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, 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

2. MOMENT OF SILENCE

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

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

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

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

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

Attachments: EC-209

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

Attachments: EC-210

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

Attachments: EC-211

[Withdrawn by Administration]

d. EC-16-212 Ground Lease Agreement, between YDI (Head Start Program) and the City of Albuquerque

Attachments: EC-212

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

Attachments: EC-218

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

Attachments: EC-219

g. EC-16-232 Mayor's Appointment of Mrs. Haley C. Kadish to the Metropolitan Parks & Recreation Advisory Board

Attachments: EC-232

h. EC-16-233 Mayor's Appointment of Ms. Breanna M. Frazier to the Youth Advisory Council

Attachments: EC-233

i. EC-16-234 Mayor's Reappointment of Mr. Ronald R. Bohannan to the Technical Standard Committee

Attachments: EC-234

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)

Attachments: R-28

[Withdrawn by Sponsor]

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)

Attachments: R-106

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)

Attachments: R-111

10. 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, with a maximum of two agenda items. Individuals speaking on specific agenda items must keep their comments germane to that bill.

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

Attachments: AC-14-4

AC-14-4 Remand Memo and Keeran v. CABQ Remand Opinion Order.pdf

NoDAC-14-4

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

Attachments: AC-16-15

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

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)

Attachments: O-11

O-11 EPC Record

O-11 Approved Committee Substitute.pdf

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)

Attachments: R-188

[The intent is to defer R-15-188 to the January 18, 2017 Council meeting.]

c. R-16-89 Moving The Office Of Neighborhood Coordination From The Planning Department To The Council Services Department; Making An Appropriation (Peña)

Attachments: R-89.pdf

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)

Attachments: R-102.pdf
R-102 Attachment A.pdf
R-102 Approved Floor Substitute.pdf

e. R-16-121 Establishing Policy To Allow Residents Aged 16-17 Years To Utilize Gym Facilities At City Multigenerational And Community Centers (Winter)

Attachments: R-121.pdf

f. R-16-123 Making An Appropriation To The Albuquerque Police Department To Provide For Additional Police Service Aide Positions (Sanchez)

Attachments: R-123.pdf

[The intent is to defer R-16-123 to the December 19, 2016 Council meeting.]

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)

Attachments: R-124.pdf

h. R-16-125 Establishing A Property Crime Reduction Pilot Program (Winter, Davis)

Attachments: R-125.pdf

[The intent is to defer R-16-125 to the December 19, 2016 Council meeting.]

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)

Attachments: R-131.pdf

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)

Attachments: RA-3.pdf

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

a. Election of President and Vice-President

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

c. Approval of Committee Appointments

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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