

City of Albuquerque

Office of the Mayor Timothy M. Keller

DECLARATION OF LOCAL STATE OF EMERGENCY DUE TO NOVEL CORONAVIRUS COVID-19

WHEREAS, in December 2019, a novel coronavirus, now designated COVID-19, was detected. Symptoms of COVID-19 include fever, cough, and shortness of breath. Outcomes for those infected with COVID-19 have ranged from mild to severe illness, and in some cases death; and

WHEREAS, on March 11, 2020, the World Health Organization declared that the COVID-19 outbreak should be characterized as a pandemic; and

WHEREAS, on March 11, 2020, New Mexico Governor Michelle Lujan Grisham and the New Mexico Department of Health confirmed the first confirmed cases of COVID-19 in New Mexico; and

WHEREAS, on March 11, 2020, New Mexico Governor Michelle Lujan Grisham issued Executive Order 2020-004, Order Declaring a State of Public Health Emergency and Invoking the Powers Provided by the All Hazard Emergency Management Act and the Emergency Licensing Act; and

WHEREAS, following the issuance of Executive Order 2020-004, there have been additional confirmed cases of COVID-19 in New Mexico, including Bernalillo County and the City of Albuquerque; and

WHEREAS, the identification of “community spread” cases of COVID-19 in the United States signals that the transmission of the virus is no longer strictly limited to travel to high-risk areas, or contact with travelers who have visited high-risk areas; and

WHEREAS, the spread of COVID-19 endangers life and property to such extent that extraordinary measures must be taken to protect the public health, safety, and welfare;

WHEREAS, the City of Albuquerque utilized the local Comprehensive Emergency Management Plan, activated the Emergency Operations Center on several occasions, and performed initial damage assessments relating to COVID-19 that occurred beginning in January 2020;

WHEREAS, it is currently impossible for the City of Albuquerque to predict its total eligible uninsured expenditures due to the rapidly evolving nature of this outbreak;

WHEREAS, the City of Albuquerque faces the continuing threat of the spread of COVID-19 and damage caused by COVID-19 until the pandemic subsides and unless the City takes proactive measures to prevent or control the spread of the virus; and

WHEREAS, the emergency expenditures and the overall magnitude of the financial harm due to Executive Order 2020-004 and closing of New Mexico public schools of COVID-19 has yet to be determined; and

WHEREAS, the City of Albuquerque faces the continuing threat of untold damage to public health thereby perpetuating an uncertain financial burden;

WHEREAS, this local emergency constitutes a public health emergency, and the resulting damage is of such magnitude as to be beyond local control and requires the resources of the State to minimize economic and physical harm necessary to protect the public health, safety, and welfare of the people and property in Albuquerque.

NOW, THEREFORE, I, Timothy M. Keller, Mayor of the City of Albuquerque, by virtue of the authority vested in my office by the Laws of the State of New Mexico and the Albuquerque City Code of Ordinances, do hereby Declare a Local State of Emergency to exist throughout the City of Albuquerque due to the disastrous effects from COVID-19 beginning around March 10, 2020. The local state of emergency shall terminate after 48 hours from the issuance thereof, or upon the issuance of a proclamation determining an emergency no longer exists, whichever occurs first. I hereby order that:

1. Pursuant to § 2-9-1-4(C) of the Civil Emergency Powers Ordinance, all places of mass assembly, including but not limited to performance and athletic venues, are to close until the termination of this emergency;
2. Pursuant to § 2-9-1-4(F) of the Civil Emergency Powers Ordinance, all nonessential City-sponsored events and gatherings on or before April 15, 2020, are canceled; and
3. Pursuant to § 2-9-1-4(G) of the Civil Emergency Powers Ordinance, the City may enter any agreements regarding the use of property as necessary to address or mitigate the impact of COVID-19 outside the usual real property requirements of the Revised Ordinances of Albuquerque 1994 ch. 5, art. II, § 5-2-1 *et seq*; and

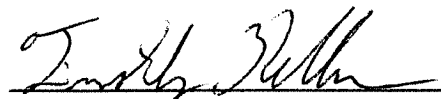
4. Pursuant to § 2-9-1-5 and § 2-9-1-7 of the Civil Emergency Powers Ordinance, the Albuquerque Police Department may enforce this proclamation and all orders contained within and any person who does not comply with this order may be subject to civil penalties; and
5. Pursuant to § 2-9-1-6 of the Civil Emergency Powers Ordinance, the Albuquerque City Council may extend this proclamation for additional periods of time prior to its expiration as it deems necessary; and
6. Pursuant to § 2-9-1-4(H), I may issue other such orders that are imminently necessary for the protection of life and property throughout the duration of this emergency; and
7. Pursuant to §§ 5-5-19(B)(1) and 5-5-35, I find that there are urgent and compelling reasons, including the unforeseen and dangerous situation of the COVID-19 pandemic, enabling the City to make emergency procurements to preserve the peace, health, or safety of people or property within the jurisdiction of the City or to prevent significant economic loss; and
8. I authorize and direct the Chief Administrative Officer to take all actions with respect to City staff as may be necessary to carry out the mission of the city government in emergencies; and
9. The City may issue further proclamations of emergency in response to additional or updated information from the State of New Mexico or the federal government; and
10. As Mayor, I further reserve all other authority and powers conferred by the Revised Ordinances of Albuquerque and New Mexico state law to respond as necessary to this situation.

I REQUEST from the New Mexico State Department of Homeland Security and Emergency Management and other appropriate State agencies, financial assistance to supplement the necessary actions taken in response to the local emergency from COVID-19 that has occurred beginning on March 10, 2020 and culminated in five confirmed cases of COVID-19 on March 13, 2020.

I REQUEST financial assistance from the Federal Emergency Management Agency and other appropriate federal agencies in the event that the President makes future declarations providing funds to local governments to mitigate the costs incurred during this emergency.

This proclamation shall take effect immediately from and after its issuance.

SIGNED ON THIS 18 DAY OF March, 2020.


TIMOTHY M. KELLER
MAYOR OF ALBUQUERQUE