



City of Albuquerque

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

Action Summary

City Council

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, October 4, 2021

3:00 PM

Via Zoom Video Conference

TWENTY-FOURTH COUNCIL - FORTY-SECOND 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

OTHERS PRESENT:

Chris Melendrez, Director, Council Services
Crystal Ortega, Clerk of the Council, Council Services
Mandi Hinojos, Senior Administrative Assistant, Council Services
Sarita Nair, Chief Administrative Officer, Mayor's Office
Lawrence Rael, Chief Operations Officer, Mayor's Office
Steven Aguilar Jr., City Attorney

2. MOMENT OF SILENCE

Councilor Bassan led the Pledge of Allegiance in English.
President Borrego led the Pledge of Allegiance in Spanish.

3. PROCLAMATIONS & PRESENTATIONS

Councilor Peña presented a proclamation recognizing Inclusive Hiring Day to Christopher Love from Mandy's Farm.

President Borrego introduced Acting APD Commander Roger Legendre who gave a presentation regarding APD Staffing.

10. GENERAL PUBLIC COMMENTS

Corderro Thomas addressed the Council regarding covid-19.
Terra Reed addressed the Council regarding O-21-69.

4. **ECONOMIC DEVELOPMENT DISCUSSION**
5. **ADMINISTRATION QUESTION & ANSWER PERIOD**
6. **APPROVAL OF JOURNAL**

A motion was made by Vice-President Gibson that the September 20, 2021 Journal be approved. The motion carried by the following vote:

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

7. **COMMUNICATIONS AND INTRODUCTIONS**

[EC-21-440](#)

Second Amendment to Lease between the General Services Administration and the City of Albuquerque for TSA use of the Old Terminal Building

Received and Referred to the Finance & Government Operations Committee

[EC-21-441](#)

Mayor's Recommendation of MRWM Landscape Architects for Landscape Architectural Consultants for On-Call Prototype Median & Interstate Landscape Design and Construction

Received

[EC-21-442](#)

Gibson Blvd and San Mateo Blvd Alley Right of Way Vacation - Project# PR-2019-003092 SD-2021-00089 - SWCW, LLC requests Vacation of Public Right-of-Way, for all or a portion of an alleyway located on San Mateo Boulevard approximately 230 feet north of Gibson Boulevard containing approximately .287 acres

Received

[EC-21-443](#)

Transmitting the Year End Status Report on Fiscal Year 2021 Objectives

Received and Referred to the Finance & Government Operations Committee

[EC-21-444](#)

FY/21 Goal #1 Priority Objective #6 - Aging Population Study

Received and Referred to the Finance & Government Operations Committee

[EC-21-445](#)

Mayor's appointment of Ms. Julie Radoslovich to the Metropolitan Parks & Recreation Advisory Board

Received

[EC-21-446](#)

Mayor's Re-appointment of Mr. Hodgin Serrullo to the Transit Advisory

Board

Received

[EC-21-447](#)

Mayor's Re-appointment of Ms. Dubra F. Karnes-Padilla to the Senior Affairs Advisory Council

Received

[EC-21-448](#)

Mayor's appointment of Mrs. Madelynne A. Johnson to the Library Advisory Board

Received

[EC-21-449](#)

Correcting the Term Expiration Dates for Personnel Board Members Bernard R. Toon and John R. Castillo

Received

[EC-21-450](#)

Changing the member representative positions for Commission on American Indian and Alaska Native Affairs appointed members Kim Benally and Dr. Lloyd Lee

Received

[EC-21-451](#)

Mayor's re-appointment of Mr. Don McIver to the Transit Advisory Board

Received

[EC-21-452](#)

Mayor's appointment of Ms. Lindsey Kay to the Veterans and Military Affairs Advisory Board

Received

A motion was made by Vice-President Gibson to remove OC-21-42 from the Letter of Introduction. The motion carried by the following vote

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

[OC-21-42](#)

Appointment of Mr. Jared Robert Vander Dussen to the Accountability in Government Oversight Committee

Removed from Letter of Introduction

[OC-21-43](#)

Office of Internal Audit's Annual Report for fiscal year 2021

Received and Referred to the Finance & Government Operations Committee

[OC-21-44](#)

Office of Inspector General's Annual Report for fiscal year 2021

Received and Referred to the Finance & Government Operations Committee[OC-21-45](#)

Staff Recommendation to Appoint Mr. Jesse Crawford to the Civilian Police Oversight Agency Board

Received (Immediate Action Requested)

A motion was made by President Borrego that rules be suspended for the purpose of placing OC-21-45 on tonight's agenda for action. The motion carried by the following vote:

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

[RA-21-6](#)

Amending Article III, Section 6 Of The City Council Rules Of Procedure Relating To Adding Or Updating City Ordinance Bills (Bassan)

Introduced

[R-21-203](#)

Approving And Authorizing The Acceptance Of \$75,000 In Legislative Funds For "It Takes A Village" Mentorship Program And Providing An Appropriation To The Legal Department For Fiscal Year 2022 (Peña, by request)

Introduced

[R-21-204](#)

Approving The Transit Department's 2021 Updated Public Transit Agency Safety Plan (Sena, by request)

Introduced and Referred to the Finance & Government Operations Committee

[R-21-205](#)

Acknowledging And Recognizing The Albuquerque Indian School Cemetery At 4H Park As A Historical And Sacred Burial Site; Acknowledging The Historical And Ongoing Intergenerational Trauma Experienced By Native American Individuals, Families, And Tribal Nations As A Result Of Indian Boarding School Policies; And Committing To Work With Tribal Nations And Local Native Americans Toward Reconciliation And Healing. (Benton, Borrego, and Sena, by request)

Introduced (Immediate Action Requested)

A motion was made by Councilor Sena that rules be suspended for the purpose of placing R-21-205 on tonight's agenda for action. The motion carried by the following vote:

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

[R-21-206](#) Making Findings In Connection With The Trails Public Improvement District's Resolution Authorizing The Issuance And Sale Of Special Levy Refunding Revenue Bonds; Ratifying And Approving The Issuance And Sale Of The Trails Public Improvement District Special Levy Refunding Revenue Bonds, Series 2021, As Substantially Consistent With The Requirements Of City Ordinance Enactment No. 0-2003-12 And City Council Resolution No. R-07-13 Enactment No. R-2008-019 (Borrego, by request)

Introduced

[R-21-207](#) Adopting The Menaul Redevelopment Study and Recommendations as City Policy (Gibson)

Introduced and Referred to the Land Use, Planning, and Zoning Committee

[R-21-208](#) Encouraging The City Of Albuquerque To Complete The Funding For The Renovation Of Los Altos Park, Adding A Facility To House A Security Patrol Vehicle To The Scope Of The Park Renovation, Prohibiting The Sale Of Alcohol At Los Altos Park, Funding A Feasibility Study And Design Analysis Report To Construct A Foot Path Around The Perimeter Of Los Altos Golf Course (Gibson)

Introduced and Referred to the Finance & Government Operations Committee

A motion was made by Vice-President Gibson that the Letter of Introduction be approved. The motion carried by the following vote:

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

8. REPORTS OF COMMITTEES

Finance and Government Operations Committee - September 27, 2021

[EC-21-431](#) Approval of an Application for State Grid Modernization Grant

Accepted with a recommendation Be Approved (Immediate Action)

[EC-21-432](#) Mayor's Recommendation of Architectural Consultants for BioPark Aquatics/Sharks Quarantine Facility

Accepted with a recommendation Be Approved

[EC-21-433](#) Building Lease and Agreement between the City of Albuquerque and ADACEN, LLC

Accepted with a recommendation Be Approved

- [EC-21-434](#) FY21 Year End Update, Goal 8, Objective 7, Energy and Sustainability Division Goals
Accepted with a recommendation Receipt Be Noted
- [EC-21-435](#) FY/21 Goal 8, Objective 15 Cost Benefit Review for City Training
Accepted with a recommendation Receipt Be Noted
- [EC-21-436](#) FY/21 Goal 3, Objective 4 City Planner Salary Study
Accepted with a recommendation Receipt Be Noted
- [R-21-190](#) Approving An Intergovernmental Agreement Between The City Of Albuquerque, The County Of Bernalillo, And The Albuquerque Public School District Board Of Education To Reform The Albuquerque Bernalillo County Government Commission As The Local Government Coordinating Commission To Include The City Of Albuquerque, The County Of Bernalillo, And The Albuquerque Public Schools As The Voting Members (Bassan, Peña)
Accepted with a Recommendation Do Pass
- [R-21-194](#) Amending The Memorandum Of Agreement Between City Of Albuquerque Parks And Recreation And New Mexico Department Of Agriculture In Fiscal Year 2021 (Gibson, by request)
Accepted with a Recommendation Do Pass
- [R-21-198](#) C/S 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 2022 Through 2026 (Borrego, by request)
Accepted with a Recommendation Do Pass, as Substituted (Immediate Action)
- [R-21-199](#) Approving And Authorizing The Acceptance Of Grant Funds From The Dennis Friends Foundation And Providing An Appropriation To The City Of Albuquerque Animal Welfare Department In Fiscal Year 2022 (Gibson)
Accepted with a Recommendation Do Pass
- [R-21-200](#) Approving And Authorizing The Acceptance Of Grant Funds Based On An Application From The New Mexico Aging And Long Term Services Department For State Assistance From The New Mexico Local Grown Produce Grant For The Purpose Of Providing Seniors With Nutritious Meals From Food That Is Grown In New Mexico And Providing For An Appropriation To The Department Of Senior Affairs In Fiscal Year 2022 (Sena, by request)

