



# 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*

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Monday, August 16, 2021

5:00 PM

Via Zoom Video Conference

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#### 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

Councilor Sena led the Pledge of Allegiance in English.

Councilor Bassan led the Pledge of Allegiance in Spanish.

#### 3. PROCLAMATIONS & PRESENTATIONS

#### 4. ECONOMIC DEVELOPMENT DISCUSSION

#### 10. GENERAL PUBLIC COMMENTS

#### 5. ADMINISTRATION QUESTION & ANSWER PERIOD

#### 6. APPROVAL OF JOURNAL

August 2, 2021

#### 7. COMMUNICATIONS AND INTRODUCTIONS

#### 8. REPORTS OF COMMITTEES

Finance and Government Operations Committee - August 9, 2021

Public Safety Committee - August 10, 2021

## Land Use, Planning and Zoning Committee - August 11, 2021

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

- a. [EC-21-389](#) Mayor's re-appointment of Mr. Brian White to the Cable Franchise & Hearing 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
- b. [EC-21-390](#) Mayor's appointment of Mr. Patrick Stewart to the Veterans and Military Affairs Advisory 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
- c. [EC-21-391](#) Mayor's appointment of Mrs. Jude Quintana to the ABQ Volunteers Advisory 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
- d. [EC-21-392](#) Mayor's appointment of Ms. Nadine Buerger to the ABQ Volunteers Advisory 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
- e. [EC-21-393](#) Mayor's re-appointment of Ms. Sandra McCardell to the Albuquerque Energy Council
- 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-21-394](#) Mayor's re-appointment of Mr. Gabriel S. Pacyniak to the Albuquerque Energy Council
- 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-21-395](#) Mayor's appointment of Mr. Larry Hinojos, Jr. 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
- i. [EC-21-403](#) Volcano Road Right of Way Vacation - Project# PR-2020-004676, SD-2021-00093, Michelle Henrie, agent for Macritchie Storage Ventures, LLC requests Vacation of Public Right-of-Way for 9,347 feet of Volcano Road. (K-9)
- 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
- j. [EC-21-406](#) Mayor's re-appointment of Mr. C. Jack Emmons to the Accountability in Government Oversight 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
- k. [EC-21-408](#) Mayor's appointment of Ms. Mayane Barudin to the Albuquerque Energy Council
- 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-21-409](#) Mayor's re-appointment of Mr. Damon Maddox to the Landmarks and Urban Conservation Commission
- 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-21-410](#) Mayor's appointment of Ms. Frances Armijo to the Housing & Neighborhood Economic Development 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
- n. [EC-21-411](#) Mayor's appointment of Mr. James Povijua to the Albuquerque Energy Council
- 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

- o. [EC-21-412](#) Mayor's re-appointment of Mr. Philip Snyder to the Lodgers' Tax Advisory 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
- p. [EC-21-413](#) Mayor's appointment of Mrs. Kristin Abdill to the Metropolitan Parks & Recreation Advisory 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
- q. [EC-21-414](#) Mayor's re-appointment of Ms. Elena Gonzales to the Affordable Housing 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
- r. [EC-21-415](#) Mayor's re-appointment of Mr. Felipe Rael to the Affordable Housing 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
- s. [EC-21-416](#) Mayor's appointment of Mrs. Uche Ohiri 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
- t. [EC-21-417](#) Mayor's appointment of Mr. Victoriano Ceballos to the Albuquerque Energy Council  
**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
- u. [OC-21-37](#) Re-Appointment of Charlotte Schoenmann to the Arts 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

## Deferrals/Withdrawals

- h. [EC-21-399](#) Freeman Avenue Right of Way Vacation - Project# PR-2020-004812, SD-2020-00220, Tim Nisly requests Vacation of Public Right-of-Way for all or a portion of the alley adjacent to Lot 12, Block 6 Belmont Place Lot 12 & 13 & 14, located south of Freeman Avenue between 5th St and 6th St, containing approximately .03 acre(s). (G-14)

