Donation Receipts are also kept with the logs and can be filled out with the donors' information along with the items donated. One copy of the receipt goes to the donor and the other half to the SOS Staff. Ask the donor for permission to mention their contribution on the SOS social media, and thank them for their donation.

## **Safe Outdoor Space Security Protocol**

It is *everyone's* responsibility to keep the SOS Community safe. If you see or hear something suspicious against our agreements, inform the Safety Team, the Community Manager, or Outreach Coordinator.

### **Safety Officer**

1. It is the Safety Officer's responsibility to patrol the SOS boundaries
2. If something dangerous is seen or heard, do not be put in harm's way. Immediately *report* the situation to the security or police. Each phone number is listed in the Guard Shack. You must also report it to the SOS Staff and in the event of a severe incident also report to the Board Chair.
3. Share information with the other Client Residents, particularly those new to the SOS Community, about what the policies and procedures are.
4. The Safety Officer is the Point Person for any major concerns at the SOS Community, and responsible to de-escalate conflicts between Client Residents, call security/police if needed, and help figure out the Safety Officer schedule.

### **SOS Security**

1. Night shift: Patrol the perimeter of the SOS Community at least twice during the shift.
2. Make sure Guests sign in, and do not allow any Guest to go back to the tents unless they are accompanied by SOS Staff, Board Member, a Volunteer, or a Client Resident.
3. There are Time Logs in the Guard Shack. Log any important events, such as Guests coming, uninvited Visitors dropping by, donations coming in, incidents, police being called, etc.
4. Incident reports must be written and reported to the SOS Community Manager and the Outreach Coordinator.
5. Food donations go straight to the storage area. Clothing donations should be sent to the bin as soon as possible.
6. Do not allow Client Residents to take entire bags/boxes of donations to their tent. It is important that the donations are shared and not hoarded.
7. Belligerent/intimidating/threatening behavior is not allowed. Incidences of this behavior must be logged into the Time Log and written on an Incident Report Sheet.

✓ ALB BOCA HOTEL LIMITED PRTHSP  
1000 MARKET ST BLDG 1  
PORTSMOUTH NH 03801

✓ CITY OF ALBUQUERQUE  
PO BOX 2248  
ALBUQUERQUE NM 87103-2248

✓ DCI DONOR SERVICES INC  
1633 CHURCH ST SUITE 500  
NASHVILLE TN 37203-2948

✓ ALB BOCA HOTEL LIMITED PRTHSP  
1000 MARKET ST BLDG 1  
PORTSMOUTH NH 03801

✓ T-MOBILE PCS HOLDINGS LLC  
12920 SE 38TH ST  
BELLEVUE WA 98006-1350

✓ ARCHDIOCESE SANTA FE CEMETERY  
CATHOLIC SERVICE BLDG  
4000 ST JOSEPHS PL NW  
ALBUQUERQUE NM 87120-1714

✓ M-F PARTNERSHIP  
PO BOX 35280  
ALBUQUERQUE NM 87176-5280

✓ SUNSET MEMORIAL PARK  
PO BOX 25063  
ALBUQUERQUE NM 87125-0063

✓ ABQ 1701 LLC  
3304 W HISTORIC HWY 66  
GALLUP NM 87301-6841

✓ BRAR HOTELS GROUP INCORPORATED  
200 MILL ST  
RENO NV 89501-1535

✓ ALBUQ METROPOLITAN BOARD OF  
REALTORS INC  
1635 UNIVERSITY BLVD NE  
ALBUQUERQUE NM 87102

✓ CFF II SUN VILLAGE LLC & CSA II SUN  
VILLAGE LLC C/O JESSE MCBAY  
8012 BEE CAVES RD SUITE 300  
AUSTIN TX 78746-4902

✓ 1509 UNIVERSITY BLVD NM LLC  
4525 WILSHIRE BLVD SUITE 210  
LOS ANGELES CA 90010-3846

✓ ALB BOCA HOTEL LIMITED PRTHSP C/O  
OCEAN PROPS ATTN: N HEBERT  
1000 MARKET ST UNIT 1  
PORTSMOUTH NH 03801-3358

✓ ASSOCIATED GENERAL CONTRS  
1615 UNIVERSITY BLVD NE  
ALBUQUERQUE NM 87102

✓ CHAMISA PROPERTIES LLC  
1617 UNIVERSITY BLVD NE  
ALBUQUERQUE NM 87102

✓ GAECHTER OUTDOOR ADVERTISING INC  
C/O MIKE GAECHTER PRESIDENT  
13 HORIZON DR  
FRISCO TX 75034-6840

✓ GREATER ALBUQUERQUE ASSOCIATION  
OF REALTORS INC  
1635 UNIVERSITY AVE NE  
ALBUQUERQUE NM 87102-1710

✓ TA OPERATING CORPORATION C/O TAX  
DEPARTMENT  
24601 CENTER RIDGE RD  
WESTLAKE OH 44145-5634

✓ JMDH REAL ESTATE OF ALBUQUERQUE  
LLC ATTN: CEO  
1710 WHITESTONE EXPRESSWAY  
FLUSHING NY 11357

## SAFE OUTDOOR SPACES OPERATIONAL/SECURITY PLAN

How do we get them in the door?

Once the facility is ready, the SOS Manager and the person selected for Outreach will begin visiting the encampments that are ranked in order of priority, as far as the need to disband them and get the individuals in a secure situation with the basic services they need.

The description of what is available at the Safe Outdoor Space is made clear to the individuals that are spoken to. (If the Mayor and ABQ Police Dept. have decided to enforce the trespassing laws that apply especially to City Parks, that enforcement will be made clear to the person - it may help them to decide they would like to apply for a designated space.)

If they decide they would like to apply, the Outreach person will sit down with the individual and review the Registration form and fill in as much as possible.

A decision has to be made as to whether the individual will be able to reside in the Safe Outdoor Space. The SOS Manager has to have experience in dealing with mental illness, drug and alcohol addiction, and how this person would be able to handle the Rules for being in a designated space.

Not everyone will be a good fit. Those who have become homeless because of circumstances beyond their control; those who want to work but need a permanent place to clean up, receive mail, and get help obtaining a job are going to be at the top of the list as far as securing a space. We will take people who do take drugs, drink alcohol - but none of that is allowed when in the facility, and they have to follow the rules. Sex offenders will not be accepted as required by Safe Outdoor Spaces amendments passed by the City Council of Albuquerque.

We will coordinate with the other Non-Profits that can offer services that will help our residents. Being in 1 place is going to be really efficient for them - I have spoken with many of them and they feel this will be a big improvement over what they have to do now - track the people down that need help. Our Registration Form will help determine which individuals to work with, thus further increasing efficiency.

Once the individual signs the necessary paperwork, then we have to get them and their personal belongings to the Safe Outdoor Space. We are going to need a van or pickup truck to be able to do that.

This is critical: the reason the ABQ police will be able to enforce the trespassing laws is that homeless individuals will be able to go to an alternative location where they are not trespassing, AND take their personal property with them.

What happens after individuals are assigned a Designated Space?

Once in the Safe Outdoor Space, the Rules and service requirements (6 hours per week) will apply.

There is 1 mandatory meeting per month for all residents. Additionally, there is a meeting every week to discuss what is going on in the Safe Outdoor Space, solve problems that arise, etc.

There is an ONSITE Manager and an ASSISTANT who will help oversee the operation of the Safe Outdoor Space daily. The SOS Manager is off site after hours, but available if there is an emergency. Both ONSITE Manager and ASSISTANT will be supplied with cell phones to be able to communicate with police and the SOS Manager.

Scheduling for Security and Cleanup will be done by the onsite management. If a resident fails to show up for their scheduled duty, one of the onsite managers will fill in.

There will be 6' fencing with screening (like a tennis court) and gates around the Safe Outdoor Space. The gates will be open from 7:00am to 8:00pm, then they will be locked for the night. There will also be a Safety Shack for the residents on security to occupy; it will have lights and other necessary equipment to perform their duties.

All requirements for Safe Outdoor Spaces will be observed based upon amendments passed by the City Council of Albuquerque, New Mexico.

Initially, the Safe Outdoor Spaces will have temporary and portable showers, bathrooms, hand washing stations, and meeting spaces. If the City Council removes the temporary edict, then permanent structures will be built to provide the above.

## SAFE OUTDOOR SPACE REGISTRATION FORM

Full Name/Nickname:

Date of Intake:

D.O.B./Age:

Date of Entry:

Race/Language:

Date vacated:

Gender:

Veteran:

Health Concerns:

Pets:

Resident has read Rules \_\_\_\_\_

Staff Signature: \_\_\_\_\_

Status:

I hereby acknowledge that Safe Outdoor Spaces works closely with all branches of Law Enforcement. Safe Outdoor Spaces will not shelter residents absconding from the law and will assist law enforcement officials with vacating residents with open warrants.

Sign: \_\_\_\_\_

Employment: periodic – p/t – f/t- day labor

Income: Disability – Gen. Assist. – SSI-SSDI – SNAP – Retirement – Veteran      Received:

Basic Needs: ID – Birth Certificate – Social Security Card

Seeking Housing: Yes    No      Housing Received:

Education: GED – College – Vocational      Potential residents will be screened for housing barriers. If you have zero barriers to housing and are not working with a Housing Case Manager, tenancy if denied at intake.





CM Init: ANON   
 TRANSLATOR  New?

## INTAKE REPORT TRACKING

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_ Intake Date: \_\_\_\_\_  
 Ethnicity: \_\_\_\_\_ Race: \_\_\_\_\_ Veteran: \_\_\_\_\_ Education \_\_\_\_\_  
 Birth Date: \_\_\_\_\_ Social Security Number: \_\_\_\_\_  
 Married: \_\_\_\_\_ Single: \_\_\_\_\_ Div.: \_\_\_\_\_ Sep.: \_\_\_\_\_ Wid.: \_\_\_\_\_ Partner \_\_\_\_\_ Referred by: \_\_\_\_\_  
 Past Month's Residence: \_\_\_\_\_ Current: \_\_\_\_\_  
 Number of continuous months homeless: \_\_\_\_\_ Number of times homeless in past 3 yrs: \_\_\_\_\_  
 Chronically Homeless Yes \_\_\_\_\_ No \_\_\_\_\_ [Homeless+ Disability + (12 mo. Continuous, or 4+ times for 12+ mo., in 3 yrs.)]  
 Income at Intake: \_\_\_\_\_ Sources: \_\_\_\_\_  
 Resources at Intake: \_\_\_\_\_  
 Number in Household: Adult(s) \_\_\_\_\_ Children \_\_\_\_\_ City of Residence: \_\_\_\_\_

<b><u>PRIMARY DISABILITY</u></b>	
Severe Mental Illness	_____
Chronic Alcohol	_____
Drug Abuse	_____
AIDS & Related Diseases	_____
Developmental Disability	_____
Physical	_____
Other	_____
	_____
	_____

<b><u>PRIMARY PROBLEMS</u></b>	
Financial	_____ ID _____ Health _____
Transportation	_____ Mental Illness _____
Domestic Violence	_____
Substance Abuse	_____ Housing _____
Other	_____
	_____
	_____
	_____

Relationship (To Adult above)	Vet	Hisp	Race <small>(see Code below)</small>	DoB	Age	SS#	D-devl P=phys M=mntl	Income 60%-80% AMI

<b><u>FOOD STAMPS</u></b> Has them _____ Does not _____ Unknown _____  <b><u>MORE BENEFITS</u></b> SCHIP _____ Vet Hlth Care _____ WIC _____ Wkmans Comp _____ Other Cash Inc _____ Other Non-Cash Inc _____ Other: _____	<b><u>BENEFITS</u></b> SSI _____ SSD _____ Soc. Sec. _____ Health Insurance _____ Medicaid _____ Medicare _____ General Assistance _____ Work Income _____ AFDC/TANF _____ Veteran's _____ Child Support _____ Unemp Benefits _____	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>a.</td><td>American Indian or Alaskan Native</td></tr> <tr><td>b.</td><td>Asian</td></tr> <tr><td>c.</td><td>Black or African-American</td></tr> <tr><td>d.</td><td>Native Hawaiian or Other Pacific Islander</td></tr> <tr><td>e.</td><td>White</td></tr> <tr><td>f.</td><td>American Indian/Alaskan Native &amp; White</td></tr> <tr><td>g.</td><td>Asian &amp; White</td></tr> <tr><td>h.</td><td>Black/African American &amp; White</td></tr> <tr><td>i.</td><td>American Indian/Alaskan Native &amp; Black/African American</td></tr> <tr><td>j.</td><td>Other Multi-Racial</td></tr> </table>	a.	American Indian or Alaskan Native	b.	Asian	c.	Black or African-American	d.	Native Hawaiian or Other Pacific Islander	e.	White	f.	American Indian/Alaskan Native & White	g.	Asian & White	h.	Black/African American & White	i.	American Indian/Alaskan Native & Black/African American	j.	Other Multi-Racial
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j.	Other Multi-Racial																					

## Δ CAMP HOPE AGREEMENTS 2018 Δ

1. No use, sale, trade or purchase of alcohol or drugs (of any kind)
2. No intoxicated or disruptive behavior
3. No threatening, violent, intimidating or aggressive behavior or language
4. No firearms or illegal weapons allowed on campgrounds or MVCH property
5. No abusive language or discriminatory speech
6. No vandalism including graffiti or urinating or defecating on premises
7. No stealing or destruction of others' personal property, or property designated as belonging to Camp Hope or MVCH.
8. No open fires, to include camping stoves anywhere on the campgrounds or MVCH campus. Grilling is allowed in the designated camp grill area. The horno may be used for cooking but must first be approved by MVCH staff.
9. Visiting minors must be accompanied and supervised by an adult and are not allowed overnight. MVCH staff can assist unaccompanied youth and parents who have children to find emergency shelter.
10. Limited guests (2 per resident) are allowed during the hours of 7 am and 6 pm if they follow the rules. No overnight guests. You are responsible for the actions of your guests. ALL guests are required to sign in, and if hosting a guest you MUST meet them at the guard shack. No unattended visitors in or around Camp Hope or the garden area.
11. No guests except direct family members on the weekend.
12. Overnight stays are limited to registered campers.
13. No one with open warrants is allowed at Camp Hope.
14. No loitering is permitted in front of or around any of the MVCH Alliance Agencies when businesses are closed. Between the hours of 6 pm and 6 am, and on weekends and holidays, Camp Hope is the only area open to people on campus (anyone on campus must be a resident or visiting a resident of Camp Hope).
15. Campers, whether in tents or approved vehicles, may not connect to campus electricity or water. Campers may not use extension cords or hoses. Requests for special needs may be granted in writing by the MVCH Camp Coordinator.
16. No smoking is allowed in tents. Cigarettes should be extinguished in designated containers and butts put in proper containers.
17. No littering.
18. Keep your tent area tidy. Belongings must be confined to inside the tent pad space. Help keep the camp clean.
19. Camp Hope is *emergency sheltering in alternative structures*. If you are not actively working with Camp Hope Coordinator, looking for employment, or applying for housing, you cannot stay in the camp.
20. If you will be gone from camp for longer than 3 days you must communicate with camp manager or camp coordinator about circumstances. Camp Hope is not intended to be a secondary residence. Campers are not allowed to repeatedly stay elsewhere and return to camp intermittently. There are exceptions such as staying at the Gospel Rescue Mission during nights of extremely cold weather.

21. It is recommended that all residents perform and record 6 hours of service in camp a week.
22. Every Tuesday at 10:00 AM the Camp hosts "The Great Conversation". The conversation allows campers, staff, and community members to address our differences and to recognize how much we all have in common. The first Tuesday of every month is a mandatory camp meeting, and the first two meetings after your intake are also mandatory.
23. Campers will stay in the defined campground. A few spaces are available on the Camp parking area for vehicles to be used by camp residents. Vehicles must be registered and given permission to be on the Camp Hope premises. Their owners must follow all Camp Hope rules.
24. No unregistered or inoperable vehicles are allowed on the campus at any time.
25. Campers are responsible for cleaning up their tent before they move out of Camp. Residents who leave an untidy tent space will not be allowed back in camp. They will also be added to the MVCH banned list for littering (The number of months they are banned depends on the number of prior offenses by the resident). If items left behind are not removed within 3 days, they will be discarded as MVCH is not responsible for storing camp resident's property.
26. Donations may not be sold to anyone, for any amount. Anyone found breaking this agreement will be asked to vacate immediately.
27. When leaving Camp Hope, you may only leave with one reasonable truckload of items. This is to prevent hoarding and excess usage of camp resources.
28. Campers who have complaints must follow the Grievance procedure.
29. All dogs and pets coming in to Camp must be up to date on shots and be spayed or neutered. If residents need help with either they will be referred to agencies that may assist them. All dogs must be on a leash at all times as this is City of Las Cruces property.
30. Sex offenders must be registered with the LCPD/Sheriff Dept. Schools within one mile must be notified. This is the responsibility of the offender.
31. No drugs except as prescribed and taken as prescribed.
32. All residents must be fully clothed in common areas.
33. Camp quiet hours are 10:00 p.m to 8:00 a.m.
34. Camp Clean up Fridays 9-10 a.m.
35. MVCH has a responsibility to maintain confidentiality, respect and privacy for all residents at the Camp. We ask that clients not utilize social media when regarding to Camp Hope concerns. Contact the Camp Hope Outreach Coordinator for anything in regard to the Camp and Social media.

**There is ZERO tolerance for criminal behavior including alcohol and drug use, weapons violations, stealing, vandalism, assault, battery, etc. Offenses will be reported to MVCH staff and appropriate authorities. Criminal behavior will be reported to and dealt with by the Las Cruces Police Department.**



MESILLA VALLEY COMMUNITY OF HOPE

## Camp Hope Participant Assumption of Risk and Waiver of Liability Relating to Coronavirus/COVID-19

The novel coronavirus, COVID-19, has been declared a worldwide pandemic by the World Health Organization. COVID-19 is extremely contagious and is believed to spread mainly from person-to-person contact. As a result, federal, state, and local governments and federal and state health agencies recommend social distancing and have, in many locations, prohibited the congregation of groups of people.

The MVCH Camp Hope Program has put in place preventative measures and protocols, where possible, to reduce the spread of COVID -19; however, MVCH cannot guarantee that you will not become infected with COVID-19. Attending or participating in the Camp Hope program could increase your risk of contracting COVID-19.



By signing this agreement, I acknowledge the contagious nature of COVID-19 and voluntarily assume the risk that I may be exposed to, or infected by COVID-19 by participating in the Camp Hope program, and that such exposure or infection may result in personal injury, illness, permanent disability, and death. I understand that the risk of becoming exposed to or infected by COVID-19 by participating in the Camp Hope program may result from the actions, omissions, or negligence of myself and others, including, but not limited to, MVCH, City employees and contractors, subcontractors, or their respective employees.

I voluntarily agree to assume all of the foregoing risks and accept sole responsibility for any injury to myself including, but not limited to, personal injury, disability, and death, illness, damage, loss, claim, liability, or expense, of any kind, that I may experience or incur in connection with my participating in the Camp Hope program (the "Claims"). I hereby release, covenant not to sue, discharge, and hold harmless MVCH and the City of Las Cruces, its employees, agents, volunteers and representatives, of and from the Claims, including all liabilities, claims, actions, damages, costs or expenses of any kind arising out of or relating thereto. I understand and agree that this release includes any Claims based on the actions, omissions, or negligence of MVCH, the City of Las Cruces, its employees, agents, volunteers and representatives, whether a COVID -19 infection occurs before, during, or after participation in the Camp Hope program.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Print Name \_\_\_\_\_

Date \_\_\_\_\_

I understand that if I violate the rules of the camp or the rules of MVCH I will be asked to leave the camp. I agree that I received the rules and I understand them in full.

\_\_\_\_\_  
Resident Name/Signature Date

\_\_\_\_\_  
Witness Name/Signature Date

I understand that depending on the nature of the crime committed or rule infraction, I may be asked to leave the camp immediately. I agree that I will leave the camp or that I may risk being banned from the property or risk the police being called.

\_\_\_\_\_  
Resident Name/Signature Date

\_\_\_\_\_  
Witness Name/Signature Date

I realize that I am staying at Camp Hope of my own volition. I understand that paid staff is not on-hand at the camp at all times.

Camp Hope resident does hereby release and forever discharge and hold harmless MVCH and its successors and assigns from any and all liability, claims, and demands of whatever kind or nature, either in law or in equity that arise or may hereafter arise from the resident's stay at Camp Hope. I agree to defend, indemnify and save harmless MVCH and its officers, agents and employees from any and all suits, actions and claims of any character brought because of any injury or damage received or sustained by any person, persons or property.

\_\_\_\_\_  
Resident Name/Signature Date

\_\_\_\_\_  
Witness Name/Signature Date

# CITY OF ALBUQUERQUE



*Solid Waste Management Department*  
Matthew Whelan, Director

July 31, 2022

Dawn Legacy Pointe  
Fiscally sponsored by Street Safe New Mexico, a non-profit 501 (c)(3)

Dear Dawn Legacy Pointe,

The City has received your request to use City-owned property for a Safe Outdoor Space as described in the Integrated Development Ordinance, effective July 28, 2022. The property requested is located at 1250 Menaul NE, plat number: SP-81-349. This property is zoned Non-Residential-Light Manufacturing (NR-LM). You have requested the use of 1 acre of this property,

The City grants permission to use this site temporarily for 6 months, with a possible extension of 6 months pending your approved Safe outdoor Space application. This permission is granted however; a lease agreement or license agreement between the City of Albuquerque's Solid Waste Management Department and Dawn Legacy Point will need to be executed prior to commencing operations.

PO Box 1293

Albuquerque

NM 87103

[www.cabq.gov](http://www.cabq.gov)

Sincerely,

Matthew Whelan

City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

July 30, 2022  
[Date\*]

City of Albuquerque  
[Name\* of Abutting Property Owner]

PO Box 2248 Albuquerque, New Mexico 87103-2248  
[Address\* of Property Owner]

**RE: Public Notice of Temporary Use Permit**

Dear City of Albuquerque [Name\* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) **Subsection 14-16-6-5(D)(2)**, this is written notice to you as an abutting Property Owner that an application for a **Temporary Use Permit** will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@cabq.gov](mailto:codeenforcement@cabq.gov).

1. Property Owner of Subject Property\* City of Albuquerque

2. Agent\* [if applicable] —

3. Subject Property Address\* 1250 Menaul Blvd. NE

4. Location Description vacant land - SW corner of Menaul

5. Zone Atlas Page H-15-Z [Available here: <http://data.cabq.gov/business/zoneatlas/>]

6. Legal Description not available

7. Area of Property [typically in acres] 0.79 acres

8. IDO Zone District NR-LM

9. Overlay Zone(s) [if applicable] —

10. Center or Corridor Area [if applicable] —

11. Current Land Use [vacant, if none] None - vacant

12. Deviations Requested [if applicable] —

13. Variances Requested [if applicable] —

The application will request the temporary use for the following land uses and/or activities:

Safe Outdoor Space

City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit

[Note: Items with an asterisk (\*) are required.]

The application will request that the temporary use be allowed for the following duration:

24 months with an additional [ex: number of days/months/years].

24 months if approved by City of Albuquerque.  
This temporary use will operate in the following days and times:

24 hours a day / 365 days a year

NOTE: Anyone may request and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project [IDO Subsection 14-16-6-4(D)]. To request a Facilitated Meeting regarding this project, contact the Planning Department at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or 505-924-3955. To view and download the Facilitated Meetings Criteria, visit <http://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development>.

Please contact me with any questions or concerns at 720.333.8288 [phone number\*] or via s.goodco@gmail.com [email\*].

