



City of Albuquerque

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

Action Summary City Council

Council President, Rey Garduño, District 6
Vice-President, Brad Winter, District 4

Ken Sanchez, District 1; Isaac Benton, District 2
Klarissa J. Peña, District 3; Dan Lewis, District 5
Diane G. Gibson, District 7; Trudy E. Jones, District 8
Don Harris, District 9

Monday, April 6, 2015

5:00 PM

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

TWENTY-FIRST COUNCIL - THIRTY-SIXTH MEETING

1. ROLL CALL

Present 9 - Rey Garduño, Brad Winter, Ken Sanchez, Isaac Benton, Klarissa Peña,
Dan Lewis, Diane Gibson, Trudy Jones, and Don Harris

2. MOMENT OF SILENCE

Pledge of Allegiance - Don Harris, Councilor, District 9

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

March 16, 2015

7. COMMUNICATIONS AND INTRODUCTIONS

Deferrals and Withdrawals

- a. [O-14-20](#) C/S Amending The Zoning Code To Add A Definition For Secondary Dwelling Units, Make Secondary Dwelling Units A Conditional Use In The R-1 And RO-1 Zones, Make Secondary Dwelling Units A Permissive Use In The R-G And R-2 Zones, And Establish Design, Size, Parking And Occupancy Regulations (Benton)

A motion was made by Councilor Benton that this matter be Postponed to April 20, 2015. The motion carried by the following vote:

For: 9 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris

g. [O-15-45](#)

Authorizing The Issuance And Sale Of \$49,896,000 City Of Albuquerque, New Mexico General Obligation Bonds, Consisting Of \$37,970,000 General Purpose General Obligation Bonds, Series 2015A, \$4,726,000 General Obligation Storm Sewer Bonds, Series 2015B, And \$7,200,000 Short-Term General Obligation Bonds, Series 2015C, Authorized At An Election Of The City Held On October 8, 2013 To Finance Projects Relating To Public Safety, Citizens' Centers, Parks And Recreation, Facilities And Equipment, Library, Public Transportation, Affordable Housing, Zoo, Biological Park And Museum Facilities, Storm Sewers, And Streets (Garduño, by request)

A motion was made by President Garduño that this matter be Postponed to May 4, 2015. The motion carried by the following vote:

For: 9 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris

14. FINAL ACTIONS

n. [R-15-179](#)

Naming The Central & Unser Library The "Central & Unser - Patrick J. Baca Library" (Sanchez, Benton, Peña)

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

For: 9 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris

***p.** [M-15-10](#)

Reaffirming The City Of Albuquerque's Commitment To Civil Rights, Recognizing The Contributions Of Immigrant Entrepreneurs, Workers And Families, And Urging Congress To Pass Comprehensive Immigration Reform (Peña, Sanchez)

A motion was made by Vice-President Winter that this matter be Tabled. The motion failed by the following vote:

For: 4 - Winter, Lewis, Jones, and Harris

Against: 5 - Garduño, Sanchez, Benton, Peña, and Gibson

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

For: 4 - Winter, Lewis, Jones, and Harris

Against: 5 - Garduño, Sanchez, Benton, Peña, and Gibson

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

For: 5 - Garduño, Sanchez, Benton, Peña, and Gibson

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

m. [R-15-177](#)

Directing The City Administration To Withdraw Support For The Stipulation Relating To Public Service Company Of New Mexico's Plan To Replace 836 Megawatts At The San Juan Generating Station Based On Costs To Ratepayers And Increasing Risk Considerations (Winter)

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

For: 6 - Garduño, Winter, Sanchez, Benton, Peña, and Gibson

Against: 3 - Lewis, Jones, and Harris

o. [M-15-9](#)

F/S Relating To Public Service Company Of New Mexico's Plan To Replace 836 Megawatts At The San Juan Generating Station; Urging The New Mexico Public Regulation Commission To Modify PNM's Stipulation Agreement (Benton)

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

For: 9 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris

8. REPORTS OF COMMITTEES

9. GENERAL PUBLIC COMMENTS

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

a. [EC-15-259](#)

Second Amendment to Ambulance Services Contract

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

For: 9 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris

b. [EC-15-284](#)

