



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

Wednesday, September 4, 2019

5:00 PM

Vincent E. Griego Chambers

One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

TWENTY-THIRD COUNCIL - FORTY-SECOND 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 - Don Harris, Councilor, District 9

3. PROCLAMATIONS & PRESENTATIONS

14. FINAL ACTIONS

- g. [R-19-182](#) Renaming The Albuquerque Regional Sports Complex As The Jennifer Riordan Spark Kindness Sports Complex In Honor Of Jennifer Riordan, A Baseball Mom, Volleyball Mom And Community Advocate In The City Of Albuquerque, Who Believed And Exhibited Being Kind, Loving, Caring And Sharing (Sanchez, Jones)

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

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

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

August 19, 2019

7. COMMUNICATIONS AND INTRODUCTIONS

Deferrals/Withdrawals

- f. [R-19-178](#) Amending The Adopted Capital Implementation Program Of The City Of Albuquerque By Supplementing Current Appropriations For The Arenal/Crestview Bluff Open Space Land Acquisition (Peña)
- A motion was made by President Peña that this matter be Postponed to October 7, 2019. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

8. REPORTS OF COMMITTEES

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

- a. [EC-19-412](#) Approving Real Estate Sale Agreement for Tract A-19-A Re-division of Tract A-19 Northeast Unit together with a portion of vacated Corona Drive NW, Town Of Atrisco Grant, Containing 39,465 square feet (0.906 acres)
- 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
- b. [EC-19-429](#) Cultural Services Department FY/19 Priority Objectives Report, Goal 7, Objective 4, Objective 5 & Objective 6
- 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-19-430](#) Early Head Start Quarterly Report for January, February and March 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
- d. [EC-19-431](#) Approval of Supplement to Pixegon, Inc. Professional/Technical Contract

**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

- e. [EC-19-432](#) Lease Agreement between the City of Albuquerque and First Choice Community Healthcare, Inc., a corporation of the State of New Mexico
- 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
- f. [EC-19-433](#) Approval of the First Supplemental Agreement to add monies for FY19 Outside Counsel Legal Services between Law Office of Jonlyn Martinez 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
- g. [EC-19-434](#) Report on Uses of 3/8 Hold Harmless Tax - Fiscal Year 2019 - Quarter 3
- 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
- h. [EC-19-435](#) Ground Lease Agreement between the City of Albuquerque and the New Mexico Art League, 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
- i. [EC-19-438](#) Extending the current Professional Technical contract with Ailveon Pacific Aviation Consulting, LLC for the City of Albuquerque Aviation Department by adding time and funds for consultation services to support Air Service Development goals at the Albuquerque International Sunport
- 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
- j. [EC-19-451](#) Mayor's Appointment of Dr. Darrell Kundargi to the Water Protection 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

- k. [EC-19-452](#) Mayor's Appointment of Ms. Alejandria Lyons to the Water Protection 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
- l. [EC-19-453](#) Mayor's Appointment of Mr. Johnny Mangu to the Accountability in Government Oversight Committee
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
- m. [OC-19-33](#) Civilian Police Oversight Agency Updated Policies and Procedures
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
- n. [R-19-167](#) Approving And Authorizing The Mayor To Execute 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 Beginning In Fiscal Year 2020 (Peña, 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
- o. [R-19-169](#) Adopting The Double Eagle II Airport Master Plan, Project Number 1001656, 18EPC-40028, As An Official City Document (Sanchez, 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
- p. [R-19-172](#) Approving And Authorizing The Filing Of Grant Applications And The Acceptance Of Potential Grant Awards For Multiple City Departments From Associated Grantor Agencies And Providing For An Appropriation To The City Of Albuquerque (Harris, 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-19-176](#) Approving A Grant Application For The FY19 Walmart Foundation Grant And Providing For An Appropriation To Albuquerque Fire Rescue In

Fiscal Year 2019 (Peña, 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

10. GENERAL PUBLIC COMMENTS

11. ANNOUNCEMENTS

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

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

A motion was made by Councilor Harris that this matter be Postponed to November 4, 2019. The motion carried by the following vote:

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

14. FINAL ACTIONS

- a. [O-19-52](#) Amending The Integrated Development Ordinance (IDO) Section §14-16-3-5(J)(3) Old Town HPO 5, Other Development Standards To Allow Increased Types And Amount Of Signage In Old Town And To Incorporate Outdoor Display And Demonstration Into Old Town HPO 5; And Amending Section §13-3-2-1 Old Town Solicitations Ordinance To Replace All References To The H1 Historic Old Town Zone With Old Town HPO 5 (Benton)

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

Against: 1 - Borrego

A motion was made by Councilor Benton that this matter be Amended. Councilor Benton moved Amendment No. 2. The motion carried by the following vote:

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

Against: 1 - Borrego

A motion was made by Councilor Benton 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

Against: 1 - Borrego

b. [O-19-71](#)

Amending Section 4-4-1 Et Seq., ROA 1994, The Lodgers' Tax Ordinance, To Include The Definition Of Marketplace Provider, Eliminate An Exemption, And Require Marketplace Providers To Collect And Remit Occupancy Taxes; And Amending Section 4-8-1 Et Seq., ROA 1994, The Hospitality Fee Ordinance, To Include The Definition Of Marketplace Provider, Eliminate An Exemption, And Require Marketplace Providers To Collect And Remit Hospitality Fees (Winter, by request)

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

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

c. [R-19-173](#)

Amending The City Of Albuquerque Component Capital Implementation Program To Include A New Roadway Facilities Project, Paseo Del Norte Widening (IV)-Universe To The Western City Limits (Borrego)

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

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

Excused: 1 - Harris

A motion was made by Vice-President Borrego that this matter be Amended. Vice-President Borrego moved Amendment No. 2. The motion carried by the following vote:

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

Excused: 1 - Harris

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

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

Excused: 1 - Harris

d. [R-19-175](#)

Approving The East Downtown/ Huning Highlands/ South Martineztown Metropolitan Redevelopment Area Plan (Benton, by request)

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

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

Excused: 1 - Harris

e. [R-19-177](#)

Approving And Authorizing The Filing Of A Grant Application For A Clean Diesel Grant With The U.S. Environmental Protection Agency And Providing An Appropriation To The Environmental Health Department In Fiscal Year 2020 (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, Borrego, Sanchez, Benton, Winter, Davis, Gibson, and Jones

Excused: 1 - Harris