



City of Albuquerque

Agenda City Council

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

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, May 2, 2016

5:00 PM

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

TWENTY-SECOND COUNCIL - ELEVENTH MEETING

1. **ROLL CALL**
2. **MOMENT OF SILENCE**

Pledge of Allegiance - Patrick Davis, Councilor, District 6
3. **PROCLAMATIONS & PRESENTATIONS**
4. **ECONOMIC DEVELOPMENT DISCUSSION**
5. **ADMINISTRATION QUESTION & ANSWER PERIOD**
6. **APPROVAL OF JOURNAL**

April 18, 2016
7. **COMMUNICATIONS AND INTRODUCTIONS**
8. **REPORTS OF COMMITTEES**
9. **GENERAL PUBLIC COMMENTS**

Any person wishing to address the Council during “General Public Comments” must register with Council Staff. Council Staff will begin accepting sign-ups promptly at 4:30 pm and sign-ups will close promptly at 5:30 pm.

The first 30 persons to sign-up will be permitted to speak under General Public Comment. Speakers beyond the first 30 must notify Council Staff of their preference to either provide general public comments at the end of the meeting under Other Business or to speak under General Public Comment at the next regular Council meeting. Speakers who choose to provide general public comment at the subsequent meeting will be placed at the top of the list.

As an alternative to providing general public comment, individuals are encouraged to sign up to speak on specific bills on the agenda. Individuals speaking on specific agenda items must keep their comments germane to that bill.

10. ANNOUNCEMENTS

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

- a. [EC-16-51](#) Amendment to Lease of City Property between County of Bernalillo and City of Albuquerque
Attachments: [EC-51](#)
[Withdrawn by Administration]
- b. [EC-16-64](#) CIT, Inc. Professional/Technical Contract
Attachments: [EC-64](#)
[Withdrawn by Administration]
- c. [EC-16-69](#) Quarterly Reporting of Expenditures by the Albuquerque Police Department Related to the Implementation of the US Department of Justice Settlement Agreement
Attachments: [EC-69](#)
- d. [EC-16-88](#) Declaring Lot 8, Block 1, Atrisco Subdivision in Snow Vista, Non-Essential for Municipal Purposes
Attachments: [EC-88](#)
- e. [EC-16-94](#) Approving a Contract for the Grants Collective for the Creation of a Non-profit Business Incubator Support Program
Attachments: [EC-94](#)
- f. [EC-16-100](#) Mayor's Appointment of Ms. Sharon L. Harrington to the Municipal Golf Advisory Board
Attachments: [EC-100](#)
- g. [EC-16-101](#) Mayor's Appointment of Ms. Ceecee Montgomery to the Americans with Disabilities Act Advisory Council

Attachments: [EC-101](#)

- h. [R-16-31](#) Approving And Authorizing The Filing Of A Grant Application For Revenue Vehicle Purchase With The Federal Transit Administration (FTA) Of The U.S. Department Of Transportation And Providing For An Appropriation To The Transit Department (Gibson, by request)

Attachments: [R-31](#)

- i. [R-16-32](#) Approving And Authorizing The Filing Of A Grant Application For Transit Enhancements, Facility Rehab And Technology Projects With The Federal Transit Administration (FTA) Of The U.S. Department Of Transportation And Providing For An Appropriation To The Transit Department (Sanchez, by request)

Attachments: [R-32](#)

- j. [R-16-33](#) Approving And Authorizing The Filing Of A Grant Application For Bus Stop Facilities Improvements With The Federal Transit Administration (FTA) Of The U.S. Department Of Transportation And Providing For An Appropriation To The Transit Department (Peña)

Attachments: [R-33](#)

- k. [R-16-35](#) Authorizing The Mayor To Execute The Albuquerque Business Education Compact Recommendations And Providing An Appropriation To The Department Of Family And Community Services (Gibson)

Attachments: [R-35](#)

[R-35 Exhibit A.pdf](#)

- l. [R-16-37](#) Amending The Adopted Capital Implementation Program Of The City Of Albuquerque By Changing The Scope Of Existing Metropolitan Redevelopment Projects (Harris)

Attachments: [R-37](#)