More information about the project can be found here: [project webpage\*, if applicable]

Useful Links

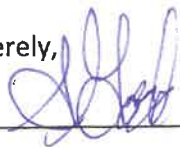
**Integrated Development Ordinance (IDO):**

<http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Sincerely,



\_\_\_\_\_  
[Agent/Property Owner/Developer/Operator]

Cc: \_\_\_\_\_ [Other Property Owners, if any]



**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
 Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

Albuquerque, NM 87107

Certified Mail Fee \$4.00  
 \$  
 Extra Services & Fees (check box, add fee \$) (PSN 7530-02-000-9047)  
 Return Receipt (hardcopy) \$  
 Return Receipt (electronic) \$  
 Certified Mail Restricted Delivery \$  
 Adult Signature Required \$  
 Adult Signature Restricted Delivery \$  
 Postage \$0.60  
 \$  
 Total Postage and Fees \$7.85  
 \$



Sent To  
 Dawn Legacy Pointe  
 Street and Apt. No., or P.O. Box No.  
 8409 Central Ave NE  
 City, State, ZIP+4®  
 ABQ NM 87108

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



HIGHLAND  
 111 ALVARADO DR SE  
 ALBUQUERQUE, NM 87108-9998  
 (800)275-8777

08/05/2022 11:11 AM

Product	Qty	Unit Price	Price
First-Class Mail® Letter	1		\$0.60
Albuquerque, NM 87107 Weight: 0 lb 0.60 oz Estimated Delivery Date Mon 08/08/2022			
Certified Mail®			\$4.00
Tracking #:	70221670000329274442		
Return Receipt			\$3.25
Tracking #:	9590 9402 7272 1284 5409 63		
<b>Total</b>			<b>\$7.35</b>
US Flags	20	\$0.60	\$12.00

Grand Total: \$19.85

Credit Card Remit \$19.85  
 Card Name: VISA  
 Account #: XXXXXXXXXXXXX1746  
 Approval #: 03624C  
 Transaction #: 300  
 AID: A0000000031010 Chip  
 AL: VISA CREDIT  
 PIN: Not Required CHASE VISA

\*\*\*\*\*  
 Every household in the U.S. is now eligible to receive a third set of 8 free test kits.  
 Go to [www.covidtests.gov](http://www.covidtests.gov)  
 \*\*\*\*\*

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit [www.usps.com](http://www.usps.com) USPS Tracking or call 1-800-222-1811.

Preview your Mail  
 Track your Packages  
 Sign up for FREE @  
<https://informedelivery.usps.com>

All sales final on stamps and postage. Refunds for guaranteed services only. Thank you for your business.

Tell us about your experience. Go to: <https://postalexperience.com/Pos> or scan this code with your mobile device,



or call 1-800-410-7420.

7022 1670 0003 2927 4442

City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

8/4/22  
[Date\*]

Sunset Memorial Park  
[Name\* of Abutting Property Owner]

924 Menaul Blvd. NE ABO, NM 87107  
[Address\* of Property Owner]

**RE: Public Notice of Temporary Use Permit**

Dear Sunset Memorial Park owner [Name\* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) **Subsection 14-16-6-5(D)(2)**, this is written notice to you as an abutting Property Owner that an application for a **Temporary Use Permit** will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@cabq.gov](mailto:codeenforcement@cabq.gov).

1. Property Owner of Subject Property\* City of Albuquerque
2. Agent\* [if applicable] not applicable
3. Subject Property Address\* 1250 Menaul Blvd. NE
4. Location Description NE corner of Menaul and I-25 Frontage Road
5. Zone Atlas Page H-15-Z [Available here: <http://data.cabq.gov/business/zoneatlas/>]
6. Legal Description not available
7. Area of Property [typically in acres] 0.79 acres
8. IDO Zone District NR-LM
9. Overlay Zone(s) [if applicable] —
10. Center or Corridor Area [if applicable] —
11. Current Land Use [vacant, if none] vacant
12. Deviations Requested [if applicable] —
13. Variances Requested [if applicable] —

The application will request the temporary use for the following land uses and/or activities:

Safe Outdoor Space

City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit

[Note: Items with an asterisk (\*) are required.]

The application will request that the temporary use be allowed for the following duration:

6 months with an additional 6 months possible unless extensions are granted by the City of ABQ.  
[ex: number of days/months/years].

This temporary use will operate in the following days and times:

24 hours daily - 365 days per year

NOTE: Anyone may request and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project [IDO Subsection 14-16-6-4(D)]. To request a Facilitated Meeting regarding this project, contact the Planning Department at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or 505-924-3955. To view and download the Facilitated Meetings Criteria, visit <http://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development>.

Please contact me with any questions or concerns at 720-333-8288 [phone number\*] or via s.goodco@gmail.com [email\*].

More information about the project can be found here: [project webpage\*, if applicable]

not applicable

Useful Links

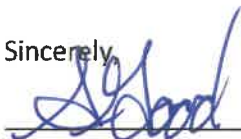
**Integrated Development Ordinance (IDO):**

<http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Sincerely,



[Agent/Property Owner/Developer/Operator]

Cc: City of Albuquerque [Other Property Owners, if any]

City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

July 30, 2022  
[Date\*]

Sunset Memorial Park  
[Name\* of Abutting Property Owner]

924 Menaul Blvd. NE ABQ, NM 87107  
[Address\* of Property Owner]

**RE: Public Notice of Temporary Use Permit**

Dear Sunset Memorial Park [Name\* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) **Subsection 14-16-6-5(D)(2)**, this is written notice to you as an abutting Property Owner that an application for a **Temporary Use Permit** will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@cabq.gov](mailto:codeenforcement@cabq.gov).

1. Property Owner of Subject Property\* City of Albuquerque
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24 months with additional 24 months if approved by the City of Albuquerque [ex: number of days/months/years].

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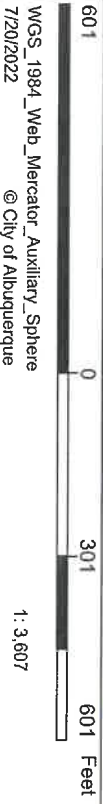
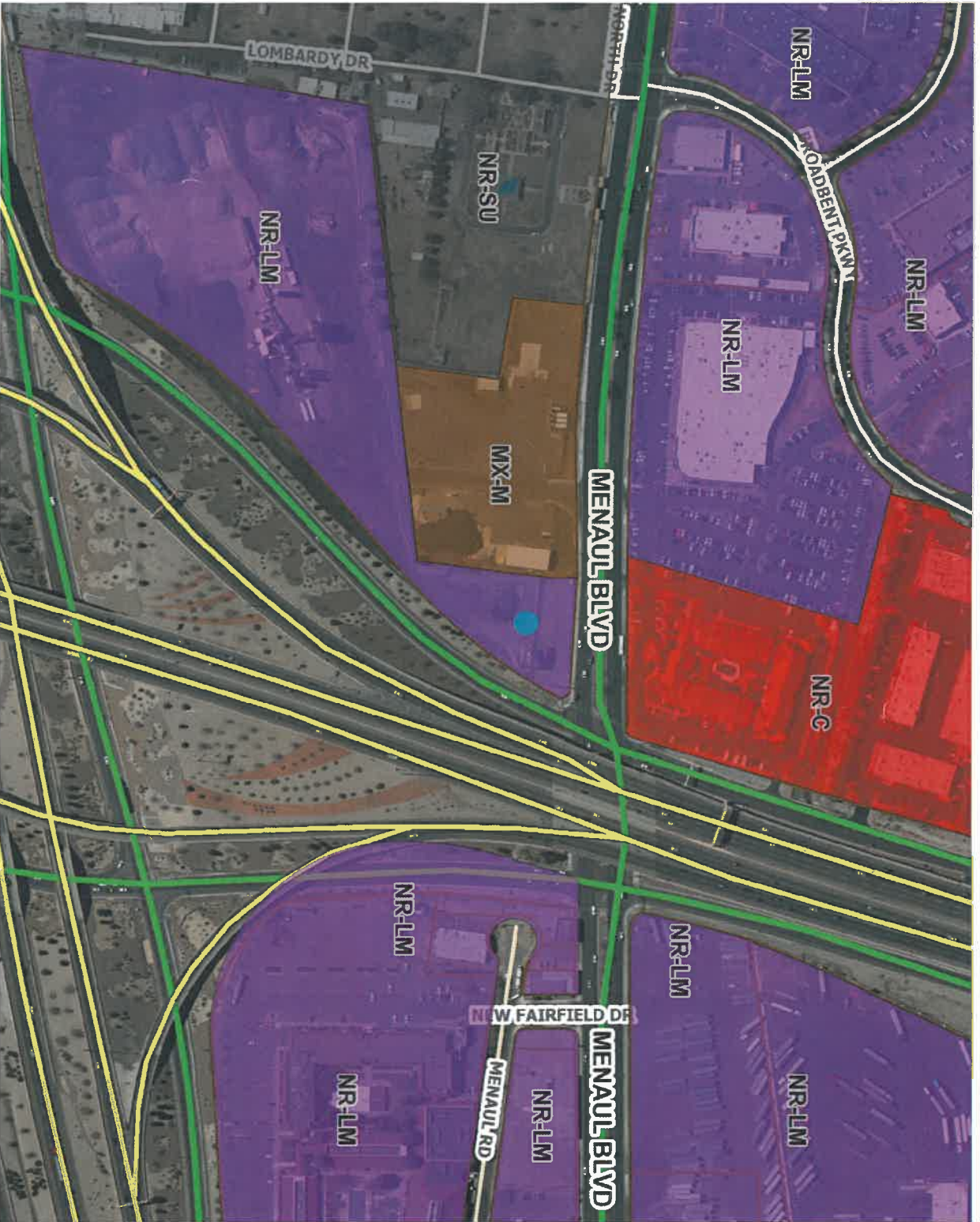
Sincerely,

[Signature] [Agent/Property Owner/Developer/Operator]

Cc: \_\_\_\_\_ [Other Property Owners, if any]



# 1250 Menaul Blvd NE Vicinity Map



The City of Albuquerque ("City") provides the data on this website as a service to the public. The City makes no warranty, representation, or guaranty as to the content, accuracy, timeliness, or completeness of any of the data provided at this website. Please visit <http://www.cabq.gov/abq-data/abq-data-disclaimer-1> for more information.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

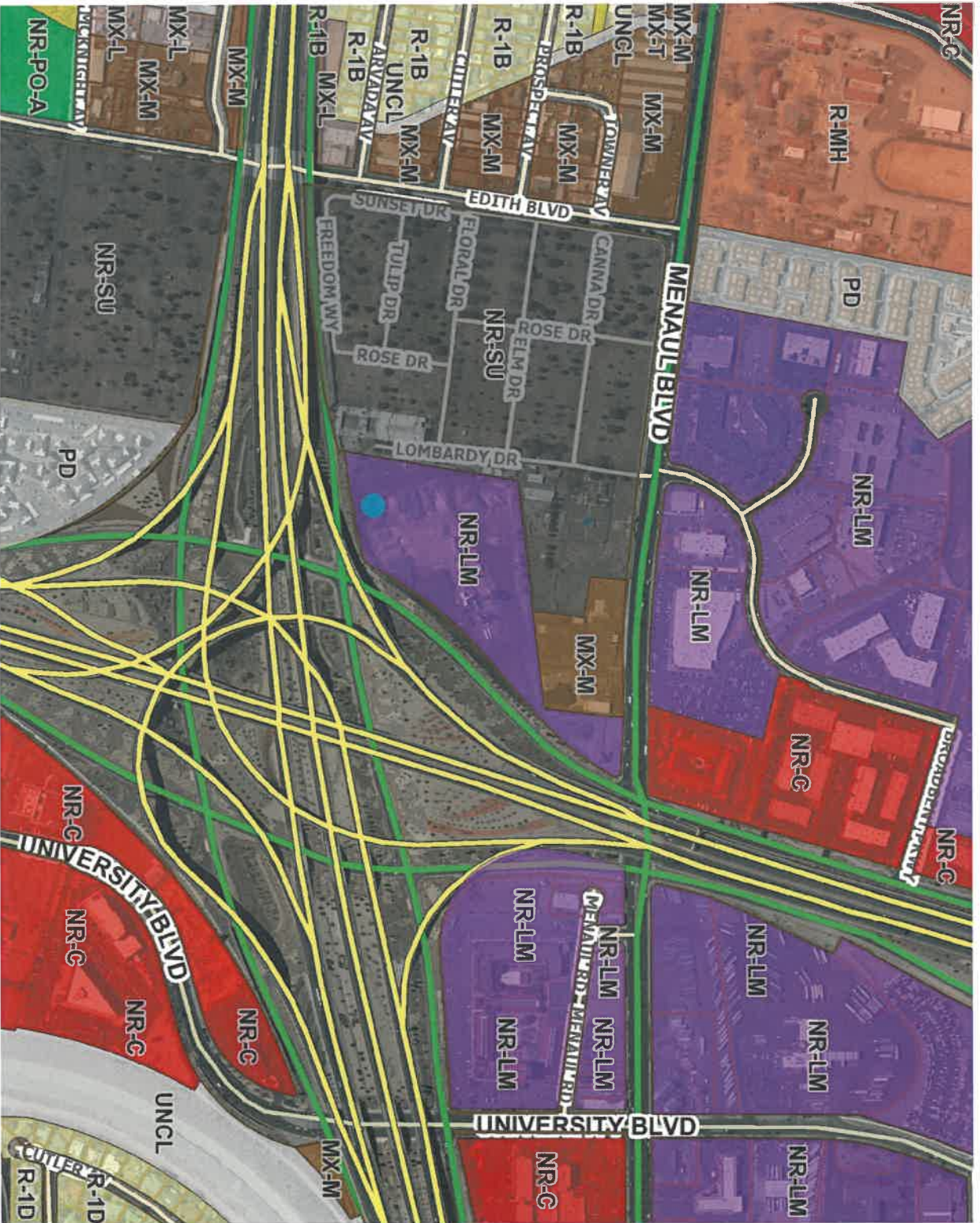
### Legend

- IDO Zoning
- R-A
  - R-1A
  - R-1B
  - R-1C
  - R-1D
  - R-T
  - R-MC
  - R-ML
  - R-MH
  - R-T
  - R-C
  - MX-H
  - MX-FB-ID
  - MX-FB-FX
  - MX-FB-UD
  - NR-C
  - NR-BP
  - NR-LM
  - NR-GM
  - NR-SU
  - NR-PO-A
  - NR-PO-B
  - NR-PO-C
  - NR-PO-D
  - PD
  - PC
  - UNCL
- Bernalillo County Parcels
- Primary Streets

### Notes



# 1250 Menaul Blvd NE Vicinity Map



### Legend

- IDO Zoning**
- R-A
  - R-1A
  - R-1B
  - R-1C
  - R-1D
  - R-T
  - R-MC
  - R-ML
  - R-MH
  - MX-T
  - MX-L
  - MX-M
  - MX-H
  - MX-FB-ID
  - MX-FB-FX
  - MX-FB-UD
  - NR-C
  - NR-BP
  - NR-LM
  - NR-GM
  - NR-SU
  - NR-PO-A
  - NR-PO-B
  - NR-PO-C
  - NR-PO-D
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  - PC
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- Bernalillo County Parcels
- Primary Streets

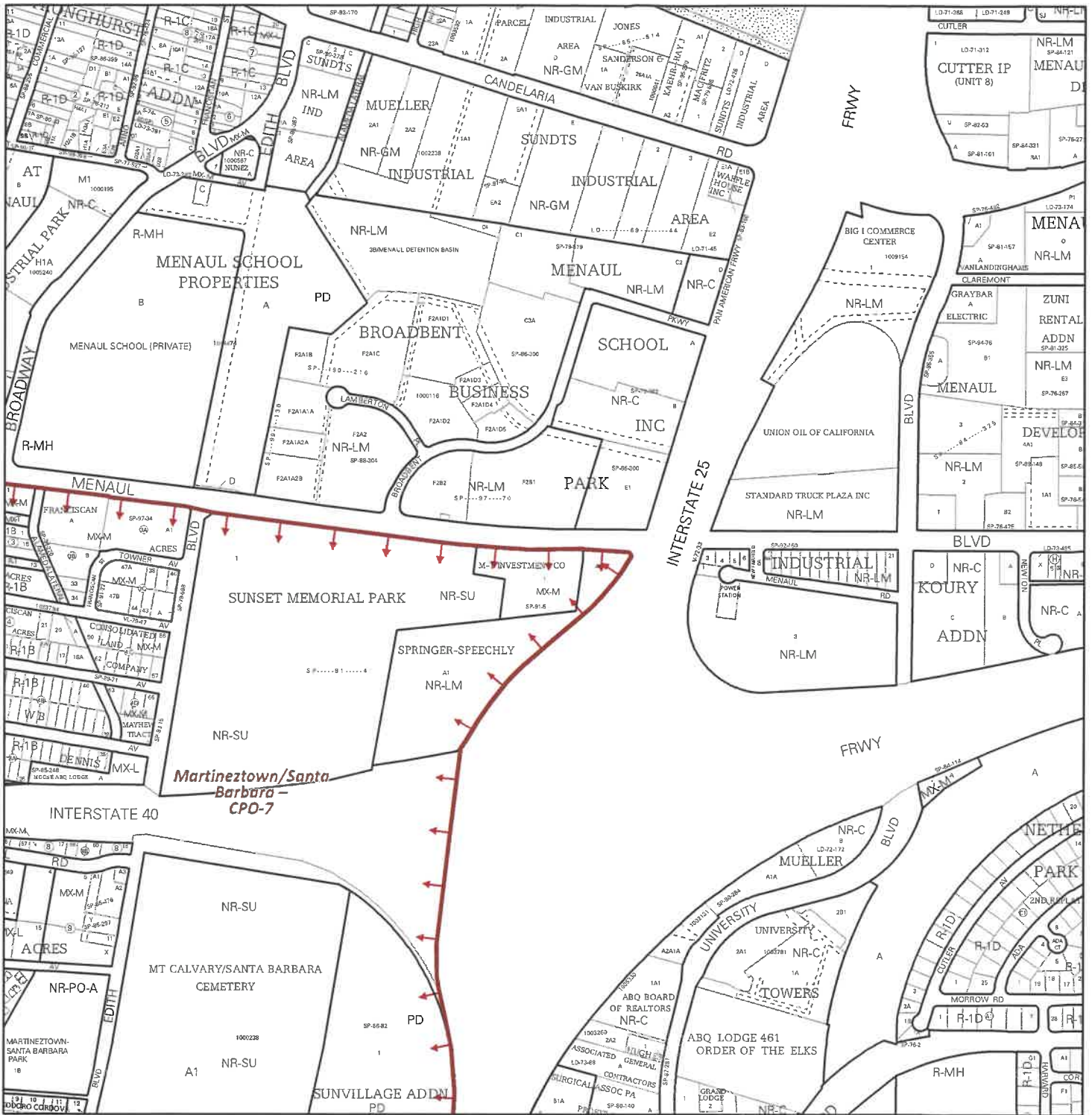
### Notes

1,202  
0  
601  
1,202 Feet  
1:7,213

WG5, 1984\_Web\_Mercator\_Auxiliary\_Sphere  
8/1/2022  
© City of Albuquerque

The City of Albuquerque ("City") provides the data on this website as a service to the public. The City makes no warranty, representation, or guaranty as to the content, accuracy, timeliness, or completeness of any of the data provided at this website. Please visit <http://www.cabq.gov/abq-data/abq-data-disclaimer-1> for more information.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**



For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

# IDO Zone Atlas May 2018



IDO Zoning information as of May 17, 2018  
The Zone Districts and Overlay Zones are established by the Integrated Development Ordinance (IDO).



Zone Atlas Page:  
**H-15-Z**

- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

Gray Shading Represents Area Outside of the City Limits

0 250 500 1,000 Feet



August 3, 2022

Jeremy,

Please find enclosed the substitute Vicinity Map and Site Plan for the Safe Outdoor Space application from Dawn Legacy Pointe.

The City wanted them to use a different portion of the same property noted in their application.

Please let me know if you require anything else.

Thanks,

Brad Day

505.328.3726

bradwday1@gmail.com

## Palmer, Jeffrey

---

**From:** Brad Day <bradwday1@gmail.com>  
**Sent:** Thursday, August 4, 2022 7:36 PM  
**To:** Palmer, Jeffrey  
**Subject:** Re: SOS application for 1250 Menaul Blvd NE

[EXTERNAL] Forward to [phishing@cabq.gov](mailto:phishing@cabq.gov) and delete if an email causes any concern.

Mr. Palmer, your representation of the Site Plan for our Safe Outdoor Space at 1250 Menaul Blvd. NE, Albuquerque, New Mexico is correct. I would add 2 clarifications: 4. The maximum occupancy is 50 persons. 6. The fence also will have a screen attached making it opaque as required. Thank you for your help in this matter.

Brad Day

On Thu, Aug 4, 2022 at 4:57 PM Palmer, Jeffrey <[jppalmer@cabq.gov](mailto:jppalmer@cabq.gov)> wrote:

Good afternoon, Brad,

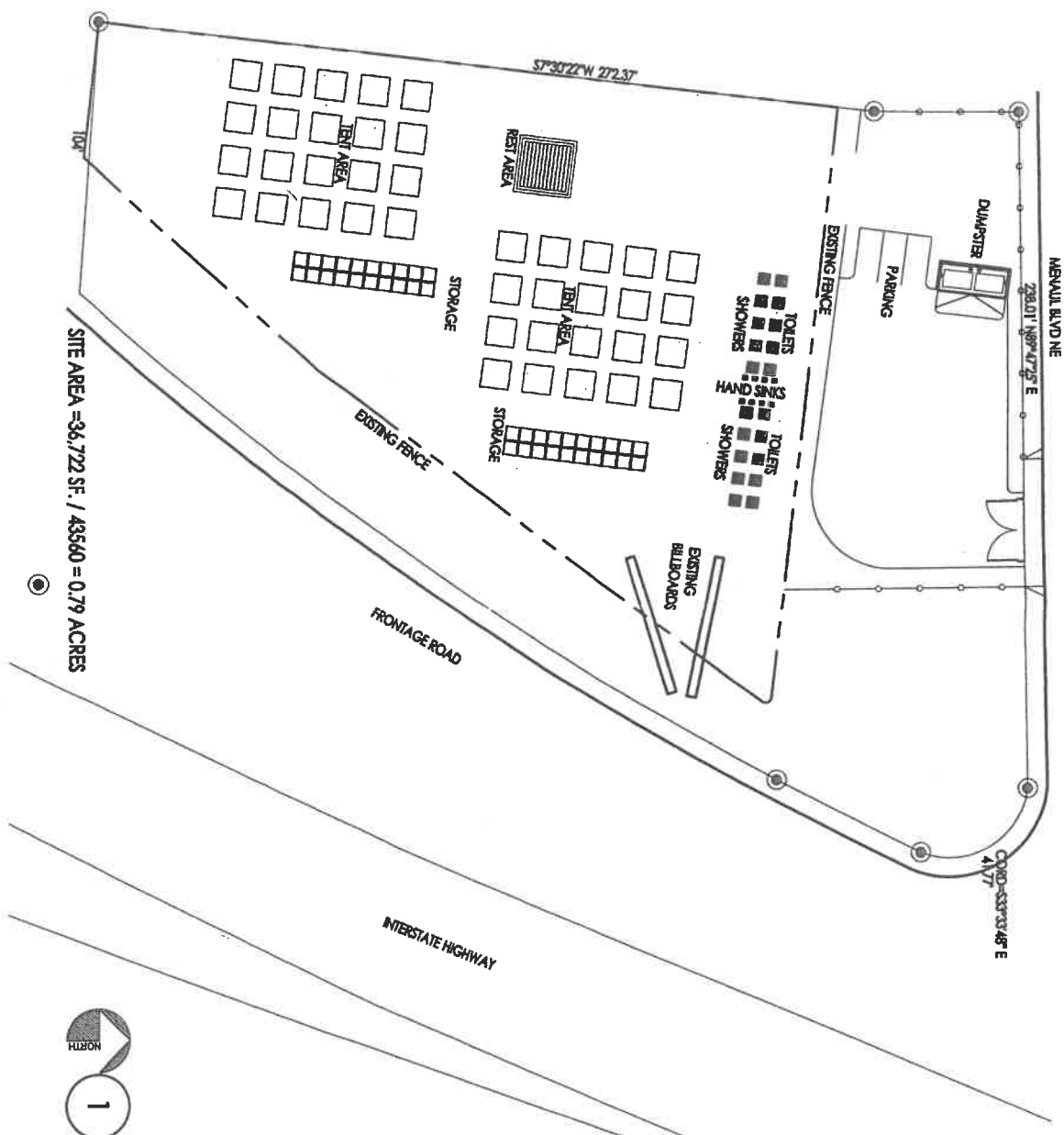
As we discussed this afternoon, we are in the process of reviewing the application submitted by you for Dawn Legacy Pointe, to be located at 1250 Menaul Blvd NE.

