



City of Albuquerque

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

Action Summary

City Council

Council President, Klarissa J. Peña, District 3

Vice-President, Cynthia D. Borrego, District 5

Ken Sanchez, District 1; Isaac Benton, District 2

Brad Winter, District 4; Patrick Davis, District 6

Diane G. Gibson, District 7; Trudy E. Jones, District 8

Don Harris, District 9

Monday, May 6, 2019

5:00 PM

Vincent E. Griego Chambers

One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

TWENTY-THIRD COUNCIL - THIRTY-FIFTH MEETING

1. ROLL CALL

Present 9 - Klarissa Peña, Cynthia Borrego, Ken Sanchez, Isaac Benton, Brad Winter, Patrick Davis, Diane Gibson, Trudy Jones, and Don Harris

2. MOMENT OF SILENCE

Pledge of Allegiance - Isaac Benton, Councilor, District 2

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

April 15, 2019

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

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

- a. [EC-19-336](#) FY19 Status Update Goal 3, Objective 2, Public Infrastructure - Regarding CREBS Projects
- A motion was made by Vice-President Borrego that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- b. [EC-19-337](#) FY19 Status Update Goal 3, Objective 1 - Regarding Bridge Maintenance
- A motion was made by Vice-President Borrego that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- c. [EC-19-344](#) Mayor's Recommendation of Award to Arthur J. Gallagher & Co. for "Agent of Record"
- A motion was made by Vice-President Borrego that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- d. [EC-19-345](#) Mayor's Appointment of Mr. Waylon Chavez to the Urban Enhancement Trust Fund
- A motion was made by Vice-President Borrego that this matter be Confirmed. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- e. [EC-19-347](#) Reporting of expenditures by the Albuquerque Police Department related to the implementation of the Court Approved Settlement Agreement (CASA) - First Quarter Fiscal Year 2019
- A motion was made by Vice-President Borrego that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- f. [EC-19-349](#) Lease Agreement between the City of Albuquerque, a New Mexico municipal corporation, and Youth Development Incorporated, a New Mexico nonprofit corporation
- A motion was made by Vice-President Borrego that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- g. [EC-19-350](#) First Amendment to Lease Agreement between the City of Albuquerque and National Railroad Passenger Corporation (AMTRAK)
- A motion was made by Vice-President Borrego that this matter be Approved. The motion carried by the following vote:**

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

- h. [EC-19-361](#) Mayor's Appointment of Ms. Charlene Fox to the Affordable Housing Committee

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

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

- i. [EC-19-363](#) Mayor's Appointment of Mr. Christopher Ramirez to the Transit Advisory Board

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

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

- j. [EC-19-365](#) Approval of the First Supplemental Agreement to add monies for FY19 Outside Counsel Legal Services between Adler Law Firm, P.C. and the City of Albuquerque

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

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

- k. [EC-19-366](#) 2018 Workforce Housing Trust Fund Report

A motion was made by Vice-President Borrego that this matter be Receipt Be Noted. The motion carried by the following vote:

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

- l. [EC-19-370](#) Mayor's Recommendation of DWL Architects & Planners Inc. of NM for Architectural Consultants for West Side Vehicle Maintenance/Office Building at Cerro Colorado Rd.

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

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

- m. [EC-19-371](#) Mayor's Recommendation of Award to Express Scripts for "Self-Funded Pharmacy Benefit Manager"

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

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

- n. [EC-19-373](#) Mayor's Recommendation of Award to Mutual of Omaha Insurance Company for "Fully Insured Group Life and Disability Insurance"
- A motion was made by Vice-President Borrego that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- o. [EC-19-376](#) Mayor's Appointment of Mr. Ryan Harrigan to the Labor-Management Board
- A motion was made by Vice-President Borrego that this matter be Confirmed. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- p. [R-19-132](#) Approving And Authorizing The Filing Of A Grant Application For A Source Reduction Grant With The U.S. Environmental Protection Agency And Providing An Appropriation To The Environmental Health Department In Fiscal Years 2019, 2020 And 2021 (Jones, by request)
- A motion was made by Vice-President Borrego that this matter be Passed. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- q. [R-19-135](#) Adopting The FY 2020 - FY 2021 Two-Year Urban Enhancement Trust Fund Program And Appropriating Funds For The Urban Enhancement Program's Projects (Jones, by request)
- A motion was made by Vice-President Borrego that this matter be Passed. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- r. [R-19-136](#) Approving And Authorizing The Filing Of A Grant Application For A Fine Particulate Matter Air Monitoring Grant With The U.S. Environmental Protection Agency And Providing An Appropriation To The Environmental Health Department In Fiscal Year 2019 (Benton, by request)
- A motion was made by Vice-President Borrego that this matter be Passed. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- s. [R-19-137](#) Approving And Accepting A Grant From PetSmart Charities For The Animal Welfare Department To Occupy An Adoption Booth At The PetSmart Everyday Adoption Center (EAC) Location And Provide An Appropriation To Animal Welfare Department In Fiscal Year 2019 (Winter, by request)
- A motion was made by Vice-President Borrego that this matter be Passed. The motion carried by the following vote:**

