



City of Albuquerque

Albuquerque/Bernalillo
County
Government Center
One Civic Plaza
Albuquerque, NM 87102

Action Summary

City Council

Council President, Cynthia D. Borrego, District 5
Vice-President, Diane G. Gibson, District 7

Lan Sena, District 1; Isaac Benton, District 2
Klarissa J. Peña, District 3; Brook Bassan, District 4
Pat Davis, District 6; Trudy E. Jones, District 8
Don Harris, District 9

Monday, June 7, 2021

3:00 PM

Via Zoom Video Conference

TWENTY-FOURTH COUNCIL - THIRTY-FOURTH MEETING

1. ROLL CALL

Present 9 - Brook Bassan, Isaac Benton, Cynthia Borrego, Patrick Davis, Diane Gibson, Don Harris, Trudy Jones, Klarissa Peña, and Lan Sena

2. MOMENT OF SILENCE

Vice-President Gibson led the Pledge of Allegiance in English.
Councilor Peña led the Pledge of Allegiance in Spanish.

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

10. GENERAL PUBLIC COMMENTS

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

May 17, 2021

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

Deferrals/Withdrawals

h. [R-21-130](#) Establishing A City Healthy Communities, Public Health, And

Sustainability Policy Committee (Borrego)

A motion was made by President Borrego that this matter be Postponed to September 8, 2021. The motion carried by the following vote:

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

- k. [R-21-152](#) A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 6816 Ina Dr NE 87109 Within The City Limits Of Albuquerque, New Mexico Is Ruined, Damaged And Dilapidated As To Be A Menace To The Public Comfort, Health, Peace Or Safety And That It Is To Be Required To Be Removed (Bassan, by request)

A motion was made by President Borrego that this matter be Postponed to June 21, 2021. The motion carried by the following vote:

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

- o. [R-21-156](#) A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 832 Estancia Dr NW Within The City Limits Of Albuquerque, New Mexico Is So Ruined, Damaged And Dilapidated As To Be A Menace To The Public Comfort, Health, Peace Or Safety And That It Is To Be Required To Be Removed (Sena, by request)

A motion was made by Councilor Sena that this matter be Postponed to June 21, 2021. The motion carried by the following vote:

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

9. **CONSENT AGENDA: {Items may be removed at the request of any Councilor}**

- a. [EC-21-320](#) Early Head Start Quarterly Report - January, February and March 2021

A motion was made by Vice-President Gibson that this matter be Receipt Be Noted. The motion carried by the following vote:

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

- b. [EC-21-321](#) Approval of FY20 Audit

A motion was made by Vice-President Gibson that this matter be Receipt Be Noted. The motion carried by the following vote:

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

- c. [EC-21-323](#) Building Lease and Agreement between the City of Albuquerque and 10 Tanker Air Carrier
- A motion was made by Vice-President Gibson that this matter be Approved. The motion carried by the following vote:**
- For:** 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- Excused:** 1 - Bassan
- d. [EC-21-330](#) 4th Supplemental Agreement with New Mexico Solutions
- A motion was made by Vice-President Gibson that this matter be Approved. The motion carried by the following vote:**
- For:** 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- Excused:** 1 - Bassan
- e. [EC-21-331](#) Approval of the Real Estate Purchase and Sale Agreement and Approval of Lease Agreement for Rosenwald Building Condominiums First and Second Floor and segregated 2/3 of basement, limited common areas on floors one and two and proportionate use of common areas containing 15,250 sq. ft.
- A motion was made by Vice-President Gibson that this matter be Approved. The motion carried by the following vote:**
- For:** 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- Excused:** 1 - Bassan
- f. [EC-21-332](#) Revenue & Expense Report for Second Quarter Fiscal Year 2021
- A motion was made by Vice-President Gibson that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- Excused:** 1 - Bassan
- g. [EC-21-335](#) Agreement with DLG Accounting Advisory Services
- A motion was made by Vice-President Gibson that this matter be Approved. The motion carried by the following vote:**
- For:** 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- Excused:** 1 - Bassan
- h. [EC-21-336](#) Mayor's appointment of Mr. Jon Sanchez to the Biological Park Board
- A motion was made by Vice-President Gibson that this matter be Confirmed. The motion carried by the following vote:**

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

- i. [EC-21-337](#) Mayor's appointment of Mrs. Paulette Marie Atencio to the Arts Board

**A motion was made by Vice-President Gibson that this matter be Confirmed.
The motion carried by the following vote:**

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

- j. [EC-21-338](#) Mayor's appointment of Mr. Ray Villareal to the Municipal Golf Advisory Board

**A motion was made by Vice-President Gibson that this matter be Confirmed.
The motion carried by the following vote:**

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

- k. [EC-21-339](#) Mayor's re-appointment of Ms. Isis Lopez to the Youth Advisory Council

**A motion was made by Vice-President Gibson that this matter be Confirmed.
The motion carried by the following vote:**

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

- l. [EC-21-340](#) Mayor's appointment of Ms. Diane Mourning Brown to the Americans with Disabilities Act Advisory Council

**A motion was made by Vice-President Gibson that this matter be Confirmed.
The motion carried by the following vote:**

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

- m. [EC-21-341](#) Mayor's appointment of Ms. Kerry Houlihan to the Americans with Disabilities Act Advisory Council

**A motion was made by Vice-President Gibson that this matter be Confirmed.
The motion carried by the following vote:**

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

- n. [EC-21-342](#) Mayor's re-appointment of Ms. Patricia L. Chavez to the ABQ Volunteers Advisory Board

A motion was made by Vice-President Gibson that this matter be Confirmed.

The motion carried by the following vote:**For:** 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena**Excused:** 1 - Bassan

- o.** [EC-21-344](#) One Civic Plaza Right of Way Vacation - Project# PR-2020-004748, SD-2021-00028, Tim Solinski agent(s) for City Of Albuquerque requests Vacation Of Public Right-Of-Way, for all or a portion of the alleyway 161.3 feet in length, 16 feet in width, and 483.9 square feet in size along 5th Street NW south of Marquette Avenue NW, containing approximately 2.2273 acres

A motion was made by Vice-President Gibson that this matter be Approved.**The motion carried by the following vote:****For:** 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena**Excused:** 1 - Bassan

- p.** [EC-21-345](#) Approving The Agreement Between Albuquerque Fire Rescue And Albuquerque Ambulance Service For The Provision Of Ambulance Services

A motion was made by Vice-President Gibson that this matter be Approved.**The motion carried by the following vote:****For:** 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena**Excused:** 1 - Bassan

- q.** [R-21-151](#) Approving And Authorizing The Mayor To Execute A Grant Agreement With The U.S. Department Of Health And Human Services, Early Head Start Program And Providing An Appropriation To The Department Of Family And Community Services Beginning In Fiscal Year 2022 (Peña, by request)

A motion was made by Vice-President Gibson that this matter be Passed. The motion carried by the following vote:**For:** 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena**Excused:** 1 - Bassan

- r.** [R-21-158](#) Approving Renewal Awards From The U.S. Department Of Housing And Urban Development For The 2021 Continuum Of Care Grant And Providing An Appropriation To The Department Of Family And Community Services, Beginning In Fiscal Year 2021 (Bassan, by request)

A motion was made by Vice-President Gibson that this matter be Passed. The motion carried by the following vote:**For:** 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

- s. [R-21-159](#) Adopting The 2021 Action Plan And Program Investment Summary For The Expenditure Of Community Development Block Grant (CDBG), Home Investment Partnerships Program (HOME) And Emergency Solutions Grant (ESG) Funds; Providing An Appropriation To The Department Of Family And Community Services For 2021 U.S Department Of Housing And Urban Development (HUD) Entitlement Funds (Bassan, by request)

A motion was made by Vice-President Gibson that this matter be Passed. The motion carried by the following vote:

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

11. ANNOUNCEMENTS

12. PUBLIC HEARINGS: {Appeals, SAD Protest Hearings}

- a. [AC-21-4](#) Project-2020-003911, VA-2020-00143, VA-2021-00072: Modulus Architects, agents for Jose Alfredo and Ailda Martinez, appeals the Zoning Hearing Examiners decision to deny a request for conditional use approval to allow for a light vehicle fueling station adjacent to a residential zone district for a parcel legally described as Lot Commercial Tract, Block 5, Los Altos Subdivision, located at an unaddressed parcel on Bridge Blvd. SW, (near the NW corner of Bridge Blvd. & Tower Rd. SW), zoned MX-M Mixed-Use Medium Intensity [Section 14-16-4-3(D) (17)(i) of the Integrated Development Ordinance]