Based on our review of the Site Plan, and on our subsequent discussion, I would like to confirm the accuracy of our interpretation of the Site Plan regarding the following items:

1. Toilets = 10 shown
2. Showers = 10 shown
3. Hand sinks = 8 shown
4. Designated spaces = 40 shown (Note: with a maximum occupancy plan for 50, as per the approved Operational Plan)
5. Distance from Toilets and Handwashing stations to further designated space = 200 feet (per measurement on scaled drawing provided).
6. Height of fence = 6 feet

Please confirm that this information is correct and/or provide clarification if needed. Thank you.

Respectfully,

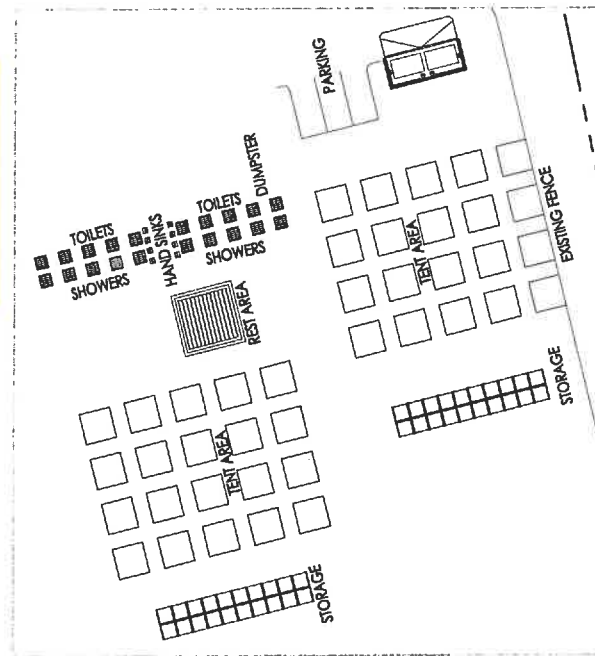


SITE AREA = 36,722 SF. / 43560 = 0.79 ACRES

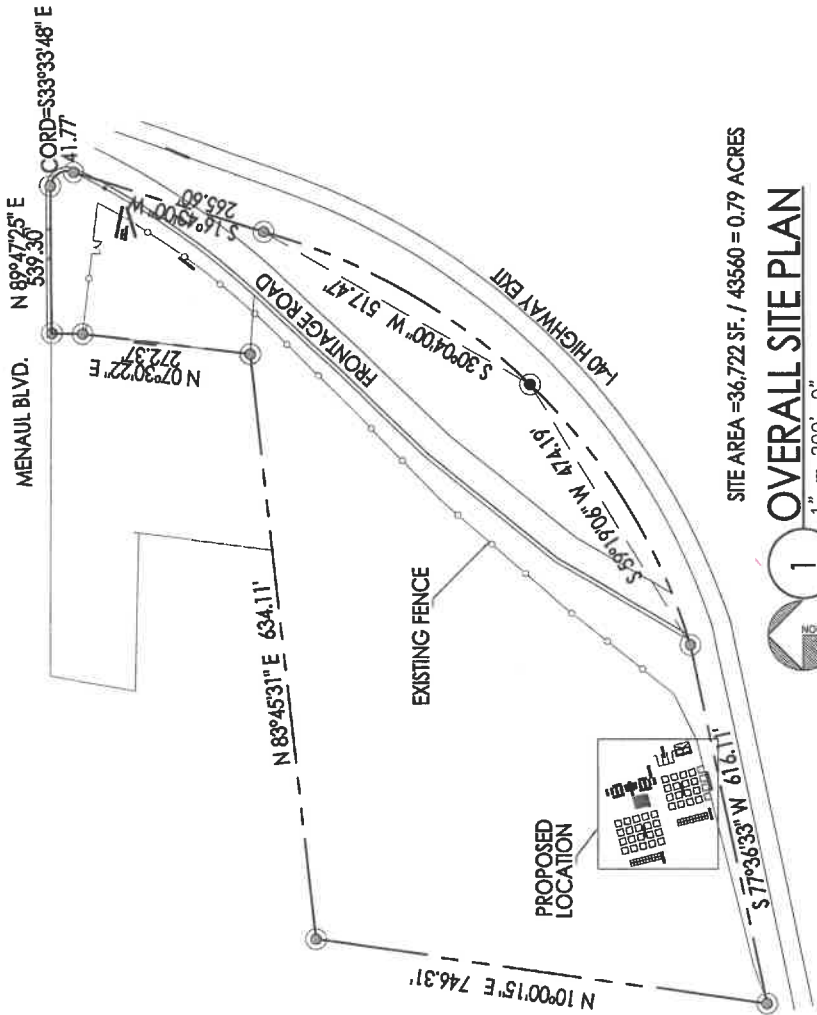


**1** SITE PLAN  
1" = 40'-0"

1ST SUBMITTAL  
- REVISIONS



2 1" = 40'-0"



SITE AREA = 36,722 SF. / 43560 = 0.79 ACRES

1 1" = 200'-0"



## ESSENTIALS FOR DEVELOPING SAFE OUTDOOR SPACES

- 1) Locations: MX-M and H have to be Permissive along with the NR categories C, BP, LM, and GM. Prohibition of fronting Major Transportation Corridors acceptable.

If there are not enough potential locations, or if the Conditional requirements are part of the Amendment for the categories above - it will take 1-2 years to get any Safe Outdoor Spaces built.

STATUS QUO is what will RESULT. Can we wait any longer to address the trespassing, littering, and vandalism?

- 2) 330 feet (1/16 of a mile) separation of a Safe Outdoor Space and low density residential zoning.
- 3) 40 designated spaces maximum (50 persons) with required personal hygiene available. Toilets, Hand Washing, and Showers for every 8 or 10 designated spaces respectively.
- 4) 6 foot screened fencing shall be constructed around the area of the Safe Outdoor Space, except where only light vehicles or RV's occupy the designated spaces.
- 5) A Management Plan or Security Agreement is required to ensure the safety of individuals occupying the designated spaces.

Social services and support facilities shall be offered to the extent possible.

Whatever is agreed upon in addition to the above will still allow the groups who would build the Safe Outdoor Spaces to move ahead. I have a group of commercial property owners, retired business owners, and non-profits who want to build at least 1 of these. However, if our effort is strangled by lack of the 5 essentials, no one is going to want to move ahead. Our group is the one who drafted the original Amendment to the IDO - Ike Benton, Trudy Jones, and Brook Bassan sponsored it. We want Albuquerque to be the unique city it can be, not a small version of the cities who have dealt with the homeless problem unsuccessfully.

Brad Day, CEO Day Properties

✓ ~~ALB BOCA HOTEL LIMITED PRTHSP~~  
✓ ~~1000 MARKET ST BLDG 1~~  
✓ ~~PORTSMOUTH NH 03801~~

✓ ~~CITY OF ALBUQUERQUE~~  
✓ ~~PO BOX 2248~~  
✓ ~~ALBUQUERQUE NM 87103-2248~~

✓ ~~DCI DONOR SERVICES INC~~  
✓ ~~1633 CHURCH ST SUITE 500~~  
✓ ~~NASHVILLE TN 37203-2948~~

✓ ~~ALB BOCA HOTEL LIMITED PRTHSP~~  
✓ ~~1000 MARKET ST BLDG 1~~  
✓ ~~PORTSMOUTH NH 03801~~

✓ ~~T-MOBILE PCS HOLDINGS LLC~~  
✓ ~~12920 SE 38TH ST~~  
✓ ~~BELLEVUE WA 98006-1350~~

✓ ~~ARCHDIOCESE SANTA FE CEMETERY~~  
✓ ~~CATHOLIC SERVICE BLDG~~  
✓ ~~4000 ST JOSEPHS PL NW~~  
✓ ~~ALBUQUERQUE NM 87120-1714~~

✓ ~~M-F PARTNERSHIP~~  
✓ ~~PO BOX 35280~~  
✓ ~~ALBUQUERQUE NM 87176-5280~~

✓ ~~SUNSET MEMORIAL PARK~~  
✓ ~~PO BOX 25063~~  
✓ ~~ALBUQUERQUE NM 87125-0063~~

✓ ~~ABQ 1701 LLC~~  
✓ ~~3304 W HISTORIC HWY 66~~  
✓ ~~GALLUP NM 87301-6841~~

✓ ~~BRAR HOTELS GROUP INCORPORATED~~  
✓ ~~200 MILL ST~~  
✓ ~~RENO NV 89501-1535~~

✓ ~~ALBUQ METROPOLITAN BOARD OF REALTORS INC~~  
✓ ~~1635 UNIVERSITY BLVD NE~~  
✓ ~~ALBUQUERQUE NM 87102~~

✓ ~~CFF II SUN VILLAGE LLC & CSA II SUN VILLAGE LLC C/O JESSE MCBAY~~  
✓ ~~8012 BEE CAVES RD SUITE 300~~  
✓ ~~AUSTIN TX 78746-4902~~

✓ ~~1509 UNIVERSITY BLVD NM LLC~~  
✓ ~~4525 WILSHIRE BLVD SUITE 210~~  
✓ ~~LOS ANGELES CA 90010-3846~~

✓ ~~ALB BOCA HOTEL LIMITED PRTHSP C/O OCEAN PROPS ATTN: N HEBERT~~  
✓ ~~1000 MARKET ST UNIT 1~~  
✓ ~~PORTSMOUTH NH 03801-3358~~

✓ ~~ASSOCIATED GENERAL CONTRS~~  
✓ ~~1615 UNIVERSITY BLVD NE~~  
✓ ~~ALBUQUERQUE NM 87102~~

✓ ~~CHAMISA PROPERTIES LLC~~  
✓ ~~1617 UNIVERSITY BLVD NE~~  
✓ ~~ALBUQUERQUE NM 87102~~

✓ ~~GAECHTER OUTDOOR ADVERTISING INC~~  
✓ ~~C/O MIKE GAECHTER PRESIDENT~~  
✓ ~~13 HORIZON DR~~  
✓ ~~FRISCO TX 75034-6840~~

✓ ~~GREATER ALBUQUERQUE ASSOCIATION OF REALTORS INC~~  
✓ ~~1635 UNIVERSITY AVE NE~~  
✓ ~~ALBUQUERQUE NM 87102-1710~~

✓ ~~TA OPERATING CORPORATION C/O TAX DEPARTMENT~~  
✓ ~~24601 CENTER RIDGE RD~~  
✓ ~~WESTLAKE OH 44145-5634~~

✓ ~~JMDH REAL ESTATE OF ALBUQUERQUE LLC ATTN: CEO~~  
✓ ~~1710 WHITESTONE EXPRESSWAY~~  
✓ ~~FLUSHING NY 11357~~

City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

10/17/22  
[Date\*]

M-F Partnerships  
[Name\* of Abutting Property Owner]

PO Box 35280 Albuquerque, N.M. 87176-5280  
[Address\* of Property Owner]

RE: Public Notice of Temporary Use Permit

Dear M-F Partnerships [Name\* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-5(D)(2), this is written notice to you as an abutting Property Owner that an application for a Temporary Use Permit will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@cabq.gov](mailto:codeenforcement@cabq.gov).

1. Property Owner of Subject Property\* City of Albuquerque

2. Agent\* [if applicable] Licensee: Dawn Legacy Pointe

3. Subject Property Address\* 1250 Menaul Blvd. NE

4. Location Description South east corner of Menaul & Frontage Road of I-25

5. Zone Atlas Page H-15-Z [Available here: <http://data.cabq.gov/business/zoneatlas/>]

6. Legal Description N/A

7. Area of Property [typically in acres] 0.78 acres

8. IDO Zone District NR-LM

9. Overlay Zone(s) [if applicable] -

10. Center or Corridor Area [if applicable] -

11. Current Land Use [vacant, if none] vacant

12. Deviations Requested [if applicable] -

13. Variances Requested [if applicable] -

The application will request the temporary use for the following land uses and/or activities:

Safe Outdoor Space for primarily homeless women being trafficked.

City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit

[Note: Items with an asterisk (\*) are required.]

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Please contact me with any questions or concerns at 720.333.8288 [phone number\*] or via s.goodco@gmail.com [email\*].

More information about the project can be found here: [project webpage\*, if applicable]

Useful Links

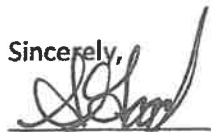
**Integrated Development Ordinance (IDO):**

<http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Sincerely,

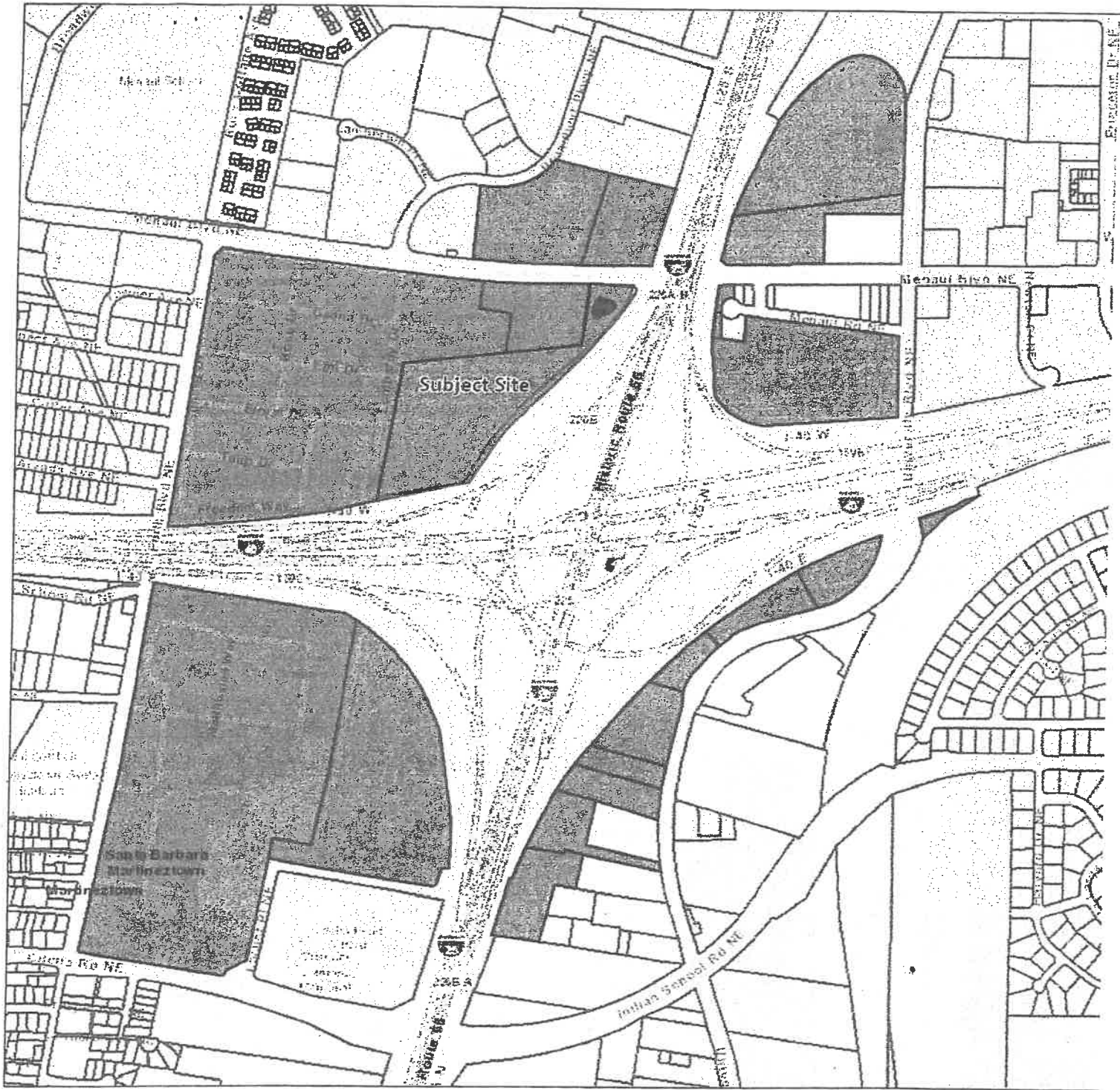


J. Kylea Good - Dawn Legacy Pointe

[Agent/Property Owner/Developer/Operator]

Cc: \_\_\_\_\_ [Other Property Owners, if any]





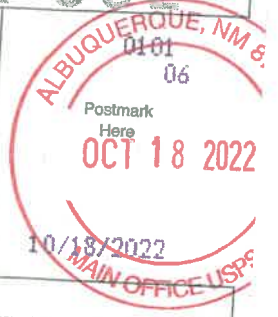
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ALBUQUERQUE, NM 87102

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Certified Mail Fee	\$	\$4.00
Extra Services & Fees (check box, add fee <del>to total</del> )		
<input type="checkbox"/> Return Receipt (hardcopy)	\$	<del>\$0.00</del>
<input type="checkbox"/> Return Receipt (electronic)	\$	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	\$0.00
<input type="checkbox"/> Adult Signature Required	\$	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	\$0.00
Postage	\$	\$0.60
<b>Total Postage and Fees</b>	\$	<b>\$4.60</b>



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City, State, ZIP+4® \_\_\_\_\_

City of Albuquerque Planning Department  
 Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

10/17/22  
 [Date\*]

ALB Boca Hotel Limited Partnership  
 [Name\* of Abutting Property Owner]

1000 Market St. Bldg 1 Portsmouth, NH  
 [Address\* of Property Owner] 03801

RE: Public Notice of Temporary Use Permit

Dear ALB Boca Hotel Limited Partnership [Name\* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-5(D)(2), this is written notice to you as an abutting Property Owner that an application for a Temporary Use Permit will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@cabq.gov](mailto:codeenforcement@cabq.gov).

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2. Agent\* [if applicable] Licensee: Dawn Legacy Pointe
3. Subject Property Address\* 1250 Menaul Blvd. NE
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5. Zone Atlas Page H-15-Z [Available here: <http://data.cabq.gov/business/zoneatlas/>]
6. Legal Description N/A
7. Area of Property [typically in acres] 0.78 acres
8. IDO Zone District NR-LM
9. Overlay Zone(s) [if applicable] —
10. Center or Corridor Area [if applicable] —
11. Current Land Use [vacant, if none] vacant
12. Deviations Requested [if applicable] —
13. Variances Requested [if applicable] —

The application will request the temporary use for the following land uses and/or activities:

Safe Outdoor Space for primarily homeless women being trafficked.

City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit

[Note: Items with an asterisk (\*) are required.]

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Please contact me with any questions or concerns at 720.333.8288 [phone number\*] or via S.goodco@gmail.com [email\*].

More information about the project can be found here: [project webpage\*, if applicable]

Useful Links

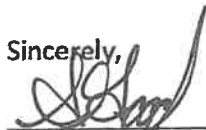
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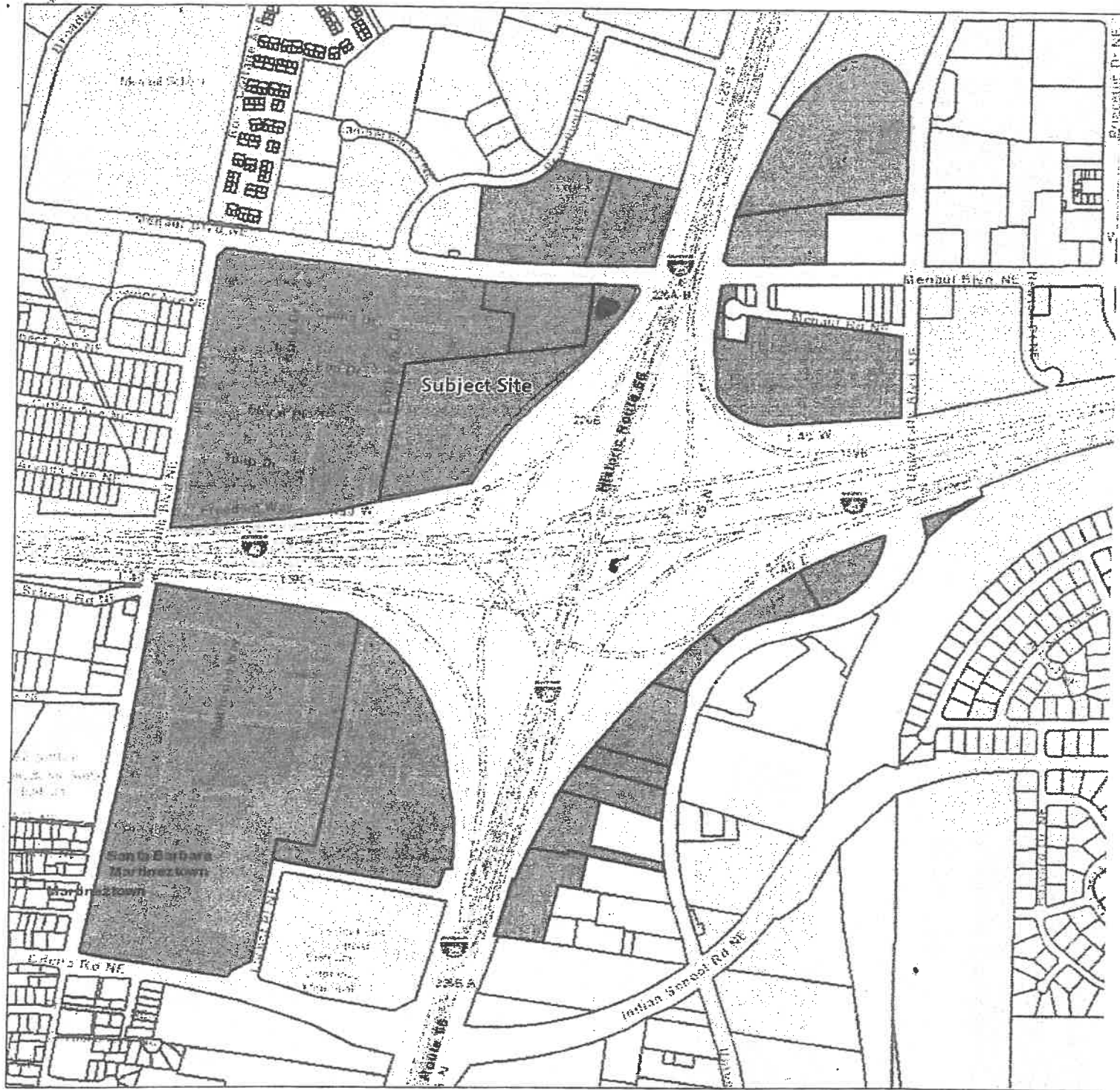
Sincerely,



J. Kylea Good - Dawn Legacy Pointe

[Agent/Property Owner/Developer/Operator]

Cc: \_\_\_\_\_ [Other Property Owners, if any]



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Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
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<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.60
<b>Total Postage and Fees</b>	<b>\$4.60</b>



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City, State, ZIP+4®

City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

10/17/22  
[Date\*]

Brars Hotels Group Incorporated  
[Name\* of Abutting Property Owner]

200 Mill St. Reno, NV 89501-1535  
[Address\* of Property Owner]

RE: Public Notice of Temporary Use Permit

Dear Brars Hotels Group Incorporated [Name\* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-5(D)(2), this is written notice to you as an abutting Property Owner that an application for a Temporary Use Permit will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@cabq.gov](mailto:codeenforcement@cabq.gov).

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12. Deviations Requested [if applicable] —
13. Variances Requested [if applicable] —

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City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit

[Note: Items with an asterisk (\*) are required.]

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Please contact me with any questions or concerns at 720.333.8288 [phone number\*] or via S.goodco@gmail.com [email\*].

