



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, November 15, 2021

3:00 PM

Via Zoom Video Conference

TWENTY-FOURTH COUNCIL - FORTY-FIFTH 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

Councilor Harris 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

November 3, 2021

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

DEFERRALS/WITHDRAWALS

- a. [O-21-49](#) Amending Chapter 2, Article 2, Section 1 Of The Revised Ordinances Of

Albuquerque, New Mexico, 1994, The "Capital Improvements" Ordinance, For The Creation Of A Capital Set-Aside For Underserved Areas And Communities (Borrego)

A motion was made by President Borrego that this matter be Postponed to February 23, 2022. The motion carried by the following vote:

For: 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

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

- a. [EC-21-440](#) Second Amendment to Lease between the General Services Administration and the City of Albuquerque for TSA use of the Old Terminal Building
- A motion was made by Vice-President Gibson that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- b. [EC-21-443](#) Transmitting the Year End Status Report on Fiscal Year 2021 Objectives
- A motion was made by Vice-President Gibson that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- c. [EC-21-444](#) FY/21 Goal #1 Priority Objective #6 - Aging Population Study
- A motion was made by Vice-President Gibson that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- d. [EC-21-453](#) Lease Agreement between CLNKids and the City of Albuquerque at John Marshall Health and Social Service Center at 1500 Walter SE
- A motion was made by Vice-President Gibson that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- e. [EC-21-454](#) Approval of the First Supplemental Agreement to add monies for FY22 outside Counsel Legal Services between Peifer, Hanson, Mullins & Baker P.A. and the City of Albuquerque
- A motion was made by Vice-President Gibson that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- f. [EC-21-455](#) Legal Department's Quarterly Litigation Report for the 3rd Quarter of FY 2021 (Greater than 10,000)

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

For: 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

- g. [EC-21-456](#) Legal Department's Quarterly Litigation Report for the 4th Quarter of FY 2021 (Greater than 10,000)

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

For: 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

- h. [EC-21-457](#) Request For FY22 Substance Use Treatment Voucher Contractors To Exceed \$100,000 Funding Aggregate

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

For: 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

- i. [EC-21-461](#) Mayor's appointment of Mr. Jesse Payne Jr. to the Veterans and Military Affairs Advisory Board

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

For: 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

- j. [EC-21-462](#) Mayor's appointment of Ms. Julie Radoslovich to the Metropolitan Parks & Recreation Advisory Board

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

For: 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

- k. [EC-21-463](#) Mayor's re-appointment of Ms. Camilla Feibelman to the Water Protection Advisory Board

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

For: 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

- l. [EC-21-464](#) Mayor's Recommendation of Architectural Consultants for On-Call Architectural Services for the Aviation Department at the Albuquerque International Sunport and the Double Eagle II Airport

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

For: 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

- m. [EC-21-465](#) Mayor's Recommendation of Architectural Consultants for City Wide On-Call Architectural Services

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

For: 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

- n. [EC-21-469](#) Mayor's appointment of Mr. Jeremy Holder to the Veterans and Military Affairs Advisory Board

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

For: 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

- o. [OC-21-43](#) Office of Internal Audit's Annual Report for 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: 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

- p. [OC-21-44](#) Office of Inspector General's Annual Report for 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: 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

- q. [OC-21-48](#) Re-Appointment of Emilie De Angelis 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: 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

- r. [OC-21-49](#) Re-Appointment of Woody Duncan 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: 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

11. ANNOUNCEMENTS

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

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

14. FINAL ACTIONS

- e. [R-21-211](#) F/S Providing For The Authorization, Execution And Delivery Of The Amendment Of That Certain Lease Between The City Of Albuquerque, New Mexico And Kairos Power LLC In Connection With The Previously

