



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, Klarissa J. Peña, District 3

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, August 1, 2016

5:00 PM

Vincent E. Griego Chambers
One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

TWENTY-SECOND COUNCIL - FIFTEENTH MEETING

1. ROLL CALL

Present 8 - Klarissa Peña, Ken Sanchez, Isaac Benton, Brad Winter, Patrick Davis,
Diane Gibson, Trudy Jones, and Don Harris

Excused 1 - Dan Lewis

2. MOMENT OF SILENCE

Pledge of Allegiance - Ken Sanchez, Councilor, District 1

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

June 20, 2016

7. COMMUNICATIONS AND INTRODUCTIONS

Deferrals/Withdrawals

- a. [EC-16-108](#) Priority Objective Report, FY/16 Goal 7, Objective 4, Regarding a Feasibility Study to Determine the Economic Benefits of Holding a Major Regional Folk Festival in Albuquerque

A motion was made by Councilor Harris that this matter be Postponed to August 15, 2016. The motion carried by the following vote:

For: 7 - Peña, Sanchez, Benton, Davis, Gibson, Jones, and Harris

Excused: 2 - Lewis, and Winter

- d. [R-16-36](#) Establishing A Goal Of Generating Twenty Five Percent Of The Energy Consumed By City Of Albuquerque Facilities From Solar Energy By 2025 (Davis, Benton)

A motion was made by Councilor Davis that this matter be Postponed to September 7, 2016. The motion carried by the following vote:

For: 7 - Peña, Sanchez, Benton, Davis, Gibson, Jones, and Harris

Excused: 2 - Lewis, and Winter

- g. [R-16-50](#) Amending Policy Established In F/S R-88-404, Requiring A Traffic Signal Location Engineering Study And The Installation Of Traffic Signals On Coal And Lead Avenues At Walter Street (Benton)

A motion was made by Councilor Benton that this matter be Postponed to September 7, 2016. The motion carried by the following vote:

For: 7 - Peña, Sanchez, Benton, Davis, Gibson, Jones, and Harris

Excused: 2 - Lewis, and Winter

8. REPORTS OF COMMITTEES

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

- a. [EC-16-62](#) FY16 Annual Objectives - Submission Report from Solid Waste Management And Parks and Recreation

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

For: 7 - Peña, Sanchez, Benton, Winter, Gibson, Jones, and Harris

Excused: 2 - Lewis, and Davis

- b. [EC-16-96](#) FY16 Priority Objective Report: Public Safety Goal 2, Objective 6 - Implement all first year directives as described in the Department of Justice Settlement Agreement, 2nd Quarter Report

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

For: 7 - Peña, Sanchez, Benton, Winter, Gibson, Jones, and Harris

Excused: 2 - Lewis, and Davis

- c. [EC-16-109](#) Lease Agreement for City Property Between Clear Channel Outdoor, Inc. and the City of Albuquerque
- A motion was made by Vice-President Peña that this matter be Approved. The motion carried by the following vote:**
- For:** 7 - Peña, Sanchez, Benton, Winter, Gibson, Jones, and Harris
- Excused:** 2 - Lewis, and Davis
- d. [EC-16-110](#) Request For FY 2017 Substance Abuse Treatment Voucher Contractors To Exceed \$75,000 Funding Aggregate
- A motion was made by Vice-President Peña that this matter be Approved. The motion carried by the following vote:**
- For:** 7 - Peña, Sanchez, Benton, Winter, Gibson, Jones, and Harris
- Excused:** 2 - Lewis, and Davis
- e. [EC-16-138](#) October 6, 2015 Regular Municipal Election Canvass as Amended
- A motion was made by Vice-President Peña that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 7 - Peña, Sanchez, Benton, Winter, Gibson, Jones, and Harris
- Excused:** 2 - Lewis, and Davis
- f. [EC-16-144](#) Selection of Bob Murphy as the At-Large Member to the Albuquerque Convention and Visitors Bureau (ACVB) Executive Board of Directors
- A motion was made by Vice-President Peña that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 7 - Peña, Sanchez, Benton, Winter, Gibson, Jones, and Harris
- Excused:** 2 - Lewis, and Davis
- g. [EC-16-145](#) Approval of First Supplemental Agreement to amend the scope of services and add monies for FY16 Outside Counsel Legal Services Agreement between Kaplan, Kirsch and Rockwell, LLP and the City of Albuquerque
- A motion was made by Vice-President Peña that this matter be Approved. The motion carried by the following vote:**
- For:** 7 - Peña, Sanchez, Benton, Winter, Gibson, Jones, and Harris
- Excused:** 2 - Lewis, and Davis
- h. [EC-16-146](#) Approval of the Third Supplement Agreement to Legal Services Agreement between Scott T. Greenwood, Attorney at Law and the City of Albuquerque
- A motion was made by Councilor Benton that this matter be Withdrawn by Administration. The motion carried by the following vote:**

For: 7 - Peña, Sanchez, Benton, Winter, Gibson, Jones, and Harris

Excused: 2 - Lewis, and Davis

- i. [R-16-60](#) Approving a Grant Agreement For The FY2016, 2017, 2018 DOT Hazardous Materials Emergency Preparedness Grant With The New Mexico Department Of Homeland Security And Providing For An Appropriation To The Fire Department In Fiscal Year 2016, 2017, 2018 (Harris, by request)

