



City of Albuquerque

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

Action Summary

City Council

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, May 18, 2020

5:00 PM

Via Zoom Video Conference
See Special Procedures below
for viewing this meeting.

TWENTY-FOURTH COUNCIL - TENTH MEETING

1. ROLL CALL

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

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 Brennon Williams, Planning Director, regarding the Vacant, Abandoned, Substandard Properties (VASP) Quarterly Report

15. OTHER BUSINESS:

- a. [OC-20-7](#) Vacant, Abandoned, Substandard Properties (VASP) Working Group Quarterly Progress Report
- A motion was made by Vice-President Gibson that this matter be Accepted. The motion carried by the following vote:**
- For:** 9 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, Harris, and Sena

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

May 4, 2020

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

DEFERRALS/WITHDRAWALS

- a. [O-19-72](#) Amending §14-20, The “Dilapidated Commercial Buildings And Properties Ordinance” To Implement Permanent Procedures Following The Conclusion Of A 24-Month Pilot Project (Harris)
- A motion was made by Councilor Harris that this matter be Postponed to June 15, 2020. The motion carried by the following vote:**
- For:** 9 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, Harris, and Sena
- b. [O-20-13](#) Amending Article XII, Section XIII, Section 1 Of The City Charter; Article XIII, Sections 4, 5, 9, And 10 Of The City Charter; Article XVI, Sections 6 And 16 Of The City Charter; Chapter 2, Article 3, Section 8, ROA 1994; And Chapter 2, Article 4, Section 13 ROA 1994 To: Modify The Frequency The Board Of Ethics Must Meet; Eliminate The Board Of Ethics Required Report Submitted To The Mayor And City Council And The Need For The Board To Contract With Outside Counsel To Write Advisory Opinions; Grant The Board Of Ethics Chairman Authority To Avoid Dismissal Of An Unresolved Complaint Upon A Showing Of Good Cause; Remove The Mandatory Meeting Between Candidates And The Board Of Ethics And Campaign Practices On The Friday Before An Election; Update When And With Whom Campaign Material Is To Be Filed; Changing The Requirements For The Campaign And Election Auditor; Update The Enforcement Provisions To Remove Duplication With The Rules Of The Board Of Ethics And To Clarify That A Candidate Is Subject To The Enforcement Provisions For Failure To Pay A Penalty To The City Clerk; Clarifying When Applicant Candidates Can Accept Seed Money; Removing The Matching Funds Provision Of The City Charter; Aligning Lobbyist Disclosures With Their Required Quarterly Activity Reports; Adjusting Deadline For Mayoral And Councilor Candidates To Submit Qualifying Petitions To The City To Account For Changes In State Law (Gibson, by request)
- A motion was made by Vice-President Gibson that this matter be Postponed to June 1, 2020. The motion carried by the following vote:**
- For:** 9 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, Harris, and Sena
- d. [R-20-47](#) Appropriating Funds To Implement Third Phase Of The Transportation Infrastructure Tax, And Amending The Capital Implementation Program

Of The City Of Albuquerque By Approving New Projects (Benton, by request)

A motion was made by Councilor Benton that this matter be Postponed to June 15, 2020. The motion carried by the following vote:

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

- e. [R-19-178](#) Amending The Adopted Capital Implementation Program Of The City Of Albuquerque By Supplementing Current Appropriations For The Arenal/Crestview Bluff Open Space Land Acquisition (Peña)

A motion was made by Councilor Peña that this matter be Postponed to June 15, 2020. The motion carried by the following vote:

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

- f. [R-19-189](#) C/S Amending The Composition Of The Board Of Housing Commissioners For The Albuquerque Housing Authority (Peña, Benton)

A motion was made by Councilor Peña that this matter be Postponed to June 15, 2020. The motion carried by the following vote:

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

- b. [EC-20-74](#) Mayor's Recommendation of MRWM Landscape Architects for Landscape Architectural Consultants for Los Altos Park Renovation

A motion was made by Vice-President Gibson that this matter be Postponed to June 1, 2020. The motion carried by the following vote:

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

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

- a. [EC-20-70](#) Mayor's Reappointment of Ms. Julia Youngs to the Urban Enhancement Trust Fund

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

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

- b. [EC-20-71](#) Mayor's Reappointment of Ms. Nancy Zastudil to the Urban Enhancement Trust Fund

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

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

- c. [EC-20-73](#) Mayor's Reappointment of Ms. Ashley Otero to the Urban Enhancement Trust Fund

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

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

d. [R-20-41](#)

Approving And Authorizing The Acceptance Of Grant Funds From The W.K. Kellogg Foundation And Providing An Appropriation To The Economic Development Department For Fiscal Years 2020, 2021 And 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: 9 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, Harris, and Sena

e. [R-20-42](#)

Approving The Appointment Of A Director To Fill A Vacancy On The Governing Body Of The Boulders Public Improvement District, Caused By The Resignation Of A Director, Pursuant To The Public Improvement District Act, NMSA 1978, §§ 5-11-1 To -27 (2009, As Amended) And City Enactment No. R-2012-035; And Repealing All Actions Inconsistent With This Resolution (Borrego)

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

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

f. [R-20-43](#)

