



# 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*

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Monday, June 15, 2020

5:00 PM

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

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### TWENTY-FOURTH COUNCIL - TWELFTH 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

#### 4. ECONOMIC DEVELOPMENT DISCUSSION

#### 14. FINAL ACTIONS

- d. [O-20-20](#) Approving A Project Involving OBTC Warehouse, LLC 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 OBTC Warehouse, LLC., 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)

**A motion was made by Councilor Bassan 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. [O-20-21](#)

F/S Approving A Project Involving Vibrant Corporation 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 Vibrant Corporation, 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)

**A motion was made by Councilor Bassan that this matter be Substituted. 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 the rules be suspended for the purpose of allowing O-20-21 to be adopted the same evening it is substituted. 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 Substituted. The motion carried by the following vote:**

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

**Excused:** 1 - Harris

f. [O-20-22](#)

Approving A Project Involving EAGL Technology, 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 Rehabilitation And Operations Of A Manufacturing, Research And Development Facility Related To Gunshot Detection Systems Located 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; Ratifying Certain Actions Taken Previously; And Repealing All Actions Inconsistent With This Ordinance (Bassan, by request)

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

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

## 5. ADMINISTRATION QUESTION & ANSWER PERIOD

## 6. APPROVAL OF JOURNAL

June 1, 2020

## 7. COMMUNICATIONS AND INTRODUCTIONS

## 8. REPORTS OF COMMITTEES

Land Use, Planning & Zoning Committee - June 10, 2020

### 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 August 3, 2020. The motion carried by the following vote:**
- For:** 9 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, Harris, and Sena
- g. [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 August 3, 2020. The motion carried by the following vote:**
- For:** 9 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, Harris, and Sena
- h. [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 August 3, 2020. The motion carried by the following vote:**
- For:** 9 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, Harris, and Sena
- i. [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 29, 2020. The motion carried by the following vote:**
- For:** 9 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, Harris, and Sena
- k. [R-20-62](#) Approving The North Corridor Metropolitan Redevelopment Area Plan (Benton, by request)
- A motion was made by Councilor Benton that this matter be Postponed to June**

29, 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}**

- b. [EC-20-80](#) Mayor's Appointment of Dr. Sherri Burr to the Albuquerque Museum Board of Trustees  
**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-20-81](#) Approval of the First Supplemental Agreement to add funding for the FY20 HopeWorks Day Shelter Services contract due to COVID-19  
**A motion was made by Vice-President Gibson that this matter be Approved. The motion carried by the following vote:**  
For: 9 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, Harris, and Sena
- d. [EC-20-82](#) Approval of the Third Supplemental Agreement to add funding for the FY20 Heading Home Westside Emergency Housing Center (WEHC) contract due to COVID-19  
**A motion was made by Vice-President Gibson that this matter be Approved. The motion carried by the following vote:**  
For: 9 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, Harris, and Sena
- \*e. [EC-20-83](#) Approval of the Risk Agreement for FY21 Outside Counsel Legal Services between Peifer, Hanson & Mullins 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 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, Harris, and Sena
- f. [R-20-58](#) Amending R-17-233, Enactment Number R-2017-095, To Extend The Effective Date Of The Interim Procedures While The Neighborhood Association Recognition Ordinance Is Updated (Benton)  
**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-20-61](#) Approving The Family And Community Services Contract Listing For Fiscal Year 2021 (Benton, 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

- h. [R-20-63](#) Approving And Authorizing The Filing Of The A Grant Application For The Light Duty Electric Vehicle Supply Equipment Program Grant With The New Mexico Environment Department's Volkswagen Settlement Trust And Providing An Appropriation To The Environmental Health Department In Fiscal Year 2020 (Sena, 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

- i. [O-20-17](#) Authorizing A Ten Year Expiration Of The Transportation Infrastructure Tax (Bassan)

**A motion was made by Vice-President Gibson that this matter be Withdrawn by Sponsor. 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-20-79](#) Mayor's Appointment of Mr. Jason Marks to the Ethics Board

**A motion was made by Councilor Bassan that this matter be Confirmed. 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}

### 14. FINAL ACTIONS

- b. [O-20-13](#) F/S 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 Amended. Vice-President Gibson 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 Vice-President Gibson 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

c. [O-20-19](#)

Amending Chapter 2, Article 9, Part 1 Of The Revised Ordinances Of Albuquerque, "Civil Emergency Powers," To Add New Sections Creating The Albuquerque Emergency Anti-Price Gouging Ordinance (Benton and Sena, by request)

**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

j. [R-20-60](#)

Directing That The City Administration Afford A Presumption Of Compensable Workers Compensation Injury, And To Award Service Credit To Certain City Employees Who Contract COVID-19 (Sena, Peña)

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

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

**Excused:** 1 - Harris

l. [R-20-64](#)

Adjusting Fiscal Year 2020 Appropriations To Provide Needed Equipment To Small Businesses To Implement Public Health Emergency Guidelines Related To The Covid-19 Pandemic (Peña)

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

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

**Excused:** 1 - Harris

\*m. [O-20-23](#)

Adopting The Temporary Outdoor Retail Ordinance; Authorizing Temporary Amendments To Site Plans For Existing Retail Establishments To Allow For Outdoor Retail For The Duration Of The Current Occupancy And Gathering Limitations Associated With The COVID-19 Public Health Emergency; Establishing A Permitting Fee (Borrego, Gibson)

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

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

**Excused:** 1 - Harris

\*n. [R-20-69](#)

Establishing Policy For The Recognition Of Juneteenth In The City Of Albuquerque (Davis, Gibson)

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

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

**Excused:** 1 - Harris

\*o. [R-20-70](#)

Requesting That The New Mexico Congressional Delegation Submit Legislation To Provide Assistance To Small Businesses That Were Damaged In The Recent Rioting (Bassan)

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

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

\*p. [R-20-71](#)

Requesting The Adoption Of Federal Aid To Provide Local And State Governments Fair, Direct Federal Emergency Support To Prevent Disruption To Government Services And To Enable The Reopening And Rebuilding Of America's Local Economies (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