



City of Albuquerque

Action Summary

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

City Council

*Council President, Isaac Benton, District 2
Vice-President, Brad Winter, District 4*

*Ken Sanchez, District 1; Klarissa J. Peña, District 3
Dan Lewis, District 5; Patrick Davis, District 6
Diane G. Gibson, District 7; Trudy E. Jones, District 8
Don Harris, District 9*

Monday, December 5, 2016

5:00 PM

Vincent E. Griego Chambers
One Civic Plaza NW
Albuquerque/Bernalillo County Government Center

TWENTY-SECOND COUNCIL - TWENTY-THIRD MEETING

1. ROLL CALL

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

2. MOMENT OF SILENCE

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

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

14. FINAL ACTIONS

i. [R-16-131](#) Renaming The Community Room At The Shawn McWethy Southwest Police Substation, As The Louis Tafoya Community Room In Honor Of Former West Mesa Neighborhood Association President And Community Advocate, To Recognize His Distinguished Service To The Citizens Of The Westside And His Commitment To The Men And Women Of The Albuquerque Police Department (Sanchez, Peña)

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

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

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

a. **Election of President**

President Lewis opened the floor for nominations for President.

Councilor Gibson nominated Councilor Benton.

A motion was made by Councilor Harris that Councilor Benton be elected President by acclamation. The motion carried by the following vote:

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

a. Election of Vice-President

President Lewis opened the floor for nominations for Vice-President.

Councilor Lewis nominated Councilor Winter.

A motion was made by Councilor Lewis that Councilor Winter be elected Vice-President by acclamation. The motion carried by the following vote:

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

b. Election of Chair of the Committee-of-the-Whole

Councilor Lewis opened the floor for nominations for Committee of the Whole Chair.

Councilor Gibson nominated Councilor Harris.

A motion was made by Councilor Lewis that Councilor Harris be elected Committee of the Whole Chair by acclamation. The motion carried by the following vote:

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

c. Approval of Committee Appointments

A motion was made by Councilor Lewis that the rules be suspended for the purpose of deferring the Approval of the Committee Appointments to the December 19, 2016 Council meeting and that the current make-up of the Council Committees remain in place until the new Committee Appointments are approved. The motion carried by the following vote:

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

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

November 21, 2016

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

Land Use, Planning & Zoning Committee - November 30, 2016

Deferrals/Withdrawals

c. [R-16-89](#) Moving The Office Of Neighborhood Coordination From The Planning Department To The Council Services Department; Making An Appropriation (Peña)
A motion was made by Councilor Peña that this matter be Postponed to December 19, 2016. The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris

b. [R-15-188](#) Declaring The Intent Of The City Council Of The City Of Albuquerque, New Mexico To Consider For Adoption A Resolution Approving The Formation Of The Lower Petroglyphs Tax Increment Development District; Approving, Subject To Further Proceedings Of The City Council, A Tax Increment Development Plan For The District, The Purposes Of The District, Identification Of Gross Receipts Tax Increment And Property Tax Increment Financing Mechanisms, And Bonds Secured By Gross Receipts Tax Increment Revenue And Property Tax Increment Revenue (Sanchez)
A motion was made by Councilor Sanchez that this matter be Postponed to January 18, 2017. The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris

f. [R-16-123](#) Making An Appropriation To The Albuquerque Police Department To Provide For Additional Police Service Aide Positions (Sanchez)
A motion was made by Councilor Sanchez that this matter be Postponed to December 19, 2016. The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris

h. [R-16-125](#) Establishing A Property Crime Reduction Pilot Program (Winter, Davis)
A motion was made by Councilor Davis that this matter be Postponed to December 19, 2017. The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris

j. [RA-16-3](#) Amending The City Council Rules Of Procedure Article III, Procedures, Relating To The Provision Of Funding For Cultural, Educational And Social Service Projects (Gibson)
A motion was made by Councilor Gibson that this matter be Postponed to January 4, 2017. The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris

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

b. [EC-16-210](#) Approval of the Third Supplemental Agreement to the Legal Services Agreement between Yenson, Allen & Wosick, P.C and the City of Albuquerque
A motion was made by Vice-President Winter that this matter be Approved. The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris

c. [EC-16-211](#) Approval of Contract with New Mexico Golf Inc., for the Operation of Puerto del Sol Golf Course and Liquor License Agreement
A motion was made by Vice-President Winter that this matter be Withdrawn by Administration. The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris

d. [EC-16-212](#) Ground Lease Agreement, between YDI (Head Start Program) and the City of Albuquerque
A motion was made by Vice-President Winter that this matter be Approved. The motion carried by the following vote:
For: 8 - Benton, Winter, Sanchez, Lewis, Davis, Gibson, Jones, and Harris
Recused: 1 - Peña

e. [EC-16-218](#) Approval of the Second Supplemental Agreement to add monies for FY17 Outside Counsel Legal Services Agreement between Kaplan, Kirsch and Rockwell, LLP and the City of Albuquerque
A motion was made by Vice-President Winter that this matter be Approved. The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris

f. [EC-16-219](#) Approval of the First Supplemental Agreement to add monies for FY17 Outside Counsel Legal Services Agreement between Conklin, Woodcock & Ziegler, PC and the City of Albuquerque
A motion was made by Vice-President Winter that this matter be Approved. The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris

g. [EC-16-232](#) Mayor's Appointment of Mrs. Haley C. Kadish to the Metropolitan Parks & Recreation Advisory Board
A motion was made by Vice-President Winter that this matter be Confirmed.
The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris

h. [EC-16-233](#) Mayor's Appointment of Ms. Breanna M. Frazier to the Youth Advisory Council
A motion was made by Vice-President Winter that this matter be Confirmed.
The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris

i. [EC-16-234](#) Mayor's Reappointment of Mr. Ronald R. Bohannan to the Technical Standard Committee
A motion was made by Vice-President Winter that this matter be Confirmed.
The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris

j. [R-16-28](#) A Nuisance Dwelling Or Structure In Need Of Abatement At 373 64th St NW 87105 Within The City Limits Of Albuquerque, New Mexico Is So Ruined, Damaged And Dilapidated As To Be A Menace To The Public Comfort, Health, Peace Or Safety And That It Is To Be Required To Be Removed (Sanchez)
A motion was made by Vice-President Winter that this matter be Withdrawn by Sponsor. The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris

k. [R-16-106](#) Approving And Authorizing The Acceptance Of A Grant Agreement With The State Of New Mexico, Department Of Health For A Chronic Disease Prevention Program And Providing An Appropriation To The Department Of Senior Affairs (Gibson)
A motion was made by Vice-President Winter that this matter be Passed. The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris

l. [R-16-111](#) Amending The Adopted Capital Implementation Program Of The City Of Albuquerque By Reappropriating Funding For The Los Altos Pool Project (Winter, Gibson)
A motion was made by Vice-President Winter that this matter be Passed. The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris

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

a. [EC-16-209](#) Quarterly reporting of expenditures by the Albuquerque Police Department related to the implementation of the Settlement Agreement negotiated with the United States Department of Justice
A motion was made by President Benton that this matter be Receipt Be Noted.
The motion carried by the following vote:

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

10. GENERAL PUBLIC COMMENTS

11. ANNOUNCEMENTS

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

a. [AC-14-4](#) (Project# 1010019/14EPC-40023) Bob Keeran as Assigns agent for, Bob Keeran, Donald Hoech of Hoech Real Estate Corp. and Hoech Profit & Sharing Plan, JT Michelson and Michael Montoya appeal the Environmental Planning Commission's (EPC) decision to Affirm the Impact Fees Administrator's decision to deny the request for a refund and/or reimbursement of drainage excess impact fee credits for system improvements in the far northeast service area that were tied to Tract A-1 Oakland Heights Subdivision recorded on April 17, 2006, in the records of the Bernalillo County Clerk Book 2006C and page 119 (Zone Atlas page C-20), located between Barstow on the west and Ventura on the east and between Eagle Rock on the north and Alameda on the south

A motion was made by Councilor Jones that this matter be To Accept the Land Use Hearing Officer Recommendation and Findings. The motion carried by the following vote:

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

Excused: 1 - Davis

b. [AC-16-15](#) (Project #1008952/16EPC-40034 & 40035) Timothy Flynn-O'Brien Appeals the Environmental Planning Commission's Approval of a Sector Development Plan Map Amendment (Zone Change) & Site Development Plan for Building Permit for all or a portion of Tract A, Morningstar at Palomas, zoned SU-2 for O-1 to SU-2 C-1, located on Palomas Ave. NE between Wyoming Blvd. NE, and Barstow St. NE, containing approximately .9 acre

A motion was made by Vice-President Winter that this matter be To Reject the Land Use Hearing Officer's Recommendation and schedule this matter for a full hearing on December 19, 2016. The motion carried by the following vote:

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

Against: 1 - Harris

14. FINAL ACTIONS

a. [O-16-11](#) C/S Adopting A New Article In Chapter 14 ROA 1994, Zoning, Planning And Building, To Be Known As The “Vacant Commercial Buildings Ordinance” (Harris, Davis)
A motion was made by Councilor Harris that this matter be Postponed to January 4, 2017. The motion carried by the following vote:
For: 5 - Benton, Sanchez, Davis, Gibson, and Harris
Against: 4 - Winter, Peña, Lewis, and Jones

d. [R-16-102](#) F/S Providing For The Authorized Storage And Administration Of Naloxone In Public Spaces To Help Reverse An Opioid Overdose (Gibson, Lewis)
A motion was made by Councilor Gibson that this matter be Passed. The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris

e. [R-16-121](#) Establishing Policy To Allow Residents Aged 16-17 Years To Utilize Gym Facilities At City Multigenerational And Community Centers (Winter)
A motion was made by Vice-President Winter that this matter be Passed. The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris

g. [R-16-124](#) Establishing A Bus Fare Waiver For Patrons Of Businesses Along The Central Avenue Corridor During Evenings And Weekends Throughout The Construction Of The Albuquerque Rapid Transit Project (Sanchez)
A motion was made by Councilor Sanchez that this matter be Postponed to December 19, 2016. The motion failed by the following vote:
For: 4 - Benton, Winter, Gibson, and Harris
Against: 5 - Sanchez, Peña, Lewis, Davis, and Jones
A motion was made by Councilor Sanchez that this matter be Passed. The motion failed by the following vote:
For: 4 - Benton, Sanchez, Peña, and Lewis
Against: 5 - Winter, Davis, Gibson, Jones, and Harris

Thee being no further business, the meeting adjourned at 8:04 p.m.