



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, Ken Sanchez, District 1

Roxanna Meyers, District 2; Isaac Benton, District 3
Brad Winter, District 4; Rey Garduño, District 6
Michael D. Cook, District 7; Trudy E. Jones, District 8
Don Harris, District 9

Monday, March 4, 2013

5:00 PM

Vincent E. Griego Chambers
One Civic Plaza

Albuquerque/Bernalillo County Government Center

TWENTIETH COUNCIL - THIRTY-FIRST MEETING

1. ROLL CALL

Present 9 - Dan Lewis, Ken Sanchez, Roxanna Meyers, Isaac Benton, Brad Winter, Rey Garduño, Michael Cook, Trudy Jones, and Don Harris

2. MOMENT OF SILENCE

Pledge of Allegiance - Brad Winter, Councilor, District 4

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

A motion was made by Vice-President Sanchez that the February 20, 2013 Journal be approved. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

7. COMMUNICATIONS AND INTRODUCTIONS

Deferrals and Withdrawals

- c. [R-12-115](#) Relating To Capital Projects; Amending The Adopted Capital Implementation Program Of The City Of Albuquerque To Complete The Funding For The Central And Unser Library (Sanchez)

A motion was made by Vice-President Sanchez that this matter be Postponed to March 18, 2013. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

- i. [R-13-157](#) Establishing A Policy For The Joint Use Of The Metropolitan Redevelopment Land Adjacent To The Central And Unser Library Site (Sanchez)

A motion was made by Vice-President Sanchez that this matter be Postponed to March 18, 2013. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

- h. [R-13-156](#) Providing AFD An Appropriation From The Fire Fund To Purchase EKG Cardiac Monitors And Related Equipment To Allow For The Expansion Of The Advanced Life Support Delivery System And Decreased Response Times (Harris, by request)

A motion was made by Councilor Harris that this matter be Referred to the Finance & Government Operations Committee. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

- k. [RA-12-2](#) Amending The City Council Rules Of Procedure To Change The Order Of Business For City Council Meetings (Jones)

A motion was made by Councilor Jones that this matter be Postponed to April 1, 2013. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

- f. [R-13-143](#) Initiating A Process To Independently Review The City's Mechanisms Of Police Oversight; Creating An Ad Hoc Police Oversight Task Force To Oversee That Process And Make Recommendations To The City Council; Calling For Three Public Forums To Be Held At Various Locations Throughout The City During The Month Of March 2013 (Winter, Garduño)

A motion was made by Councilor Garduño that this matter be Postponed to April 1, 2013. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

- e. [R-13-138](#) Declaring The Necessity To Study And Revamp The City Of Albuquerque's Police Oversight Ordinance; Stating The City Council's Intent To Hold Public Forums, Conduct Study Sessions And Provide Other Resources To Make The Police Oversight Commission A More Effective Forum For Citizen Complaints; Making An Appropriation To

The Chief Administrative Office For The Creation Of A Position To Provide Analysis And Data To The Independent Review Office And The Police Oversight Commission In Furtherance Of This Goal (Lewis, Harris)

A motion was made by Councilor Harris that this matter be Postponed to April 1, 2013. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

9. GENERAL PUBLIC COMMENTS

10. ANNOUNCEMENTS

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

- a. [EC-13-316](#) FY/12 Goal 1, Priority Objective #8 Report to the Mayor and City Council
- A motion was made by Vice-President Sanchez that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris
- b. [EC-13-317](#) Submission Of The Five-Year Forecast
- A motion was made by Vice-President Sanchez that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris
- c. [EC-13-318](#) Status FY13 Goal 4, Objective 1 - Sustainable Community Development - Complete construction of Albuquerque Fire Department Station 2 and Station 7
- A motion was made by Vice-President Sanchez that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris
- d. [EC-13-322](#) FY13 Goal #1 Priority Objective #5 Status Report - Collaborate with Albuquerque Public Schools to Create a Volunteer Partnership
- A motion was made by Vice-President Sanchez that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris
- e. [EC-13-323](#) FY13 Goal #1 Priority Objective #3 Status Report - Developing and

Producing a Video Promoting the Work of the Department of Senior Affairs

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

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

f. [EC-13-352](#)

Mayor's Appointment of Mr. Joseph D. Grasso to the Airport Advisory Board

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

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

g. [EC-13-353](#)

Mayor's Appointment of Ms. Debby Knotts to the Senior Affairs Advisory Board

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

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

h. [EC-13-354](#)

Mayor's Reappointment of Ms. Elizabeth C. Wright-Smith to the Balloon Museum Board Of Trustees

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

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

i. [EC-13-355](#)

Mayor's Appointment of Mrs. Darlene Fattorusso to the Advisory Committee on Transit for the Mobility Impaired

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

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

j. [EC-13-356](#)

Mayor's Appointment of Ms. Karen M Kinsman, M.S. to the Balloon Museum Board Of Trustees

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

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

k. [EC-13-357](#)

Mayor's Appointment of Ms. Susan G. Chappell to the Labor-Management Board

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

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

I. [R-13-133](#)

Approving And Authorizing The Filing Of A Grant Application For A Food Service Program For Children With The New Mexico Department Of Children, Youth And Families And Providing An Appropriation To The Department Of Family And Community Services/Division Of Child And Family Development (Sanchez, by request)

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

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

m. [R-13-134](#)

