



# 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, August 17, 2020

3:00 PM

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

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#### TWENTY-FOURTH COUNCIL - FIFTEENTH 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

#### 3. PROCLAMATIONS & PRESENTATIONS

#### 10. GENERAL PUBLIC COMMENTS

#### 4. ECONOMIC DEVELOPMENT DISCUSSION

#### 5. ADMINISTRATION QUESTION & ANSWER PERIOD

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

- a. [AC-20-7](#) BP-2020-07262 - PR-2019-002524/VA-2020-00150, John J. Campbell Esq., Agent for Mike Gill & Sandy Levinson, appeals the Building Permit BP-2020-0726 for 7911 Kibo Dr. NW, Albuquerque NM 87120

**A motion was made by Councilor Borrego 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

- b. [AC-20-4](#) Project #2018-001402 SI-2018-00171 VA-2019-00100 VA-2020-00061 VA-2020-00064: Thomas P. Gulley, appeals the decision of the Environmental Planning Commission (EPC) to Approve a Site Plan for

all or a portion of Lots 1 through 3, Block 1, Plat of West Bank Estates together with Tract A1, Lands of Suzanne H Poole, and Tracts C-1 and Lot 4-A of Plat of Tracts C-1, C-2 and Lot 4-A, Lands of Suzanne H Poole being a Replat of Tract C, Lands of Suzanne H Poole, Tract C, Annexation Plat Land in Section 25 and 36, T11N R2E, Lot 4, Block 1 West; zoned R-A, located at 5001 Namaste Rd. NW, between LaBienvenida Pl. NW and the Oxbow Open Space, containing approximately 23 acres

**A motion was made by President Davis to Grant the Appeal and Adopt Findings at the September 9, 2020 City Council Meeting. The motion failed by the following vote:**

**For:** 3 - Benton, Davis, and Peña

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

**Recused:** 2 - Borrego, and Sena

**A motion was made by Councilor Benton that this matter be Remanded to the Environmental Planning Commission. This motion failed for a lack of a second.**

**A motion was made by Councilor Jones to Deny the Appeal and Adopt Findings at the September 9, 2020 City Council Meeting. The motion carried by the following vote:**

**For:** 4 - Bassan, Gibson, Harris, and Jones

**Against:** 3 - Benton, Davis, and Peña

**Recused:** 2 - Borrego, and Sena

**c.**     [AC-20-5](#)

Project #2018-001402 SI-2018-00171 VA-2019-00100 VA-2020-00061 VA-2020-00064: AC-20-5- Project #2018-001402 SI-2018-00171 VA-2019-00103 VA-2020-00061 VA-2020-00064: Hessel Yntema III, Yntema Law Firm P.A, agent for the Taylor Ranch Neighborhood Association, eight other associations, and six other property owners and interested parties, appeals the decision of the Environmental Planning Commission (EPC) to approve a Site Plan for all or a portion of Lots 1 through 3, Block 1, Plat of West Bank Estates together with Tract A1, Lands of Suzanne H Poole, and Tracts C-1 and Lot 4-A of Plat of Tracts C-1, C-2 and Lot 4-A, Lands of Suzanne H Poole being a Replat of Tract C, Lands of Suzanne H Poole, Tract C, Annexation Plat Land in Section 25 and 36, T11N R2E, Lot 4, Block 1 West; zoned R-A, located at 5001 Namaste Rd. NW, between La Bienvenida Pl. NW and the Oxbow Open Space, containing approximately 23 acres

**A motion was made by Councilor Jones to Deny the Appeal and Adopt Findings at the September 9, 2020 City Council Meeting. The motion carried by the following vote:**