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

For: 7 - Peña, Sanchez, Benton, Winter, Gibson, Jones, and Harris

Excused: 2 - Lewis, and Davis

10. GENERAL PUBLIC COMMENTS

11. ANNOUNCEMENTS

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

- a. [AC-16-7](#) Matt Myers, agent for Guardian Storage, Appeals the Zoning Board of Appeal's (BOA's) decision to Grant the Appeal, thereby Reversing the Zoning Hearing Examiner's (ZHE's) Approval of a special exception to section 14-16-2-16(B)(21): a Conditional Use to allow storage of household goods, equipment or material reasonable to neighborhood function, in a C-1(SC) zone for all or a portion of Lot 1, Bosque Plaza, zoned C-1(SC), located on 3600 Bosque Plaza Lane NW

A motion was made by Councilor Jones that this matter be To Reject the Land Use Hearing Officer Recommendation and Findings and schedule this matter for a full hearing on August 15, 2016. The motion carried by the following vote:

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

Against: 3 - Peña, Sanchez, and Gibson

Excused: 1 - Lewis

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

14. FINAL ACTIONS

- a. [O-16-17](#) Amending The Accountability In Government Ordinance, Chapter 2, Article 10 Of The Revised Ordinances Of Albuquerque (Gibson)

A motion was made by Councilor Gibson that this matter be Postponed to August 15, 2016. The motion carried by the following vote:

For: 7 - Peña, Sanchez, Benton, Davis, Gibson, Jones, and Harris

Excused: 2 - Lewis, and Winter

b. [O-16-20](#)

F/S Authorizing The Issue And Sale Of A Maximum Aggregate Principal Amount Of \$22,000,000 City Of Albuquerque, New Mexico Gross Receipts Tax Improvement Revenue Bonds, Series 2016C For The Purpose Of (I) Acquiring And Equipping Public Parks, Public Recreation Buildings, Libraries, Visitor Centers, Other Public Recreation Facilities, Including But Not Limited To Municipal Pools, Public Memorials Or Cultural Facilities, (II) Acquiring, Improving And Rehabilitating One Or More Public Buildings Or Purchasing Or Improving Any Ground Related Thereto, (III) Improving Municipal Or Public Parking Lots, (IV) Reconstructing, Resurfacing, Repairing Or Otherwise Improving Existing Alleys, Streets, Roads Or Bridges Or Any Combination Of The Foregoing, (V) Purchasing, Acquiring Or Rehabilitating Fire Protection Equipment And Law Enforcement Equipment, And (VI) Paying Expenses Related To Issuance Of The Bonds; Providing For The Payment Of The Bonds From Certain Gross Receipts Tax Revenues; Providing For The Terms And Other Details Concerning The Bonds; Ratifying Action Previously Taken; Repealing All Actions Inconsistent With This Ordinance; And Making An Appropriation (Benton, by request)

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

For: 7 - Peña, Sanchez, Benton, Davis, Gibson, Jones, and Harris

Excused: 2 - Lewis, and Winter

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

Excused: 1 - Lewis

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

For: 7 - Peña, Sanchez, Benton, Winter, Davis, Jones, and Harris

Excused: 2 - Lewis, and Gibson

c. [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 Councilor Sanchez that this matter be Postponed to September 19, 2016. The motion carried by the following vote:

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

Excused: 1 - Lewis

e. [R-16-45](#)

A Nuisance Dwelling Or Structure In Need Of Abatement At 1815 Sigma Chi Rd NE 87106 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 (Benton, by request)

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

For: 7 - Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

Against: 1 - Peña

Excused: 1 - Lewis

f. [R-16-49](#)

Designating The North Corridor Metropolitan Redevelopment Area, Making Certain Findings And Conclusions Pursuant To The Metropolitan Redevelopment Code, And Authorizing And Directing The Metropolitan Redevelopment Agency To Prepare A Metropolitan Redevelopment Plan For The North Corridor Metropolitan Redevelopment Area (Benton, by request)

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

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

Excused: 1 - Lewis

h. [R-16-52](#)

Establishing Guidelines For Healthy Foods And Beverage Options In Vending Machines On City Property (Davis, Winter)

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

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

Excused: 1 - Lewis

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

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

Excused: 1 - Lewis

*i. [R-16-82](#)

Concerning A Special Election To Be Held In The City Of Albuquerque At The Next City General Election; 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 The Next General Election To Be Held On November 8, 2016 To Approve

Or Disapprove The Proposed Ordinance As Set Forth Herein;
Prescribing Other Details In Connection With The Special Municipal
Election (Davis)

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

For: 7 - Peña, Sanchez, Benton, Davis, Gibson, Jones, and Harris

Excused: 1 - Lewis

Recused: 1 - Winter

*j. [R-16-84](#)

To Submit A Proposition To The Voters Of The City Of Albuquerque
At A Special Municipal Election Held Concurrently With The
November 8, 2016 General Election Proposing To Amend Article XVI,
Sections 3(Q), 7(B), 12(A)(1), 12(B) And 15(A)(1) Of The Albuquerque
City Charter Concerning Public Financing Available To Mayoral
Candidates; And Prescribing Other Details In Connection With The
Special Municipal Election (Harris)

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

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

Against: 1 - Jones

Excused: 1 - Lewis

Recused: 1 - Winter

There being no further business, the meeting adjourned at 10:03 p.m.