Mayor's Recommendation of Souder Miller & Associates for Engineering Consultants for Citywide On-Call Engineering Services (Transportation and Storm Drainage)

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

For: 9 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris

- c. [EC-15-285](#) Mayor's Recommendation of The Hartman Majewski Design Group for Architectural Consultants for Citywide On-Call Architectural Services
- A motion was made by Vice-President Winter that this matter be Approved. The motion carried by the following vote:**
- For:** 8 - Garduño, Winter, Sanchez, Peña, Lewis, Gibson, Jones, and Harris
- Abstain:** 1 - Benton
- d. [EC-15-286](#) Mayor's Reappointment of Mr. John Rockwell to the Urban Enhancement Trust Fund
- A motion was made by Vice-President Winter that this matter be Confirmed. The motion carried by the following vote:**
- For:** 9 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris
- e. [EC-15-287](#) Mayor's Reappointment of Ms. Susan Michie-Maitlen to the Metropolitan Parks & Recreation Advisory Board
- A motion was made by Vice-President Winter that this matter be Confirmed. The motion carried by the following vote:**
- For:** 9 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris
- f. [EC-15-289](#) Mayor's Appointment of Mr. Martin Ethridgehill to the Veterans and Military Affairs Advisory Board
- A motion was made by Vice-President Winter that this matter be Confirmed. The motion carried by the following vote:**
- For:** 9 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris
- g. [EC-15-290](#) Mayor's Appointment of Ms. Amy D. Henne to the Library Advisory Board
- A motion was made by Vice-President Winter that this matter be Confirmed. The motion carried by the following vote:**
- For:** 9 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris
- h. [O-15-40](#) Amending Chapter 4, Article 1, Section 9, ROA 1994, Investment Committee, To Remove Committee Membership For The Albuquerque Bernalillo County Water Utility Authority, And To Allow Non-Voting Committee Participation For The City Controller, City Economist, Budget Officer And Investment Officer (Garduño)
- A motion was made by Vice-President Winter that this matter be Passed. The motion carried by the following vote:**
- For:** 9 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris

10. ANNOUNCEMENTS

13. APPROVALS

- *b. [EC-15-291](#) Los Poblanos Fields Open Space Lease Agreements between Rasband Dairy, Inc., Rio Grande Community Farms (a 501(c)(3) organization), and Skarsgard Farms, LLC and the City of Albuquerque

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

For: 9 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris

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

- a. [AC-15-2](#) (Project# 1003478/14EPC-40067/14EPC-40068) Lucy Anchondo Secretary, on behalf of the Avalon Neighborhood Association, appeals the Environmental Planning Commission's (EPC's) Approval of a Zone Map Amendment (zone change), for Tract 8, Avalon Subdivision Unit 5, located on 90th street between Bluewater Road NW and Los Volcanes Road NW

A motion was made by Councilor Benton for Reconsideration of AC-15-2. The motion carried by the following vote:

For: 8 - Garduño, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris

Abstain: 1 - Winter

A motion was made by Councilor Benton that this matter be Remanded to the Land Use Hearing Officer. The motion carried by the following vote:

For: 6 - Garduño, Benton, Peña, Lewis, Gibson, and Jones

Against: 2 - Sanchez, and Harris

Abstain: 1 - Winter

14. FINAL ACTIONS

- f. [O-15-44](#) F/S Authorizing The Issue And Sale Of A Maximum Principal Amount Of \$8,500,000 City Of Albuquerque, New Mexico Gross Receipts Tax Refunding Revenue Bonds, Series 2015C For The Purpose Of (i) Financing The Cost Of Refunding The City's Outstanding Gross Receipts Tax Revenue Refunding Bonds (Beach, Bluewater And Manzano Vista Projects), Series 2008B And (ii) Paying Expenses Related To The Issuance Of The Series 2015C Bonds; Authorizing The Issue And Sale Of A Maximum Principal Amount Of \$1,000,000 City Of Albuquerque, New Mexico Short-Term Lodgers' Tax