Accepted with a Recommendation Do Pass[R-21-201](#)

Approving Submittal Of Grant Applications By The Parks And Recreation Department To The New Mexico Finance Authority, Water Trust Board And Providing An Appropriation To The Parks And Recreation Department For Fiscal Year 2022 (Benton, Davis, Sena, by request)

Accepted with a Recommendation Do Pass (Immediate Action)

A motion was made by Councilor Bassan that the Committee Reports (Exhibits 1-12) be accepted. The motion carried by the following vote:

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

Public Safety Committee - September 28, 2021[EC-21-428](#)

Approval of Fourth Supplemental Agreement with Domestic Violence Resource Center

Accepted with a recommendation Be Approved

A motion was made by Councilor Sena that the Committee Report (Exhibit 13) be accepted. The motion carried by the following vote:

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

Deferrals/Withdrawals**c.** [R-21-182](#)

Establishing Corridor Improvements For 118th Street From Interstate 40 To Senator Dennis Chavez Boulevard As A Priority For The City Albuquerque Funding Processes, Encouraging The New Mexico Department Of Transportation To Prioritize The Approval And Construction Of An Interchange At Interstate 40 And 118th Street (Peña)

A motion was made by Councilor Peña that this matter be Postponed to November 3, 2021. The motion carried by the following vote:

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

f. [M-21-11](#)

F/S The City Of Albuquerque Reaffirms Its Strong Commitment To End The Drivers Of Crime, Including Criminal Firearm Use And Recidivism (Borrego)

A motion was made by President Borrego that this matter be Postponed to October 18, 2021. 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-21-431](#) Approval of an Application for State Grid Modernization Grant
(Exhibit 14)
**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-21-437](#) Mayor's re-appointment of Ms. Leah Nauman (Black) to the Lodgers' Tax Advisory Board
(Exhibit 15)
**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
- c. [EC-21-438](#) Mayor's reappointment of Mr. T. Zane Reeves to the Personnel Board
(Exhibit 16)
**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
- d. [EC-21-439](#) Mayor's re-appointment of Mr. Tushar Patel to the Lodgers' Tax Advisory Board
(Exhibit 17)
**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
- e. [R-21-196](#) Determining Reasonable Notice Of Public Meetings Of The City Council (Borrego)
(Exhibit 18)
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
- f. [R-21-197](#) Setting The Official List Of City Council Meetings From January 2022 Through December 2022 (Borrego)

(Exhibit 19)

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

***g.** [R-21-198](#)

C/S 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 2022 Through 2026 (Borrego, by request)

(Exhibit 20)

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

***h.** [R-21-201](#)

Approving Submittal Of Grant Applications By The Parks And Recreation Department To The New Mexico Finance Authority, Water Trust Board And Providing An Appropriation To The Parks And Recreation Department For Fiscal Year 2022 (Benton, Davis, Sena, by request)

(Exhibit 21)

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

Councilor Benton announced there is a Committee on Guidelines for Negotiations meeting scheduled for Tuesday, October 5, 2021 at 3 p.m. via Zoom Video Conference.

Councilor Sena announced the Public Safety Committee meeting scheduled for Tuesday, October 12, 2021 is canceled.

Councilor Jones announced there will be a Land Use, Planning and Zoning Committee meeting on Wednesday, October 13, 2021 at 3 p.m. via Zoom Video Conference.

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

a. [AC-21-12](#)

Project-2019-002291, VA-2021-00292, VA-2021-00132: Frank Comfort, Laurelwood NA, appeals the Zoning Hearing Examiners decision to approve a conditional use to allow a drive-through facility for Lot 5A1C2, El Rancho Atrisco Phase 3, located at 1901 Ladera DR NW, zoned MX-L [Section 14-16-4-2]

A motion was made by Councilor Benton To Reject the Land Use Hearing Officer Recommendation. Councilor Benton withdrew the motion.