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

14. FINAL ACTIONS

- *d. [R-19-143](#) Appropriating Funds To The Office Of The Mayor In Fiscal Year 2019 To Provide Humanitarian Support For International Migrants Transiting Through Albuquerque To Sponsors Across The Country (Davis)

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

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

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

For: 6 - Peña, Borrego, Sanchez, Benton, Davis, and Gibson

Against: 3 - Winter, Jones, and Harris

10. GENERAL PUBLIC COMMENTS

11. ANNOUNCEMENTS

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

- a. [AC-19-1](#) Project #2018-001763, VA-2018-00186, 00187, 00188: William Sabatini, appeals the Zoning Hearing Examiner (ZHE) decision to approve a conditional use to allow auto sales for all or a portion of Lot 18, 19, 20, Block 7, Stronghurst Addition, zoned MX/L, located at 3015 and 3017 Edith Blvd NE

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

For: 8 - Peña, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

Excused: 1 - Borrego

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

- a. [EC-19-354](#) Mayor's Recommendation of Award to Lamar Advertising for "Advertising for Transit Vehicles and Bus Shelters"

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

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

- b. [EC-19-372](#) Mayor's Recommendation of Award to Presbyterian Health Plan, Inc. for "Fully Insured Group Medical/RX Insurance, Fully Insured Group Medical Only, and/or Self-Funded Medical Insurance"

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

For: 8 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, and Jones

Excused: 1 - Harris

- c. [EC-19-375](#) Mayor's Recommendation of Award to Trillium Transportation Fuels for "Daytona CNG Station"

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

For: 8 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, and Jones

Excused: 1 - Harris

14. FINAL ACTIONS

- a. [O-18-47](#) Granting A Cable Franchise Renewal To Comcast Of New Mexico, LLC, To Construct, Operate And Maintain A Cable System In The Public Right-Of-Way And To Provide Cable Service Within A Franchise Area Within The City Of Albuquerque ("City"); Establishing The Terms And Conditions Of The Franchise Renewal; Establishing Certain Remedies For The Violation Of The Franchise; Repealing Sections 13-5-3-1 Through 13-5-3-20 (Sanchez, by request)

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

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

Recused: 1 - Winter

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

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

Recused: 1 - Winter

- b. [RA-19-1](#) F/S Amending The City Council Rules Of Procedure Article II, Section 4 Relating To The Internal Operations Committee (Gibson)

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

For: 1 - Gibson

Against: 7 - Peña, Borrego, Sanchez, Benton, Davis, Jones, and Harris

Excused: 1 - Winter

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

For: 5 - Benton, Winter, Davis, Gibson, and Jones

Against: 4 - Peña, Borrego, Sanchez, and Harris

c. [RA-19-2](#)

Amending The City Council Rules Of Procedure Article III, Section 23, Relating To The Allocation Of Councilor Expenses (Peña)

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

For: 6 - Peña, Borrego, Sanchez, Benton, Davis, and Harris

Against: 3 - Winter, Gibson, and Jones

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

For: 6 - Peña, Borrego, Sanchez, Benton, Davis, and Harris

Against: 3 - Winter, Gibson, and Jones

***e.** [RA-19-3](#)

Amending The City Council Rules Of Procedure, Article III, Section 7, Dealing With The "Amendments/Floor Substitutes" Provisions Of City Council Procedures (Borrego, Sanchez)

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

For: 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris