



City of Albuquerque

Albuquerque/Bernalillo
County
Government Center
One Civic Plaza
Albuquerque, NM
87102

Agenda 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, December 7, 2020

3:00 PM

Via Zoom Video Conference

TWENTY-FOURTH COUNCIL - TWENTY-THIRD MEETING

Special Procedures for December 7, 2020 City Council Meeting

Attendance: In response to the Governor's declaration of a Public Health Emergency and ban on large public gatherings, the City Council meeting on Monday, December 7 at 3:00 pm will be held via Zoom video conference.

Viewing: Members of the public will have the ability to view the meeting through GOVTV on Comcast Channel 16, or to stream live on the GOVTV website at <https://www.cabq.gov/culturalservices/govtv>, or on YouTube at <https://youtu.be/N4xjkiDj8V8>. The live streams can be accessed at these addresses from most smartphones, tablets, or computers.

The video recording of this and all past meetings of the City Council will also remain available for viewing at any time on the City's website. Council Staff is available to help members of the public access pre-recorded Council meetings on-line at any time during normal business hours. Please call 505-768-3100 for assistance.

Instructions to Provide Public Comments

- **Written Comments:** The Council will continue to take general public comment and comment on the meeting's specific agenda items in written form via email through 1:00 pm on Monday, December 7. Web form submission for written public comment can be found at <https://www.cabq.gov/dec-7-2020-written>. These comments will be distributed to all Councilors for review in advance of the meeting.

- **Virtual, Live Comments:** The Council will take general public comment on any topic, including agenda items, from up to a maximum of 20 people, on a first-come first-serve basis. To provide real time verbal public comment over Zoom, participants must sign up for public comment by 1:00 p.m. on Monday, December 7. The sign-up sheet can be accessed at this link: <https://www.cabq.gov/dec-7-2020-live>. Participants have the ability to select if they require Spanish language interpretation when signing up.
 - **Note:** Participants must sign up for public comment with the Zoom username or phone number that you will use to enter the Zoom meeting so that you can be identified when accessing the meeting. Persons who do not provide this information will not be allowed into the meeting, but may still view the meeting via the YouTube live link or through GOVTV.

- Participants will standby in the Zoom virtual waiting room until the public comment period begins. The Zoom moderator will move all participants who have signed up for comment into the meeting room at that time.
 - Access the Zoom waiting room by following this link, entering the room information manually, or by calling in via telephone:
 - [https://cabq.zoom.us/j/97115153238?](https://cabq.zoom.us/j/97115153238?pwd=WIJpWmhkMmttQmRoM3JhaW1tTzFCdz09)
 - Meeting ID: 971 1515 3238 // Password: 159796
 - (669) 900-6833 // 97115153238 #
 - Although participants will not be able to view the meeting via Zoom while idle in the waiting room, participants can watch on YouTube live or GOVTV.

- Once in the Zoom meeting room, the participants will be unable to unmute themselves or turn on their camera. The Zoom moderator will unmute and enable cameras (if applicable) at the time your name is called for public comment.

- If you are also watching on YouTube or GOVTV, please note that the online stream lags approximately 10 seconds behind the Zoom meeting. Please mute or pause the online stream once you are in the Zoom meeting room to avoid feedback between the Zoom meeting room and the online broadcast.

- Public comment will be limited to 1 ½ minutes, which starts when you begin speaking. You will be informed when your time has concluded, at which point your microphone will be muted and your camera will be turned off.

- Participants will be moved out of the Zoom meeting once your comment period has ended.

Public Comment ground rules:

- Each participant has 1 ½ minutes to present.
- Comments are to be addressed to the Councilors only, through the Council President.
- Any disruptive conduct will result in removal from the Zoom meeting room.

1. ROLL CALL

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**

November 16, 2020

7. COMMUNICATIONS AND INTRODUCTIONS**8. REPORTS OF COMMITTEES****9. CONSENT AGENDA: {Items may be removed at the request of any Councilor}**