A motion was made by Councilor Sena To Reject the Land Use Hearing Officer Recommendation. The motion failed by the following vote:

For: 3 - Borrego, Peña, and Sena

Against: 6 - Bassan, Benton, Davis, Gibson, Harris, and Jones

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

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

Against: 3 - Borrego, Peña, and Sena

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

- *b. [OC-21-45](#) Staff Recommendation to Appoint Mr. Jesse Crawford to the Civilian Police Oversight Agency Board

(Exhibit 22)

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

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

14. FINAL ACTIONS

- a. [O-21-69](#) F/S Enacting The Albuquerque Automated Speed Enforcement Ordinance To Monitor The Speed Of Travel And Enforce The Speed Limit Through Speed Enforcement Cameras (Peña, Sena, Bassan, Benton)

A motion was made by Councilor Bassan 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 Councilor Davis that this matter be Amended. Councilor Davis moved Amendment No. 1 (Exhibit 23). 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 the rules be suspended for the purpose of allowing O-21-69 to be adopted the same evening it is substituted. The motion carried by the following vote:

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

Against: 1 - Davis

- a. [O-21-69](#) F/S Enacting The Albuquerque Automated Speed Enforcement Ordinance To Monitor The Speed Of Travel And Enforce The Speed Limit Through Speed Enforcement Cameras (Peña, Sena, Bassan, Benton)
(Exhibit 24)
A motion was made by Councilor Benton that this matter be Passed as Substituted, as Amended. The motion carried by the following vote:
For: 8 - Bassan, Benton, Borrego, Gibson, Harris, Jones, Peña, and Sena
Against: 1 - Davis
- b. [R-21-155](#) A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 1804 High 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 (Benton, by request)
A motion was made by Councilor Benton that this matter be Postponed to November 3, 2021. The motion carried by the following vote:
For: 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- d. [R-21-195](#) Directing That The Civilian Police Oversight Agency Provide A Training Compliance Report For Members Of The Civilian Police Oversight Agency Board With Respect To The Training Requirements Under The Court Approved Settlement Agreement With The United States Department Of Justice, And The Civilian Police Oversight Ordinance (Borrego, Sena)
A motion was made by Councilor Sena that this matter be Amended. Councilor Sena moved Amendment No. 1 (Exhibit 25). The motion carried by the following vote:
For: 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
(Exhibit 26)
A motion was made by President Borrego that this matter be Passed as Amended. The motion carried by the following vote:
For: 7 - Bassan, Benton, Borrego, Davis, Harris, Peña, and Sena
Against: 2 - Gibson, and Jones
- e. [R-21-202](#) F/S Approving The Petition Of The Regents Of The University Of New Mexico By And Through Lobo Development Corporation, A New Mexico Nonprofit Corporation Formed Under The Research Park And Economic Development Act, And The City Of Albuquerque, New Mexico For Formation Of The South Campus Tax Increment Development District (The "District" Or "TIDD") Pursuant To The Tax Increment For Development Act, Sections 5-15-1 Through 5-15-29, NMSA 1978 And

City Council Ordinance, Chapter 4, Article 10; Making Findings In Connection With The Petition And Supporting Documentation Requesting Approval Of The Formation Of The TIDD; Determining The Real Property To Be Included Within The TIDD And The Purposes For Which The TIDD Is Being Formed; Approving The Joint Application, Petition, And Financial Feasibility Study For The TIDD; Ratifying The Tax Increment Development Plan Approved For Consideration In Connection With The Formation Of The TIDD; Dedicating 75% Of The Gross Receipts Tax Increment And 75% Of The Property Tax Increment Generated Within The Boundaries Of The District For The Financing Of Public Improvements For The TIDD, And Related Purposes Under The TIDD Act; Approving Parameters For The Issuance Of Tax Increment Bonds By The TIDD; Providing For Governance Of The TIDD Through The Appointment Of Members Of The Governing Body Of The TIDD; Providing That Tax Increment Bonds Of The TIDD And Other Obligations Of The TIDD Shall Not Be Obligations Of The City Of Albuquerque Or The University Of New Mexico; Ratifying Certain Actions Heretofore Taken; Repealing All Actions Inconsistent With This Resolution (Benton, Davis)

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

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

Excused: 1 - Harris

(Exhibit 27)

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

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

Excused: 1 - Harris

***g.** [R-21-205](#)

Acknowledging And Recognizing The Albuquerque Indian School Cemetery At 4H Park As A Historical And Sacred Burial Site; Acknowledging The Historical And Ongoing Intergenerational Trauma Experienced By Native American Individuals, Families, And Tribal Nations As A Result Of Indian Boarding School Policies; And Committing To Work With Tribal Nations And Local Native Americans Toward Reconciliation And Healing. (Benton, Borrego, and Sena, by request)

(Exhibit 28)

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

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

Excused: 1 - Harris

There being no further business, the meeting adjourned at 6:50 p.m.