Approving The Appointment Of A Director To Fill A Vacancy On The Governing Body Of The Montecito Estates Public Improvement District, Caused By The Resignation Of A Director, Pursuant To The Public Improvement District Act, NMSA 1978, §§ 5-11-1 To -27 (2009, As Amended) And City Enactments No. R-2007-081, R-2009-075, R-2012-005, And Repealing All Actions Inconsistent With This Resolution (Borrego)

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

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

g. [R-20-44](#)

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 2021 (Jones, by request)

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

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

10. GENERAL PUBLIC COMMENTS

11. ANNOUNCEMENTS

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

- a. [AC-20-2](#) Project PR-2019-002496; SI-2019-00180; SD-2019-0016;
VA-2019-00323: Hessel E. Yntema Law firm P.A., agent for Randolph and Shannon Baca and all persons listed in the appeal packet (attached to appeal application), appeals the decision of the Development Review Board (DRB) to approve a site plan for all or a portion of Lots 1 - 4, Block 4, Tract 3, Unit 3, North Albuquerque Acres Subdivision, zoned MX-L, located at the southeast corner of Barstow St. NE and Alameda Blvd. NE, containing approximately 3.38 acre(s). (C-19 & 20)

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

For: 6 - Benton, Borrego, Gibson, Jones, Harris, and Sena

Against: 2 - Peña, and Davis

Recused: 1 - Bassan

- b. [AC-20-3](#) PR-2019-002184, SI-2019-00379 SD-2020-00027 VA-2020-00057:
Alicia Quinones, appeals the decision of the Development Review Board (DRB) to approve a site plan for all or a portion of TR G-1 Plat of Tracts F-1 & G-1, Academy Place Subdivision, zoned MX-L, located at 4909 Juan Tabo Blvd NE between Osuna Rd and Montgomery Blvd, containing approximately 2.3795 acres

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

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

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

- a. [EC-20-72](#) Mayor's Recommendation of WHPacific, Inc. for Engineering Consultants for Wyoming Boulevard Improvements - Alameda Boulevard to Beverly Hills Avenue

A motion was made by Councilor Bassan that this matter be Postponed to June 1, 2020. The motion carried by the following vote:

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

14. FINAL ACTIONS

- c. [O-20-14](#) Imposing An Excise Tax Equal To One-Fourth Of One Percent Of Gross

Receipts That Was Passed By The Voters; Dedicating Revenues Received From The Tax For Transportation Infrastructure Improvements (Benton, by request)

A motion was made by Councilor Bassan that this matter be Amended. Councilor Bassan moved Amendment No. 1. Councilor Bassan withdrew her motion.

A motion was made by Councilor Benton that this matter be Postponed to June 1, 2020. Councilor Benton withdrew his motion.

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

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

g. [R-20-29](#)

Considering Whether R-20-5 (Enactment R-2020-027), Which Determined That A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 1112 Iron Ave SW 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, Should Be Enforced Or Rescinded (Benton)

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

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

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

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

h. [R-20-40](#)

Directing The Mayor To Evaluate And Amend For The City As Appropriate The Public Health Orders Requiring The Continued Broad Closures Of Business And Facilities In Response To The Statewide Public Health Emergency (Bassan, Harris)

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

For: 3 - Bassan, Jones, and Harris

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

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

For: 7 - Benton, Peña, Bassan, Borrego, Jones, Harris, and Sena

Against: 2 - Davis, and Gibson

A motion was made by Councilor Borrego that this matter be Amended.

Councilor Borrego moved Amendment No. 3. The motion carried by the following vote:

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

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

For: 4 - Bassan, Borrego, Jones, and Harris

Against: 5 - Benton, Peña, Davis, Gibson, and Sena

i. [R-20-45](#)

Appropriating Funds For The Coronavirus Community Support And Recovery Program (Sena and Gibson, by request)

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

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

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

j. [R-20-46](#)

Requesting A Cost-Benefit Analysis Of A Staff Telecommuting Model For Certain City Employees (Peña, Sena)

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

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

k. [R-20-48](#)

Amending The Composition Of The Governing Body Of The Inspiration Public Improvement District; Approving The Appointment Of A Directors To The Governing Body, Pursuant To The Public Improvement District Act, NMSA 1978, §§ 5-11-1 To -27 (2001, As Amended Through 2019) And City Enactment No. R-2020-038; And Repealing All Actions Inconsistent With This Resolution (Sena)

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

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

l. [R-20-49](#)

Calling On The Mayor To Establish Guidelines For Businesses To Ensure Protection Of The Public's Health And Safety, Once Restrictions Related To The COVID-19 Public Health Orders Are Lifted Or Eased; And To Establish A Program To Provide Needed Equipment To Businesses To Implement The Guidelines (Peña)

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

For: 4 - Peña, Borrego, Davis, and Sena

Against: 5 - Benton, Bassan, Gibson, Jones, and Harris

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

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

Against: 1 - Jones

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

For: 2 - Peña, and Borrego

Against: 7 - Benton, Bassan, Davis, Gibson, Jones, Harris, and Sena

***m.** [R-20-50](#)

Calling On The Mayor To Establish A Pool Of Contractors To Provide Grant Writing Services For The Procurement Of Available Coronavirus Support And Relief Funding; Adjusting Fiscal Year 2020 And 2021 Appropriations; And Calling For A Feasibility Study For The Creation Of A Dedicated City Grant Management Unit (Peña, Borrego, Sena)

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

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

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