



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, December 20, 2021

3:00 PM

Via Zoom Video Conference

TWENTY-FOURTH COUNCIL - FORTY-SEVENTH 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

Vice-President Gibson led the Pledge of Allegiance in English.
Councilor Sena 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

December 6, 2021

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

Finance and Government Operations Committee - December 13, 2021

DEFERRALS/WITHDRAWALS

- c. [R-21-225](#) Approving A Form Of Master Development Agreement For Implementation Of The South Campus Tax Increment Development District; Repealing All Actions Inconsistent With This Resolution (Benton, Davis by request)

A motion was made by Councilor Benton that this matter be Postponed to January 19, 2022. 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-21-466](#) Mayor's Recommendation of Award to Mitchell International for "Workers' Compensation Cost Containment Service-Pharmacy Benefit Management"

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-21-467](#) Mayor's Recommendation of Award to Jarrett Walker & Associates, LLC for "ABQ RIDE System Evaluation and Redesign"

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

- c. [EC-21-468](#) Approval of the Calle Cuarta Development Agreement with YES Housing to Utilize Workforce Housing Trust Funds and Convey City-owned property towards the Development of a Mixed-used Affordable Rental Housing Project

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-21-476](#) Agreement with Aegis Solutions

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

- e. [EC-21-477](#) Mayor's reappointment of Mr. Stephen Pilon 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

f. [EC-21-478](#)

Mayor's reappointment of Mr. Juan B. Montoya to the Labor-Management 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

g. [EC-21-479](#)

Mayor's Re-appointment of Mrs. Samia Assed 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

h. [EC-21-480](#)

Lease Agreement between North Fourth Art Center formerly known as VSA Arts of New Mexico, a non-profit company and the City of Albuquerque for 4904 Fourth Street NW

**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

*i. [EC-21-482](#)

Approving a Supplemental Agreement with Jaramillo Law Firm PC

**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. [OC-21-51](#)

Re-Appointment of Cynthia Serna 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

k. [R-21-210](#)

Approving And Authorizing The Mayor To Execute A One-Time Grant Agreement With The New Mexico Early Childhood Education And Care Department Services In Partnership With Southwest Region Education Cooperative, And Providing An Appropriation To The Department Of Family And Community Services, Division Of Child & Family Development For Fiscal Year 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

- I. [O-21-77](#) Amending Article 20 Of Chapter 13 Of The Revised Ordinances Of Albuquerque (The “Albuquerque Tax Preparer And Consumer Rights Ordinance”) Regarding Requirements For Tax Preparation Services (Davis, by request)
- A motion was made by Vice-President Gibson that this matter be Withdrawn by Sponsor. 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}

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

- a. [EC-21-483](#) Appointment of Gene Gallegos to the position of Chief of the Albuquerque Fire Department
- 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

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

- a. [EC-21-493](#) Veto Of 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 Except During Certain Special Events, Removing Los Altos Park From The List Of City Parks Where Public Alcohol Consumption Is Permitted, Funding A Feasibility Study And Design Analysis Report To Construct A Foot Path Around The Perimeter Of Los Altos Golf Course
- A motion was made by Vice-President Gibson that this matter be Overridden [Override attempt failed]. The motion failed by the following vote:**
- For:** 5 - Bassan, Benton, Davis, Gibson, and Jones
- Against:** 4 - Borrego, Harris, Peña, and Sena

14. FINAL ACTIONS

- m. [O-21-78](#) Amending Chapter 9, Article 4, Part 1 ROA 1994, The Police Oversight Ordinance (Bassan, Benton, Davis, Sena)
- A motion was made by Councilor Bassan that this matter be pulled out of the Public Safety Committee and be placed on the January 19, 2022 Council Agenda. The motion carried by the following vote:**

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

b. [O-21-79](#)

Amending The Open Space Trust Fund And Land Administration Ordinance To Authorize The Use Of The Fund For Open Space Acquisitions; Amending A Relevant Cross Reference Within The Open Space Advisory Board Ordinance; And Amending Section 2-12-1, Capital Improvements Program Intent And Scope, To Make Permanent The Two Percent CIP Set Aside For Open Space Acquisitions (Harris)