- a. [EC-20-192](#) Early Head Start Quarterly Report for January, February and March 2020
- b. [EC-20-193](#) Early Head Start Quarterly Report for April, May and June 2020
- c. [EC-20-194](#) Early Head Start Quarterly Report for July, August and September 2020
- d. [EC-20-197](#) Approval of Parametrix, Inc. Other Government Contract
- e. [EC-20-199](#) 10 Tanker Air Carrier Lease and Operating Agreement
- f. [EC-20-200](#) Revenue & Expense Report for Third Quarter Fiscal Year 2020
- g. [EC-20-202](#) Mayor's Appointment of Ms. Jennifer Roth to the Senior Affairs Advisory Council
- h. [EC-20-203](#) Mayor's Appointment of Dr. Bernadine Hernández to the Arts Board
- i. [EC-20-204](#) Mayor's Appointment of Mr. James L. Hartogensis to the Albuquerque Housing Authority Board
- j. [EC-20-205](#) Mayor's Appointment of Ms. Dubra F. Karnes-Padilla to the Senior Affairs Advisory Council

- k. [EC-20-206](#) Approval of the First Supplemental Agreement to add monies for FY21 Outside Counsel Legal Services Between Lorenz Law and the City of Albuquerque
- l. [EC-20-207](#) Approval of the Agreement for FY21 outside Counsel Legal Services between Walz & Associates, P.C. and the City of Albuquerque
- m. [EC-20-208](#) Approval of the Second Supplemental Agreement to add monies for FY21 outside Counsel Legal Services between YLaw P.C. and the City of Albuquerque
- n. [EC-20-209](#) Approval of the First Supplemental Agreement to add monies for FY21 outside Counsel Legal Services between John Stiff and Associates and the City of Albuquerque
- o. [EC-20-210](#) Approval of the Hiland Plaza Development Agreement with Greater Albuquerque Housing Partnership (GAHP) to Utilize HUD HOME Funding Towards the Development of a Multi-Family Rental Housing Project
- p. [EC-20-211](#) Lease Agreement between the Albuquerque Hispano Chamber of Commerce and the City of Albuquerque
- q. [EC-20-213](#) Approval of the First Supplemental Agreement to add monies for FY21 outside Counsel Legal Services between German * Burnette & Associates, LLC and the City of Albuquerque
- r. [OC-20-13](#) Office of Inspector General's Annual Report for Fiscal Year 2020
- s. [OC-20-14](#) Office of Internal Audit's Annual Report for Fiscal Year 2020
- t. [OC-20-16](#) 2020 Update of Neighborhood Sign Manual
- u. [R-20-110](#) Approving The FY2021 Audit Plan As Submitted By The Accountability In Government Oversight Committee (Gibson, by request)

10. GENERAL PUBLIC COMMENTS

Please refer to the statement "Special Procedures for December 7, 2020 City Council Meeting" at the beginning of the Council Agenda.

11. ANNOUNCEMENTS

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

- a. [AC-20-10](#) Project PR-2020-003911, VA-2020-00143, VA-2020-00313: Los Altos Civic Association, Appeals The Decision Of The Zoning Hearing Examiners Decision To Approve A Conditional Use To Allow For A Light Vehicle Fueling Station Adjacent To A Residential Zone District For

Commercial Tract, Block 5, Los Altos, Located At 99999 Bridge Blvd SW, Zoned MX-M [Section 14-16-4-3(D)(17)(i)]

- b. [AC-20-11](#) Project PR-2020-003911, VA-2020-00144, VA-2020-00315: Los Altos Civic Association, Appeals The Zoning Hearing Examiners Decision To Approve A Conditional Use To Allow For Liquor Sale Within 500 Feet Of Residential For Commercial Tract, Block 5, Los Altos, Located At 99999 Bridge Blvd SW Zoned MX-M [Section 14-16-4-3(D)(36)(c)]

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

- a. [EC-19-436](#) Tony Sanchez Drive Right of Way Vacation (Project# PR-2019-002296 SD-2019-00072) Willow Wood Homeowner's Association requests Vacation Of Public Right-Of-Way for all or a portion of Tony Sanchez Drive SE located south of Jewel Cave Rd SE and north of Gibson Ave SE, containing approximately .154 acres
[The intent is to defer EC-19-436 to the February 1, 2021 Council meeting.]
- b. [EC-20-189](#) Metropolitan Redevelopment Agency 2020 Annual Report
- c. [EC-20-198](#) Mayor's Recommendation of Award to CAA ICON for "Multi-Purpose Soccer Stadium Feasibility Study"
- d. [EC-20-212](#) Albuquerque Arts Board Recommendation to Support Race Healing and History Project (RHHP) Community Solutions Table Recommendations regarding La Jornada

