



# 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*

*Vacant, 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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Wednesday, January 22, 2020

5:00 PM

Vincent E. Griego Chambers  
One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

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### TWENTY-FOURTH COUNCIL - FIRST MEETING

#### 1. ROLL CALL

**Present** 8 - Isaac Benton, Klarissa Peña, Brook Bassan, Cynthia Borrego, Patrick Davis, Diane Gibson, Trudy Jones, and Don Harris

#### 2. MOMENT OF SILENCE

**Pledge of Allegiance in English and Spanish and any other language as determined by the Council**

#### 15. OTHER BUSINESS: {Reports, Presentations, and Other Items}

##### a. Election of President and Vice-President

*President Peña read the rules for the election of President, Vice-President and Chair of the Committee of the Whole.*

*President Peña opened the floor for nominations for Council President.*

*President Peña nominated Councilor Davis.*

**A motion was made by President Peña that Councilor Davis be elected President by acclamation. The motion carried by the following vote:**

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

*President Peña opened the floor for nominations for Council Vice-President.*

*President Peña nominated Councilor Gibson.*

**A motion was made by Councilor Benton that Councilor Gibson be elected Vice-President by acclamation. The motion carried by the following vote:**

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

**b. Election of Chair of the Committee of the Whole**

*Councilor Peña opened the floor for nominations for Chair of the Committee of the Whole.*

*President Davis nominated Councilor Benton.*

**A motion was made by Councilor Jones that Councilor Benton be elected Committee of the Whole Chair by acclamation. The motion carried by the following vote:**

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

**c. Approval of Committee Appointments**

**A motion was made by Councilor Borrego that the Committee Appointments dated January 22, 2020 be approved. The motion carried by the following vote:**

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

**3. PROCLAMATIONS & PRESENTATIONS**

**4. ECONOMIC DEVELOPMENT DISCUSSION**

**14. FINAL ACTIONS**

- d.**     [O-19-91](#)     F/S Authorizing The Issuance And Sale Of The City Of Albuquerque, New Mexico Taxable Industrial Revenue Bond (Kairos Power Project) Series 2020 In The Maximum Principal Amount Of \$125,000,000 To Provide Funds To Finance The Acquisition, Renovation, Development, Improvement And Equipping Of A Facility For An Advanced Energy

Technology Research And Development Company; Authorizing The Execution And Delivery Of An Indenture, Lease Agreement, Bond Purchase Agreement, Bond, And Other Documents In Connection With The Issuance Of The Bond And The Project (Davis, by request)

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

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

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

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

**e.**     [O-19-92](#)

Approving A Project Involving Kairos Power, LLC 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 Acquisition, Renovation, Development, And Improvement Of Research And Development Facilities In Albuquerque, New Mexico; Authorizing The Execution Of A Project Participation Agreement And Other Documents In Connection With The Project (Davis, by request)

**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 Harris

**c.**     [O-19-90](#)

Approving A Project Involving Faneuil, 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 Customer Service Contact Center Located In Albuquerque, New Mexico; Authorizing The Execution Of A Project Participation Agreement And Other Documents In Connection With The Project (Benton and Bassan, by request)

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

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

## **5. ADMINISTRATION QUESTION & ANSWER PERIOD**

## **7. COMMUNICATIONS AND INTRODUCTIONS**

## **14. FINAL ACTIONS**

**\*n.**     [R-20-9](#)

Naming The City Of Albuquerque Fire Station 7 The "Ken Sanchez Fire Station 7" (Peña, Gibson)

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

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

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

## 6. APPROVAL OF JOURNAL

December 16, 2019

## 8. REPORTS OF COMMITTEES

### 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 March 16, 2020. The motion carried by the following vote:**  
**For:** 8 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, and Harris
- f. [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 February 19, 2020. The motion carried by the following vote:**  
**For:** 8 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, and Harris
- g. [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 February 19, 2020. The motion carried by the following vote:**  
**For:** 8 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, and Harris
- i. [R-19-210](#) Directing The Administration To Prepare An Update To The City’s International Energy Conservation Code (IECC) To Adopt The 2018 Version (Benton, Davis)  
**A motion was made by Councilor Benton that this matter be Postponed to February 3, 2020. The motion carried by the following vote:**  
**For:** 8 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, and Harris

