City of Albuquerque

Agenda
City Council

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

Council President, Pat Davis, District 6
Vice-President, Diane G. Gibson, District 7

Lan Sena, District 1; Isaac Benton, District 2
Klarissa J. Peña, District 3; Brook Bassan, District 4
Cynthia D. Borrego, District 5; Trudy E. Jones, District 8
Don Harris, District 9

Monday, September 21, 2020 **3:00 PM** **Via Zoom Video Conference**
See Special Procedures below for viewing this meeting.

TWENTY-FOURTH COUNCIL - EIGHTEENTH MEETING

Special Procedures for September 21, 2020 City Council Meeting

Attendance: In response to the Governor's declaration of a Public Health Emergency and ban on large public gatherings, the City Council meeting on Monday, September 21 at 3:00 pm will be held via Zoom video conference.

Viewing: Members of the public will have the ability to view the meeting through GOVTV on Comcast Channel 16, or to stream live on the GOVTV website at https://www.cabq.gov/culturalservices/govtv, or on YouTube at https://youtu.be/6-ZRH3Fp-k4. The live streams can be accessed at these addresses from most smartphones, tablets, or computers.

The video recording of this and all past meetings of the City Council will also remain available for viewing at any time on the City's website. Council Staff is available to help members of the public access pre-recorded Council meetings on-line at any time during normal business hours. Please call 505-768-3100 for assistance.

Instructions to Provide Public Comments

- **Written Comments: The Council will continue to take general public comment and comment on the meeting's specific agenda items in written form via email through 1:00 pm on Monday, September 21. Web form submission for written public comment can be found at https://www.cabq.gov/sept-21-2020-written. These comments will be distributed to all Councilors for review in advance of the meeting.**

• Virtual, Live Comments: The Council will take general public comment on any topic, including agenda items, from up to a maximum of 20 people, on a first-come first-serve basis. To provide real time verbal public comment over Zoom, participants must sign up for public comment by 1:00 p.m. on Monday, September 21. The sign-up sheet can be accessed at this link: https://www.cabq.gov/sept-21-2020-live

o Note: Participants must sign up for public comment with the Zoom username or phone number that you will use to enter the Zoom meeting so that you can be identified when accessing the meeting. Persons who do not provide this information will not be allowed into the meeting, but may still view the meeting via the YouTube live link or through GOVTV.

• Participants will standby in the Zoom virtual waiting room until the public comment period begins. The Zoom moderator will move all participants who have signed up for comment into the meeting room at that time.

o Access the Zoom waiting room by following this link, entering the room information manually, or by calling in via telephone:

- https://cabq.zoom.us/j/92033123319?pwd=L3JITEFadHNuZzJCOGlWanh4d3kxQT09

- Meeting ID: 920 3312 3319 // Password: 159796

- (669) 900-6833 // 92033123319#

o Although participants will not be able to view the meeting via Zoom while idle in the waiting room, participants can watch on YouTube live or GOVTV.

• Once in the Zoom meeting room, the participants will be unable to unmute themselves or turn on their camera. The Zoom moderator will unmute and enable cameras (if applicable) at the time your name is called for public comment.

• If you are also watching on YouTube or GOVTV, please note that the online stream lags approximately 10 seconds behind the Zoom meeting. Please mute or pause the online stream once you are in the Zoom meeting room to avoid feedback between the Zoom meeting room and the online broadcast.

• Public comment will be limited to 1 ½ minutes, which starts when you begin speaking. You will be informed when your time has concluded, at which point your microphone will be muted and your camera will be turned off.

• Participants will be moved out of the Zoom meeting once your comment period has ended.

Public Comment ground rules:

• Each participant has 1 ½ minutes to present.

• Comments are to be addressed to the Councilors only, through the Council President.

• Any disruptive conduct will result in removal from the Zoom meeting room.