Improvement Revenue Bonds, Taxable Series 2015A For The Purpose Of (i) Completing Lodgers' Tax Projects In The City And (ii) Paying Expenses Related To The Issuance Of The Series 2015A Bonds; Providing For The Payment Of The Gross Receipts Tax Bonds From Certain Gross Receipts Tax Revenues And The Lodgers' Tax Bonds From Lodgers' Tax Revenues (Jones, by request)

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

For: 8 - Garduño, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris

Excused: 1 - Winter

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

For: 9 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris

h. [O-15-46](#)

F/S Authorizing The Issue And Sale Of A Maximum Principal Amount Of \$45,000,000 City Of Albuquerque, New Mexico Gross Receipts Tax Improvement Revenue Bonds, Series 2015B In One Or More Series For The Purpose Of (i) Acquiring And Equipping Public Parks, Public Recreational Buildings, Libraries, Visitor Centers, Or Other Public Recreational Facilities, (ii) Improving A Public Bus Rapid Transit System Or Facilities, (iii) Furthering Economic Development Projects Within The City, And (iv) Paying Expenses Related To Issuance Of The Series 2015B Bonds; Providing For The Payment Of The Series 2015B Bonds From Certain Gross Receipts Tax Revenues (Peña, Harris)

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

For: 9 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris

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

For: 9 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris

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

For: 9 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris

I. [R-15-172](#)

F/S Authorizing The Giving Of Notices For Bids For The Sale Of City Of Albuquerque, New Mexico General Obligation Bonds Consisting Of \$37,970,000 General Obligation General Purpose Bonds, Series 2015A And \$4,726,000 General Obligation Storm Sewer Bonds, Series 2015B (Garduño, by request)

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

For: 9 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris

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

For: 9 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris

- i. [R-14-142](#) F/S Adopting The Bikeways & Trails Facility Plan (BTFP) As A Rank II Facility Plan. The Scope Of The Bikeways And Trails Facility Plan Is City-Wide (Benton, by request)

A motion was made by Councilor Benton that this matter be Postponed to April 20, 2015. The motion carried by the following vote:

For: 9 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, Jones, and Harris

- k. [R-15-171](#) Establishing Procedures For Implementing Improvements And Expending Funds Within The Rio Grande Valley State Park By The City Of Albuquerque (Benton)

A motion was made by Councilor Benton that this matter be Postponed to April 20, 2015. The motion carried by the following vote:

For: 8 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, and Jones

Excused: 1 - Harris

- d. [O-15-42](#) Amending Chapter 14, Article 8, Part 4 ROA 1994, The "Metropolitan Redevelopment Agency Ordinance." (Jones)

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

For: 8 - Garduño, Winter, Sanchez, Benton, Peña, Lewis, Gibson, and Jones

Excused: 1 - Harris

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

- a. [EC-15-257](#) Mayor's Recommendation of Award to The Superlative Group to Provide "Revenue Generating Corporate Sponsorship - Marketing Program"

Postponed to April 20, 2015

14. FINAL ACTIONS

- b. [O-14-25](#) C/S Amending The Zoning Code To Allow Modification Of Existing Off-Premise Signs That Are Within Six Hundred Sixty Feet Of The

Nearest Edge Of The Right-Of-Way Of An Interstate Highway Within The City, To Make Such Signs Electronic Signs (Jones)

Postponed to April 20, 2015

c. [O-14-32](#)

C/S Amending §14-14-4-5 And §14-14-5-1 Of The Subdivision Ordinance To Require Compliance With The Complete Streets Ordinance For New Construction, Amending §14-14-5-2 Of The Subdivision Ordinance To Adopt By Reference Alternative Standards Manuals For The Design Of Streets Governed By The Complete Streets Ordinance (Benton)

Postponed to April 20, 2015

e. [O-15-43](#)

Amending The Merit System Ordinance Relating To Classified And Unclassified Service (Jones, Sanchez)

Postponed to April 20, 2015

j. [R-15-165](#)

C/S Requiring The Internal Operations Committee Of The City Council To Review And Approve Certain Council Staffing Decisions; Designating Certain Procedures For Internal Operations Committee And The Director Of Council Services (Winter)

Postponed to April 20, 2015