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

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

Against: 1 - Gibson

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

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

Excused: 1 - Gibson

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

For: 5 - Bassan, Borrego, Harris, Peña, and Sena

Against: 4 - Benton, Davis, Gibson, and Jones

A motion was made by Councilor Benton that this matter be Postponed to January 19, 2022. The motion failed by the following vote:

For: 4 - Benton, Davis, Gibson, and Jones

Against: 5 - Bassan, Borrego, Harris, Peña, and Sena

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

For: 5 - Bassan, Borrego, Harris, Peña, and Sena

Against: 4 - Benton, Davis, Gibson, and Jones

d. [R-21-228](#)

The City Of Albuquerque Expresses Its Appreciation For The Acquisition Of The La Cuentista Open Space, Encourages The Conservation Of The Site And Directs The Administration To Prepare A West Mesa Open Space Trails Plan (Borrego, Sena)

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, Harris, Jones, Peña, and Sena

Excused: 1 - Gibson

***g.** [O-21-85](#)

F/S Authorizing The Issuance And Sale Of The City Of Albuquerque, New Mexico Tax Exempt Industrial Revenue Bonds (Hope Christian Schools, Inc. Project), Series 2022 In The Maximum Principal Amount Of \$8,500,000 To (i) Refinance The Acquisition, Construction, Improvement And Equipping Of An Educational Facility (ii) Fund Any Required Reserve Funds, And (iii) Pay Expenses Related To Issuance Of The Bonds; Authorizing The Execution And Delivery Of A Financing Agreement, Bonds, And Other Documents In Connection With The Issuance Of The Bonds And The Project; Making Certain Determinations And Findings Relating To The Bonds And The Project; Ratifying Certain Actions Taken Previously; And Repealing All Actions Inconsistent With This Ordinance (Bassan, By request)

A motion was made by Councilor Bassan 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 Bassan 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. [O-21-76](#)

Adopting A Uniform Administrative Code And Technical Codes Prescribing Minimum Standards Regulating The Construction, Alteration, Moving, Repair And Use And Occupancies Of Buildings And Structures And Building Service Equipment And Installations Including Plumbing, Swimming Pools, Electrical, Mechanical, Signs, Solar, Energy Conservation, Building Conservation And The Abatement Of Dangerous Buildings Within The City Of Albuquerque; Providing For The Issuance Of Permits And Collecting Fees Therefore; Repealing Chapter 14, Article 1, ROA 1994, The Present Uniform Administrative Code And Technical Codes Including The Building Code, The Plumbing Code, The Swimming Pool Code, The Mechanical Code, The Solar Energy Code, The Electrical Code, Providing For Penalties For Violation Of The Code (Jones, by request)

A motion was made by Councilor Jones 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

e. [R-21-229](#)

Denouncing Xenophobia, Anti-Asian American Pacific Islander (AAPI)

Sentiments And Condemning Harmful Rhetoric, Racist Acts, And Hate Crimes Targeting Asian-Pacific Americans Stemming From People's Reaction To The COVID-19 Pandemic (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

f. [R-21-231](#)

Directing The City Of Albuquerque To Provide Language Access To Make Information And Services More Accessible To All City Residents, Regardless Of Their Ability Or English Proficiency (Sena, Peña, Benton, Davis)

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

*h. [O-21-86](#)

Amending Chapter Two, Article One, Of The Revised Ordinances Of Albuquerque Relating To The Operations And Meetings Of The City Council To Repeal Sections Already Addressed By Rule Or Charter (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

*i. [R-21-220](#)

Calling For The City Of Albuquerque To Explore Alternative Forms Of Government Through A Study To Be Presented To City Leadership; Identifying Key Aspects Of The Study (Gibson, Davis, Jones)

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

For: 4 - Benton, Davis, Gibson, and Jones

Against: 4 - Bassan, Borrego, Peña, and Sena

Excused: 1 - Harris

*j. [R-21-227](#)

Appropriating Funds To The Capital Implementation Program For The 2021 General Obligation Program (Peña by request)

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

***k.** [R-21-233](#)

Approving The Transit Department's Equity Analysis For The Zero Fare Pilot Beginning On January 1, 2022 (Benton, Davis, Sena, Peña, 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

***l.** [R-21-234](#)

Appropriating Federal Funds For An Intelligent Transportation System Traffic Signal Project On Louisiana Boulevard (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