- m. [OC-16-14](#) Reappointment of Mr. Michael J. Jensen to the Open Space Advisory Board

Attachments: [OC-14](#)

- n. [P-15-12](#) C/S Adopting A Proposition To Be Submitted To The Voters At The November 8, 2016 General Election Or Next Regular Municipal Election That Amends Article XVI Of The Charter Of The City Of Albuquerque Concerning Open And Ethical Elections (Harris)

Attachments: [P-12](#)

[P-12 Approved Committee Substitute.pdf](#)

[Withdrawn by Sponsor]

- o. [P-15-13](#) C/S Adopting A Proposition To Be Submitted To The Voters At The November 8, 2016, General Election Or Next Regular Municipal Election That Amends Article XIII Of The Charter Of The City Of Albuquerque

Concerning Election Code (Harris)

Attachments: [P-13](#)

[P-13 Approved Committee Substitute.pdf](#)

[Withdrawn by Sponsor]

- p. [P-16-1](#) Adopting A Proposition To Be Submitted To The Voters At The November 8, 2016 General Election Or Next Regular Or Special Municipal Election, To Allow Amendments Of Article XVI Of The Charter Of The City Of Albuquerque Relating To Open And Ethical Elections By Ordinance Adopted By A Majority Plus Two Of The Entire Membership Of The Council (Harris)

Attachments: [P-1](#)

[Withdrawn by Sponsor]

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

- a. [AC-16-4](#) Henry Chan appeals the decision of the Zoning Board of Appeal's (BOA's) decision to uphold the Zoning Hearing Examiner's (ZHE's) denial of a special exception to Section 14-16-3-19(A)(2)(a): a variance of 3 feet to the maximum 3 foot height allowed in the front yard setback for an existing fence for all or a portion of Lot 8C2, Block 4, Broad Acres Subdivision, zoned R-2, located at 3101 Pennsylvania St. NE (G-19)

Attachments: [AC-16-4](#)

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

14. FINAL ACTIONS

- a. [O-15-2](#) Amending The Balloon Fiesta Park Commission Ordinance, Chapter 10, Article 10 Of The Revised Ordinances Of Albuquerque (Jones)

Attachments: [O-2](#)

[The intent is to defer O-15-2 to the May 16, 2016 Council meeting.]

- b. [O-16-9](#) Amending Section §2-12-1 To Reserve 3% Of The General Obligation Bonds Of The Capital Implementation Program For Open Space Land Acquisition, And Requiring The Mayor On Even Number Years To Submit To The City Council A List Of Properties Identified For Acquisition (Harris)

Attachments: [O-9](#)

- c. [O-16-10](#) Amending Section 9-17-1 Et Seq. Of The City Of Albuquerque Code Of Ordinances, Angel's Law (Jones, by request)

Attachments: [O-10](#)

- d. [O-16-12](#) C/S Amending Chapter 6 Article 6, ROA 1994, The Boards And Commissions Ordinance To Add A Part 12 To Establish A Central Avenue, Louisiana Boulevard And Uptown Merchants And Property

Owners Transit Advisory Board (Sanchez, Winter)

Attachments: [O-12](#)

[O-12 Approved Committee Substitute.pdf](#)

[The intent is to defer O-16-12 to the May 16, 2016 Council meeting.]

