



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, October 19, 2020

3:00 PM

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

TWENTY-FOURTH COUNCIL - TWENTIETH 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

President Davis led the Pledge of Allegiance in English and Spanish.

10. GENERAL PUBLIC COMMENTS

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

October 5, 2020

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

Finance & Government Operations Committee - October 12, 2020**Committee of the Whole - October 15, 2020****DEFERRALS/WITHDRAWALS**

- a. [EC-20-144](#) Mayor's Recommendation of Award to the New Mexico BioPark Society for "BioPark Admissions"
- A motion was made by President Davis that this matter be Postponed to November 2, 2020. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- b. [OC-20-10](#) Appointment of Mr. Wilton Rogers III to the Accountability in Government Oversight Committee
- A motion was made by President Davis that this matter be Postponed to November 2, 2020. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- c. [OC-20-11](#) Selection of the City Auditor
- A motion was made by President Davis that this matter be Withdrawn. 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-20-159](#) Mayor's Recommendation of Huitt-Zollars, Inc. for Architectural Consultants for North Domingo Baca Aquatic Center Design
- 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-20-160](#) Mayor's Recommendation of Vigil & Associates, Dyron Murphy Architects, P.C., and SMPC Architects 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
- c. [EC-20-161](#) Mayor's Recommendation of Molzen Corbin, Smith Engineering, and WSP USA Inc. for City Wide On-Call Engineering Services for

Transportation and Storm Drainage

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

d. [EC-20-162](#)

Mayor's Recommendation of Bohannon Huston Inc., Lee Engineering, and Souder Miller, & Associates for Engineering Consultants for City Wide On-Call Traffic Engineering

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-20-163](#)

Mayors Re-appointment of Dr. Dorothy Habrat to the EMS Medical Control 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

f. [EC-20-164](#)

Mayors Re-appointment of Dr. Gurujot Khalsa to the EMS Medical Control 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

g. [EC-20-168](#)

Mayor's Recommendation of RoVolus for On-Call Engineering for Aviation Sustainability and Environmental 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

h. [EC-20-169](#)

Mayors Re-appointment of Dr. Kimberly M. Pruett to the EMS Medical Control 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

i. [EC-20-171](#)

Mayor's Re-appointment of Mr. Scott B. Wilson to the EMS Providers Advisory Committee

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-20-172](#)

Mayor's Appointment of Mr. Joel Trujillo to the Human Rights 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-20-173](#) Mayors Re-appointment of Dr. Randall D. Lahr to the EMS Medical Control 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-20-175](#) Mayor's Re-appointment of Ms. Kelly Garvin to the EMS Providers Advisory Committee

**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

- m. [EC-20-176](#) Mayor's Appointment of Mrs. Denisha Pierre to the Human Rights 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

- n. [R-20-103](#) Designating Workforce Housing Trust Funds For The Acquisition Of Single-Family Residence On The Sawmill Community Land Trust (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 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena

- o. [R-20-106](#) Approving Submittal Of Grant Applications By The Parks And Recreation Department To The New Mexico Finance Authority, Water Trust Board (Davis, by request)

A motion was made by Vice-President Gibson that this matter be Passed. 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}

- a. [AC-20-9](#) Project PR-2020-003906, VA-2020-00140, VA-2020-00275: JAG Planning & Zoning, agents for Jesus Apodaca, appeal the Zoning Hearing Examiner's decision to deny a conditional use to allow

self-storage for Lot 1D, MRGCD Map 37, located at 1718 Broadway Blvd NE, zoned MX-M [Section 14-16-4-3(D)(28)]

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

14. FINAL ACTIONS

- *f. [R-20-107](#) Making Findings In Connection With The Resolution Of Winrock Town Center Tax Increment Development District 1 Authorizing The Issuance And Sale Of Subordinate Lien Tax Increment Bonds; Ratifying And Approving The Issuance And Sale Of The Winrock Town Center Tax Increment Development District 1 Subordinate Lien Gross Receipts Tax Increment Bonds, Series 2020; Authorizing Amendments To The Operation Agreement And The Construction Agreement Previously Entered Into By The City With Respect To Such District; And Repealing City Council Enactment No. R-2020-013 (Gibson)

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

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

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

- d. [OC-20-12](#) Appointment of Member to the Open Space Advisory Board (Ms. Tasia Young was selected)

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

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

14. FINAL ACTIONS

- a. [O-20-28](#) F/S Repealing The City Of Albuquerque Code Of Ordinances Sections 13-6-1 Through 13-6-99, The "Pawnbroker Ordinance," And Replacing It With A New Ordinance Amending Existing Regulations Applicable To Pawnbrokers And Extending Regulations To Precious Material Dealers, Secondhand Retailers, And Automated Consumer Electronic Kiosks (Gibson)

A motion was made by Vice-President Gibson 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 Vice-President Gibson that this matter be Postponed as Substituted to November 2, 2020. The motion carried by the following vote:

