



City of Albuquerque

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

Action Summary City Council

Council President, Dan Lewis, District 5
Vice-President, Ken Sanchez, District 1

Roxanna Meyers, District 2; Isaac Benton, District 3
Brad Winter, District 4; Rey Garduño, District 6
Janice E. Arnold-Jones, District 7; Trudy E. Jones, District 8
Don Harris, District 9

Monday, September 16, 2013

5:00 PM

Vincent E. Griego Chambers
One Civic Plaza

Albuquerque/Bernalillo County Government Center

TWENTIETH COUNCIL - FORTY-SECOND MEETING

1. ROLL CALL

Present 9 - Dan Lewis, Ken Sanchez, Roxanna Meyers, Isaac Benton, Brad Winter, Rey Garduño, Janice Arnold-Jones, Trudy Jones, and Don Harris

2. MOMENT OF SILENCE

Pledge of Allegiance - Trudy E. Jones, Councilor, District 8

3. PROCLAMATIONS & PRESENTATIONS

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

August 19, 2013

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

Land Use, Planning and Zoning Committee - August 28, 2013

Finance and Government Operations Committee - September 9, 2013

Deferrals and Withdrawals

b. [O-13-53](#) C/S Motor Vehicle Seizure; Forfeiture; Soliciting From Motor Vehicles

For Lewd Or Indecent Purposes; Establishing Administrative Hearings; Setting Fees; Providing Defenses For Innocent Registered Owners (Meyers)

A motion was made by Councilor Meyers that this matter be Postponed to October 21, 2013. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris

c. [R-13-163](#)

Amending The City's Project Recommendations To The Mid-Region Council Of Governments For Inclusion In The 2035 Metropolitan Transportation Plan To Remove The Rio Grande And Candelaria Safety Improvements Project; Stating The City's Policy With Regard To A Proposed Roundabout At The Intersection Of Rio Grande And Candelaria Road; Designating 2011 Reconstruct Major Intersection General Obligation Bond Funding For Alternative Rio Grande Boulevard & Candelaria Intersection Safety Improvements (Meyers)

A motion was made by Councilor Meyers that this matter be Postponed to October 21, 2013. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris

a. [O-13-47](#)

F/S Amending Chapter 14, Article 5, Part 2 ROA 1994, The Drainage Ordinance, To Bring the Ordinance Into Compliance With The City's Municipal Separate Storm Sewer System (MS4) Permit Issued By The Environmental Protection Agency (Jones, by request)

A motion was made by Councilor Jones that this matter be Postponed to October 21, 2013. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris

a. [EC-13-477](#)

Mayor's Appointment of Mr. Jerry M. Ginsburg to the Indicators Progress Commission

A motion was made by President Lewis that this matter be Postponed to October 21, 2013. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris

b. [EC-13-491](#)

Mayor's Recommendation of Vector Engineering, LLC as Engineering Consultants for Irving Boulevard Improvements Universe to Unser

A motion was made by President Lewis that this matter be Postponed to November 4, 2013. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris

9. GENERAL PUBLIC COMMENTS

10. ANNOUNCEMENTS**11. CONSENT AGENDA: {Items may be removed at the request of any Councilor}**

- a. [EC-13-447](#) Legal Department's Quarterly Litigation Report for the 2nd Quarter of FY13
- A motion was made by Vice-President Sanchez that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris
- b. [EC-13-451](#) Approval of Status Report for Golf's Cost of Service Analysis with Updated Rates and Charges Model
- A motion was made by Vice-President Sanchez that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris
- c. [EC-13-452](#) Revenue Report for Third Quarter Fiscal Year 2013
- A motion was made by Vice-President Sanchez that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris
- d. [EC-13-457](#) Approval of a Contract for the Albuquerque Sexual Assault Nurse Examiner Collaborative
- A motion was made by Vice-President Sanchez that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris
- f. [EC-13-459](#) Approval of a Contract for Resources, Inc.
- A motion was made by Vice-President Sanchez that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris
- g. [EC-13-461](#) Request For FY 2014 Substance Abuse Treatment Voucher Contractors To Exceed \$75,000 Funding Aggregate
- A motion was made by Vice-President Sanchez that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris

- h. [EC-13-481](#) Mayor's Appointment of Ms. Jennifer M. Degrauw to the Ethics Board
- A motion was made by Vice-President Sanchez that this matter be Withdrawn by Administration. The motion carried by the following vote:**
- For:** 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris
- i. [EC-13-490](#) Mayor's Recommendation of Vector Engineering, LLC for Zuni Road Modification
- A motion was made by Vice-President Sanchez that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris
- j. [OC-13-14](#) Reappointment of Patricia A. Caristo to the Accountability in Government Oversight Committee
- A motion was made by Vice-President Sanchez that this matter be Confirmed. The motion carried by the following vote:**
- For:** 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris
- k. [R-12-115](#) Relating To Capital Projects; Amending The Adopted Capital Implementation Program Of The City Of Albuquerque To Complete The Funding For The Central And Unser Library (Sanchez)
- A motion was made by Vice-President Sanchez that this matter be Withdrawn by Sponsor. The motion carried by the following vote:**
- For:** 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris
- l. [R-13-187](#) Authorizing A Grant Agreement With The U.S. Department Of Health And Human Services, Early Head Start Program And Providing An Appropriation To The Department Of Family And Community Services (Meyers, by request)
- A motion was made by Vice-President Sanchez that this matter be Passed. The motion carried by the following vote:**
- For:** 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris
- m. [R-13-191](#) Approving And Authorizing The Acceptance Of Grant Funds Based On The Notice Of Grant Award For A Foster Grandparent Program With The Corporation For National And Community Service And The New Mexico Aging And Long Term Services Department And Providing For An Appropriation To The Department Of Senior Affairs Foster Grandparent Program In Fiscal Year 2014 (Arnold-Jones, by request)
- A motion was made by Vice-President Sanchez that this matter be Passed. The motion carried by the following vote:**

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris

- n. [R-13-192](#) Approving And Authorizing The Acceptance Of State Of New Mexico Litter Control And Beautification Grant Funds, A Grant Under The New Mexico Litter Control And Beautification Act With The New Mexico State Tourism Department; And Providing For An Appropriation To The City Of Albuquerque Solid Waste Management Department (Winter)

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

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris

- o. [R-13-193](#) Approving And Authorizing The Acceptance Of Grant Funds For A Retired And Senior Volunteer Program From The Corporation For National And Community Service And The New Mexico Aging And Long Term Services Department And Providing For An Appropriation To The Department Of Senior Affairs Retired And Senior Volunteer Program In Fiscal Year 2014 (Garduño)

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

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris

- p. [R-13-194](#) Approving And Authorizing The Acceptance Of Grant Funds Based On The Notice Of Grant Award For A Senior Companion Program Grant With The Corporation For National And Community Service And The New Mexico Aging And Long Term Services Department And Providing For An Appropriation To The Department Of Senior Affairs Senior Companion Program In Fiscal Year 2014 (Harris, by request)

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

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris

- q. [R-13-195](#) Authorizing The Mayor To Execute A Grant Agreement With The New Mexico Aging And Long-Term Services Department, And Providing An Appropriation To The Department Of Family And Community Services (Jones, by request)

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

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris

- r. [R-13-199](#) Approving And Authorizing A Grant From The W.K. Kellogg Foundation For The Albuquerque Plan For Prosperity. Accepting The

Award And Providing An Appropriation To The CAO Department For Fiscal Year 2013 (Jones)

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

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris

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

- e. [EC-13-458](#) FY13 Goal 3, Objective 2 - Complete the Construction of the Bear Canyon Arroyo Bridge Over I-25

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

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris

- s. [R-13-206](#) Appropriating Funds To The Economic Development Department To Partner With Innovate + Educate For Fiscal Year 2014 On A Workforce Readiness Program Titled Talent Albuquerque (Lewis)