**For:** 4 - Bassan, Gibson, Harris, and Jones

**Against:** 3 - Benton, Davis, and Peña

Recused: 2 - Borrego, and Sena

## 6. APPROVAL OF JOURNAL

August 3, 2020

## 7. COMMUNICATIONS AND INTRODUCTIONS

## 8. REPORTS OF COMMITTEES

Finance and Government Operations Committee - August 10, 2020

Land Use, Planning and Zoning Committee - August 12, 2020

### Deferrals/Withdrawals:

- a. [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 September 9, 2020. The motion carried by the following vote:**

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

**Excused:** 1 - Harris

- \*k. [O-20-29](#) Amending Article XVI Section 3 And Section 6 Of The City Charter; Chapter 2 Article 4, Section 13, ROA 1994 To: Change The Dates Of The Exploratory Period For Mayoral Candidates; Change The Dates Of The Qualifying Period For Mayoral And Council Applicant Candidates; Change The Timeframe For Gathering Seed Money; And Change The Time Frame For All Candidates To File Their Petitions (Davis, by request)

**A motion was made by President Davis that this matter be Postponed to September 9, 2020. The motion carried by the following vote:**

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

**Excused:** 1 - Harris

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

- a. [EC-20-97](#) Mayor's Appointment of Ms. Kaatje E. Van Der Gaarden to the Americans with Disabilities Act Advisory Council

**A motion was made by Vice-President Gibson that this matter be Confirmed.**

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

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

**Excused:** 1 - Harris

- b. [EC-20-98](#) Mayor's Appointment of Mr. Makai Salazar to the Youth Advisory Council

**A motion was made by Vice-President Gibson that this matter be Confirmed.**

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

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

**Excused:** 1 - Harris

- c. [EC-20-99](#) Mayor's Appointment of Ms. Joni K. Pierce 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:** 8 - Bassan, Benton, Borrego, Davis, Gibson, Jones, Peña, and Sena

**Excused:** 1 - Harris

- d. [EC-20-100](#) Mayor's Re-appointment of Mr. Kenneth J. Carson, Jr to the Small Business Regulatory Advisory Committee

**A motion was made by Vice-President Gibson that this matter be Confirmed.**

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

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

**Excused:** 1 - Harris

- e. [EC-20-101](#) Mayor's Appointment of Mr. Paul Mondragón 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:** 8 - Bassan, Benton, Borrego, Davis, Gibson, Jones, Peña, and Sena

**Excused:** 1 - Harris

- f. [EC-20-102](#) Mayor's Appointment of Mr. Taylor V. Bui to the Open Space Advisory Board

**A motion was made by Vice-President Gibson that this matter be Confirmed.**

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

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

**Excused:** 1 - Harris

- g. [EC-20-103](#) Mayor's Appointment of Mr. Michael J. Flowers, Jr., to the Greater Albuquerque Recreational Trails Committee

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

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

**Excused:** 1 - Harris

- h. [EC-20-104](#) Mayor's Appointment of Mr. Deepesh Kholwadwala 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:** 8 - Bassan, Benton, Borrego, Davis, Gibson, Jones, Peña, and Sena

**Excused:** 1 - Harris

- i. [EC-20-105](#) Mayor's Appointment of Regina Dubay to the Municipal Golf Advisory Board

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

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

**Excused:** 1 - Harris

- j. [EC-20-106](#) Mayor's Appointment of Ms. Tess V. Reynolds to the Youth Advisory Council

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

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

**Excused:** 1 - Harris

- k. [EC-20-107](#) Mayor's Appointment of Ms. Sandra Nemeth to the Library Advisory Board

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

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

**Excused:** 1 - Harris

- l. [EC-20-108](#) Mayor's Appointment of Ms. Theresa Carson to the Albuquerque Development Commission

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

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

**Excused:** 1 - Harris

- m. [EC-20-109](#) Mayor's Appointment of Ms. Maurreen Skowran to the Albuquerque Housing Authority Board
- A motion was made by Vice-President Gibson that this matter be Confirmed.**  
**The motion carried by the following vote:**
- For:** 8 - Bassan, Benton, Borrego, Davis, Gibson, Jones, Peña, and Sena
- Excused:** 1 - Harris
- n. [EC-20-110](#) Mayor's Re-appointment of Ms. Dorothy Stermer 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:** 8 - Bassan, Benton, Borrego, Davis, Gibson, Jones, Peña, and Sena
- Excused:** 1 - Harris
- o. [EC-20-111](#) Mayor's Appointment of Ms. Valerie L. Martinez to the Metropolitan Parks and Recreation Advisory Board
- A motion was made by Vice-President Gibson that this matter be Confirmed.**  
**The motion carried by the following vote:**
- For:** 8 - Bassan, Benton, Borrego, Davis, Gibson, Jones, Peña, and Sena
- Excused:** 1 - Harris
- p. [EC-20-118](#) Mayor's Appointment of Mrs. Jessica Cage 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:** 8 - Bassan, Benton, Borrego, Davis, Gibson, Jones, Peña, and Sena
- Excused:** 1 - Harris
- q. [EC-20-119](#) Mayor's Appointment of Ms. Samantha Thackaberry to the Youth Advisory Council
- A motion was made by Vice-President Gibson that this matter be Confirmed.**  
**The motion carried by the following vote:**
- For:** 8 - Bassan, Benton, Borrego, Davis, Gibson, Jones, Peña, and Sena
- Excused:** 1 - Harris
- r. [EC-20-120](#) Mayor's Appointment of Ms. Cathy Intemann, to the Greater Albuquerque Recreational Trails Committee
- A motion was made by Vice-President Gibson that this matter be Confirmed.**  
**The motion carried by the following vote:**
- For:** 8 - Bassan, Benton, Borrego, Davis, Gibson, Jones, Peña, and Sena
- Excused:** 1 - Harris

- s. [EC-20-121](#) Mayor's Re-appointment of Mr. Juan Carrizales to the Airport Advisory Board
- A motion was made by Vice-President Gibson that this matter be Confirmed.**  
**The motion carried by the following vote:**
- For:** 8 - Bassan, Benton, Borrego, Davis, Gibson, Jones, Peña, and Sena
- Excused:** 1 - Harris
- t. [EC-20-122](#) Mayor's Appointment of Mr. Jeremiah Gwin to the Biological Park Board
- A motion was made by Vice-President Gibson that this matter be Confirmed.**  
**The motion carried by the following vote:**
- For:** 8 - Bassan, Benton, Borrego, Davis, Gibson, Jones, Peña, and Sena
- Excused:** 1 - Harris
- u. [EC-20-123](#) Mayor's Appointment of Mr. Agustin J. Leon-Saenz to the Youth Advisory Council
- A motion was made by Vice-President Gibson that this matter be Confirmed.**  
**The motion carried by the following vote:**
- For:** 8 - Bassan, Benton, Borrego, Davis, Gibson, Jones, Peña, and Sena
- Excused:** 1 - Harris
- v. [EC-20-124](#) Mayor's Appointment of Ms. Mireya A. Macias to the Youth Advisory Council
- A motion was made by Vice-President Gibson that this matter be Confirmed.**  
**The motion carried by the following vote:**
- For:** 8 - Bassan, Benton, Borrego, Davis, Gibson, Jones, Peña, and Sena
- Excused:** 1 - Harris
- w. [EC-20-125](#) Mayor's Appointment of Ms. Kamryn K. Johnson to the Youth Advisory Council
- A motion was made by Vice-President Gibson that this matter be Confirmed.**  
**The motion carried by the following vote:**
- For:** 8 - Bassan, Benton, Borrego, Davis, Gibson, Jones, Peña, and Sena
- Excused:** 1 - Harris
- x. [OC-20-8](#) Appointment of Mr. Joshua S. Martinez to the Board of Ethics & Campaign Practices
- A motion was made by Vice-President Gibson that this matter be Confirmed.**  
**The motion carried by the following vote:**
- For:** 8 - Bassan, Benton, Borrego, Davis, Gibson, Jones, Peña, and Sena

**Excused:** 1 - Harris

- \*y. [R-20-90](#) Amending Appropriations For The Coronavirus Support And Recovery Program (Sena, Gibson)

**A motion was made by Vice-President Gibson 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

## 11. ANNOUNCEMENTS

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

## 14. FINAL ACTIONS

- b. [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 September 9, 2020. The motion carried by the following vote:**

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

**Excused:** 1 - Harris

- c. [R-20-65](#) Prohibiting The Police Department From Applying For Or Receiving Surplus Military Equipment For Civilian Law Enforcement Use; Requiring The Police Department To Provide An Inventory Of Equipment (Davis, Sena)

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

**For:** 4 - Bassan, Borrego, Jones, and Peña

**Against:** 4 - Benton, Davis, Gibson, and Sena

**Excused:** 1 - Harris

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

**For:** 4 - Bassan, Borrego, Jones, and Peña

**Against:** 4 - Benton, Davis, Gibson, and Sena

**Excused:** 1 - Harris



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

**For:** 4 - Benton, Davis, Gibson, and Sena

**Against:** 4 - Bassan, Borrego, Jones, and Peña

**Excused:** 1 - Harris

**d.** [R-20-75](#)

F/S Strengthening And Re-Affirming The City Of Albuquerque's Commitment To Addressing Racial And Social Inequity (Peña, Borrego, Sena)

**A motion was made by Councilor Borrego 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 Borrego that this matter be Postponed as Substituted to September 9, 2020. The motion carried by the following vote:**

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

**Excused:** 1 - Harris

**e.** [R-20-79](#)

Extending Interim Regulations For The North 4th Corridor To Implement Development Regulations Until The Integrated Development Ordinance Is Updated With Permanent Regulations For The Area (Benton)

**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, Jones, Peña, and Sena

**Excused:** 1 - Harris

**g.** [R-20-83](#)

Directing That The City Of Albuquerque Explore Opportunities For Promoting Diversity And Decreasing Barriers To Serving On City Boards And Commissions (Peña, Borrego, Sena)

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

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

**Against:** 1 - Bassan

**Excused:** 1 - Harris

**h.** [R-20-84](#)

Directing The City Of Albuquerque's Office Of Equity And Inclusion, Human Resources Department, And The Small Business Office's Workforce Development Liaison To Collaborate With Local Disability Employment Providers To Explore Opportunities For Creating Supported Employment Opportunities Among Persons With Disabilities (Peña,

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

**Excused:** 1 - Harris

**A motion was made by Councilor Peña 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-20-88](#)

Calling For A Stay-Of-Enforcement On The Prohibition Of Mobile Food Trucks And Mobile Vending Carts In The NR-PO-A Zone District (Bassan)

**A motion was made by Councilor Bassan 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

j. [M-20-3](#)

Expressing Support For The Albuquerque Police Department (Bassan)

**A motion was made by Councilor Bassan 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

\*m. [R-20-91](#)

Approving Fiscal Year 2021 Appropriations To Supplement Funding For Eviction Prevention Assistance Programs During The Public Health Emergency (Peña)

**A motion was made by Councilor Peña 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

f. [R-20-82](#)

F/S Making Findings In Connection With The Juan Tabo Hills Estates Public Improvement District's Resolution Authorizing The Issuance And Sale Of Special Levy Revenue Bonds; Ratifying And Approving The Issuance And Sale Of The Juan Tabo Hills Estates Public Improvement District Special Levy Revenue Bonds, Series 2020, As Substantially Consistent With The Requirements Of City Ordinance Enactment No. 0-2003-12 And City Council Resolution Enactment No. R-2017-098 (Harris)

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

**For:** 7 - Bassan, Borrego, Davis, Gibson, Jones, Peña, and Sena

**Against:** 1 - Benton

**Excused:** 1 - Harris

**A motion was made by President Davis 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