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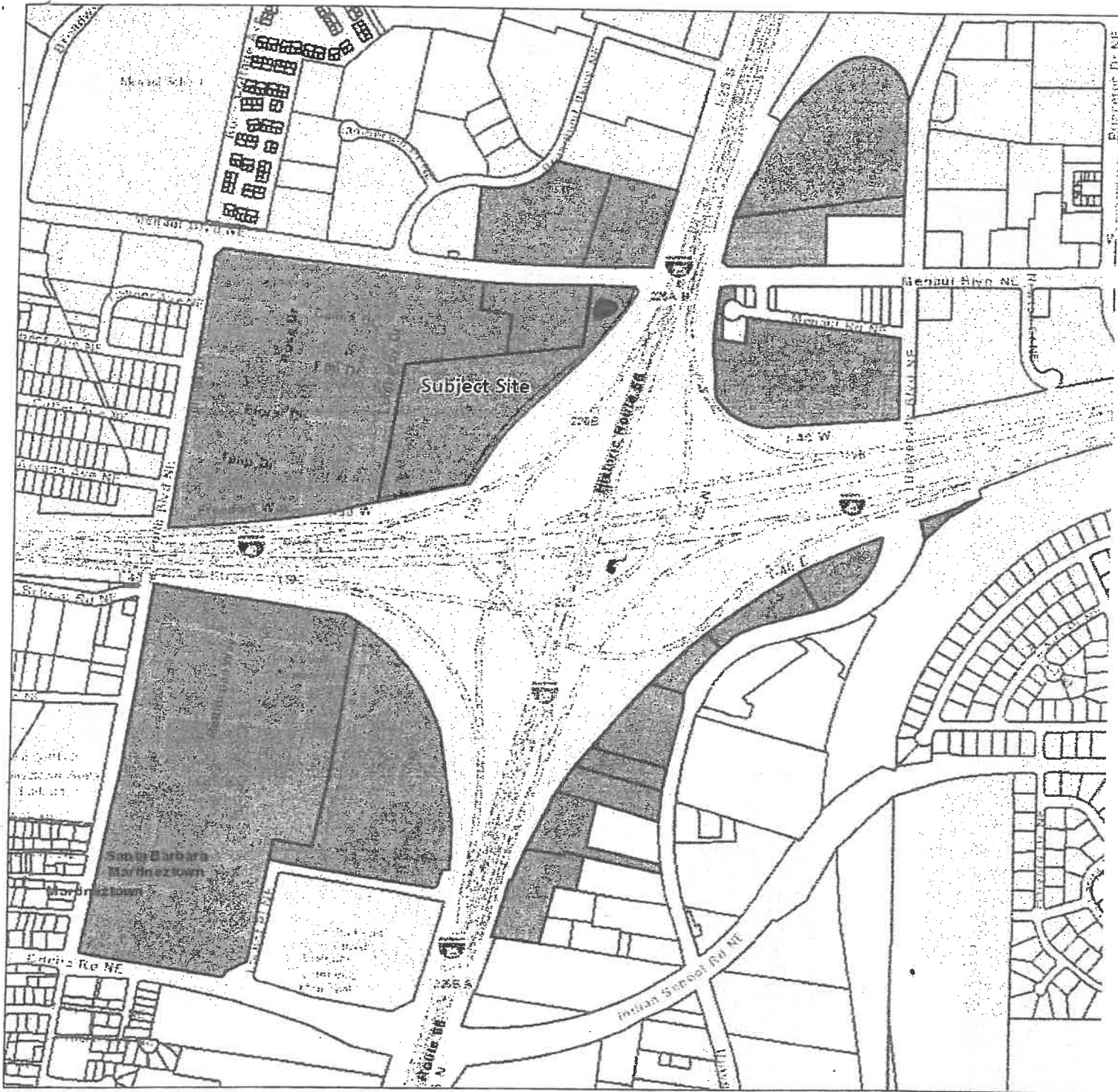
J. Kylea Good - Dawn Legacy Pointe

Cc:

[Agent/Property Owner/Developer/Operator]

[Other Property Owners, if any]





PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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<input type="checkbox"/>	Adult Signature Required	\$0.00
<input type="checkbox"/>	Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/>	Return Receipt (electronic)	\$0.00
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<input type="checkbox"/>	Extra Services & Fees (check box, add fee as appropriate)	\$0.00
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City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

10/17/22  
[Date\*]

1509 University Blvd. NM LLC  
[Name\* of Abutting Property Owner]

4525 Wilshire Blvd. Ste 210 Los Angeles CA  
[Address\* of Property Owner] 90010-3846

RE: Public Notice of Temporary Use Permit

Dear 1509 University Blvd nm LLC [Name\* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-5(D)(2), this is written notice to you as an abutting Property Owner that an application for a Temporary Use Permit will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@caba.gov](mailto:codeenforcement@caba.gov).

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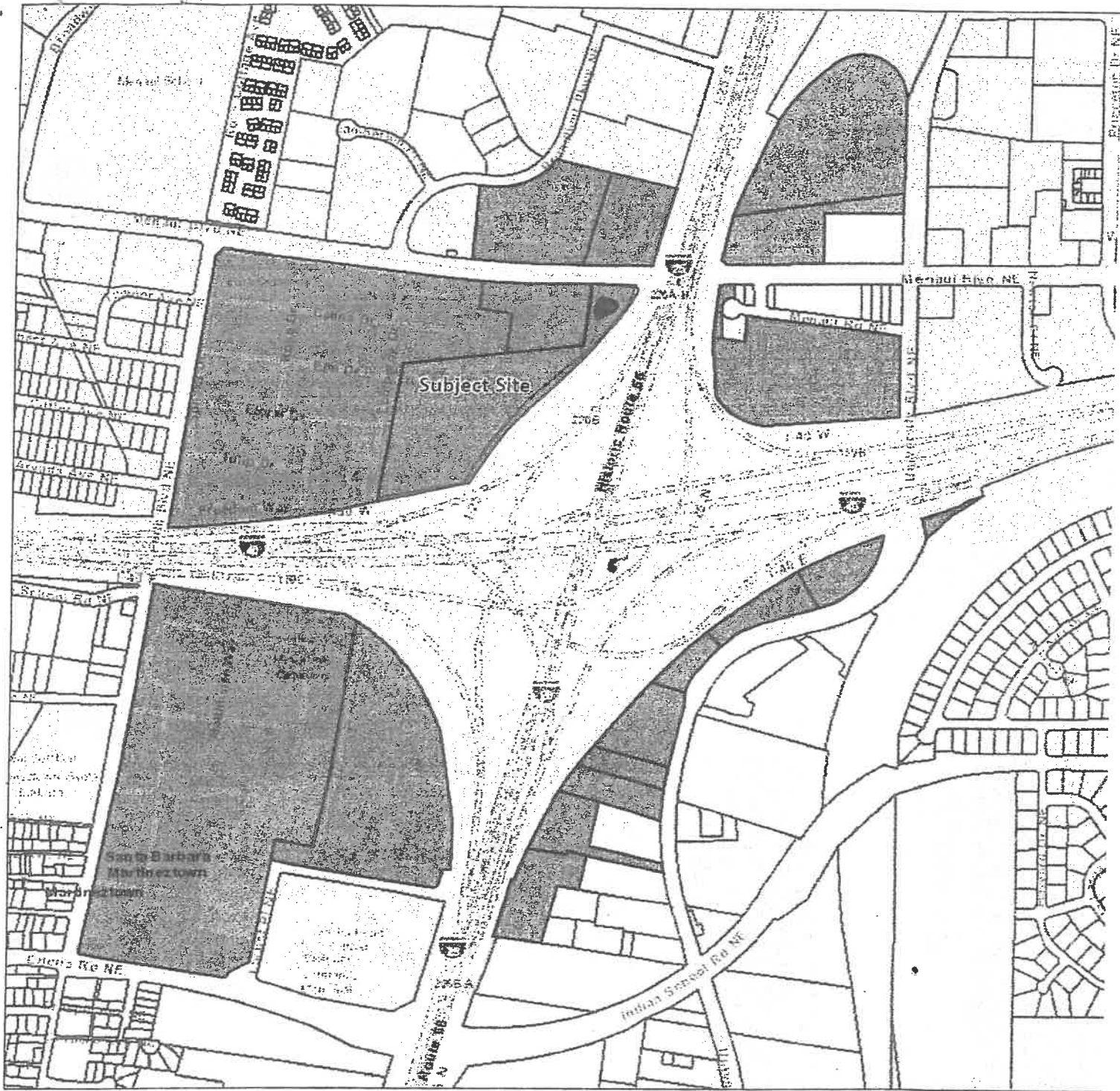
Sincerely,

J. Kylea Good - Dawn Legacy Pointe

[Agent/Property Owner/Developer/Operator]

Cc:

[Other Property Owners, if any]



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Los Angeles, CA 90010

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Certified Mail Fee	\$	\$4.00
Extra Services & Fees (check box, add fee as appropriate)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	\$0.00
<input type="checkbox"/> Adult Signature Required	\$	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	\$0.00

Postage	\$	\$0.60
<b>Total Postage and Fees</b>	\$	<b>\$4.60</b>



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City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

10/17/22  
[Date\*]

Chamisa Properties LLC  
[Name\* of Abutting Property Owner]

1617 University Blvd. NE Albuquerque, NM 87102  
[Address\* of Property Owner]

RE: Public Notice of Temporary Use Permit

Dear Chamisa Properties, LLC [Name\* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-5(D)(2), this is written notice to you as an abutting Property Owner that an application for a Temporary Use Permit will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@cabq.gov](mailto:codeenforcement@cabq.gov).

1. Property Owner of Subject Property\* City of Albuquerque
2. Agent\* [if applicable] Licensee: Dawn Legacy Pointe
3. Subject Property Address\* 1250 Menaul Blvd. NE
4. Location Description South east corner of Menaul & Frontage Road of I-25
5. Zone Atlas Page H-15-Z [Available here: <http://data.cabq.gov/business/zoneatlas/>]
6. Legal Description N/A
7. Area of Property [typically in acres] 0.78 acres
8. IDO Zone District NR-LM
9. Overlay Zone(s) [if applicable] —
10. Center or Corridor Area [if applicable] —
11. Current Land Use [vacant, if none] vacant
12. Deviations Requested [if applicable] —
13. Variances Requested [if applicable] —

The application will request the temporary use for the following land uses and/or activities:

Safe Outdoor Space for primarily homeless women being trafficked.

City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit

[Note: Items with an asterisk (\*) are required.]

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Please contact me with any questions or concerns at 720.333.8288 [phone number\*] or via s.goodco@gmail.com [email\*].

More information about the project can be found here: [project webpage\*, if applicable]

Useful Links

**Integrated Development Ordinance (IDO):**

<http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Sincerely,

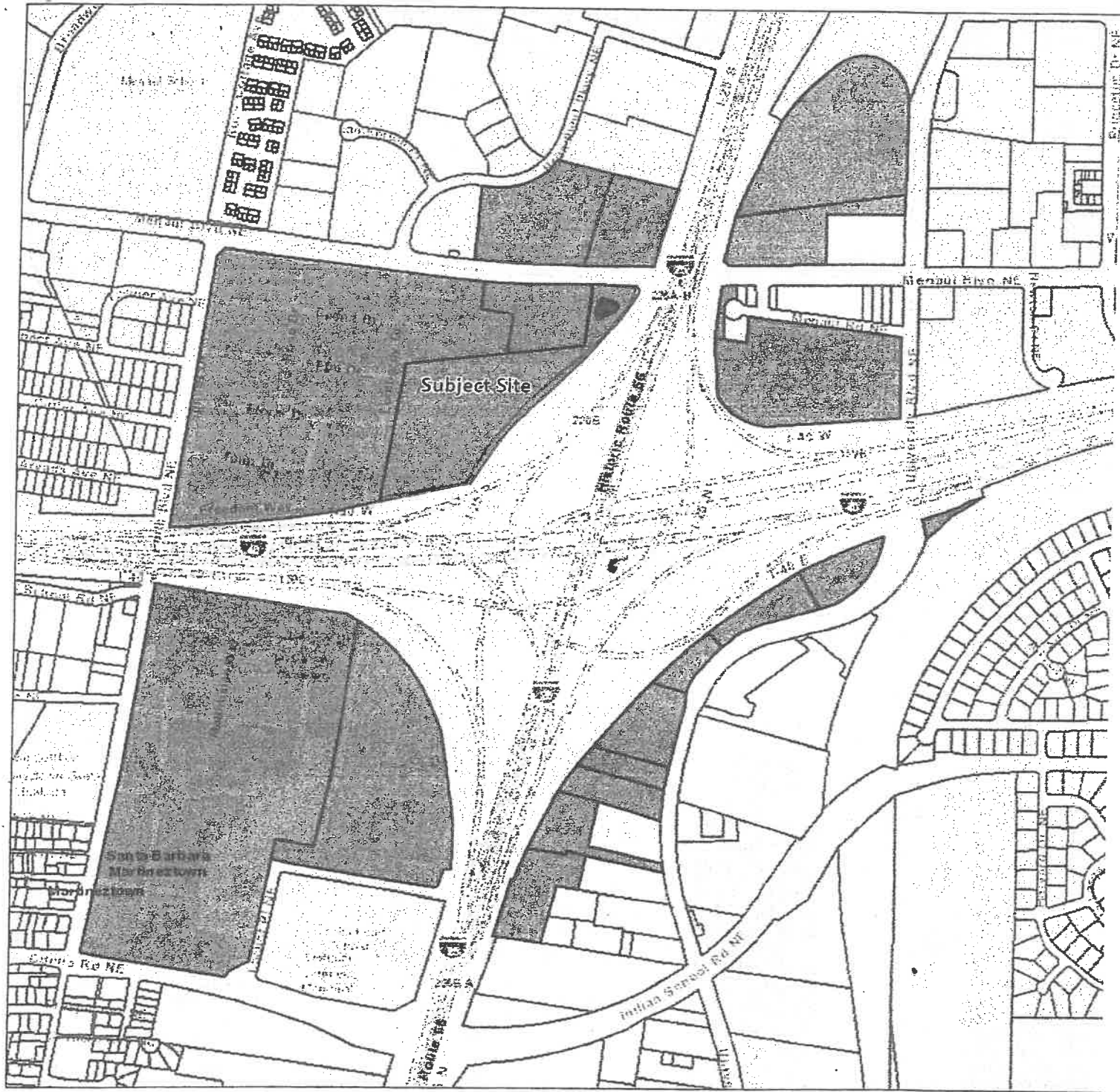


[Agent/Property Owner/Developer/Operator]

J. Kylea Good - Dawn Legacy Pointe

Cc: \_\_\_\_\_ [Other Property Owners, if any]





7021 0950 0001 1423 3316

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<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
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City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

10/17/22  
[Date\*]

TA Operating Corporation c/o Tax Department  
[Name\* of Abutting Property Owner]

24601 Center Ridge Rd. Westlake, OH  
[Address\* of Property Owner] 44145-5634

RE: Public Notice of Temporary Use Permit

Dear TA Operating Corporation c/o Tax Dept. [Name\* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-5(D)(2), this is written notice to you as an abutting Property Owner that an application for a Temporary Use Permit will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@cabq.gov](mailto:codeenforcement@cabq.gov).

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More information about the project can be found here: [project webpage\*, if applicable]

Useful Links

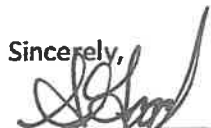
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<http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

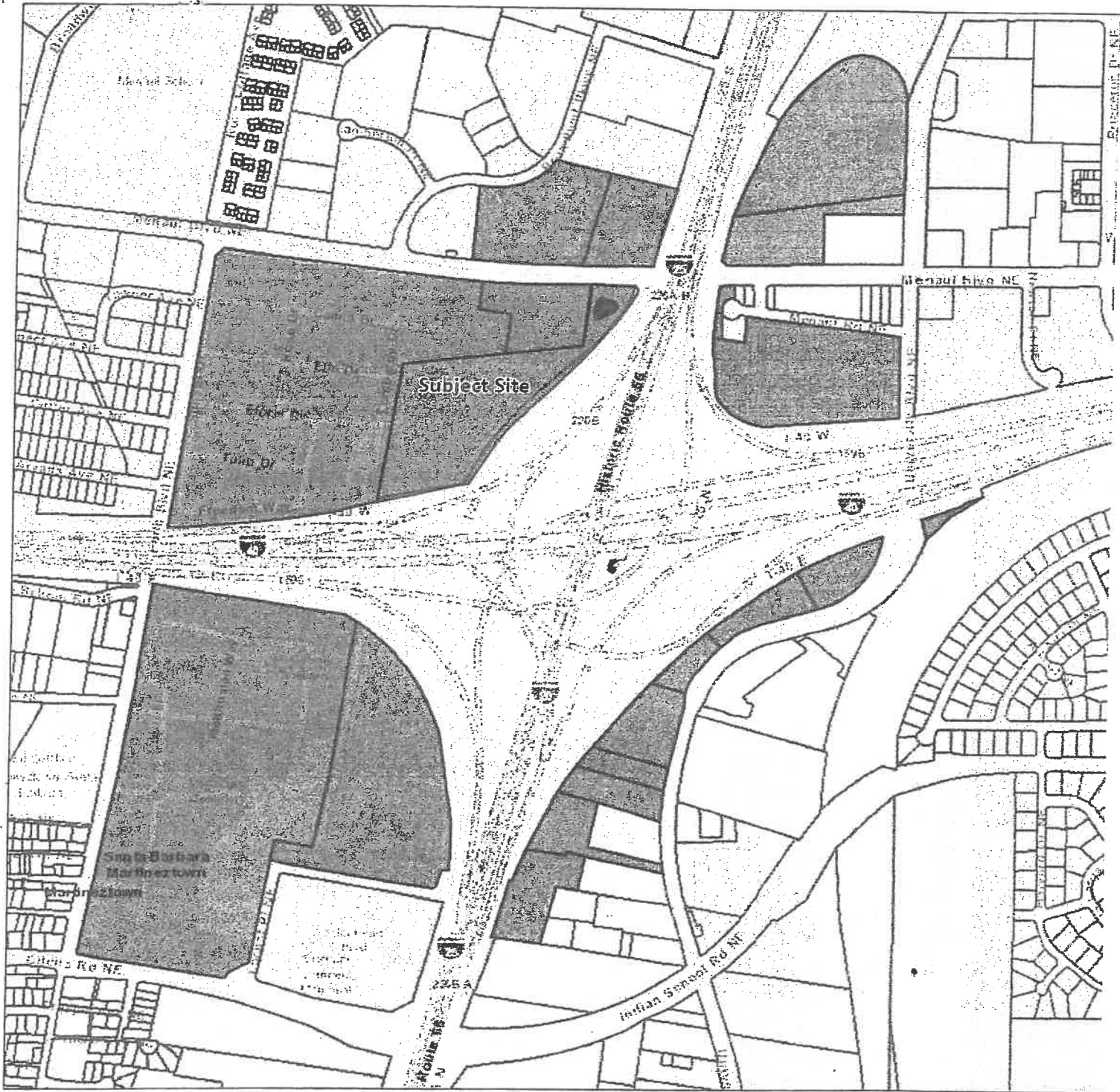
Sincerely,



J. Kylea Good - Dawn Legacy Pointe

[Agent/Property Owner/Developer/Operator]

Cc: \_\_\_\_\_ [Other Property Owners, if any]



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West Valley City, UT 84119

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Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.60
<b>Total Postage and Fees</b>	<b>\$4.60</b>

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 City, State, ZIP+4® \_\_\_\_\_

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

10/17/22  
[Date\*]

T-Mobile ACS Holdings, LLC  
[Name\* of Abutting Property Owner]

12920 S.E. 38th St. Bellevue, WA  
[Address\* of Property Owner] 98006-1350

RE: Public Notice of Temporary Use Permit

Dear T-Mobile ACS Holdings, LLC [Name\* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-5(D)(2), this is written notice to you as an abutting Property Owner that an application for a Temporary Use Permit will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@cabq.gov](mailto:codeenforcement@cabq.gov).

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9. Overlay Zone(s) [if applicable] —
10. Center or Corridor Area [if applicable] —
11. Current Land Use [vacant, if none] vacant
12. Deviations Requested [if applicable] —
13. Variances Requested [if applicable] —

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City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit

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Please contact me with any questions or concerns at 720.333.8288 [phone number\*] or via S.goodco@gmail.com [email\*].

More information about the project can be found here: [project webpage\*, if applicable]

Useful Links

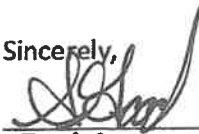
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Sincerely,

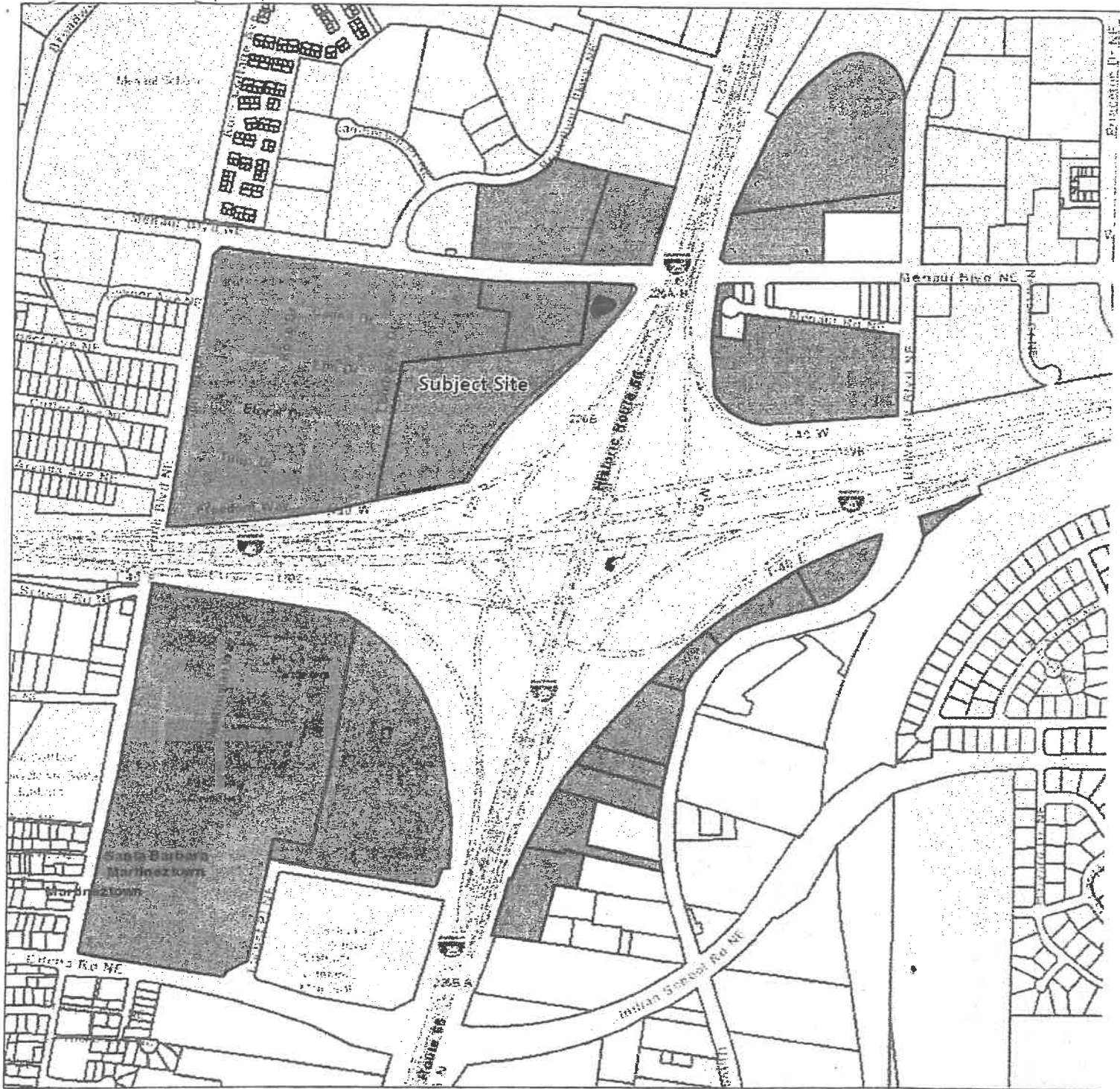


J. Kylea Good - Dawn Legacy Pointe

[Agent/Property Owner/Developer/Operator]

Cc: \_\_\_\_\_ [Other Property Owners, if any]





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Extra Services & Fees (check box, add fee as applicable)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.60
Total Postage and Fees	\$4.60



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City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

10/17/22  
[Date\*]

Albuquerque Metropolitan Board of Realtors, Inc.  
[Name\* of Abutting Property Owner]

1635 University Blvd. NE Albuquerque, NM  
[Address\* of Property Owner] 87102

RE: Public Notice of Temporary Use Permit

Dear Albuquerque Metropolitan Board of Realtors, Inc. [Name\* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-5(D)(2), this is written notice to you as an abutting Property Owner that an application for a Temporary Use Permit will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@cabq.gov](mailto:codeenforcement@cabq.gov).

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Property Owner Notice Form for Temporary Use Permit

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Please contact me with any questions or concerns at 720.333.8288 [phone number\*] or via s.goodeo@gmail.com [email\*].

More information about the project can be found here: [project webpage\*, if applicable]

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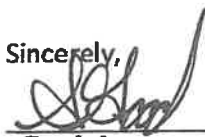
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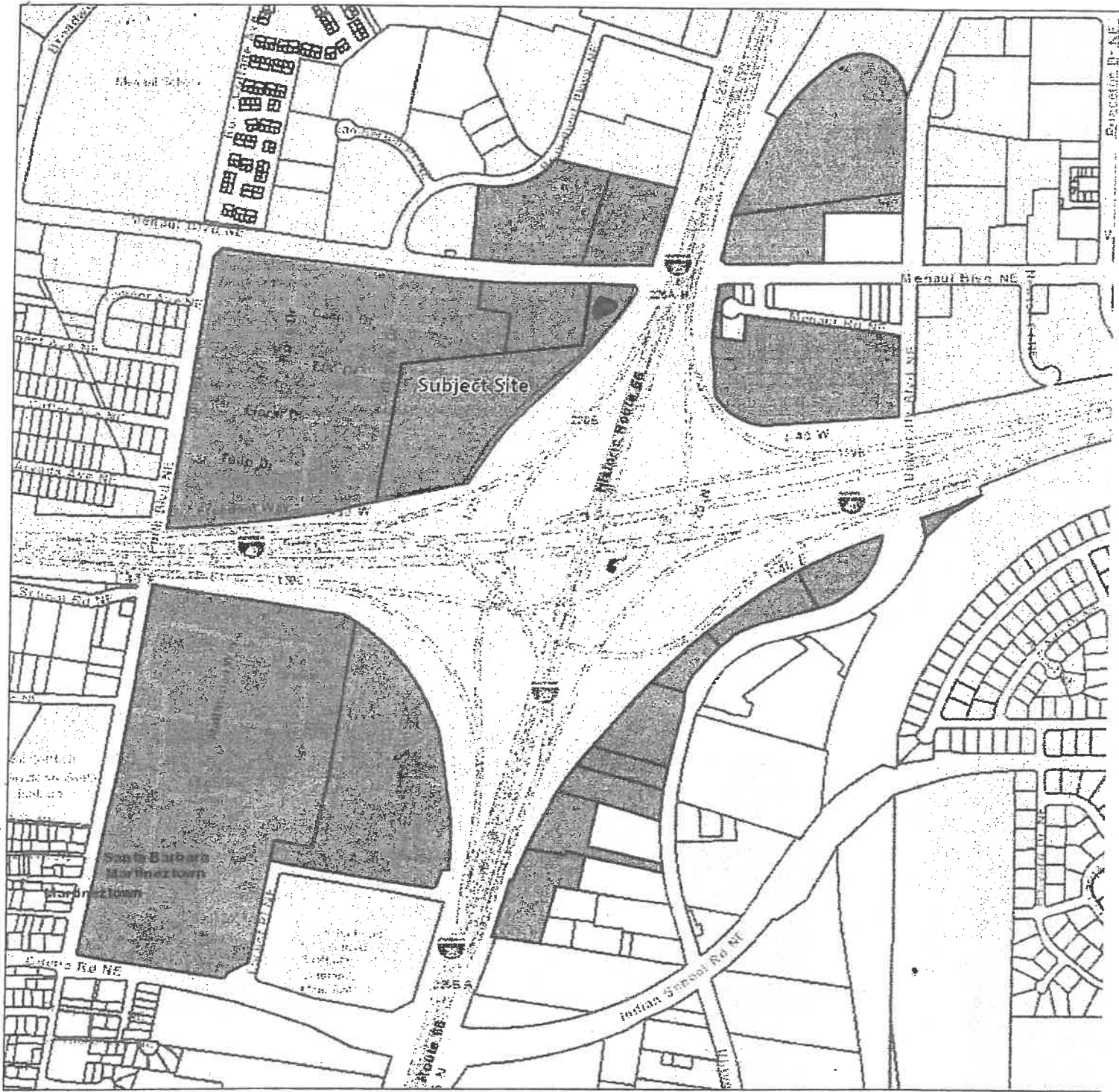
Sincerely,



J. Kylea Good - Dawn Legacy Pointe

[Agent/Property Owner/Developer/Operator]

Cc: \_\_\_\_\_ [Other Property Owners, if any]



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<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.60
<b>Total Postage and Fees</b>	<b>\$4.60</b>

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City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

10/17/22  
[Date\*]

ALB Boca Hotel Ltd. Partnership % Ocean Props  
[Name\* of Abutting Property Owner] ATTN: W. Hebert

1000 Market St. Unit 1 Portsmouth, NH  
[Address\* of Property Owner] 03801-3358

RE: Public Notice of Temporary Use Permit

Dear ALB Boca Hotel Ltd. Partnership % Ocean Props [Name\* of Property Owner], ATTN: N. Hebert

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-5(D)(2), this is written notice to you as an abutting Property Owner that an application for a Temporary Use Permit will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@cabq.gov](mailto:codeenforcement@cabq.gov).

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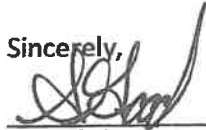
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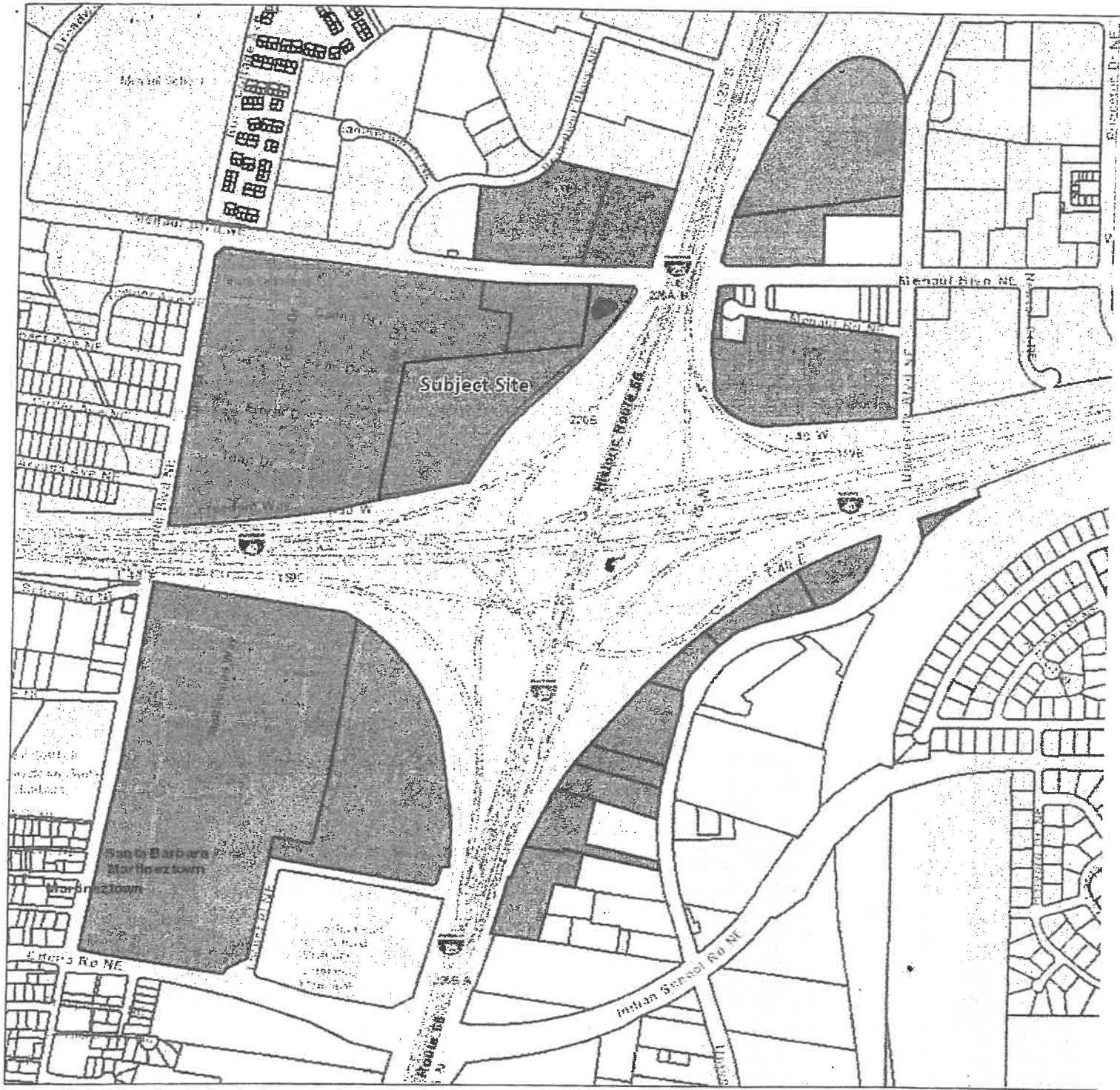


J. Kylea Good - Dawn Legacy Pointe

[Agent/Property Owner/Developer/Operator]

Cc: \_\_\_\_\_ [Other Property Owners, if any]





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<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.60
<b>Total Postage and Fees</b>	<b>\$4.60</b>



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City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

10/17/22  
[Date\*]

Gaechter Outdoor Advertising Inc. % Mike Gaechter, Pres.  
[Name\* of Abutting Property Owner]  
13 Horizon Dr. Juisco, Texas 75034.684  
[Address\* of Property Owner]

RE: Public Notice of Temporary Use Permit

Dear Gaechter Outdoor Advertising Inc. % Mike Gaechter, Pres.  
[Name\* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-5(D)(2), this is written notice to you as an abutting Property Owner that an application for a Temporary Use Permit will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@cabq.gov](mailto:codeenforcement@cabq.gov).

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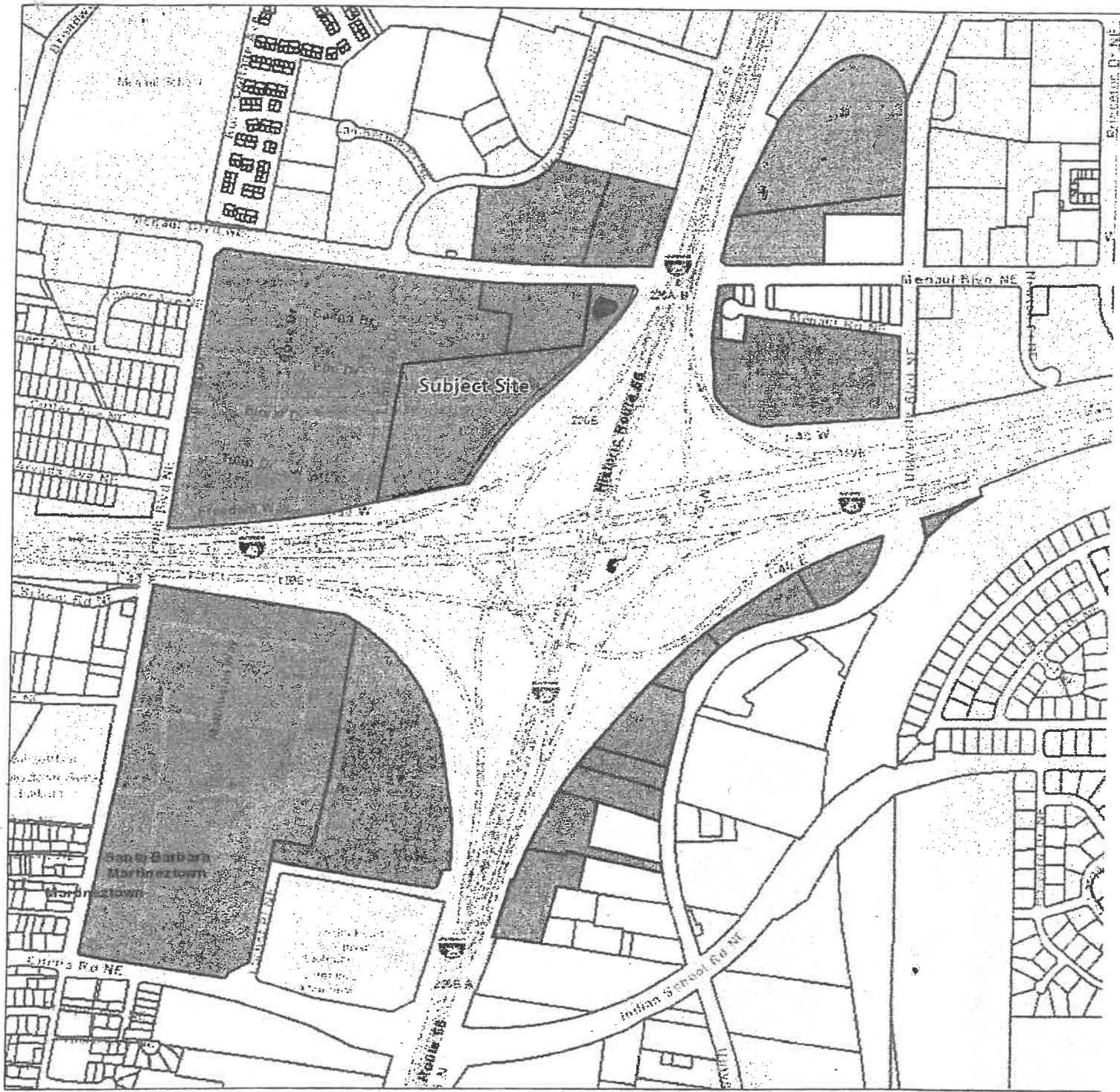


J. Kylea Good - Dawn Legacy Pointe

[Agent/Property Owner/Developer/Operator]

Cc:

[Other Property Owners, if any]



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<input type="checkbox"/> Return Receipt (electronic)	\$	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	\$0.00
<input type="checkbox"/> Adult Signature Required	\$	\$0.00
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Postage  
\$ 0.60  
Total Postage and Fees  
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PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for instructions



City of Albuquerque Planning Department  
**Property Owner Notice Form for Temporary Use Permit**



[Note: Items with an asterisk (\*) are required.]

10/17/22  
 [Date\*]

JMAH Real Estate of Albuquerque, LLC ATTN: CEO  
 [Name\* of Abutting Property Owner]

1710 Whitestone Expressway Flushing, NY  
 [Address\* of Property Owner] 11357

**RE: Public Notice of Temporary Use Permit**

Dear JMAH Real Estate of Albuquerque, LLC ATTN: CEO  
 [Name\* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-5(D)(2), this is written notice to you as an abutting Property Owner that an application for a Temporary Use Permit will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@cabq.gov](mailto:codeenforcement@cabq.gov).

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2. Agent\* [if applicable] Licensee: Dawn Legacy Pointe
3. Subject Property Address\* 1250 Menaul Blvd. NE
4. Location Description South east corner of Menaul / Frontage Road of I-25
5. Zone Atlas Page H-15-Z [Available here: <http://data.cabq.gov/business/zoneatlas/>]
6. Legal Description N/A
7. Area of Property [typically in acres] 0.78 acres
8. IDO Zone District NR-LM
9. Overlay Zone(s) [if applicable] —
10. Center or Corridor Area [if applicable] —
11. Current Land Use [vacant, if none] vacant
12. Deviations Requested [if applicable] —
13. Variances Requested [if applicable] —

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[Note: Items with an asterisk (\*) are required.]

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Please contact me with any questions or concerns at 720.333.8288 [phone number\*] or via s.goodco@gmail.com [email\*].

More information about the project can be found here: [project webpage\*, if applicable]

Useful Links

**Integrated Development Ordinance (IDO):**

<http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Sincerely,



J. Kylea Good - Dawn Legacy Pointe

[Agent/Property Owner/Developer/Operator]

Cc: \_\_\_\_\_ [Other Property Owners, if any]





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<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.60

Total Postage and Fees \$4.60



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PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

00/17/22  
[Date\*]

DCI Donor Services, Inc.

[Name\* of Abutting Property Owner]

1633 Church St. Ste 500 Nashville, TN

[Address\* of Property Owner]

37203-2948

RE: Public Notice of Temporary Use Permit

Dear DCI Donor Services, Inc. [Name\* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-5(D)(2), this is written notice to you as an abutting Property Owner that an application for a Temporary Use Permit will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@cabq.gov](mailto:codeenforcement@cabq.gov).

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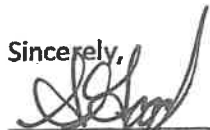
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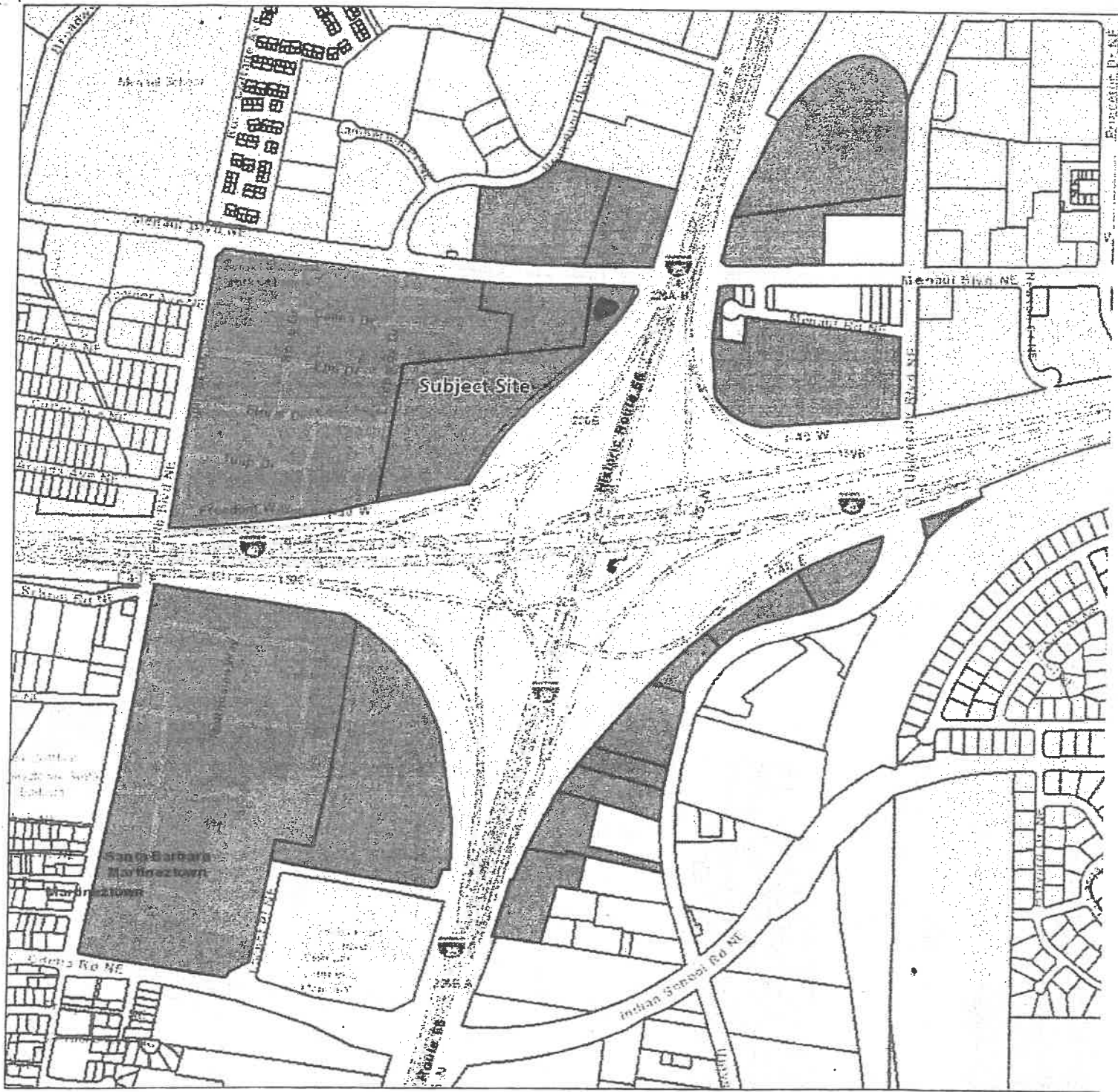


J. Kylea Good - Dawn Legacy Pointe

[Agent/Property Owner/Developer/Operator]

Cc:

[Other Property Owners, if any]



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PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

City of Albuquerque Planning Department  
**Property Owner Notice Form for Temporary Use Permit**



[Note: Items with an asterisk (\*) are required.]

10/17/22  
 [Date\*]

Archdiocese Santa Fe Cemetery Catholic Service Bldg.  
 [Name\* of Abutting Property Owner]

4000 St. Josephs Place NW Albuquerque, N.M.  
 [Address\* of Property Owner] 87120-1714

**RE: Public Notice of Temporary Use Permit**

Dear Archdiocese Santa Fe Cemetery Catholic Service Bldg. [Name\* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-5(D)(2), this is written notice to you as an abutting Property Owner that an application for a **Temporary Use Permit** will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@cabq.gov](mailto:codeenforcement@cabq.gov).

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Property Owner Notice Form for Temporary Use Permit

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Please contact me with any questions or concerns at 720.333.8288 [phone number\*] or via S.goodco@gmail.com [email\*].

More information about the project can be found here: [project webpage\*, if applicable]

Useful Links

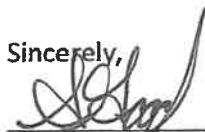
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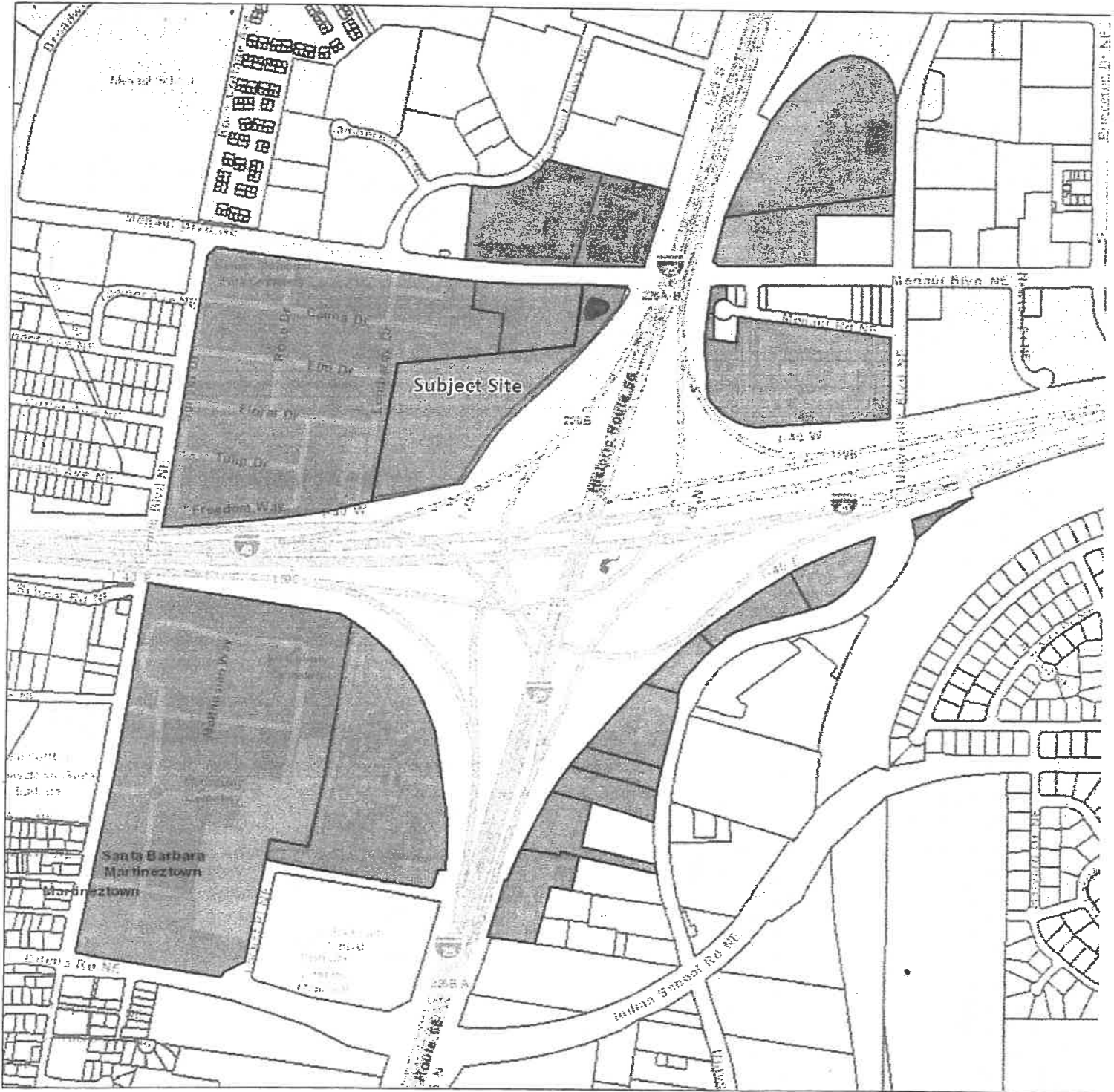


[Agent/Property Owner/Developer/Operator]

J. Kylea Good - Dawn Legacy Pointe

Cc: \_\_\_\_\_ [Other Property Owners, if any]





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<input type="checkbox"/> Return Receipt (electronic)	\$0.00
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Postage	\$0.60
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City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

10/17/22  
[Date\*]

ABQ 1701, LLC  
[Name\* of Abutting Property Owner]

3304 W. Historic Hwy. 66 Gallup, NM  
[Address\* of Property Owner] 87301-6841

RE: Public Notice of Temporary Use Permit

Dear ABQ 1701, LLC [Name\* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-5(D)(2), this is written notice to you as an abutting Property Owner that an application for a Temporary Use Permit will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@cabq.gov](mailto:codeenforcement@cabq.gov).