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

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris

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

- a. [AC-13-7](#) (Project# 1009681/13EPC-40113/13EPC-40114) Site Dev. Plan for Subdivision - David Gonzales Appeals the Environmental Planning Commission's (EPC's) Decision to Approve a Zone Map Amendment and Site Dev. Plan for Subdivision on Lots 17A and 17B, Zapf Van Addition No. 10, located at 921 and 923 Montano Road NW, Between North 9th St. and Guadalupe Tr., Containing approximately 0.44 acres

A motion was made by Councilor Benton to Adopt the Findings pertaining to the Zone Map Amendment. The motion carried by the following vote:

For: 8 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, and Harris

Against: 1 - Jones

A motion was made by Councilor Benton to Adopt the Findings pertaining to the Site Development Plan. The motion carried by the following vote:

For: 8 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, and Harris

Against: 1 - Jones

14. **FINAL ACTIONS**

- d. [R-13-190](#) C/S Making An Appropriation To Allow The Fire Department To Provide In-Person And On "Paid Status" For Rank Specific Certification Courses During The 2014 Fiscal Year (Lewis, Harris)
A motion was made by President Lewis that this matter be Passed. The motion carried by the following vote:
For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris
- *i. [R-13-243](#) To Submit To The Voters Of The City Of Albuquerque An Ordinance Proposed Pursuant To Article III, Section 3, The Direct Legislation Provision Of The City Charter, At A Special Municipal Election To Be Held In The City Of Albuquerque On November 19, 2013 To Approve Or Disapprove The Proposed Ordinance As Set Forth Herein; Prescribing Other Details In Connection With The Special Municipal Election (Lewis)
A motion was made by President Lewis that this matter be Amended. The motion carried by the following vote:
For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris
A motion was made by President Lewis that this matter be Passed as Amended. The motion carried by the following vote:
For: 5 - Lewis, Sanchez, Winter, Arnold-Jones, and Harris
Against: 4 - Meyers, Benton, Garduño, and Jones
- e. [R-13-208](#) Making An Appropriation To The Animal Welfare Department To Provide For An Additional Animal Behavior/Adoption Specialist Position In Fiscal Year 2014 (Arnold-Jones)
A motion was made by Councilor Arnold-Jones that this matter be Passed. The motion carried by the following vote:
For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris
- f. [R-13-210](#) Rescinding Resolution No. R-13-171, In Which The Council Determined That The Structure At 8428 River St NE, Albuquerque, New Mexico, Was So Ruined, Damaged, And Dilapidated That It Was A Menace To The Public Comfort, Health, Peace, Or Safety, And Required That The Structure Be Removed (Winter)
A motion was made by Councilor Winter that this matter be Do Not Pass. The motion carried by the following vote:
For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Arnold-Jones, Jones, and Harris
- g. [R-13-217](#) Calling For A Comparative Survey Of The Salaries Of Albuquerque Police Department Officers And The Officers Of Other Local And

Regional Law Enforcement Agencies And Designating Funds To Be Used To Contract With A Firm For Completion Of The Survey (Harris)

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

For: 8 - Lewis, Sanchez, Meyers, Benton, Garduño, Arnold-Jones, Jones, and Harris

Excused: 1 - Winter

***h.** [R-13-238](#)

Directing The Administration To Not Approve Any Modifications To Public Infrastructure On Lomas Boulevard Between Loma Vista Drive And Girard Boulevard For Access To Jefferson Middle School Until There Has Been A Facilitated Meeting Between Albuquerque Public Schools, The Girard Boulevard Master Plan Team And Residents Of The Neighborhoods Surrounding Jefferson Middle School To Address The Many Concerns That Have Been Raised About A Proposed On-Campus Road For Student Drop-Off And Pick-Up That Will Require New Access To Lomas Boulevard, Declaring An Emergency (Benton)

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

For: 8 - Lewis, Sanchez, Meyers, Benton, Garduño, Arnold-Jones, Jones, and Harris

Excused: 1 - Winter

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

For: 7 - Lewis, Sanchez, Meyers, Benton, Garduño, Arnold-Jones, and Harris

Against: 1 - Jones

Excused: 1 - Winter