Issued City Of Albuquerque, New Mexico Taxable Industrial Revenue Bonds (Kairos Power Project) Series 2020 In The Amount Of \$125,000,000 To Revise The Description Of The Project Site Based On The Termination Of A Certain Condominium; Authorizing The Termination Of A Certain Condominium; Authorizing The Taking Of Other Action In Connection With The Amendment And Termination Of A Certain Condominium; Ratifying Certain Actions Taken Previously; And Repealing All Actions Inconsistent With This Resolution (Davis, by request)

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

For: 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

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

For: 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

b. [R-21-182](#)

F/S Establishing Corridor Improvements For 118th Street From Interstate 40 To Senator Dennis Chavez Boulevard As A Priority For The City Albuquerque Funding Processes, Encouraging The New Mexico Department Of Transportation To Prioritize The Approval And Construction Of An Interchange At Interstate 40 And 118th Street, Forming A Partnership With The County Of Bernalillo To Develop 118th Street (Peña)

A motion was made by Councilor Benton that this matter be Postponed to December 6, 2021. The motion failed by the following vote:

For: 4 - Benton, Davis, Gibson, and Jones

Against: 5 - Bassan, Borrego, Harris, Peña, and Sena

A motion was made by Councilor Sena that this matter be Amended. Councilor Sena moved Amendment No. 1. The motion carried by the following vote:

For: 5 - Bassan, Borrego, Harris, Peña, and Sena

Against: 4 - Benton, Davis, Gibson, and Jones

A motion was made by Councilor Benton that this matter be Amended. Councilor Benton moved Amendment No. 2. The motion failed by the following vote:

For: 4 - Benton, Davis, Gibson, and Jones

Against: 5 - Bassan, Borrego, Harris, Peña, and Sena

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

For: 5 - Bassan, Borrego, Harris, Peña, and Sena

Against: 4 - Benton, Davis, Gibson, and Jones

- c. [R-21-204](#) Approving The Transit Department's 2021 Updated Public Transit Agency Safety Plan (Sena, by request)
- A motion was made by Councilor Sena that this matter be Passed. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- d. [R-21-208](#) Encouraging The City Of Albuquerque To Complete The Funding For The Renovation Of Los Altos Park, Adding A Facility To House A Security Patrol Vehicle To The Scope Of The Park Renovation, Prohibiting The Sale Of Alcohol At Los Altos Park, Funding A Feasibility Study And Design Analysis Report To Construct A Foot Path Around The Perimeter Of Los Altos Golf Course (Gibson)
- A motion was made by Vice-President Gibson that this matter be Amended. Vice-President Gibson moved Amendment No. 1. The motion carried by the following vote:**
- For:** 5 - Bassan, Benton, Davis, Gibson, and Jones
- Against:** 4 - Borrego, Harris, Peña, and Sena
- A motion was made by Councilor Peña that this matter be Postponed as Amended to December 6, 2021. The motion carried by the following vote:**
- For:** 5 - Bassan, Borrego, Harris, Peña, and Sena
- Against:** 4 - Benton, Davis, Gibson, and Jones
- f. [R-21-212](#) Amending The Adopted Capital Implementation Program Of The City Of Albuquerque By Approving New Projects, Supplementing Current Appropriations And Changing The Scope Of Existing Projects (Peña, by request)
- A motion was made by Councilor Peña that this matter be Amended. Councilor Peña moved Amendment No. 1. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- A motion was made by Councilor Benton that this matter be Amended. Councilor Benton moved Amendment No. 2. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- A motion was made by Councilor Benton that this matter be Amended. Councilor Benton moved Amendment No. 3. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- A motion was made by President Borrego that this matter be Amended. President Borrego moved Amendment No. 4. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

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

For: 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

g. [R-21-213](#)

Declaring A Stay Of Enforcement Of The Albuquerque Tax Preparer And Consumer Rights Ordinance (Davis)

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

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

Against: 3 - Borrego, Gibson, and Sena

Excused: 1 - Harris

***h.** [R-21-216](#)

Concerning The Municipal Runoff Election To Be Held In The City Of Albuquerque, New Mexico, On Tuesday, The Seventh Day Of December, 2021 (Gibson, by request)

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

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

Excused: 1 - Harris