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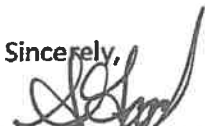
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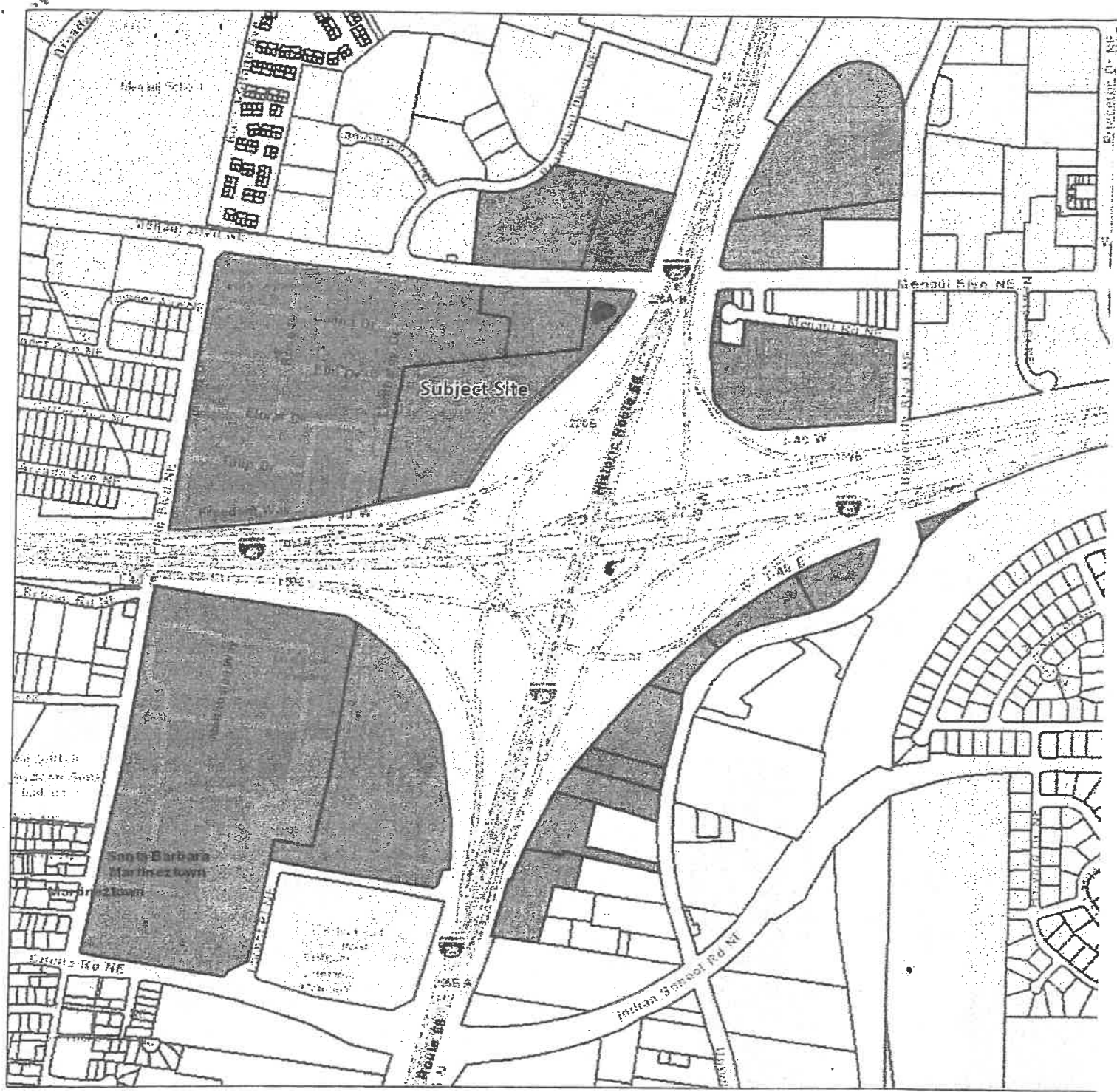
Sincerely,



J. Kylea Good - Dawn Legacy Pointe

[Agent/Property Owner/Developer/Operator]

Cc: \_\_\_\_\_ [Other Property Owners, if any]



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<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.60
<b>Total Postage and Fees</b>	<b>\$4.60</b>



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City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

10/17/22  
[Date\*]

CFF II Sun Village LLC & CSA II Sun Village LLC  
[Name\* of Abutting Property Owner] c/o Jesse McBay

8012 Bee Caves Rd. Ste 300 Austin, TX  
[Address\* of Property Owner] 78746-4902

RE: Public Notice of Temporary Use Permit

CFF II Sun Village, LLC & CSA II Sun Village LLC  
Dear c/o Jesse McBay [Name\* of Property Owner],

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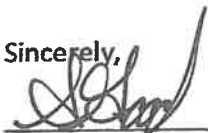
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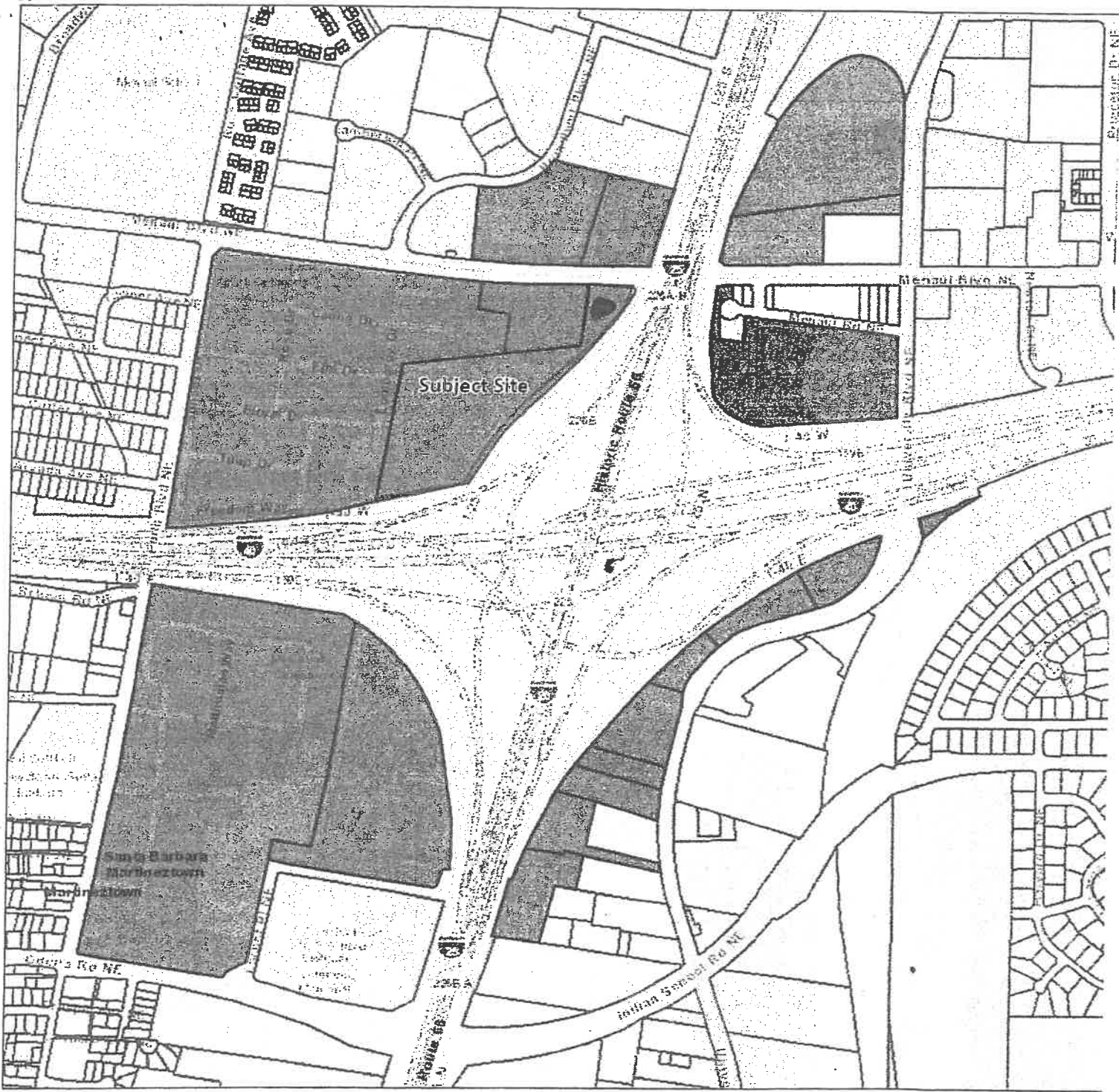
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Cc:

[Agent/Property Owner/Developer/Operator]

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Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

10/17/22  
[Date\*]

Associated General Contractors  
[Name\* of Abutting Property Owner]

1615 University Blvd. NE ABQ, NM  
[Address\* of Property Owner] 87102

RE: Public Notice of Temporary Use Permit

Dear Associated General Contractors [Name\* of Property Owner],

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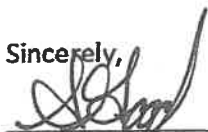
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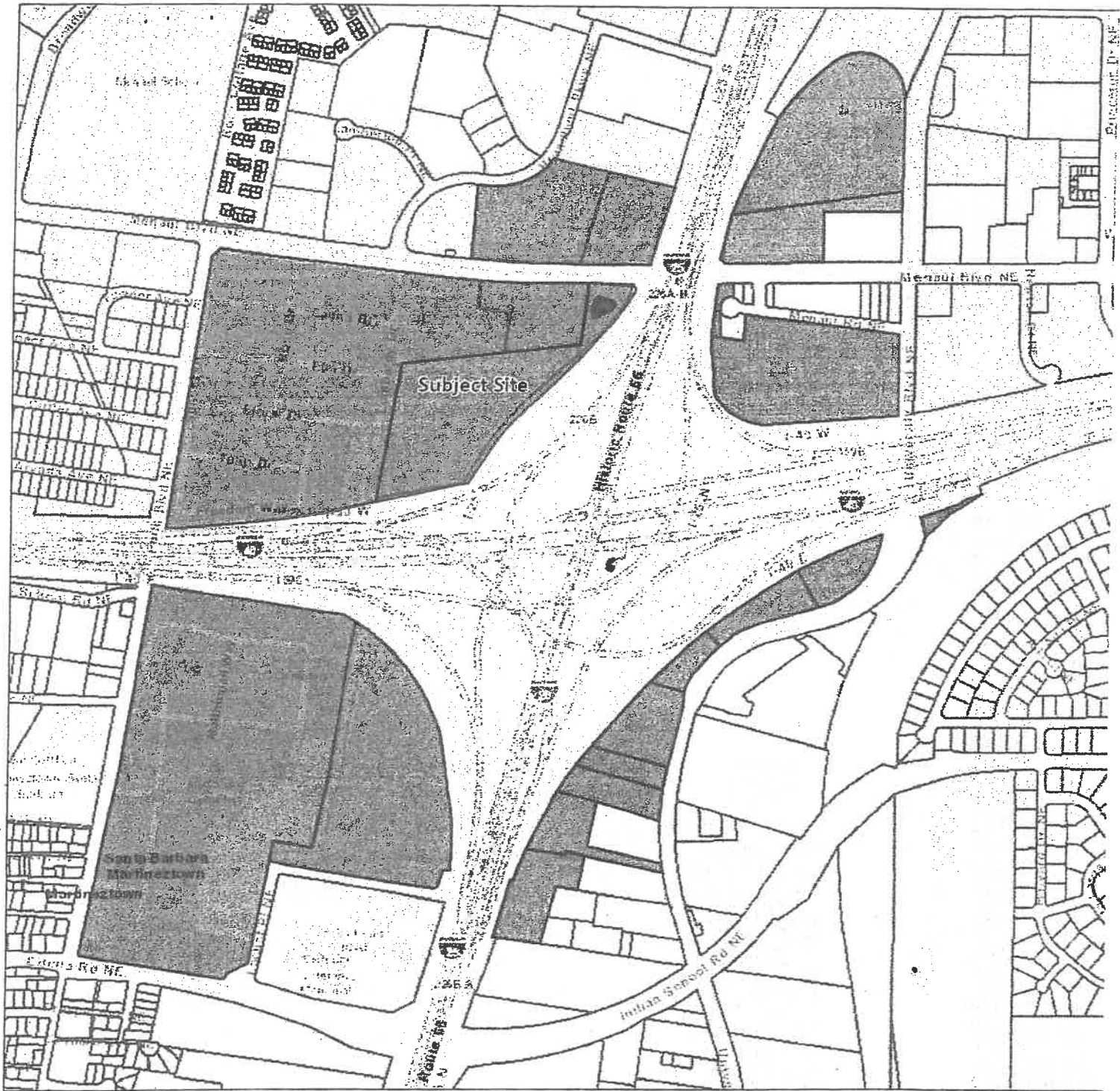


J. Kylea Good - Dawn Legacy Pointe

Cc:

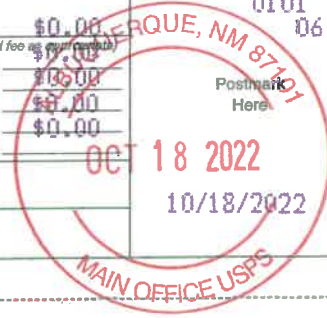
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Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.60
<b>Total Postage and Fees</b>	<b>\$4.60</b>
Sent To	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	



City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit



[Note: Items with an asterisk (\*) are required.]

10/17/22  
[Date\*]

Greater ABQ Association of Realtors, Inc.  
[Name\* of Abutting Property Owner]

1635 University Blvd NE ABQ, NM 87102-1710  
[Address\* of Property Owner]

RE: Public Notice of Temporary Use Permit

Dear Greater ABQ Association of Realtors, Inc. [Name\* of Property Owner],

In accordance with the procedures of the City of Albuquerque's Integrated Development Ordinance (IDO) Subsection 14-16-6-5(D)(2), this is written notice to you as an abutting Property Owner that an application for a Temporary Use Permit will be submitted to the City of Albuquerque Planning Department for a property next to you. This application will be reviewed and decided by the City of Albuquerque Planning Department staff, available by email at [codeenforcement@cabaq.gov](mailto:codeenforcement@cabaq.gov).

1. Property Owner of Subject Property\* City of Albuquerque
2. Agent\* [if applicable] Licensee: Dawn Legacy Pointe
3. Subject Property Address\* 1250 Menaul Blvd. NE
4. Location Description South east corner of Menaul & Frontage Road of I-25
5. Zone Atlas Page H-15-Z [Available here: <http://data.cabaq.gov/business/zoneatlas/>]
6. Legal Description N/A
7. Area of Property [typically in acres] 0.78 acres
8. IDO Zone District NR-LM
9. Overlay Zone(s) [if applicable] —
10. Center or Corridor Area [if applicable] —
11. Current Land Use [vacant, if none] vacant
12. Deviations Requested [if applicable] —
13. Variances Requested [if applicable] —

The application will request the temporary use for the following land uses and/or activities:  
Safe Outdoor Space for primarily homeless women being trafficked.

City of Albuquerque Planning Department  
Property Owner Notice Form for Temporary Use Permit

[Note: Items with an asterisk (\*) are required.]

The application will request that the temporary use be allowed for the following duration:

6 months up to 24 months with renewals [ex: number of days/months/years].

This temporary use will operate in the following days and times:

24 hours / 7 days per week

NOTE: Anyone may request and the City may require an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project [IDO Subsection 14-16-6-4(D)]. To request a Facilitated Meeting regarding this project, contact the Planning Department at [devhelp@cabq.gov](mailto:devhelp@cabq.gov) or 505-924-3955. To view and download the Facilitated Meetings Criteria, visit <http://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development>.

Please contact me with any questions or concerns at 720.333.8288 [phone number\*] or via S.goodco@gmail.com [email\*].

More information about the project can be found here: [project webpage\*, if applicable]

Useful Links

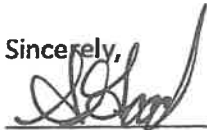
**Integrated Development Ordinance (IDO):**

<http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

**IDO Interactive Map**

<https://tinyurl.com/IDOzoningmap>

Sincerely,

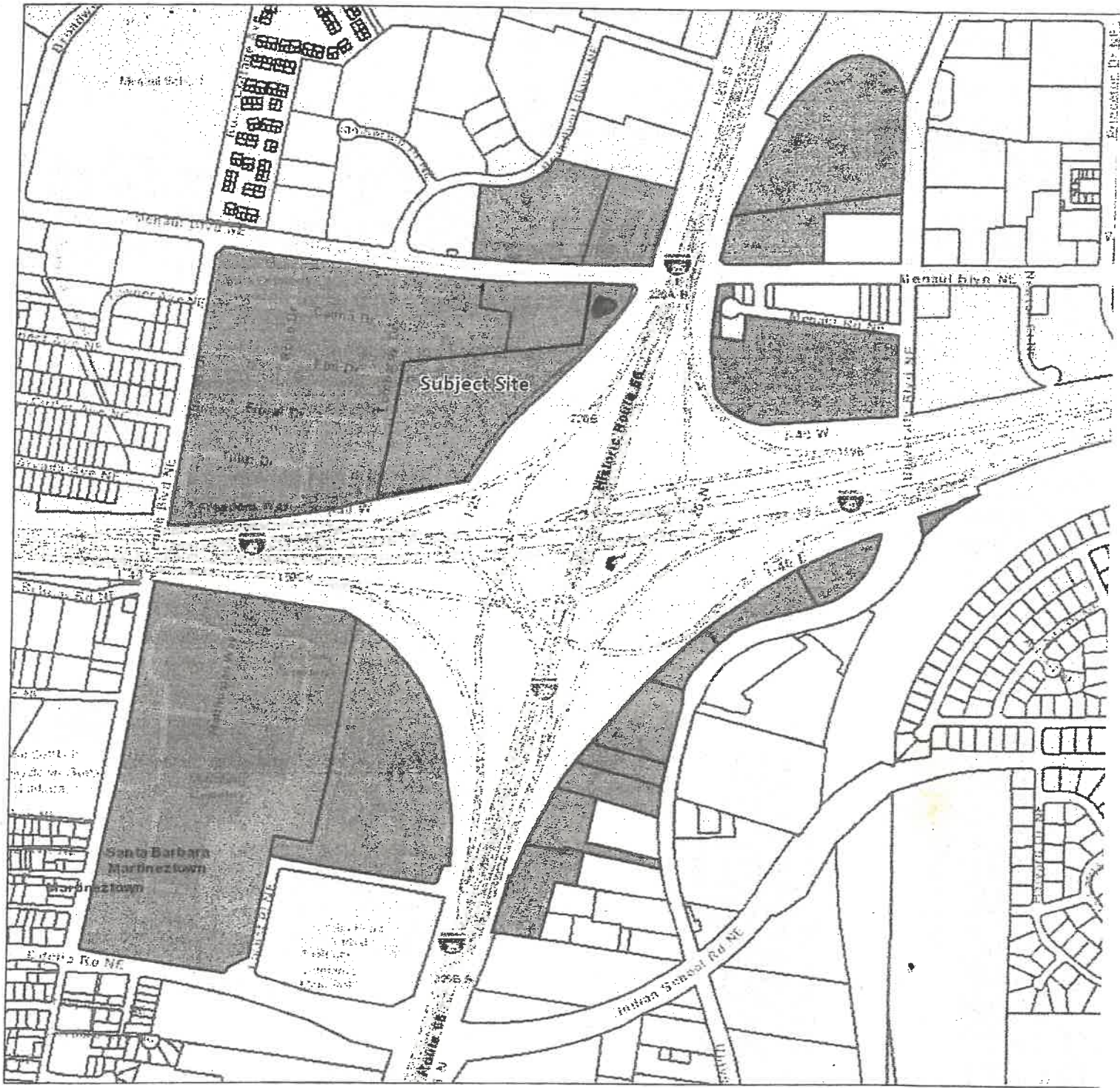


J. Kylea Good - Dawn Legacy Pointe

[Agent/Property Owner/Developer/Operator]

Cc: \_\_\_\_\_ [Other Property Owners, if any]





**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

7021 0950 0001 1423 3460

Certified Mail Fee		\$4.00
Extra Services & Fees (check box, add fee as appropriate)		\$0.00
<input type="checkbox"/>	Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/>	Return Receipt (electronic)	\$0.00
<input type="checkbox"/>	Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/>	Adult Signature Required	\$0.00
<input type="checkbox"/>	Adult Signature Restricted Delivery	\$0.00
Postage		\$0.60
<b>Total Postage and Fees</b>		<b>\$4.60</b>
Sent To		
Street and Apt. No., or PO Box No.		
City, State, ZIP+4®		

ALBUQUERQUE, NM 87101



## SAFE OUTDOOR SPACE APPROVAL

TO: Jeremy Keiser

City of Albuquerque Planning Department

FROM: Dawn Legacy Pointe

Operator

Mr. Keiser, we have complied with the Notice Requirements that the Hearing Officer required - all 20 property owners. Our understanding is that our Approval for the Safe Outdoor Space at 1250 Menaul Blvd. NE is now in effect.

If there are more appeals, we trust that the Hearing Officer will hear them expeditiously and make a final recommendation. There were 2 items that were mentioned in his remand that need your attention:

- 1) We did fill out an Application on the Planning Department's website. The Hearing Officer stated that there was no copy of our Application in the documents the Planning Department gave him. Please make sure he receives it.
- 2) The Hearing Officer mentioned there was a few pages on the Security and Operation Plan for the Safe Outdoor Space. This was an Executive Summary we submitted which was approved by Family and Community Services. There is a lot more detail which may be important to the Hearing Officer.

Therefore, we are giving Jeff Palmer a copy of the much more detailed Security and Operation Plan supplement which may be of interest to the Hearing Officer. Please make sure he receives this also.

Thank you and your Department for your assistance in helping us to provide a safe and secure option for homeless women who are now on the street.

# Safe Outdoor Space Safety Team and Volunteer Training Manual

## Contents

1. Roles, responsibilities, and volunteer opportunities
2. General safety protocol
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Safety at Safe Outdoor Spaces is always a primary concern, and has been part of the way we as an unhoused community have invested in forming our own self governance. Like any community, we are concerned about fire safety, criminal behavior, mental/general health issues, as well as making sure our residents can endure the elements. Being part of the Volunteer Staff and Safety Team is about taking care of ourselves and each other, even though this is a transitional situation for most, to be vigilant in learning to communicate with each other and remind each other about the privilege of living at the Safe Outdoor Space, and that is it up to all of us to make it work out.