14. FINAL ACTIONS

- 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)
- b. [O-20-40](#) Prohibiting Persons From Interfering With Or Impeding The City's Enforcement Of Public Health Laws, Orders Or Restrictions (Benton, Borrego)
- c. [O-20-41](#) Amending Sections 14-7-1-1, 14-7-1-2, 14-7-1-3, 14-7-1-4, 14-7-1-5, 14-7-2-2, And 14-7-2-3 Of The Selection Advisory Committee Ordinance To Incorporate Design-Build Services Into The Selection Advisory Committee Process (Benton, by request)
- d. [R-20-108](#) Revising The Reporting Requirements Regarding The Efforts Of The Homeless Coordinating Council (Bassan)
- e. [R-20-113](#) Establishing Federal Programming And Policy Priorities For The City Of Albuquerque For Federal Fiscal Years 2021/2022 (Peña)
[The intent is to defer R-20-113 to the January 4, 2021 Council meeting.]

- f. [R-20-114](#) Establishing Legislative And Budget Priorities For The City Of Albuquerque For The 55th New Mexico State Legislature (Peña)
- g. [R-20-115](#) Requesting That The Congress Of The United States Of America Continue The Public Health Emergency Leave Provisions Of The Emergency Family And Medical Leave Expansion Act Through December 31st, 2021 (Bassan, Gibson, Borrego)
- h. [R-20-116](#) Amending R-17-233, Enactment Number R-2017-095, To Extend The Effective Date Of The Interim Procedures While The Neighborhood Association Recognition Ordinance Is Updated (Benton)
- i. [R-20-117](#) Adjusting Fiscal Year 2020 Appropriations For Certain Funds And Programs To Provide For Actual Expenditures And Adjusting Fiscal Year 2021 Operating And One-Year Objectives (Benton, by request)
- j. [R-20-118](#) 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 (Benton, by request)
- *k. [O-20-42](#) Amending The Labor Management Relations Ordinance To Ensure Compliance With Changes To State Law Regarding Public Employee Bargaining, Clarify Negotiation And Prohibited Practice Procedures, And More Accurately Reflect The Current Practices And Updated Department Names Of The City (Sena, by request)
- *l. [O-20-43](#) Adopting A Zoning Map Amendment For A 19.67 Acre Site Known As Porters Replat Portion SW 1/4 SE 1/4 Sec 3 T10N R3E, 3000 Aztec Rd. NE, Changing Existing NR-C Zone To R-MC In Order To Codify A Conforming Use Status On The Site (Gibson, by request)
- *m. [O-20-44](#) Approving A Project Involving A Multinational Company, Netflix Studios 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, Construction, Improvement And Rehabilitation Of Entertainment Production Facilities And Related Real Property Located In Albuquerque, New Mexico; Authorizing The Execution Of A Project Participation Agreement And Other Documents In Connection With The Project Including The Incorporation Of The Company's Existing Project Participation Agreement Into The New Agreement; Making Certain Determinations And Findings Relating To The Project; Ratifying Certain Actions Taken Previously; And Repealing All Actions Inconsistent With This Ordinance (Davis)
- *n. [O-20-45](#) Authorizing The Issuance And Sale Of The City Of Albuquerque, New Mexico Taxable Industrial Revenue Bonds (Netflix Studios Project), Series 2020 In One Or More Series Which When Combined Would Be In The Maximum, Aggregate Principal Amount Of \$500,000,000 To Provide

Funds To Finance The Acquisition, Construction, Improvement, Rehabilitation And Equipping Of Entertainment Production Facilities; Authorizing The Execution And Delivery Of An Indenture, Lease Agreement, Bond Purchase Agreement, Bonds, Infrastructure Improvements Agreement 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 (Davis)

- *o. [R-20-122](#) Directing That No New Changes Or Actions Occur With Respect To The La Jornada Art Installation At The Albuquerque Museum Until After The Completion Of The Criminal Investigation Into The June 5, 2020 Incidents At That Location (Borrego)

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

*IF THE PROPER ACTION IS TAKEN BY THE COUNCIL, THESE ITEMS WILL BE PLACED ON TODAY'S AGENDA FOR FINAL ACTION OR DISCUSSION.

NOTICE TO PERSONS WITH DISABILITIES: If you have a disability and require special assistance to participate in this meeting, please contact the Council Office as soon as possible before the meeting date at 505-768-3100. Those in need of hearing assistance may call 711.

Visit our Website at <http://www.cabq.gov/council>