- e. [R-16-15](#) C/S Establishing The Policy Of Implementation For The Public Service Ethics And Code Of Conduct Training Program For The City Of Albuquerque And Directing The City Human Resources And Legal Departments To Oversee The Program (Lewis)
- Attachments: [R-15](#)
- [R-15 Approved Committee Substitute](#)
- [R-15 Exhibit A to Approved Committee Substitute.pdf](#)
- f. [R-16-29](#) A Nuisance Dwelling Or Structure In Need Of Abatement At 923 3rd St. SW 87102 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)
- Attachments: [R-29](#)
- g. [R-16-38](#) C/S Directing The Administration To Defer And Discontinue Any Retention Incentive Program, Longevity Pay, Or Salary Increases For All Albuquerque Police Department Officers Above The Rank Of Commander Unless The Department Is Reported As Compliant With The Requirements Of The Court Approved Settlement Agreement (The "Casa") Within The Established Deadlines; Directing That The Chief Of Police Designate A Project Manager To Oversee APD's Casa Compliance Efforts And That Such Person Provide A Progress Update Toward Compliance With The Casa At Each Meeting Of The City Council (Gibson, Benton)
- Attachments: [R-38](#)
- [R-38 Approved Committee Substitute](#)
- h. [R-16-41](#) Establishing Minimum Staffing Requirements For Albuquerque Fire Department Engine Apparatus, Rescue Apparatus, Ladder Apparatus, Hazardous Materials Squads, Heavy Technical Rescue Squads, Quality Assurance Units, Battalion Commander Units And Support Divisions (Benton, Lewis)
- Attachments: [R-41](#)
- i. [R-16-46](#) Naming Children's Park Being Developed At The Corner Of Copper And Wyoming As Officer Daniel Webster Albuquerque Children's Park In Honor Of Former Albuquerque Police Officer And 20-Year U.S. Army Veteran Daniel Webster's Distinguished Service To The Citizens Of South Los Altos Neighborhood Association And The City Of Albuquerque (Davis, Harris)

Attachments: [R-46](#)

- j. [R-16-47](#) Authorizing And Directing The City Of Albuquerque, New Mexico To Hedge A Maximum Of 1,447,324 Gallons Of Its Gasoline Price Risk And A Maximum Of 1,875,297 Gallons Of Its Diesel Fuel Price Risk Within Certain Parameters For The Purposes Of Stabilizing The City's Fuel Costs And Paying Associated Fuel Hedging Transaction Costs; Authorizing The Execution Of International Swap And Derivative Association Documents; Authorizing The Taking Of All Other Actions Necessary To The Consummation Of The Fuel Hedging Transaction Contemplated By This Resolution; Ratifying Prior Actions Consistent With This Resolution And Repealing Prior Inconsistent Action; Making An Appropriation; And Declaring An Emergency (Benton, by request)

Attachments: [R-47](#)

- k. [P-15-14](#) C/S Adopting A Proposition To Be Submitted To The Voters At The November 8, 2016 General Election Or Next Regular Municipal Election That Amends Article V Section 4 Of The Charter Of The City Of Albuquerque Concerning The Appointment And Reappointment Of The City Attorney And City Clerk (Harris)

Attachments: [P-14](#)

[P-14 Approved Committee Substitute.pdf](#)

[The intent is to defer P-15-14 to the June 6, 2016 Council meeting.]

- l. [P-16-2](#) Adopting A Proposition To Be Submitted To The Voters At The November 8, 2016 General Election Or Next Regular Or Special Municipal Election, To Modernize Public Financing Mechanism (Davis)

Attachments: [P-2](#)

- m. [RA-16-1](#) Amending The City Council Rules Of Procedure Relating To Article I, Section 8, Addressing Meetings; And Article III, Section 4, Order Of Business (Benton)

Attachments: [RA-1](#)

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

- a. Executive Session to discuss 1) litigation in the matter of Keeran 1, LLC, Robert Keeran and Cynthia Keeran v. the City of Albuquerque (D-202-CV-2014-07331); and 2) matters relating the Court Approved Settlement Agreement with the U.S. Department of Justice in the matter of United States v. City of Albuquerque.

ATTENTION: The Council will take a dinner break at approximately 7:00 p.m., unless otherwise decided by the Council.

*IF THE PROPER ACTION IS TAKEN BY THE COUNCIL, THESE ITEMS WILL BE PLACED ON TODAY'S AGENDA FOR FINAL ACTION OR DISCUSSION.

NOTICE TO PERSONS WITH DISABILITIES: If you have a disability and require special assistance to participate in this meeting, please contact the Council Office as soon as possible before the meeting date at 505-768-3100. Those in need of hearing assistance may call 711.

Assistive listening systems are available for all Council meetings. The Vincent E. Griego Chambers is equipped with an audio induction loop. Please switch your hearing aid or cochlear implants to T-coil mode. Alternatively, please request to borrow a headset or neckloop from the staff table at the front of the room.

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