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If a Former Client Resident leaves the SOS, but cannot take all their belongings with them, the SOS can keep personal possessions in storage for up to three (3) calendar days. Their belongings must be properly bagged and labeled with their full name and the date before being put into the storage container. A rudimentary inventory of the Former Client Resident's belongings, number of bags/suitcases, gear, tent etc. must be logged in the Personal Belongings Sheet, dated, and filed. When the Former Client Resident comes to pick up their belongings, the date and initials of the individual should be put on the Personal Belongings Inventory Sheet next to their entry.

#### **4. Day Shift/Guest Sign-in Duties and Night Shift Duty**

##### **Safety team assignment - day/night shift duty:**

It generally is good practice to get Client Residents to sign up for day or night shifts on Sunday, or before the next SOS business week starts, for the *whole* week. The days, shifts (AM/PM), and the names of the Volunteers should be written on the dry erase board, *clearly*, so that everyone can see who is working. At the beginning or end of each volunteer shift, the Volunteer needs to sign the Service Hours Log so that the service hours can be tallied up at the end of each month for the SOS. The tally is required and we must be submitting all the volunteer hours monthly.

##### **Day Guest Sign-In**

Every morning at 7am the first person on watch can get the Guest Sign-in clipboard. It is important that every person that walks through the front gates, including Volunteers, signs in. When someone signs in as a Client Resident Guest, make sure the Client Resident they are visiting is currently at the SOS. Client Resident Guests that remain at the SOS for more than an hour, or repeatedly come and go after signing in once, should be asked to leave. The Client Resident the Guest was visiting should be immediately informed of the rule infraction. Client Residents must always be present at the SOS when their Guest is on the SOS property, and Guests will be asked to leave if this rule is broken. Client Residents who break the rule should be immediately notified of the rule upon their return. If the clipboard runs out of Sign-in Sheets during the course of the day, you can get new ones in the Guard Shack in the folder marked SOS Sign-in Sheets. Guests who sign-in on the clipboard are here to visit Client Residents or to volunteer. People who do not live at the SOS and are not volunteering or being given a tour by a designated Staff, Board, or Volunteer are not to be wandering around, consuming beverages or food, or loitering and under no circumstances are guests allowed in residents' tents. At the end of the day, the Volunteer on the last shift can return the

Guest Sign-in clipboard to its proper place. Remember, there are no client resident guests allowed in the SOS before 7am or after 6pm, and that is every client resident's responsibility.

### **Night Shift Safety Team Duties**

At 6pm the first person on night watch can get the Time Log Sheet, so that they can log every hour when they walk around the SOS. If something is seen that is not a serious situation that needs an incident report, it can be written on the Time Log Sheet so that Staff or the Board can address it the following day. For any situation that involves confrontation or may require 911, please wake up the SOS Community Manager so you are not getting involved with emergency situations alone. In the event of any emergency situation, an incident report should be written immediately while the situation and details are easily recalled, so that the report can be given to the SOS Staff and Board Chair first thing in the morning. If the Night Shift Safety Team are using flashlights, please remember to put the batteries in the charger so the following Night Shift Safety Team will have a fully charged flashlight.

*Remember - if you see something suspicious outside the community at night, do not approach by yourself. Wake up another Staff Member, SOS Volunteer, or Client Resident to keep watch or approach with you!*

### **SOS Paperwork**

All incident reports should be filled out shortly after the situation occurs so that the details are fresh. Please write clearly, professionally, and include all the important information so the SO Staff can know exactly what occurred. These reports are not a place to vent, so be careful not to embellish the incident. Have all the witnesses of the incident sign and date the report along with any other Safety Team members that were present. After discussing it with the SOS Community Manager, make a recommendation as necessary.

If the SOS Client Resident has a grievance of any kind they should request and be provided with a Grievance Form, which are kept in the Guard Shack. It is their responsibility to fill the form out, take a photo of the Grievance Form if they wish, and submit the Grievance Form to the SOS Staff. Try not to get involved in disputes in the camp, but simply direct Client Residents to follow the correct grievance procedure.

### **Volunteer Hours Log**



The Volunteer Hours Log is kept in the SOS Guard Shack. When volunteers are starting or ending their shifts they *must* sign the Volunteer Hours Log. SOS staff who noticed the Volunteer Hour Log has not been signed by a Volunteer are responsible for ensuring the Volunteer signs the log. All volunteer hours including sign-in desk duty, night watch, trash can emptying, grounds maintenance, camp upkeep, and also special projects should be logged shortly after they are completed. At the end of the month, these volunteer hours are tallied and given to the SOS Staff and Board so the SOS can help the agency represent the work being done accurately including for funding reports.

### **Donations Log**

The Donations Log is also kept in the Guard Shack, and should be utilized for incoming donations. Whenever an individual or group brings items to the SOS Community, ask for their name and if they would like a receipt for a tax deduction. If they do not want a receipt for tax deduction purposes, simply list the items donated and the appropriate information in the log. Some donors may also choose to remain anonymous. The Donation Receipts are also kept with the logs and can be filled out with the donors' information along with the items donated. One copy of the receipt goes to the donor and the other half to the SOS Staff. Ask the donor for permission to mention their contribution on the SOS social media, and thank them for their donation.

## **Safe Outdoor Space Security Protocol**

It is *everyone's* responsibility to keep the SOS Community safe. If you see or hear something suspicious against our agreements, inform the Safety Team, the Community Manager, or Outreach Coordinator.

### **Safety Officer**

1. It is the Safety Officer's responsibility to patrol the SOS boundaries
2. If something dangerous is seen or heard, do not be put in harm's way. Immediately *report* the situation to the security or police. Each phone number is listed in the Guard Shack. You must also report it to the SOS Staff and in the event of a severe incident also report to the Board Chair.
3. Share information with the other Client Residents, particularly those new to the SOS Community, about what the policies and procedures are.
4. The Safety Officer is the Point Person for any major concerns at the SOS Community, and responsible to de-escalate conflicts between Client Residents, call security/police if needed, and help figure out the Safety Officer schedule.

### **SOS Security**

1. Night shift: Patrol the perimeter of the SOS Community at least twice during the shift.
2. Make sure Guests sign in, and do not allow any Guest to go back to the tents unless they are accompanied by SOS Staff, Board Member, a Volunteer, or a Client Resident.
3. There are Time Logs in the Guard Shack. Log any important events, such as Guests coming, uninvited Visitors dropping by, donations coming in, incidents, police being called, etc.
4. Incident reports must be written and reported to the SOS Community Manager and the Outreach Coordinator.
5. Food donations go straight to the storage area. Clothing donations should be sent to the bin as soon as possible.
6. Do not allow Client Residents to take entire bags/boxes of donations to their tent. It is important that the donations are shared and not hoarded.
7. Belligerent/intimidating/threatening behavior is not allowed. Incidences of this behavior must be logged into the Time Log and written on an Incident Report Sheet.

✓ ALB BOCA HOTEL LIMITED PRTSHP  
1000 MARKET ST BLDG 1  
PORTSMOUTH NH 03801

✓ CITY OF ALBUQUERQUE  
PO BOX 2248  
ALBUQUERQUE NM 87103-2248

✓ DCI DONOR SERVICES INC  
1633 CHURCH ST SUITE 500  
NASHVILLE TN 37203-2948

✓ ALB BOCA HOTEL LIMITED PRTSHP  
1000 MARKET ST BLDG 1  
PORTSMOUTH NH 03801

✓ T-MOBILE PCS HOLDINGS LLC  
12920 SE 38TH ST  
BELLEVUE WA 98006-1350

✓ ARCHDIOCESE SANTA FE CEMETERY  
CATHOLIC SERVICE BLDG  
4000 ST JOSEPHS PL NW  
ALBUQUERQUE NM 87120-1714

✓ M-F PARTNERSHIP  
PO BOX 35280  
ALBUQUERQUE NM 87176-5280

✓ SUNSET MEMORIAL PARK  
PO BOX 25063  
ALBUQUERQUE NM 87125-0063

✓ ABQ 1701 LLC  
3304 W HISTORIC HWY 66  
GALLUP NM 87301-6841

✓ BRAR HOTELS GROUP INCORPORATED  
200 MILL ST  
RENO NV 89501-1535

✓ ALBUQ METROPOLITAN BOARD OF  
REALTORS INC  
1635 UNIVERSITY BLVD NE  
ALBUQUERQUE NM 87102

✓ CFF II SUN VILLAGE LLC & CSA II SUN  
VILLAGE LLC C/O JESSE MCBAY  
8012 BEE CAVES RD SUITE 300  
AUSTIN TX 78746-4902

✓ 1509 UNIVERSITY BLVD NM LLC  
4525 WILSHIRE BLVD SUITE 210  
LOS ANGELES CA 90010-3846

✓ ALB BOCA HOTEL LIMITED PRTSHP C/O  
OCEAN PROPS ATTN: N HEBERT  
1000 MARKET ST UNIT 1  
PORTSMOUTH NH 03801-3358

✓ ASSOCIATED GENERAL CONTRS  
1615 UNIVERSITY BLVD NE  
ALBUQUERQUE NM 87102

✓ CHAMISA PROPERTIES LLC  
1617 UNIVERSITY BLVD NE  
ALBUQUERQUE NM 87102

✓ GAECHTER OUTDOOR ADVERTISING INC  
C/O MIKE GAECHTER PRESIDENT  
13 HORIZON DR  
FRISCO TX 75034-6840

✓ GREATER ALBUQUERQUE ASSOCIATION  
OF REALTORS INC  
1635 UNIVERSITY AVE NE  
ALBUQUERQUE NM 87102-1710

✓ TA OPERATING CORPORATION C/O TAX  
DEPARTMENT  
24601 CENTER RIDGE RD  
WESTLAKE OH 44145-5634

✓ JMDH REAL ESTATE OF ALBUQUERQUE  
LLC ATTN: CEO  
1710 WHITESTONE EXPRESSWAY  
FLUSHING NY 11357

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#### **4. Day Shift/Guest Sign-in Duties and Night Shift Duty**

##### **Safety team assignment - day/night shift duty:**

It generally is good practice to get Client Residents to sign up for day or night shifts on Sunday, or before the next SOS business week starts, for the *whole* week. The days, shifts (AM/PM), and the names of the Volunteers should be written on the dry erase board, *clearly*, so that everyone can see who is working. At the beginning or end of each volunteer shift, the Volunteer needs to sign the Service Hours Log so that the service hours can be tallied up at the end of each month for the SOS. The tally is required and we must be submitting all the volunteer hours monthly.

##### **Day Guest Sign-In**

Every morning at 7am the first person on watch can get the Guest Sign-in clipboard. It is important that every person that walks through the front gates, including Volunteers, signs in. When someone signs in as a Client Resident Guest, make sure the Client Resident they are visiting is currently at the SOS. Client Resident Guests that remain at the SOS for more than an hour, or repeatedly come and go after signing in once, should be asked to leave. The Client Resident the Guest was visiting should be immediately informed of the rule infraction. Client Residents must always be present at the SOS when their Guest is on the SOS property, and Guests will be asked to leave if this rule is broken. Client Residents who break the rule should be immediately notified of the rule upon their return. If the clipboard runs out of Sign-in Sheets during the course of the day, you can get new ones in the Guard Shack in the folder marked SOS Sign-in Sheets. Guests who sign-in on the clipboard are here to visit Client Residents or to volunteer. People who do not live at the SOS and are not volunteering or being given a tour by a designated Staff, Board, or Volunteer are not to be wandering around, consuming beverages or food, or loitering and under no circumstances are guests allowed in residents' tents. At the end of the day, the Volunteer on the last shift can return the

Guest Sign-in clipboard to its proper place. Remember, there are no client resident guests allowed in the SOS before 7am or after 6pm, and that is every client resident's responsibility.

### **Night Shift Safety Team Duties**

At 6pm the first person on night watch can get the Time Log Sheet, so that they can log every hour when they walk around the SOS. If something is seen that is not a serious situation that needs an incident report, it can be written on the Time Log Sheet so that Staff or the Board can address it the following day. For any situation that involves confrontation or may require 911, please wake up the SOS Community Manager so you are not getting involved with emergency situations alone. In the event of any emergency situation, an incident report should be written immediately while the situation and details are easily recalled, so that the report can be given to the SOS Staff and Board Chair first thing in the morning. If the Night Shift Safety Team are using flashlights, please remember to put the batteries in the charger so the following Night Shift Safety Team will have a fully charged flashlight.

*Remember - if you see something suspicious outside the community at night, do not approach by yourself. Wake up another Staff Member, SOS Volunteer, or Client Resident to keep watch or approach with you!*

### **SOS Paperwork**

All incident reports should be filled out shortly after the situation occurs so that the details are fresh. Please write clearly, professionally, and include all the important information so the SO Staff can know exactly what occurred. These reports are not a place to vent, so be careful not to embellish the incident. Have all the witnesses of the incident sign and date the report along with any other Safety Team members that were present. After discussing it with the SOS Community Manager, make a recommendation as necessary.

If the SOS Client Resident has a grievance of any kind they should request and be provided with a Grievance Form, which are kept in the Guard Shack. It is their responsibility to fill the form out, take a photo of the Grievance Form if they wish, and submit the Grievance Form to the SOS Staff. Try not to get involved in disputes in the camp, but simply direct Client Residents to follow the correct grievance procedure.

### **Volunteer Hours Log**



The Volunteer Hours Log is kept in the SOS Guard Shack. When volunteers are starting or ending their shifts they *must* sign the Volunteer Hours Log. SOS staff who noticed the Volunteer Hour Log has not been signed by a Volunteer are responsible for ensuring the Volunteer signs the log. All volunteer hours including sign-in desk duty, night watch, trash can emptying, grounds maintenance, camp upkeep, and also special projects should be logged shortly after they are completed. At the end of the month, these volunteer hours are tallied and given to the SOS Staff and Board so the SOS can help the agency represent the work being done accurately including for funding reports.

### **Donations Log**

The Donations Log is also kept in the Guard Shack, and should be utilized for incoming donations. Whenever an individual or group brings items to the SOS Community, ask for their name and if they would like a receipt for a tax deduction. If they do not want a receipt for tax deduction purposes, simply list the items donated and the appropriate information in the log. Some donors may also choose to remain anonymous. The Donation Receipts are also kept with the logs and can be filled out with the donors' information along with the items donated. One copy of the receipt goes to the donor and the other half to the SOS Staff. Ask the donor for permission to mention their contribution on the SOS social media, and thank them for their donation.

## **Safe Outdoor Space Security Protocol**

It is *everyone's* responsibility to keep the SOS Community safe. If you see or hear something suspicious against our agreements, inform the Safety Team, the Community Manager, or Outreach Coordinator.

### **Safety Officer**

1. It is the Safety Officer's responsibility to patrol the SOS boundaries
2. If something dangerous is seen or heard, do not be put in harm's way. Immediately *report* the situation to the security or police. Each phone number is listed in the Guard Shack. You must also report it to the SOS Staff and in the event of a severe incident also report to the Board Chair.
3. Share information with the other Client Residents, particularly those new to the SOS Community, about what the policies and procedures are.
4. The Safety Officer is the Point Person for any major concerns at the SOS Community, and responsible to de-escalate conflicts between Client Residents, call security/police if needed, and help figure out the Safety Officer schedule.

### **SOS Security**

1. Night shift: Patrol the perimeter of the SOS Community at least twice during the shift.
2. Make sure Guests sign in, and do not allow any Guest to go back to the tents unless they are accompanied by SOS Staff, Board Member, a Volunteer, or a Client Resident.
3. There are Time Logs in the Guard Shack. Log any important events, such as Guests coming, uninvited Visitors dropping by, donations coming in, incidents, police being called, etc.
4. Incident reports must be written and reported to the SOS Community Manager and the Outreach Coordinator.
5. Food donations go straight to the storage area. Clothing donations should be sent to the bin as soon as possible.
6. Do not allow Client Residents to take entire bags/boxes of donations to their tent. It is important that the donations are shared and not hoarded.
7. Belligerent/intimidating/threatening behavior is not allowed. Incidences of this behavior must be logged into the Time Log and written on an Incident Report Sheet.

*Elizabeth Holguin*

How do we get them in the door?

Reviewed 11/10/22

Once the facility is ready, the person selected for Outreach will begin visiting encampments to recruit the individuals into a secure situation with the basic services they need.

The description of what is available at the Safe Outdoor Space is made clear to the individuals that are spoken to.

If they decide they would like to apply, the Outreach person will sit down with the individual and review the Registration form and fill in as much as possible.

A decision has to be made as to whether the individual will be able to reside in the Safe Outdoor Space. The SOS Manager has to have experience in dealing with mental illness, drug and alcohol addiction, and how this person would be able to handle the Rules for being in a designated space.

Not everyone will be a good fit. Those who have become homeless because of circumstances beyond their control; those who want to work but need a permanent place to clean up, receive mail, and get help obtaining a job are going to be at the top of the list as far as securing a space. We will take people who do take drugs, drink alcohol -but none of that is allowed when in the facility, and they have to follow the rules.

We will coordinate with the other Non-Profits that can offer services that will help our residents. Being in one place is going to be really efficient for them - I have spoken with many of them and they feel this will be a big improvement over what they have to do now - track the people down that need help. Our Registration Form will help determine which individuals to work with, thus further increasing efficiency.

Once the individual signs the necessary paperwork, then we have to get them and their personal belongings to the Safe Outdoor Space.

What happens after individuals are assigned a Designated Space?

- Once in the Safe Outdoor Space, the Rules and service requirements (6 hours per week) will apply.
- Once guests are assigned a space, intake paperwork will be completed to include a client/resident agreement, assumption of risk and waiver of liability form, HMIS demographics packet, and a VI-SPDAT to capture relevant demographics, and evaluate the housing vulnerability index for all guests.
- There is 1 mandatory meeting per month for all residents. Additionally, there is a meeting every week to discuss what is going on in the Safe Outdoor Space, solve problems that arise, etc.
- There is an ONSITE Manager and an OUTREACH WORKER who will help oversee the operation of the Safe Outdoor Space daily. The SOS Manager is off site after hours, but available if there is an emergency. Both ONSITE Manager and OUTREACH WORKER will be supplied with cell phones to be able to communicate with police.
- Security Plan: Security will be on-site 24/7. A contracted security guard will be present from the hours of 1900-0700 daily for the first three months. The MANAGER will provide security and oversight from 0700-1900. After a three month period, incident logs will be reviewed and we will choose to continue security or transition to camper run security (Camp Hope model) depending on analysis.
- There will be 6' fencing with screening (like a tennis court) and gates around the Safe Outdoor Space. The gates will be open from 7:00am to 8:00pm, then they will be locked for the night. There will also be a Safety Shack for the residents on security to occupy; it will have lights and other necessary equipment to perform their duties.
- All City and program requirements for Safe Outdoor Spaces will be followed.
- Initially, the Safe Outdoor Spaces will have temporary and portable showers, bathrooms, hand washing stations, and meeting spaces.

## SAFE OUTDOOR SPACE REGISTRATION FORM

Full Name/Nickname:

Date of Intake:

D.O.B./Age:

Date of Entry:

Race/Language:

Date vacated:

Gender:

Veteran:

Health Concerns:

Pets:

Resident has read Rules \_\_\_\_\_

Staff Signature: \_\_\_\_\_

Status:

I hereby acknowledge that Safe Outdoor Spaces works closely with all branches of Law Enforcement. Safe Outdoor Spaces will not shelter residents absconding from the law and will assist law enforcement officials with vacating residents with open warrants.

Sign: \_\_\_\_\_

Employment: periodic - p/t - f/t- day labor

Income: Disability - Gen. Assist. - SSI-SSDI - SNAP - Retirement - Veteran

Received:

Basic Needs: ID - Birth Certificate - Social Security Card

Seeking Housing: Yes No Housing Received:

Education: GED - College -Vocational Potential residents will be screened for housing barriers. If you have zero barriers to housing and are not working with a Housing Case Manager, tenancy is denied at intake.



## Dawn Legacy Pointe Guest Agreements

1. No use, sale, trade or purchase of alcohol or drugs (of any kind)
2. No intoxicated or disruptive behavior
3. No threatening, violent, intimidating or aggressive behavior or language.
4. No firearms or illegal weapons allowed on campgrounds or property
5. No abusive language or discriminatory speech
6. No vandalism including graffiti or urinating or defecating on premises
7. No stealing or destruction of others' personal property, or property designated as belonging to Dawn Legacy Pointe or CABQ
8. No open fires. to include camping stoves anywhere on the campgrounds or property. Grilling is allowed in the designated camp grill area.
9. Visiting minors must be accompanied and supervised by an adult and are not allowed overnight. Staff can assist unaccompanied youth and parents who have children to find emergency shelter.
10. Limited guests (2 per resident) are allowed during the hours of 7 am and 6 pm if they follow the rules in designated guest areas outside of resident space. No overnight guests. You are responsible for the actions of your guests. ALL guests are required to sign in, and if hosting a guest you must greet the at the guard shack. No unattended guests permitted on property
  
11. No one with open felony warrants is allowed on-site
12. No loitering is permitted in front of or around the property.
13. Campers may not connect to campus electricity or water. Campers may not use extension cords or hoses. Requests for special needs may be granted in writing by the Community Manager.
14. No smoking is allowed in tents. Cigarettes should be extinguished in designated containers and butts put in proper containers.
15. No littering.
16. Keep your tent area tidy. Belongings must be confined to inside the tent pad space. Help keep the camp clean.
17. Dawn Legacy Pointe is *emergency sheltering in alternative structures*. If you are not actively working with case management to look for employment, or applying for housing, you cannot stay in the camp.
18. If you will be gone from camp for longer than 3 days you must communicate with the camp manager or your case manager about circumstances. Dawn Legacy Pointe is not intended to be a secondary residence. Campers are not allowed to repeatedly stay elsewhere and return to camp intermittently. There are exceptions such as staying at the Westside Emergency Housing Center during nights of extremely cold weather.

19. It is recommended that all residents perform and record 6 hours of service in camp a week. Participation in a weekly meeting is also mandatory for all campers.
20. Campers stay in the defined campground.
21. No unregistered or inoperable vehicles are allowed on the campus at any time.
22. Campers are responsible for cleaning up their tent before they move out of Camp. Residents who leave an untidy tent space will not be allowed back in camp.
23. Donations may not be sold to anyone, for any amount. Anyone found breaking this agreement will be asked to vacate immediately.
24. When leaving Dawn Legacy Pointe, you may only leave with one reasonable truckload of items. This is to prevent hoarding and excess usage of camp resources.
25. All dogs and pets coming in to Camp must be up to date on shots and be spayed or neutered. If residents need help with either they will be referred to agencies that may assist them. All dogs must be on a leash at all times as this is City of Albuquerque property.
26. No drugs except as prescribed and taken as prescribed.
27. All residents must be fully clothed in common areas.
28. Camp quiet hours are 10:00 p.m to 8:00 a.m.
29. Camp Clean up Fridays 9-10 a.m.
- 35: Dawn Legacy Pointe has a responsibility to maintain confidentiality, respect and privacy for all residents at the Camp. We ask that clients not utilize social media regarding camp concerns. Contact the Outreach Coordinator for anything in regard to the Camp and Social media.

There is ZERO tolerance for criminal behavior including alcohol and drug use, weapons violations, stealing, vandalism, assault, battery, etc. Offenses will be reported to APD by camp staff.



## **SECURITY PLAN**

- There is an ONSITE Manager and an OUTREACH WORKER who will help oversee the operation of the Safe Outdoor Space daily. The SOS Manager is off site after hours, but available if there is an emergency. Both ONSITE Manager and OUTREACH WORKER will be supplied with cell phones to be able to communicate with police.
- A contracted security guard will be present from the hours of 1900-0700 daily for the first three months. At that time, incident logs will be reviewed and we will choose to continue security or transition to camper run security (Camp Hope model) depending on analysis.

## **COMMUNITY COMMITMENT**

- A Good Neighbor Agreement will be addressed with surrounding businesses and Neighborhood Associations.
- A Neighborhood Advisory group will be created to discuss successes and opportunities for improvement. This platform will allow neighborhoods in proximity to other SOS sites in the city to collaborate and share best practices.

