



# 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, March 1, 2021

3:00 PM

Via Zoom Video Conference

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### TWENTY-FOURTH COUNCIL - TWENTY-EIGHTH 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

Councilor Harris led the Pledge of Allegiance in English.

Councilor Benton led the Pledge of Allegiance in Spanish.

#### 3. PROCLAMATIONS & PRESENTATIONS

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

##### a. Approval of Revised Committee Appointments

A motion was made by President Borrego that the Revised Committee Appointments be Approved. The motion carried by the following vote:

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

#### 14. FINAL ACTIONS

##### f. [RA-21-4](#)

Amending Article II, Section 4; And Article III, Section 21 Of The City Council Rules Of Procedure Relating To The Committees Of The Council (Borrego)

A motion was made by President Borrego that this matter be Amended. President Borrego 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 President Borrego 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

c. [R-21-130](#)

Establishing A City Healthy Communities, Public Health, And Sustainability Policy Committee (Borrego)

**A motion was made by Councilor Peña that this matter be Postponed to April 5, 2021. The motion carried by the following vote:**

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

## 10. GENERAL PUBLIC COMMENTS

## 4. ECONOMIC DEVELOPMENT DISCUSSION

## 5. ADMINISTRATION QUESTION & ANSWER PERIOD

## 6. APPROVAL OF JOURNAL

February 17, 2021

## 7. COMMUNICATIONS AND INTRODUCTIONS

## 8. REPORTS OF COMMITTEES

Public Safety Committee - February 23, 2021

Committee of the Whole - February 25, 2021

### Deferrals/Withdrawals

a. [O-20-39](#)

Enacting The Healthy Families And Workplaces Ordinance To Require That Employers In The City Provide Paid Leave To Employees (Sena, Davis)

**A motion was made by Councilor Sena that this matter be Postponed to April 5, 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-21-236](#) Performance Measure Revamp Objective - Second Quarter Update
- A motion was made by Vice-President Gibson that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- b. [EC-21-238](#) Report of FY/20 Outstanding Encumbrances Reappropriated in FY/21
- A motion was made by Vice-President Gibson that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- c. [EC-21-253](#) Approving the Real Estate Sales Agreement for Lot numbered One (1) of Block numbered Three (3) of the IVES ADDITION, Containing approx.0.32+/- acres
- 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-21-254](#) Early Head Start Quarterly Report for October, November and December 2020
- A motion was made by Vice-President Gibson that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- e. [EC-21-255](#) Staff Telecommuting Cost-Benefit Analysis for Certain City Employees
- A motion was made by Vice-President Gibson that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- f. [EC-21-256](#) Mayor's appointment of Mr. Augustine Chris Baca 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:** 9 - Bassan, Benton, Borrego, Davis, Gibson, Harris, Jones, Peña, and Sena
- g. [EC-21-257](#) Mayor's appointment of Mrs. Jennifer Brown to the Early Head Start Program Governance 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
- h. [EC-21-258](#) Mayor's appointment of Mr. Don McIver to the Transit 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

i. [EC-21-259](#)

Mayor's appointment of Mr. Robert J. Vigil 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

j. [EC-21-260](#)

Mayor's re-appointment of Ms. Margaret Lopez 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

k. [EC-21-261](#)

Mayor's appointment of Mr. Robert Cialone 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

l. [EC-21-262](#)

Mayor's re-appointment of Mr. Robert Nelson 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

m. [R-20-22](#)

A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 412 Georgia 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 (Davis, by request)

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

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

n. [R-21-129](#)

Approving And Authorizing The Acceptance Of Grant Funds From Living Cities And Providing An Appropriation To The Legal Department For Fiscal Years 2021 And 2022 (Sena, 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-20-15](#) Project PR-2020-004381, VA-2020-00306, VA-2020-00307, VA-2020-00308, VA-2020-00440, VA-2020-00441, VA-2020-00442: Steven Hernandez, agent for RM 4102-405 LLC, appeals the Zoning Hearing Examiners decision to Deny a variance of 3ft to the 3ft maximum wall height for Lot 7, Martineztown Plan Phase 7, located at 405 Martin Luther King Ave NE, zoned MX-T [Section 14-16-5-7-D]

**A motion was made by Vice-President Gibson 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-20-16](#) Project PR-2020-004381, VA-2020-00306, VA-2020-00307, VA-2020-00308, VA-2020-00440, VA-2020-00441, VA-2020-00442: Steven Hernandez, agent for RM 4102-405 LLC, appeals the Zoning Hearing Examiners decision to Deny a variance of 3ft to the 3ft maximum wall height for Lot 6A, Brooks Harold, located at 401 Edith Blvd NE, zoned MX-L [Section 14-16-5-7-D]

**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

- c. [AC-20-17](#) Project PR-2020-004381, VA-2020-00306, VA-2020-00307, VA-2020-00308, VA-2020-00440, VA-2020-00441, VA-2020-00442: Steven Hernandez, agent for RM 4102-405 LLC, appeals the Zoning Hearing Examiners decision to Deny a variance of 3ft to the 3ft maximum wall height for Lot 5, Block 4, Belvidere Addn, located at 405 Edith Blvd NE, zoned MX- L [Section 14-16-5-7-D]

**A motion was made by Councilor Bassan 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

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

## 14. FINAL ACTIONS

- b. [R-20-127](#) Requiring The Transfer Of All Excess Parking Division Revenue To The

Metropolitan Redevelopment Fund (Benton, Davis)

**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 Bassan that this matter be Postponed as Amended to March 15, 2021. The motion carried by the following vote:**

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

d. [R-21-133](#)

Commissioning An Update To The 2014 Social Service Gap Analysis Study And Adjusting Fiscal Year 2021 General Fund Appropriations To Provide Funding For That Purpose (Peña)

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

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

e. [R-21-134](#)

Establishing A Priorities List For The City Of Albuquerque's Future Open Space Land Acquisitions; Identifying Immediate Priorities And Special Provisions For Certain Properties (Borrego and Sena, by request)

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

\*g. [M-21-9](#)

Supporting The Passage Of Proposed State Legislation, House Bill 156, An Act Relating To Crime; Prescribing A Penalty For Criminal Sexual Penetration By A Peace Officer On A Suspect, Victim, Witness Or Detained Person (Sena)

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

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