Interoffice Memorandum

September 19, 2018

To: CITY COUNCIL

From: Camille Cordova, Administrative Assistant

Subject: BILL NO. R-18-49; ENACTMENT NO. R-2018-056

I hereby certify that on September 17, 2018, the Office of the City Clerk received Bill R-18-49 as signed by the president of the City Council, Ken Sanchez. Enactment No. R-2018-056 was passed at the September 5, 2018 City Council meeting. Mayor Keller did not sign the approved Resolution within the 10 days allowed for his signature and did not exercise his veto power. Pursuant to the Albuquerque City Charter Article XI, Section 3, this Resolution is in full effect without Mayor's approval or signature. This memorandum shall be placed in the permanent file for Bill No. R-18-49.

Sincerely,

Katy Duigg
City Clerk
RESOLUTION

CREATING A TASK FORCE TO EXPLORE OPTIONS TO REGISTER AND REGULATE SHORT TERM RENTALS IN THE CITY.

WHEREAS, a short term rental is commonly defined as a rental in a single family residence or apartment of 29 days or less but is not a defined use within the Integrated Development Ordinance and is currently regulated in the same way that other residential uses are regulated; and

WHEREAS, since the advent of online short term rental websites, the number of short term rentals in Albuquerque has increased significantly; and

WHEREAS, short term rentals are a new and increasing land use in many communities across the country that many communities are working to address; and

WHEREAS, short term rentals can bring both benefits and challenges to a community; and

WHEREAS, short term rentals can contribute to overall economic development, the local sharing economy, and support tourism; and

WHEREAS, short term rentals can raise concerns about noise, safety, parking, and the impact on the availability and pricing of long term rentals; and

WHEREAS, visitors who stay in hotels, motels, and bed & breakfast establishments pay a six (6) percent Occupancy Tax to the City of Albuquerque, but visitors who stay in short term rentals currently only pay these taxes dependent on which booking platform they use; and

WHEREAS, the City of Albuquerque Occupancy Tax is comprised of a five (5) percent Lodgers Tax and a one (1) percent Hospitality Tax that is collected by the lodging establishments, and which provides revenues for advertising,
publicizing, and promoting certain recreational and tourist facilities as well as
for the construction of such facilities; and

WHEREAS, a number of communities across the country, including but not
limited to Santa Fe, New Mexico and New Orleans, Louisiana, are looking at
different ways to effectively regulate and register short term rentals; and

WHEREAS, exploring ways to address this issue through a task force
comprised of members of the public and knowledgeable City staff could result
in recommendations on how best to establish a system to register and
regulate short term rentals.

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

Section 1. A twelve (12) member Short Term Rental Task Force is
established.

Section 2. The Task Force shall be made up of the following members:

A. One City staff member from the City’s Planning Department
knowledgeable in the area of Short Term Rentals and registration fees; and

B. One City staff member from the City’s Code Enforcement Division
knowledgeable in the area of residential uses, short term rentals, and
enforcement; and

C. One City staff member from the City Legal Department
knowledgeable in land use and zoning enforcement; and

D. One Staff member from each the City Council Services Department
and Mayor’s Office; and

E. One City staff member from the Treasury Department knowledgeable
in occupancy taxes; and

F. One representative from the Visit ABQ that is knowledgeable in
lodging and tourism; and

G. One representative from the Real Estate industry knowledgeable in
short term rental properties; and

H. Two community members appointed by the Council with special
knowledge or interest in issues and community impacts associated with short
term rental properties; and
I. Two representatives from the lodging industry, at least one of which is involved with the short term rental industry.

Section 3. The City Council Services, Planning Department, and Code Enforcement representatives will coordinate with other city officials on matters related to the Building Code, Environmental Health, Solid Waste, Risk Management, and with the Fire Marshall, as needed.

Section 4. This Task Force shall explore: a) options for registration of short term rentals; b) options for regulation of short term rentals to address concerns about safety, nuisance, and compatibility; c) options for the City to collect appropriate registration fees and lodging taxes; and d) any other relevant and helpful options relating to this issue. This Task Force shall prepare a list of recommendations for potential programs or legislation that could help address issues related to short term rentals in the City by no later than March 1, 2019. This list of recommendations shall be made available to all Councilors and the Mayor.

Section 5. This Task Force is a fact finding and recommending body and not a final policy making body; accordingly, any meetings of this Task Force are not subject to the New Mexico Open Meetings Act.
PASSED AND ADOPTED THIS 5th DAY OF September, 2018
BY A VOTE OF: 9 FOR 0 AGAINST.

[Signature]
Ken Sanchez, President
City Council

APPROVED THIS _____ DAY OF __________________, 2018

[Signature]
Timothy M. Keller, Mayor
City of Albuquerque

ATTEST:

[Signature]
Katy Duhigg, City Clerk