**A motion was made by Councilor Benton that this matter be Postponed to September 8, 2021. The motion carried by the following vote:**

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

- a. [O-21-49](#) Amending Chapter 2, Article 2, Section 1 Of The Revised Ordinances Of Albuquerque, New Mexico, 1994, The "Capital Improvements" Ordinance, For The Creation Of A Capital Set-Aside For Underserved Areas And Communities (Borrego)

**A motion was made by President Borrego that this matter be Postponed to November 15, 2021. The motion carried by the following vote:**

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

**Excused:** 1 - Harris

- b. [O-21-50](#) Amending Chapter 2, Article 11, Of The Revised Ordinances Of Albuquerque, The "City Budget Ordinance" Relating To The Preparation And Adoption Of The Annual Operating Budget Of The City (Davis, Benton)

**A motion was made by Councilor Davis that this matter be Postponed to September 8, 2021. The motion carried by the following vote:**

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

**Excused:** 1 - Harris

- I. [M-21-10](#) Reaffirming The City Of Albuquerque's Commitment To Decrease Crime, And Recidivism, And Advocating Criminal Justice Reform In Metro Albuquerque And Bernalillo County (Borrego)

**A motion was made by President Borrego that this matter be Postponed to September 8, 2021. The motion carried by the following vote:**

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

**Excused:** 1 - Harris

## 11. ANNOUNCEMENTS

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

## 14. FINAL ACTIONS

- k. [R-21-187](#) Concerning A Bond Election To Be Held In The City Of Albuquerque At The Next Regular Local Election On November 2, 2021; Submitting To A Vote Of The Qualified, Registered Electors At Such Regular Local Election A Question Relating To The Issuance Of Gross Receipts Tax Revenue Bonds In The Principal Amount Of Up To \$50,000,000 To Acquire Property For, And To Design, Develop, Erect, Construct And Otherwise Improve A Public Stadium For Multiple Uses, Including, But Not Limited To, Professional Soccer Events; Providing The Form Of The Bond Question And The Designation Clause For Such Question On The Ballot; Prescribing Other Details In Connection With Such Regular Local Election And Bonds; And Ratifying Action Previously Taken In Connection Therewith (Benton and Bassan, by request)

**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 - 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. The motion carried by the following vote:**

**For:** 5 - Borrego, Davis, Harris, Peña, and Sena

**Against:** 4 - Bassan, Benton, Gibson, and Jones

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

**For:** 7 - Benton, Borrego, Davis, Gibson, Harris, Peña, and Sena

**Against:** 2 - Bassan, and Jones

- \*p. [R-21-193](#) Directing That The City Expand Site Selection Evaluation For A Proposed Multi-Use Soccer Stadium To Include Evaluation Of One Or More Options West Of The River; Appropriating Funds For The Same (Peña, Sena, Borrego)

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

**For:** 3 - Borrego, Peña, and Sena

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

- c. [O-21-67](#) Amending Sections 7-2-1-2, Of The Transit System Ordinance To Provide For A Zero Fare Pilot Project And Creating A New Section 7-2-1-3 (Davis, Sena, Peña, Benton)

**A motion was made by Councilor Sena that this matter be Postponed to September 8, 2021. The motion carried by the following vote:**

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

- d. [R-21-173](#) Amending Resolution-21-148, Establishing One-Year Objectives For The City Of Albuquerque In Fiscal Year 2022; To Include A Zero Fare Transit Pilot Objective To Meet Five-Year Goals (Davis, Sena, Peña, Benton)

**A motion was made by Councilor Sena that this matter be Postponed to September 8, 2021. The motion carried by the following vote:**

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

- e. [R-21-178](#) Amending The City Operating Budget Language To Clarify The Intent Of The City Council To Implement A Comprehensive Zero Fare Pilot (Sena, Peña, Davis)

