



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

Monday, June 29, 2020

3:00 PM

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

TWENTY-FOURTH COUNCIL - THIRTEENTH MEETING SPECIAL MEETING

1. ROLL CALL

Present 9 - Isaac Benton, Klarissa Peña, Brook Bassan, Cynthia Borrego, Patrick Davis, Diane Gibson, Trudy Jones, Don Harris, and Lan Sena

2. MOMENT OF SILENCE

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

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

June 15, 2020

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

Finance & Government Operations Committee - June 22, 2020

Deferrals/Withdrawals

- d. [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 August 3, 2020. The motion carried by the following vote:**
- For:** 9 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, Harris, and Sena
- i. [R-20-75](#) 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 Postponed to August 17, 2020. The motion carried by the following vote:**
- For:** 9 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, Harris, and Sena
- 9. CONSENT AGENDA: {Items may be removed at the request of any Councilor}**
- a. [EC-20-84](#) Approval of the Risk Agreement for FY21 Outside Counsel Legal Services between Kennedy, Moulton & Wells, P.C. and the City of Albuquerque
- A motion was made by Vice-President Gibson that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, Harris, and Sena
- b. [EC-20-85](#) Approval of the Risk Agreement for FY21 Expert Witness Services between Peter Winograd and the City of Albuquerque
- A motion was made by Vice-President Gibson that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, Harris, and Sena
- c. [EC-20-86](#) Approval of the Risk Agreement for FY21 Outside Counsel Legal Services between German * Burnette & Associates, LLC and the City of Albuquerque
- A motion was made by Vice-President Gibson that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, Harris, and Sena
- d. [EC-20-87](#) Approval of the First Supplemental Agreement to add monies for FY20 Outside Counsel Legal Services between Kennedy, Moulton, & Wells, P.C and the City of Albuquerque

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

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

e. [EC-20-88](#)

Approval of the Risk Agreement for FY21 Outside Counsel Legal Services between Lorenz Law and the City of Albuquerque

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

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

f. [EC-20-89](#)

Approval of the Risk Agreement for FY21 Outside Counsel Legal Services between Law Office of Jonlyn M. Martinez, LLC and the City of Albuquerque

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

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

g. [EC-20-90](#)

Approval of the Risk Agreement for FY21 Outside Counsel Legal Services between Garcia Law Group, LLC and the City of Albuquerque

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

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

h. [EC-20-91](#)

Approval of First Supplemental Agreement to add ABEC fund monies to the FY20 Social Service Contract with Youth Development, Inc., for stipends to students completing Job Shadowing for the Job Mentor Program

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

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

i. [EC-20-92](#)

Approval of First Supplemental Agreement to add general fund monies to the FY20 Social Service Contract with Albuquerque Public Schools, for stipends for teachers coordinating the Job Mentor Program

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

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

j. [EC-20-93](#)

Agreement with Personnel Hearing Officers' Judith Durzo, Rita Siegel, William Babington, and Ripley Harwood to provide services as a hearing officer

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

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

- k. [EC-20-94](#) Second Amendment to the Aerospace Technology Park Facility Lease and Agreement between the City of Albuquerque Aviation Department and the Southwest Aeronautics, Mathematics, and Science Academy ("SAMS")

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

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

- l. [EC-20-95](#) Approval of the First Supplemental Agreement to add monies for FY20 Outside Counsel Legal Services between YLAW P.C. and the City of Albuquerque

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

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

- m. [EC-20-96](#) Visit Albuquerque Eighth Supplemental Agreement

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

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

- n. [R-20-66](#) Approving The Transit Department's Public Transit Agency Safety Plan (Benton, by request)

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

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

10. GENERAL PUBLIC COMMENTS

11. ANNOUNCEMENTS

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

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

14. FINAL ACTIONS

- g. [R-20-73](#) F/S Adjusting Fiscal Year 2020 Appropriations For Certain Funds And Programs Due To The Fiscal Impact Of The COVID-19 Public Health Emergency On City Revenues And Expenses (Benton, by request)

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

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

A motion was made by Councilor Borrego that this matter be Amended. Councilor Borrego withdrew her Amendment.

A motion was made by Vice-President Gibson to call the question. The motion failed by the following vote:

For: 6 - Benton, Peña, Davis, Gibson, Harris, and Sena

Against: 3 - Bassan, Borrego, and Jones

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, Harris, and Sena

Against: 1 - Jones

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

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

***k.** [R-20-27](#)

Establishing The Order Of Community Planning Area Assessments For 2020-2024 (Benton, Jones)

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

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

e. [R-20-62](#)

Approving The North Corridor Metropolitan Redevelopment Area Plan (Benton, 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 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, Harris, and Sena

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

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

h. [R-20-74](#)

Approving And Authorizing The Filing Of Grant Applications And The Acceptance Of Potential Grant Awards For Multiple City Departments From Associated Grantor Agencies And Providing For An Appropriation To The City Of Albuquerque For Fiscal Year 2021 And Adjusting Fiscal Year 2020 Appropriations; And Appropriating Capital Funds (Gibson, by request)

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

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

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

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

j. [R-20-76](#)

Approving And Authorizing The Filing Of A Grant Application For Emergency Relief Funding With The Federal Transit Administration (FTA) Of The U.S Department Of Transportation By The Transit Department (Benton, 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 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, Harris, and Sena

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

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

f. [R-20-72](#)

Authorizing Support For A Memorandum Of Understanding Among The City Of Albuquerque, The County Of Bernalillo, And The Board Of Regents Of The University Of New Mexico To Allow For The Creation And Operation Of A Homeless Coordinating Council; Supporting Solutions To End Homelessness; Expressing The City's Willingness To Provide Resources And Support To Maximize The Effectiveness, Efficiency, And Fairness Of Homelessness Solution Systems (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: 9 - Benton, Peña, Bassan, Borrego, Davis, Gibson, Jones, Harris, 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: 7 - Benton, Peña, Bassan, Borrego, Jones, Harris, and Sena

Against: 2 - Davis, and Gibson

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

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

Against: 1 - Peña

a. [O-20-24](#)

F/S Requiring Employers To Provide And Require Face Masks For Employees; Requiring Notice That Employees, Customers And Third Parties Must Wear Face Masks (Benton, Sena, Borrego)

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

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

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

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

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

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

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

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

A motion was made by President Davis that the rules be suspended for the purpose of allowing O-20-24 to be adopted the same evening it is substituted. The motion carried by the following vote:

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

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

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

b. [O-20-25](#)

Establishing The Public Health Emergency Premium Pay Ordinance; Setting Premium Pay Amounts For Large Essential Employees; Establishing Procedures For Implementation And Enforcement (Benton, Sena)

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

Against: 1 - Borrego

A motion was made by Councilor Benton to call the question. The motion failed by the following vote:

For: 3 - Benton, Gibson, and Sena

Against: 6 - Peña, Bassan, Borrego, Davis, Jones, and Harris

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

For: 2 - Benton, and Sena

Against: 7 - Peña, Bassan, Borrego, Davis, Gibson, Jones, and Harris

c. [O-20-26](#)

Adopting A Paid Sick Leave Ordinance; Requiring Temporary Public Health Emergency Sick Leave (Benton, Sena)

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

For: 3 - Benton, Davis, and Sena

Against: 6 - Peña, Bassan, Borrego, Gibson, Jones, and Harris

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

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