Approving And Authorizing The Filing Of Grant Application With The New Mexico Public Regulation Commission For Funds Under The Fire Protection Grant And That Upon Award Providing An Appropriation To The Fire Department In Fiscal Year 2013 (Benton, by request)

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

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

***n.** [R-13-140](#)

Providing Required Information On Proposed Interim Use Of The Rail Yards Blacksmith Shop Building As Directed By R-2012-090 (Benton, by request)

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

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

o. [R-13-141](#)

Authorizing The Mayor To Execute The Albuquerque Business Education Compact Recommendations And Providing An Appropriation To The Department Of Family And Community Services (Winter)

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

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

p. [R-13-144](#)

Approving And Authorizing The Filing Of The Revised Grant Application For A PM Fine And NCore Monitoring Grant With The Environmental Protection Agency (Harris, by request)

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

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

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

- a. [AC-12-17](#) Project #1003859 - 11EPC-40067 a Site Development Plan for Subdivision Amendment - 11EPC-40068 a Site Development Plan for a Building Permit - Ronald R. Bohannon, P.E., Tierra West LLC agent for Silver Leaf Ventures, LLC, appeals the Environmental Planning Commission's Denial for all or a portion of Tracts 1-6, North Andalucia at La Luz, located on Coors Blvd. NW between Montano Rd. NW and Learning Rd., containing approximately 60 acres

A motion was made by President Lewis To Accept the Land Use Hearing Officer Recommendation. The motion carried by the following vote:

For: 7 - Lewis, Sanchez, Benton, Winter, Cook, Jones, and Harris

Abstain: 2 - Meyers, and Garduño

- b. [AC-13-1](#) Richard Royman appeals the Zoning Board of Appeals (BOA) decision to uphold the Zoning Hearing Examiner's approval of special exception to Section 14-16-2-6(B)(14)(a)(1): a Conditional Use to allow a proposed 5' wall in the front and side yard setback area for all or a portion of Lot 30, Altura Addn, Zoned R-1, located at 1826 Solano Dr NE

A motion was made by Councilor Jones To Accept the Land Use Hearing Officer Recommendation. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

14. FINAL ACTIONS

- a. [R-13-125](#) F/S Approving The Programming Of Funds And Projects For The 2013-2022 Decade Plan For Capital Improvements Including The 2013 Two-Year Capital Budget (Winter, by request)

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

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

A motion was made by Councilor Garduño that Floor Amendment No. 1 be Amended. The motion failed by the following vote:

For: 3 - Sanchez, Benton, and Garduño

Against: 6 - Lewis, Meyers, Winter, Cook, Jones, and Harris

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

For: 5 - Lewis, Sanchez, Benton, Garduño, and Harris

Against: 4 - Meyers, Winter, Cook, and Jones

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

For: 6 - Lewis, Meyers, Winter, Cook, Jones, and Harris

Against: 3 - Sanchez, Benton, and Garduño

A motion was made by Councilor Garduño that this matter be Amended. Councilor Garduño moved Floor Amendment No. 3. The motion carried by the following vote:

For: 6 - Sanchez, Benton, Winter, Garduño, Cook, and Jones

Against: 3 - Lewis, Meyers, and Harris

A motion was made by Councilor Benton that this matter be Amended. Councilor Benton moved Floor Amendment No. 4. The motion carried by the following vote:

For: 5 - Lewis, Sanchez, Benton, Garduño, and Cook

Against: 4 - Meyers, Winter, Jones, and Harris

A motion was made by Councilor Benton that this matter be Amended. Councilor Benton moved Floor Amendment No. 5. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

A motion was made by Councilor Benton that this matter be Amended. Councilor Benton moved Floor Amendment No. 6. The motion carried by the following vote:

For: 9 - Lewis, Sanchez, Meyers, Benton, Winter, Garduño, Cook, Jones, and Harris

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

For: 7 - Lewis, Sanchez, Meyers, Benton, Garduño, Jones, and Harris

Against: 2 - Winter, and Cook

b. [O-12-39](#)

Amending The Zoning Code To Add A New Section 14-16-3-23 ROA 1994 To Make The Launching And Landing Of Hot Air Balloons A Permissive Use In All Zoning Districts (Cook)

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

For: 8 - Lewis, Sanchez, Meyers, Benton, Garduño, Cook, Jones, and Harris

Excused: 1 - Winter

- d. [R-13-135](#) Approving And Authorizing A Certified Local Government Subgrant And Providing An Appropriation To The Planning Department (Meyers)

A motion was made by Councilor Meyers that this matter be Postponed to March 18, 2013. The motion carried by the following vote:

For: 8 - Lewis, Sanchez, Meyers, Benton, Garduño, Cook, Jones, and Harris

Excused: 1 - Winter

- j. [M-13-2](#) F/S Supporting Senate And House Capital Outlay Requests To Fund Deceleration Lanes From Interstate 40 (I-40) Onto Arroyo Vista Boulevard/98th Street And Unser Boulevard (Sanchez)

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

For: 8 - Lewis, Sanchez, Meyers, Benton, Garduño, Cook, Jones, and Harris

Excused: 1 - Winter

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

For: 8 - Lewis, Sanchez, Meyers, Benton, Garduño, Cook, Jones, and Harris

Excused: 1 - Winter

- g. [R-13-155](#) Supporting House Bill 77, Legislation Requiring A Background Check For A Firearm Transfer At A Gun Show (Benton, Harris)

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

For: 5 - Sanchez, Meyers, Benton, Garduño, and Harris

Against: 3 - Lewis, Cook, and Jones

Excused: 1 - Winter