**Dawn Legacy Pointe Participant Assumption of Risk and Waiver of Liability**

**Relating to Coronavirus/COVID-19**

The novel coronavirus, COVID-19, has been declared a worldwide pandemic by the World Health Organization. COVID-19 is extremely contagious and is believed to spread mainly from person-to-person contact. As a result, federal, state, and local governments and federal and state health agencies recommend social distancing and have, in many locations, prohibited the congregation of groups of people.

Dawn Legacy Pointe has put in place preventative measures and protocols, where possible, to reduce the spread of COVID -19; however, we cannot guarantee that you will not become infected with COVID-19. Attending or participating in the Camp Hope program could increase your risk of contracting COVID-19.

.....

By signing this agreement, I acknowledge the contagious nature of COVID-19 and voluntarily assume the risk that I may be exposed to, or infected by COVID-19 by participating in the program, and that such exposure or infection may result in personal injury, illness, permanent disability, and death. I understand that the risk of becoming exposed or infected by COVID-19 by participating in the Camp Hope program may result from the actions, omissions, or negligence of myself and others, including, but not limited to, Dawn Legacy Pointe, City employees and contractors, subcontractors, or their respective employees.

I voluntarily agree to assume all of the foregoing risks and accept sole responsibility for any injury to myself including, but not limited to, personal injury, disability, and death, illness, damage, loss, claim, liability, or expense, of any kind, that I may experience or incur in connection with my participating in the Camp Hope program (the "Claims"). I hereby release, covenant not to sue, discharge, and hold harmless MVCH and the City of Las Cruces, its employees, agents, volunteers and representative of and from the Claims, including all liabilities, claims, actions, damages, costs expenses of any kind arising out of or relating thereto. I understand and agree that this release includes any Claims based on the actions, omissions, or negligence of Dawn Legacy Pointe, the City of Las Cruces, its employees, agents, volunteers and representatives, whether a COVID -19 infection occurs before, during, or after participation in the program.

Signature\_\_\_\_\_

Date\_\_\_\_\_

Print Name\_ \_ \_ \_ \_

Date\_\_\_\_\_

I understand that if I violate the rules of Dawn Legacy Pointe I will be asked to leave the camp. I agree that I received the rules and I understand them in full. \_

---

Resident Name/Signature \_\_\_\_\_ Date \_\_\_\_\_

---

Witness Name/Signature \_\_\_\_\_ Date \_\_\_\_\_

I understand that depending on the nature of the crime committed or rule infraction, I may be asked to leave the camp immediately. I agree that I will leave the camp or that I may risk being banned from the property or risk the police being called.

---

Resident Name/Signature \_\_\_\_\_ Date \_\_\_\_\_

---

Witness Name/Signature \_\_\_\_\_ Date \_\_\_\_\_

I realize that I am staying at Dawn Legacy Pointe of my own volition. I understand that paid staff is not on-hand at the camp at all times.

Dawn Legacy Pointe resident does hereby release and forever discharge and hold harmless Dawn Legacy Pointe and the CABQ and its successors and assigns from any and all liability claims, and demands of whatever kind or nature, either in law or in equity that arise or may hereafter arise from the resident's stay at Dawn Legacy Pointe. I agree to defend, indemnify and save harmless Dawn Legacy Pointe and CABQ and its officers, agents and employees from any and all suits, actions and claims of any character brought because of any injury or damage *received* or sustained by any person, persons or property.

---

Resident Name/Signature

Date

---

Witness Name/Signature

Date

# CITY OF ALBUQUERQUE



*Solid Waste Management Department*  
Matthew Whelan, Director

July 31, 2022

Dawn Legacy Pointe  
Fiscally sponsored by Street Safe New Mexico, a non-profit 501 (c)(3)

Dear Dawn Legacy Pointe

The City has received your request to use City-owned property for a Safe Outdoor Space as described in the Integrated Development Ordinance, effective July 28, 2022. The property requested is located at 1250 Menaul NE, plat number: SP-81-349. This property is zoned Non-Residential-Light Manufacturing (NR-LM). You have requested the use of 1 acre of this property,

The City grants permission to use this site temporarily for 6 months, with a possible extension of 6 months pending your approved Safe outdoor Space application. This permission is granted however; a lease agreement or license agreement between the City of Albuquerque's Solid Waste Management Department and Dawn Legacy Pointe will need to be executed prior to commencing operations.

PO Box 1293

Albuquerque

NM 87103

Sincerely,

Matthew Whelan

[www.cabq.gov](http://www.cabq.gov)

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Certification Reference Number: 08052022

Extra Services & Fees (check box, add fee)

Return Receipt (hardcopy) \$0.00  
 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Restricted Delivery \$0.00  
 Postage \$0.60



Postmark: 08/05/2022

Albuquerque, NM 87108

Albuquerque, NM 87108

US Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for

**M:f UNITED STATES POST/J.L SERVICE.**

HIGHLAND  
 111 ALVARADO DR SE  
 ALBUQUERQUE, NM 87108-9998  
 (800) 275-8777

Uo15/2022 11:11 AM

P10.duct	Qty	Unit	Price
First-Class Mail®	1		\$0.60
Tracking#:			
Return Receipt			\$8.25
Tracking#:			
Total			\$12.00
US Flags	20	\$0.60	\$12.00

Grand Total: \$19.85

Credit Card Remit \$19.85

Card Name: VISA  
 Account#: XXXXXXXXXXXX1746  
 Approval #: 03624C  
 Transaction#: 300  
 AID: A0000000031010 Chip  
 AL: VISA CREDIT  
 PIN: Not Required CHASE VISA

\*\*\*\*\*  
 Every household in the U.S. is now eligible to receive a third set of 8 free test kits.  
 Go to [www.covidtests.gov](http://www.covidtests.gov)  
 A XX X A K X \*\*\*\*\* X\* WWW X

Text:ixt your tracking number to 28777 <2USPS> to get the latest status. Standard Message and Data rates may apply. You may also visit [www.usps.com](http://www.usps.com) USPS Tracking or call 1-800-222-1811.

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All sales final on stamps and postage.  
 Refunds for guaranteed services only.  
 Thank you for your business.

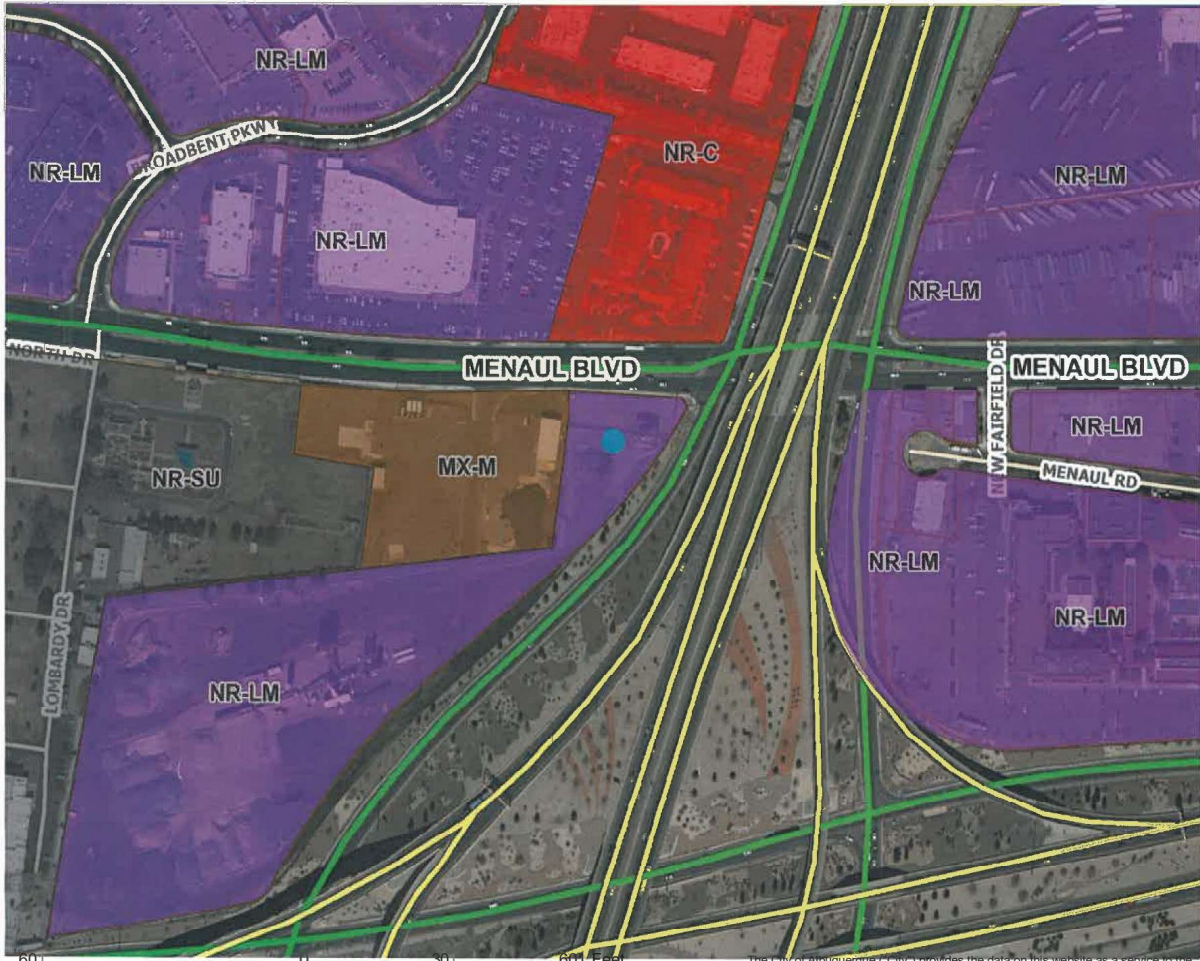
Tell us about your experience.  
 Go to: <https://postalexperience.com/Pos>  
 or scan this code with your mobile device,







# 1250 Menaul Blvd NE Vicinity Map



### Legend

- IDOZoning**
- R-A
  - R-1A
  - R-1B
  - R-1C
  - R-1D
  - R-T
  - R-MC
  - R-ML
  - R-MH
  - MX-T
  - MX-L
  - MX-H
  - MX-FB-FX
  - MX-FB-ID
  - B-NR
  - NR-EP
  - NR-LM
  - NR-GM
  - NR-SU
  - NR-PO-A
  - NR-PO-B
  - NR-PO-C
  - NR-PO-D
  - PD
  - PC
  - UNCL
- Bernalillo County Parcels**
- Primary Streets**

### Notes

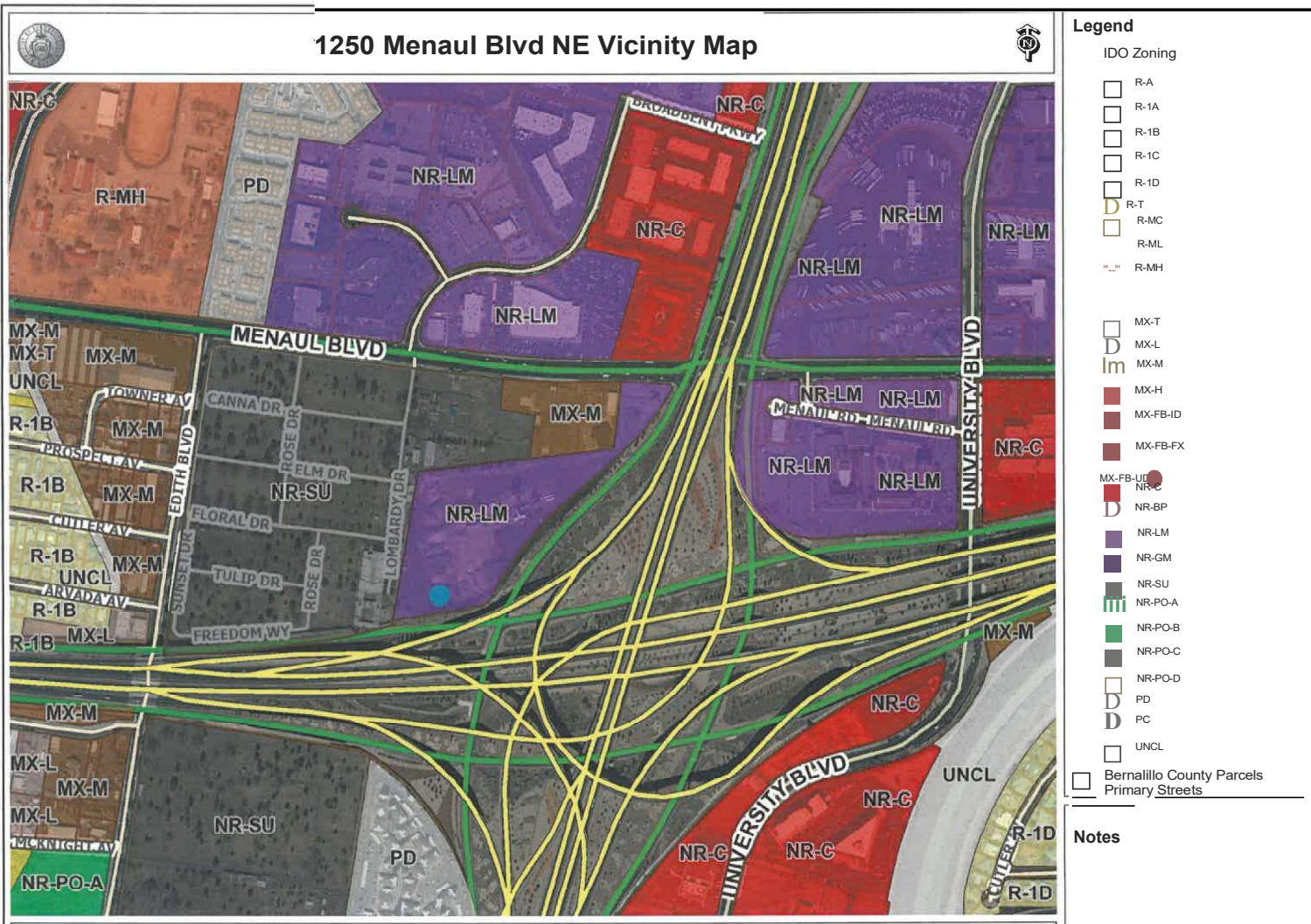
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7/20/2022 © City of Albuquerque 1: 3,607

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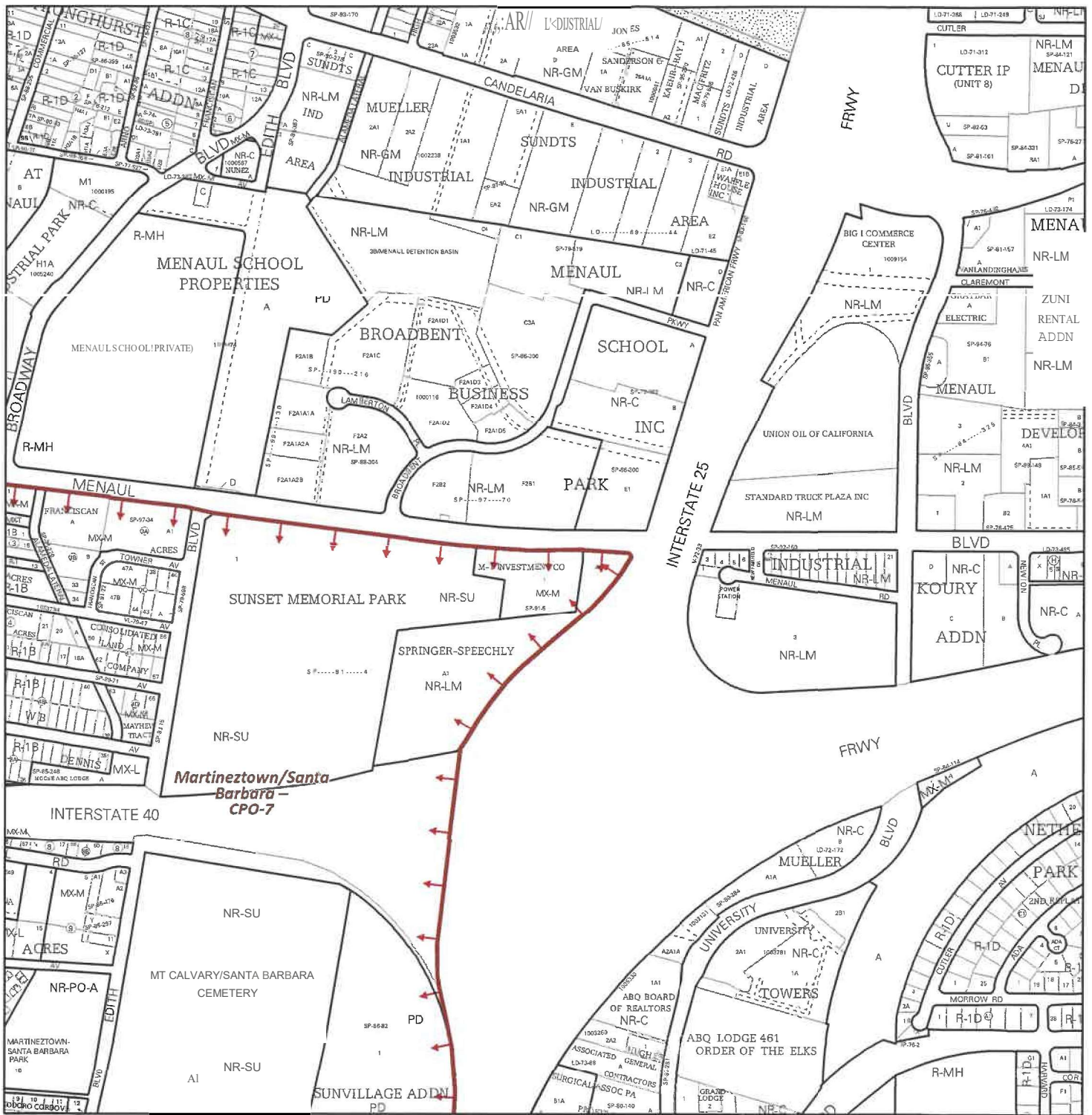
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FOR NAVIGATION



For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

# IDO Zone Atlas

## May 2018



AGIS  
Albuquerque Geographic Information System

**IDO Zoning information as of May 17, 2018**

**The Zone Districts and Overlay Zones**  
are established by the  
**Integrated Development Ordinance (IDO).**



Zone Atlas Page:  
**H-15-Z**

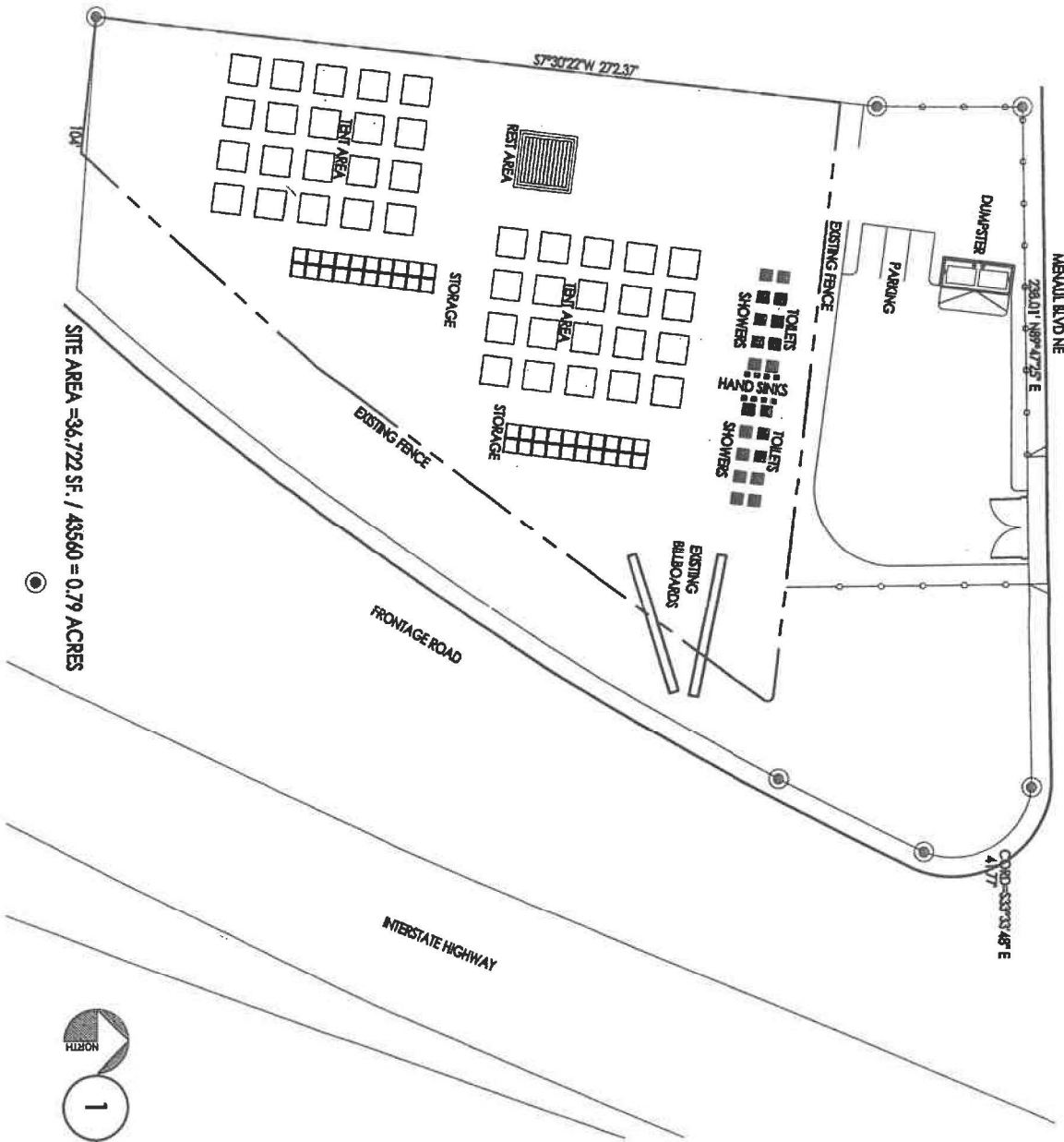
- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

Gray Shading  
 Represents Area Outside of the City Limits

N  
A

0 250 500 1,000 Feet





***Planning Department***  
***Alan Varela, Planning Director***

***Development Review Division***

600 2<sup>nd</sup> Street NW – 3<sup>rd</sup> Floor  
Albuquerque, NM 87102

**NOTICE OF APPEAL**

December 23, 2022

**TO WHOM IT MAY CONCERN:**

The Planning Department received an appeal on December 22, 2022. You will receive a Notice of Hearing as to when the appeal will be heard by the **Land Use Hearing Officer**. If you have any questions regarding the appeal please contact Alfredo Ernesto Salas, Planning Administrative Assistant at (505) 924-3370.

***Please refer to the enclosed excerpt from the City Council Rules of Procedure for Land Use Hearing Officer Rules of Procedure and Qualifications for any questions you may have regarding the Land Use Hearing Officer rules of procedure.***

Any questions you might have regarding Land Use Hearing Officer policy or procedures that are not answered in the enclosed rules can be answered by Crystal Ortega, Clerk to the Council, (505) 768-3100.

**CITY COUNCIL APPEAL NUMBER: AC-23-4**  
**PLANNING DEPARTMENT CASE FILE NUMBER:**  
**PR-2022-007490, VA-2022-00368**

**APPLICANT: Life roots Inc. NM non-profit corp.**  
**1111 Menaul Blvd. NE**  
**Albuquerque NM, 87107**

**AGENT: Brian A. Thomas Law Offices**  
**2535 Wyoming Blvd. NE Suite A**  
**Albuquerque NM, 87112**

cc: Mandi Hinojos, City Council, City county bldg. 9<sup>th</sup> floor  
Kevin Morrow/Legal Department, City Hall, 4<sup>th</sup> Floor-  
Life roots Inc. NM non-profit corp., 1111 Menaul Blvd. NE, Albuquerque NM, 87107  
Brian A. Thomas Law Offices , [bthomas@thomaslaw-nm.com](mailto:bthomas@thomaslaw-nm.com)  
Brad Day, [bradwday1@gmail.com](mailto:bradwday1@gmail.com)