A motion was made by Councilor Peña that this matter be To Accept the Land Use Hearing Officer Recommendation and Findings. The motion carried by the following vote:

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

- b. [AC-21-5](#) Project-2020-003911, VA-2020-00144, VA-2021-00073: Modulus Architects, agents for Jose Alfredo and Ailda Martinez, appeals the Zoning Hearing Examiners decision to deny a request for conditional use approval to allow for a light vehicle fueling station adjacent to a residential zone district for a parcel legally described as Lot Commercial Tract, Block 5, Los Altos Subdivision, located at an unaddressed parcel on Bridge Blvd. SW, (near the NW corner of Bridge Blvd. & Tower Rd. SW), zoned MX-M Mixed-Use Medium Intensity [Section 14-16-4-3(D) (36)(c) of the Integrated Development Ordinance]

A motion was made by Councilor Peña that this matter be To Accept the Land

Use Hearing Officer Recommendation and Findings. The motion carried by the following vote:

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

13. APPROVALS: {Contracts, Agreements, and Appointments}

- *a. [OC-21-33](#) Staff Recommendation to Appoint Ms. Patricia French to the Civilian Police Oversight Agency Board

A motion was made by President Borrego that this matter be Confirmed. The motion carried by the following vote:

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

14. FINAL ACTIONS

- d. [O-21-62](#) F/S Approving A Project Involving Affordable Solar Installation, Inc. Pursuant To The Local Economic Development Act And City Ordinance F/S O-04-10, The City's Implementing Legislation For That Act, To Support The Acquisition, Renovation, Development And Improvement Of A Facility For A Renewable Energy Production And Storage Technology Research And Development Company In Albuquerque, New Mexico; Authorizing The Execution Of A Project Participation Agreement And Other Documents In Connection With The Project; Making Certain Determinations And Findings Relating To The Project Including The Appropriation Of Funds; Ratifying Certain Actions Taken Previously; And Repealing All Actions Inconsistent With This Ordinance (Bassan, by request)

A motion was made by President Borrego that this matter be Substituted. The motion carried by the following vote:

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

A motion was made by President Borrego that this matter be Passed as Substituted. The motion carried by the following vote:

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

- g. [O-21-65](#) F/S Authorizing The Issuance And Sale Of The City Of Albuquerque, New Mexico Industrial Revenue Bond (El Encanto, Inc. Project), Tax-Exempt Series 2021 In The Maximum Principal Amount Of \$10,000,000 To Provide Funds To Finance The Construction And Equipping Of A Manufacturing Facility; Authorizing The Execution And Delivery Of An

Indenture, Lease Agreement, Bond, Tax Regulatory Agreement And Other Documents In Connection With The Issuance Of The Bond And The Project; Making Certain Determinations And Findings Relating To The Bond And The Project; Ratifying Certain Actions Taken Previously; And Repealing All Actions Inconsistent With This Ordinance (Benton, by request)

A motion was made by Councilor Benton that this matter be Substituted. The motion carried by the following vote:

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

A motion was made by Councilor Benton that this matter be Passed as Substituted. The motion carried by the following vote:

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

a. [O-21-59](#)

Amending Chapter 14, Article 7, Part 2, Section 1 Paragraph B Of The Revised Ordinances Of Albuquerque, New Mexico, 1994, The Professional Services Ordinance (Benton, Gibson)

A motion was made by Councilor Benton that this matter be Passed. The motion carried by the following vote:

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

c. [O-21-61](#)

Amending The City Of Albuquerque Charter, Article XIII; Repealing Voter ID Requirements For Municipal Elections (Peña and Benton, by request)

A motion was made by Councilor Benton that this matter be Passed. The motion failed by the following vote:

For: 6 - Benton, Borrego, Davis, Gibson, Peña, and Sena

Against: 2 - Harris, and Jones

Excused: 1 - Bassan

e. [O-21-63](#)

Amending The Scope Of The Greater Albuquerque Bicycling Advisory Committee, § 2-6-15 Of The Code Of Ordinances, To Include Active Transportation Users, And Amending The Title Of The Committee To Be The Greater Albuquerque Active Transportation Committee (Benton)

A motion was made by Councilor Benton that this matter be Passed. The motion carried by the following vote:

For: 7 - Benton, Borrego, Davis, Gibson, Jones, Peña, and Sena

Excused: 2 - Bassan, and Harris

- f. [O-21-64](#) Amending The Traffic Code To Clarify The Placard Or License Plate Requirements For Use Of Disabled Parking Spaces (Borrego, Gibson)
A motion was made by Vice-President Gibson that this matter be Passed. The motion carried by the following vote:
For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
Excused: 1 - Bassan
- i. [R-21-132](#) A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 5912 Sweet Water Dr NW Within The City Limits Of Albuquerque, New Mexico Is So Ruined, Damaged And Dilapidated As To Be A Menace To The Public Comfort, Health, Peace Or Safety And That It Is To Be Required To Be Removed (Sena)
A motion was made by Councilor Sena that this matter be Passed. The motion carried by the following vote:
For: 7 - Benton, Borrego, Davis, Gibson, Harris, Jones, and Sena
Against: 1 - Peña
Excused: 1 - Bassan
- j. [R-21-135](#) A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 1717 Edith Blvd SE, Albuquerque NM 87102 Within The City Limits Of Albuquerque, New Mexico Is So Ruined, Damaged And Dilapidated As To Be A Menace To The Public Comfort, Health, Peace Or Safety And That It Is To Be Required To Be Removed (Benton, by request)
A motion was made by Councilor Benton that this matter be Postponed to June 21, 2021. The motion carried by the following vote:
For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
Excused: 1 - Bassan
- l. [R-21-153](#) A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 400 Mesilla St SE Within The City Limits Of Albuquerque, New Mexico Is So Ruined, Damaged And Dilapidated As To Be A Menace To The Public Comfort, Health, Peace Or Safety And That It Is To Be Required To Be Removed (Davis, by request)
A motion was made by Councilor Davis that this matter be Passed. The motion carried by the following vote:
For: 7 - Benton, Borrego, Davis, Gibson, Harris, Jones, and Sena
Against: 1 - Peña
Excused: 1 - Bassan
- m. [R-21-154](#) A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 404 Mesilla St SE Within The City Limits Of Albuquerque, New

Mexico Is So Ruined, Damaged And Dilapidated As To Be A Menace To The Public Comfort, Health, Peace Or Safety And That It Is To Be Required To Be Removed (Davis, by request)

A motion was made by Councilor Davis that this matter be Passed. The motion carried by the following vote:

For: 7 - Benton, Borrego, Davis, Gibson, Harris, Jones, and Sena

Excused: 2 - Bassan, and Peña

n. [R-21-155](#)

A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 1804 High St SE Within The City Limits Of Albuquerque, New Mexico Is So Ruined, Damaged And Dilapidated As To Be A Menace To The Public Comfort, Health, Peace Or Safety And That It Is To Be Required To Be Removed (Benton, by request)

A motion was made by Councilor Benton that this matter be Postponed to June 21, 2021. The motion carried by the following vote:

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

p. [R-21-162](#)

Establishing Complete Street, Pedestrian, And Streetscape Improvements On San Pedro Drive From Central Avenue To Haines Avenue As A Priority For The City Of Albuquerque (Gibson, Davis)

A motion was made by Vice-President Gibson that this matter be Passed. The motion carried by the following vote:

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

*q. [R-21-175](#)

Amending The Adopted Capital Implementation Program Of The City Of Albuquerque By Approving New Projects And Changing The Scope Of Existing Projects Relating To District 2 Council Neighborhood Set-Asides (Benton)

A motion was made by Councilor Benton that this matter be Passed. The motion carried by the following vote:

For: 8 - Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

Excused: 1 - Bassan

15. OTHER BUSINESS: {Reports, Presentations, and Other Items}

a. [EC-21-377](#)

Veto of O-20-18, Imposing A Municipal Gasoline Tax of Two Cents Per Gallon Conditional Upon Voter Approval

A motion was made by Councilor Benton that this matter be Overridden. The

motion failed by the following vote:

For: 5 - Bassan, Benton, Davis, Gibson, and Jones

Against: 4 - Borrego, Harris, Peña, and Sena

14. FINAL ACTIONS

b. [O-21-60](#)

Adopting Text Amendments To The Integrated Development Ordinance §14-16 For The 2020 IDO Annual Update; Including Text Amendments For Small Mapped Areas (Benton, Jones)

A motion was made by President Borrego that this matter be Postponed to a Special Council Meeting on June 17, 2021. The motion carried by the following vote:

For: 5 - Bassan, Benton, Davis, Gibson, and Jones

Against: 4 - Borrego, Harris, Peña, and Sena