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

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

- d. [OC-20-12](#) Appointment of Member to the Open Space Advisory Board (Ms. Tasia Young was selected)

A motion was made by President Davis to remove OC-20-12 from the table. 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 Davis to Confirm the Selection of Dr. Tasia Young. The motion carried by the following vote:

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

14. FINAL ACTIONS

- b. [O-20-38](#) Adopting A Uniform Administrative Code And Technical Codes Prescribing Minimum Standards Regulating The Construction, Alteration, Moving, Repair And Use And Occupancies Of Buildings And Structures And Building Service Equipment And Installations Including Plumbing, Swimming Pools, Electrical, Mechanical, Signs, Solar, Energy Conservation, Building Conservation And The Abatement Of Dangerous Buildings Within The City Of Albuquerque; Providing For The Issuance Of Permits And Collecting Fees Therefore; Repealing Chapter 14, Article 1, ROA 1994, The Present Uniform Administrative Code And Technical Codes Including The Building Code, The Plumbing Code, The Swimming Pool Code, The Mechanical Code, The Solar Energy Code, The Electrical Code, Providing For Penalties For Violation Of The Code (Benton, by request)

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

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

- c. [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)

A motion was made by Councilor Sena that this matter be Postponed to December 21, 2020. The motion carried by the following vote:

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

- d. [R-20-104](#) Adopting The 2020 Update Of The Neighborhood Traffic Management Program Manual (Davis, Benton)

A motion was made by Councilor Harris that this matter be Postponed to November 2, 2020. The motion carried by the following vote:

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

Excused: 1 - Peña

- e. [M-20-5](#) Recognizing The Senior Corp Volunteers Composed Of Foster Grandparents, Senior Companions And Retired And Senior Volunteer Program Volunteers For Their Exemplary Service During The Time Of The COVID-19 Pandemic To The Senior Citizen Population Of The City Of Albuquerque (Borrego, Peña)

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

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

- *j. [R-20-85](#) Supplementing Priorities For The Capital Implementation Program Of The City Of Albuquerque By Implementing A Racial Equity Criterion To Be Used In The Development Of The Plan (Peña, Sena)

A motion was made by Councilor Borrego that this matter be Postponed to December 21, 2020. The motion carried by the following vote:

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

Against: 3 - Bassan, Peña, and Sena

- *g. [O-20-37](#) Amending Sections 9-10-1-3, 9-10-1-6(E)(2), 9-10-1-8(C)(4), 9-10-1-8(D)(5), 9-10-1-8(F), 9-10-1-8(F)(2), 9-10-1-9(B), 9-10-1-10(B)(1), 9-10-1-10(B)(4), 9-10-1-11(A), 9-10-1-11(B), 9-10-1-11(H), Section 2, Section 3, And Section 4, ROA 1994 Of The Municipal Solid Waste Ordinance, To Update Effective Date Of Rate Change; Amending Rate Table Appendix To Incorporate Residential Rate Increase In The Rate Appendix; And Amending Rate Table To Incorporate The FY21 Rate Increase In The Rate Appendix (Benton, by request)

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

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

Against: 1 - Sena

- *h. [R-20-98](#) C/S Adjusting Appropriating Funds For Operating The Government Of The City Of Albuquerque For Fiscal Year 2021, Beginning July 1, 2020 And Ending June 30, 2021 And Appropriating Capital Funds (Benton, Borrego, Davis, Gibson)

A motion was made by Councilor Benton that this matter be Amended. Councilor Benton moved Amendment No. 1(A). 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(B). 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(C). 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 Amended. Councilor Peña moved Amendment No. 4(D). The motion carried by the following vote:

For: 6 - Bassan, Borrego, Harris, Jones, Peña, and Sena

Against: 3 - Benton, Davis, and Gibson

A motion was made by Councilor Sena that this matter be Amended. Councilor Sena moved Amendment No. 5(E). 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 Bassan that this matter be Amended. Councilor Bassan moved Amendment No. 6(F). The motion carried by the following vote:

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

A motion was made by Vice-President Gibson that this matter be Amended. Vice-President Gibson moved Amendment No. 7(G). 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 Davis that this matter be Amended. President Davis moved Amendment No. 8(H). 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 Jones that this matter be Amended. Councilor Jones moved Amendment No. 9(I). 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 Passed as Amended. The motion carried by the following vote:

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

Excused: 1 - Harris

***i.** [R-20-99](#)

Establishing One-Year Objectives For The City Of Albuquerque In Fiscal Year 2021; To Meet Five-Year Goals (Benton, by request)

A motion was made by Councilor Jones that this matter be Amended. Councilor Jones moved Amendment No. 1(A). 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 Amended. Councilor Peña moved Amendment No. 2(B). 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 Borrego that this matter be Amended. Councilor Borrego moved Amendment No. 3(C). 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 Passed as Amended. The motion carried by the following vote:

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