City of Albuquerque

Agenda
City Council

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

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, March 1, 2021 **3:00 PM** **Via Zoom Video Conference**

TWENTY-FOURTH COUNCIL - TWENTY-EIGHTH MEETING

Special Procedures for Monday, March 1, 2021 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, March 1 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/skuEUOkrcTo. 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, March 1. Web form submission for written public comment can be found at https://www.cabq.gov/mar-1-2021-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, March 1. The sign-up sheet can be accessed at this link: https://www.cabq.gov/mar-1-2021-live. Participants have the ability to select if they require Spanish language interpretation when signing up.

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 be an Attendee in the Zoom Webinar until the public comment period begins. The Zoom moderator will move you into the meeting room as Panelist when it's your turn to provide public comments.

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/94410886493

- Webinar ID: 944 1088 6493

- (669) 900-6833 // 94410886493#

o Participants will be able to view the meeting via Zoom while waiting for public comments, but participants can also watch on YouTube live or GOVTV.

• Once called upon for public comment, the participants will be able to unmute themselves and turn on their camera.

• 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 back to Attendee of Webinar 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

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

February 17, 2021

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

Public Safety Committee - February 23, 2021

Committee of the Whole - February 25, 2021

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

a. EC-21-236 Performance Measure Revamp Objective - Second Quarter Update

Attachments: EC-236

b. EC-21-238 Report of FY/20 Outstanding Encumbrances Reappropriated in FY/21

Attachments: EC-238

c. EC-21-253 Approving the Real Estate Sales Agreement for Lot numbered One (1) of Block numbered Three (3) of the IVES ADDITION, Containing approx.0.32+/- acres

Attachments: EC-253

d. EC-21-254 Early Head Start Quarterly Report for October, November and December 2020

Attachments: EC-254

e. EC-21-255 Staff Telecommuting Cost-Benefit Analysis for Certain City Employees

Attachments: EC-255

f. EC-21-256 Mayor's appointment of Mr. Augustine Chris Baca to the Albuquerque

Museum Board of Trustees

Attachments: EC-256

g. EC-21-257 Mayor's appointment of Mrs. Jennifer Brown to the Early Head Start Program Governance Advisory Committee

Attachments: EC-257

h. EC-21-258 Mayor's appointment of Mr. Don McIver to the Transit Advisory Board

Attachments: EC-258

i. EC-21-259 Mayor's appointment of Mr. Robert J. Vigil to the Housing & Neighborhood Economic Development Committee

Attachments: EC-259

j. EC-21-260 Mayor's re-appointment of Ms. Margaret Lopez to the Housing & Neighborhood Economic Development Committee

Attachments: EC-260

k. EC-21-261 Mayor's appointment of Mr. Robert Cialone to the Affordable Housing Committee

Attachments: EC-261

l. EC-21-262 Mayor's re-appointment of Mr. Robert Nelson to the Housing & Neighborhood Economic Development Committee

Attachments: EC-262

m. R-20-22 A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 412 Georgia 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)

Attachments: R-22

[Withdrawn]

n. R-21-129 Approving And Authorizing The Acceptance Of Grant Funds From Living Cities And Providing An Appropriation To The Legal Department For Fiscal Years 2021 And 2022 (Sena, by request)

Attachments: R-129

10. GENERAL PUBLIC COMMENTS

Please refer to the statement "Special Procedures for March 1, 2021 City Council Meeting" at the beginning of the Council Agenda.

11. ANNOUNCEMENTS

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

a. AC-20-15 Project PR-2020-004381, VA-2020-00306, VA-2020-00307, VA-2020-00308, VA-2020-00440, VA-2020-00441, VA-2020-00442: Steven Hernandez, agent for RM 4102-405 LLC, appeals the Zoning Hearing Examiners decision to Deny a variance of 3ft to the 3ft maximum wall height for Lot 7, Martineztown Plan Phase 7, located at 405 Martin Luther King Ave NE, zoned MX-T [Section 14-16-5-7-D]

b. AC-20-16 Project PR-2020-004381, VA-2020-00306, VA-2020-00307, VA-2020-00308, VA-2020-00440, VA-2020-00441, VA-2020-00442: Steven Hernandez, agent for RM 4102-405 LLC, appeals the Zoning Hearing Examiners decision to Deny a variance of 3ft to the 3ft maximum wall height for Lot 6A, Brooks Harold, located at 401 Edith Blvd NE, zoned MX-L [Section 14-16-5-7-D]

c. AC-20-17 Project PR-2020-004381, VA-2020-00306, VA-2020-00307, VA-2020-00308, VA-2020-00440, VA-2020-00441, VA-2020-00442: Steven Hernandez, agent for RM 4102-405 LLC, appeals the Zoning Hearing Examiners decision to Deny a variance of 3ft to the 3ft maximum wall height for Lot 5, Block 4, Belvidere Addn, located at 405 Edith Blvd NE, zoned MX- L [Section 14-16-5-7-D]

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

14. FINAL ACTIONS

a. O-20-39 Enacting The Healthy Families And Workplaces Ordinance To Require That Employers In The City Provide Paid Leave To Employees (Sena, Davis)

Attachments: O-39.pdf

[The intent is to defer O-20-39 to the April 5, 2021 Council meeting.]

b. R-20-127 Requiring The Transfer Of All Excess Parking Division Revenue To The General Fund (Benton, Davis)

Attachments: R-127

c. R-21-130 Establishing A City Healthy Communities, Public Health, And Sustainability Policy Committee (Borrego)

Attachments: R-130

[An amendment may be moved that would change the title of this resolution as follows: ESTABLISHING A CITY HEALTHY COMMUNITIES, PUBLIC HEALTH, AND SUSTAINABILITY POLICY TASK FORCE.]

d. R-21-133 Commissioning An Update To The 2014 Social Service Gap Analysis Study And Adjusting Fiscal Year 2021 General Fund Appropriations To Provide Funding For That Purpose (Peña)

Attachments: R-133.pdf

e. R-21-134 Establishing A Priorities List For The City Of Albuquerque's Future Open Space Land Acquisitions; Identifying Immediate Priorities And Special Provisions For Certain Properties (Borrego and Sena, by request)

Attachments: R-134.pdf

f. RA-21-4 Amending Article II, Section 4; And Article III, Section 21 Of The City Council Rules Of Procedure Relating To The Committees Of The Council (Borrego)

Attachments: RA-4

***g.** M-21-9 Supporting The Passage Of Proposed State Legislation, House Bill 156, An Act Relating To Crime; Prescribing A Penalty For Criminal Sexual Penetration By A Peace Officer On A Suspect, Victim, Witness Or Detained Person (Sena)

Attachments: M-9

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

a. Approval of Revised Committee Appointments

*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