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

*Councilor Borrego pulled item d. EC-19-501 off the Consent Agenda.*

- a. [EC-19-470](#) Mayor's Recommendation of Award to Public Safety Psychology Group, LLC for "Psychological Consultation Services"
- A motion was made by President Davis that this matter be Withdrawn by Administration. The motion carried by the following vote:**
- For:** 8 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, and Harris
- b. [EC-19-477](#) Transmitting the Year End Status Report on FY/19 Objectives
- A motion was made by President Davis that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 8 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, and Harris
- c. [EC-19-488](#) Aviation Department Lease Agreement between the City and the United States Air Force for the lease of Taxiways B and E at the Albuquerque International Sunport
- A motion was made by President Davis that this matter be Approved. The motion carried by the following vote:**
- For:** 8 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, and Harris
- e. [EC-19-524](#) Mayor's Recommendation of WSP USA For City Wide On-Call Engineering Services (Transportation And Storm Drainage)
- A motion was made by President Davis that this matter be Approved. The motion carried by the following vote:**
- For:** 8 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, and Harris
- f. [EC-19-525](#) Mayor's Recommendation of Armstrong Group Inc. For City Wide On-Call Architectural Services For Roofing Systems
- A motion was made by President Davis that this matter be Approved. The motion carried by the following vote:**
- For:** 8 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, and Harris
- g. [EC-19-538](#) Mayor's Recommendation of Award to Intera Geoscience & Engineering Solutions for "City Rail Yards Environmental Cleanup"
- A motion was made by President Davis that this matter be Approved. The motion carried by the following vote:**
- For:** 8 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, and Harris

- h. [R-19-155](#) A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 600 Dallas St NE 87108 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 (Davis, by request)
- A motion was made by President Davis that this matter be Withdrawn by Sponsor. The motion carried by the following vote:**
- For:** 8 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, and Harris
- i. [R-19-205](#) Approving And Authorizing The Filing Of A Grant Application For Revenue Vehicle Purchase With The Federal Transit Administration (FTA) Of The U.S. Department Of Transportation And Providing For An Appropriation To The Transit Department (Benton)
- 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 Harris
- j. [O-18-46](#) Adding A New Article 17 To Chapter 13, ROA 1994 Mandating Employer Paid Sick Leave To Employees Within The City Of Albuquerque; Prescribing Rules And Penalties; Setting An Effective Date (Davis)
- A motion was made by President Davis that this matter be Died on Expiration. The motion carried by the following vote:**
- For:** 8 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, and Harris
- 13. APPROVALS:**
- d. [EC-19-501](#) Request For FY 2020 Substance Use Treatment Voucher Contractors To Exceed \$75,000 Funding Aggregate
- A motion was made by President Davis that this matter be Approved. The motion carried by the following vote:**
- For:** 8 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, and Harris
- 10. GENERAL PUBLIC COMMENTS**
- 11. ANNOUNCEMENTS**
- 12. PUBLIC HEARINGS: {Appeals, SAD Protest Hearings}**
- a. [AC-19-17](#) Project PR-2019-002663, RZ-2019-00043: Sharon & Bill Stepler, Sandy & Bob Lujan, Westside Coalition of NAs, Dr. Joe L. Valles, appeal the Environmental Planning Commission (EPC) decision to approve a Zone

Map Amendment for all or a portion of the northerly 436.01 feet of Lot 1, Block 2, Volcano Cliffs Unit 26 and Lot 1-A-1, Block 3, Volcano Cliffs Unit 26, zoned MX-L to MX-M, located at the southwestern corner and the southeastern corner of the intersection of Paseo del Norte Blvd. NW and Kimmick Dr. NW, containing approximately 16 acres