1. ROLL CALL

2. MOMENT OF SILENCE

Pledge of Allegiance in English and Spanish and any other language as determined by the Council

3. PROCLAMATIONS & PRESENTATIONS

Presentation from the Abandoned and Dilapidated Abatement Property Team (ADAPT)

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

September 9, 2020

September 16, 2020 Special Council Meeting

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

Finance and Government Operations Committee - September 14, 2020

Public Safety Committee - September 15, 2020

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

a. EC-19-487 Transmitting Year End Status Report on FY/19 Priority Objectives for the Albuquerque Police Department (APD)

Attachments: EC-487

b. EC-20-6 Report on Uses of 3/8 Hold Harmless Tax

Attachments: EC-6

c. EC-20-139 Mayor's Recommendation of SMPC Architects for Architectural Consultants for AIS Air Cargo Expansion

Attachments: EC-139

d. EC-20-140 Mayor's Recommendation of Parametrix for Engineering Consultants for Unser Blvd. Widening - Kimmick Dr. to Paradise Blvd.

Attachments: EC-140

e. EC-20-141 Mayor's Recommendation of Wood for Engineering Consultants for City Wide On-Call Geotechnical Services

Attachments: EC-141

f. EC-20-142 Mayor's Recommendation of Bohannan Huston for On-Call Engineering Consultants for the Albuquerque BioPark

Attachments: EC-142

g. EC-20-143 Mayor's Recommendation of Consensus Planning, Groundwork Studio, and Sites Southwest for City Wide On-Call Landscape Architectural Design for the Department of Parks and Recreation

Attachments: EC-143

h. EC-20-145 Mayor's Recommendation of FBT Architects for Architectural Consultants for AIS Concessions, Checkpoint, and TSA Secure Side Renovations

Attachments: EC-145

i. EC-20-146 Sole Source Purchase of Digital Radiography Machines and Required Accessories

Attachments: EC-146.pdf

j. OC-20-5 2018 Civilian Police Oversight Agency (CPOA) Semi-Annual Reports

Attachments: OC-5.pdf

10. GENERAL PUBLIC COMMENTS

Please refer to the statement "Special Procedures for September 21, 2020 City Council Meeting" at the beginning of the Council Agenda.

11. ANNOUNCEMENTS

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

a. AC-20-8 (AC-20-6, AC-19-18, Project PR-2018-002811 SI-2019-00158 VA-2019-00288) Richard Chavez, appeals the decision of the Environmental Planning Commission (EPC) to deny an appeal of the Development Review Board's (DRB) decision to deny of a variance for sidewalk installation for all or a portion of Lots 7-10, Block 44, Perea Addition, zoned R-1A, located at the northeast corner of 15th St. NW and Granite Ave. NW, containing approximately 0.32 acres

Attachments: AC-20-8

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

a. EC-20-112 FY20 Status Update for Goal 7, Objective 4 (Council Bill No. R-19-139, Enactment No. R-2019-037) - Completed New Sidewalk Notices

Attachments: EC-112

b. EC-20-115 Declaring 1701 5th Street NW, Albuquerque NM 87102 Not Essential for Municipal Purposes

Attachments: EC-115

14. FINAL ACTIONS

a. O-19-82 Adding A New Section To Chapter 12, Article 2 Of The Revised Ordinances Of Albuquerque Relating To Responsible Firearm Storage (Davis)

Attachments: O-82.pdf

b. O-19-83 Adding A New Section "31" To Chapter 12, Article 2 Of The Revised Ordinances Of Albuquerque To Prohibiting Firearms At City Facilities (Davis, Benton, Gibson)

Attachments: O-83.pdf

c. O-19-84 Amending Chapter Twelve, Article Two, Section Twenty-Nine Of The Revised Ordinances Of Albuquerque Offenses Relating To Public Order And Safety Within The Criminal Code Of Albuquerque To Proscribe Criminal Threats Of Mass Violence (Davis)