**A motion was made by Councilor Sena that this matter be Postponed to September 8, 2021. The motion carried by the following vote:**

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

- f. [R-21-135](#) A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 1717 Edith Blvd SE, Albuquerque NM 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 (Benton, by request)

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

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

**Excused:** 1 - Harris

- g. [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 October 4, 2021. The motion carried by the following vote:**

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

**Excused:** 1 - Harris

- h. [R-21-156](#) A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 832 Estancia Dr NW 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 (Sena, by request)

**A motion was made by Councilor Sena 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

- i. [R-21-171](#) Concerning The Future Management Of Candelaria Nature Preserve And The Approval Of The 2020 Resource Management Plan (Benton, by request)

**A motion was made by Councilor Benton that this matter be Postponed September 8, 2021. The motion carried by the following vote:**

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

**Excused:** 1 - Harris

- j. [R-21-179](#) F/S Declaring The Intent Of The City Council Of The City Of Albuquerque, New Mexico To Consider For Adoption A Resolution Approving The Formation Of South Campus Tax Increment Development District; Approving, Subject To Further Proceedings Of The City Council, A Tax Increment Development Plan For The District, Which Includes A Description Of The Areas To Be Included Therein, The Purposes Of The District, Identification Of Gross Receipts Tax Increment And Property Tax Increment Financing Mechanisms, And Bonds Secured By Gross Receipts Tax Increment Revenue And Property Tax Increment Revenue; Authorizing And Directing The Posting, Mailing And Publication, In A Newspaper Of General Circulation Within The County, Of A Notice Of Public Meeting And Hearing To Be Held On October 4, 2021 To Consider For Adoption The Resolution Approving The Formation Of The District (Davis and Benton, by request)

**A motion was made by Councilor Davis 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

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

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

**Excused:** 1 - Harris

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

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

**Excused:** 1 - Harris

- \*m. [R-21-188](#) Encouraging The Albuquerque Ditch And Water Safety Task Force To Conduct A Study To Improve The Safety Of Storm Water Channels, Arroyos And Irrigation Canals; Requesting That The Administration Of The City Of Albuquerque Consider The Study Reports Capital



Recommendations In The City Of Albuquerque 2023 Capital  
Implementation Plan Program (Borrego)

**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

**\*n.** [O-21-74](#)

F/S Amending Ordinance No. F/S O-21-65 Relating To The Authorization, Issuance And Sale Of The City Of Albuquerque, New Mexico Industrial Revenue Bond (El Encanto, Inc. Project) Tax-Exempt Series 2021 (The "Bond") And Providing For The Issuance Of The Bond As A Taxable Bond (Benton, by request)

**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

**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

**A motion was made by Vice-President Gibson that the rules be suspended for the purpose of extending tonight's meeting to 10:45pm. The motion carried by the following vote:**

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

**Excused:** 1 - Harris

**\*o.** [R-21-189](#)

Accepting And Appropriating Federal Aviation Administration Grant Funding From The American Rescue Plan Act (ARPA) For The City Of Albuquerque Aviation Department (Davis by request)

**A motion was made by Councilor Davis 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

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

**a.** [AC-21-9](#)

Project-2020-004657, VA-2020-00379, VA-2021-00147: Nob Hill Neighborhood Association, appeals the Zoning Hearing Examiners

decision to approve a variance of 3 feet to the 3 foot maximum wall height for Lot 1, Block 39, University Heights, located at 202 Richmond DR SE, zoned MX-T [Section 14-16-5-7-D]

**A motion was made by Councilor Davis To Reject the Land Use Hearing Officer Recommendation. This matter will have a full hearing on September 8, 2021.**

**The motion carried by the following vote:**

**For:** 5 - Benton, Borrego, Davis, Peña, and Sena

**Against:** 3 - Bassan, Gibson, and Jones

**Excused:** 1 - Harris