**A motion was made by Councilor Jones To Accept the Land Use Hearing Officer Recommendation and Findings. Councilor Jones withdrew her motion.**

**A motion was made by Councilor Borrego that this matter be To Reject the Land Use Hearing Officer Recommendation. The motion carried by the following vote:**

**For:** 4 - Benton, Peña, Borrego, and Davis

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

**Excused:** 1 - Harris

**b.** [AC-19-18](#)

Project PR-2019-002811, SI-2019-00158, VA-2019-00288, VA-2019-00416: Richard Chavez appeals the decision of the Development Review Board (DRB) to Deny a Variance for all or a portion of Lots 7-10 Block 44 Perea addition, zoned R-1A, located at the NEC of 15th Street NW and Granite Ave. NW, containing approximately 0.32 acres

**A motion was made by President Davis that this matter be referred to the Environmental Planning Commission. The motion carried by the following vote:**

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

**Excused:** 1 - Harris

## **14. FINAL ACTIONS**

**h.** [R-19-198](#)

A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 2405 Quincy NE, Albuquerque NM 87110 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 (Gibson)

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

**For:** 6 - Benton, Bassan, Borrego, Davis, Gibson, and Jones

**Against:** 1 - Peña

**Excused:** 1 - Harris

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

- \*a. [EC-20-1](#) Mayor's Recommendation of Sam Sterling Architecture for Architectural Consultants for Heritage Farm at the Albuquerque BioPark, 2601 Central Ave. NW

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

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

**Excused:** 1 - Harris

## 14. FINAL ACTIONS

- b. [O-19-85](#) Amending The Metropolitan Redevelopment Agency (MRA) Ordinance (Section 14-8-4-1 et. seq.) To Include In All Lease Agreements For Metropolitan Revenue Bond Funded Projects, An Annual Fee Equivalent To Ten Percent Of The Annual Abated Property Taxes On The Incremental Property Valuation, And To Direct The Deposit Of The Fee Into The MRA Account (Borrego, by request)

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

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

**Excused:** 1 - Harris

- j. [R-19-218](#) Amending The Adopted Capital Implementation Program Of The City Of Albuquerque By Approving New Projects, Supplementing Current Appropriations And Changing The Scope Of Existing Projects (Peña, by request)

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

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

**Excused:** 1 - Harris

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

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

**Excused:** 1 - Harris

**A motion was made by Councilor Benton that this matter be Amended. Councilor Benton moved Amendment No. 3. The motion carried by the following vote:**

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

**Excused:** 1 - Harris

**A motion was made by Councilor Jones that this matter be Amended.**



**Councilor Jones moved Amendment No. 4. The motion carried by the following vote:**

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

**Excused:** 1 - Harris

**A motion was made by Councilor Jones that this matter be Amended. Councilor Jones moved Amendment No. 5. The motion carried by the following vote:**

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

**Excused:** 1 - Harris

**A motion was made by Councilor Peña that this matter be Amended. Councilor Peña moved Amendment No. 6. The motion carried by the following vote:**

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

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

**Excused:** 1 - Harris

**k. [R-19-221](#)**

Establishing That The City Should Not Collect, And Should Withdraw Any Demands For Collection, Of Any Fees And Costs Associated With Law Suits Relating To Its Investigation Of The Death Of Attorney, Mary Han (Gibson)

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

**For:** 3 - Benton, Davis, and Gibson

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

**Excused:** 1 - Harris

**l. [R-19-222](#)**

Supplementing Fiscal Year 2019 General Fund Appropriations To Provide Additional Resources For Voluntary Zone Conversions (Benton, Jones)

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

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

**Excused:** 1 - Harris

**m. [RA-19-6](#)**

Amending Article II, Section 4 Of The City Council Rules Of Procedure To Establish The "Public Safety Committee" As A Standing Committee Of The City Council (Davis)

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

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

**Excused:** 1 - Harris

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

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

**Excused:** 1 - Harris