Attachments: O-84.pdf

d. O-20-18 Imposing A Municipal Gasoline Tax Of Two Cents Per Gallon Conditional Upon Voter Approval; Dedicating The Revenue Generated By The Municipal Gasoline Tax To Rehabilitate Public Streets And Roadway Systems For The Benefit Of The City (Benton)

Attachments: O-18

[The intent is to defer O-20-18 to the October 5, 2020 Council meeting.]

e. O-20-27 Establishing Community Policing Councils; Community Policing Council Membership; Requirements And Duties (Peña)

Attachments: O-27.pdf

f. O-20-32 Approving A Project Involving Advanced Optical Technologies Incorporated Pursuant To The Local Economic Development Act And City Ordinance F/S O-04-10, As Amended, The City's Implementing Legislation For That Act, To Support The Operations Of Advanced Optical Technologies Incorporated, A Business Operating In Albuquerque, New Mexico; Authorizing The Execution Of A Project Participation Loan 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 (Harris)

Attachments: O-32

g. O-20-33 Approving A Project Involving 3D Glass Solutions, Incorporated Pursuant To The Local Economic Development Act And City Ordinance F/S O-04-10, As Amended, The City's Implementing Legislation For That Act, To Support The Operations Of 3D Glass Solutions, Incorporated, A Business Operating In Albuquerque, New Mexico; Authorizing The Execution Of A Project Participation Loan 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)

Attachments: O-33

h. O-20-34 Approving A Project Involving Bayotech Incorporated Pursuant To The Local Economic Development Act And City Ordinance F/S O-04-10, As Amended, The City's Implementing Legislation For That Act, To Support The Operations Of Bayotech Incorporated, A Business Operating 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)

Attachments: O-34

i. R-20-18 A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 5609 Everitt Rd NW 87120 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 (Borrego, by request)

Attachments: R-18

[The intent is to defer R-20-18 to the October 5, 2020 Council meeting.]

***j.** R-20-81 A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 8411 Central Ave NE 87108 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)

Attachments: R-81

k. R-20-86 Creating A Task Force To Explore Options For Implementing Minimum Sick Leave Requirements In The City (Gibson)

Attachments: R-86.pdf

l. R-20-89 Delaying The Implementation Of The 2018 International Energy Conservation Code (IECC) For A Period Of Approximately Six Months To

Allow The Construction Industry Time To Adapt To The New Requirements And Requiring A Study To Be Conducted On The Price Increase Of Residential Development Associated With The Requirements Of The 2018 IECC (Peña)

Attachments: R-89.pdf

m. R-20-92 Approving Fiscal Year 2021 Appropriations To Provide Economic Relief To Small And Local For-Profit Organizations Negatively Impacted By The COVID-19 Pandemic Through The Coronavirus, Aid, Relief, And Economic Security Act (CARES Act) (Bassan, Jones)

Attachments: R-92

n. R-20-96 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 (Benton, by request)

Attachments: R-96

o. R-20-100 Approving And Authorizing The Acceptance Of Grant Funds From The Department Of Commerce Minority Business Development Agency And Providing An Appropriation To The Economic Development Department For Fiscal Years 2021 And 2022 (Peña)

Attachments: R-100.pdf

p. M-20-4 Urging The Legislature Of The State Of New Mexico To Repeal Statutory Provisions Preempting Stricter County And Municipal Regulation Of The Sale Of Cigarettes, Tobacco Products, And Electronic Smoking Devices (Benton, Borrego)

Attachments: M-4.pdf

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

*IF THE PROPER ACTION IS TAKEN BY THE COUNCIL, THESE ITEMS WILL BE PLACED ON TODAY'S AGENDA FOR FINAL ACTION OR DISCUSSION.

NOTICE TO PERSONS WITH DISABILITIES: If you have a disability and require special assistance to participate in this meeting, please contact the Council Office as soon as possible before the meeting date at 505-768-3100. Those in need of hearing assistance may call 711.

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Visit our Website at http://www.cabq.gov/council