



# 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*

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Monday, May 18, 2015

5:00 PM

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

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### TWENTY-FIRST COUNCIL - FORTIETH MEETING

#### 1. ROLL CALL

**Present** 8 - Rey Garduño, Brad Winter, Ken Sanchez, Isaac Benton, Dan Lewis, Diane Gibson, Trudy Jones, and Don Harris

**Excused** 1 - Klarissa Peña

#### 2. MOMENT OF SILENCE

Pledge of Allegiance - Isaac Benton, Councilor, District 2

#### 3. PROCLAMATIONS & PRESENTATIONS

#### 4. ECONOMIC DEVELOPMENT DISCUSSION

#### 5. ADMINISTRATION QUESTION & ANSWER PERIOD

#### 6. APPROVAL OF JOURNAL

May 4, 2015

May 7, 2015 Special Meeting

#### 7. COMMUNICATIONS AND INTRODUCTIONS

#### 8. REPORTS OF COMMITTEES

**Finance & Government Operations Committee - May 11, 2015****Deferrals and Withdrawals**

- f. [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)
- A motion was made by Vice-President Winter that this matter be Postponed to June 15, 2015. The motion carried by the following vote:**
- For:** 8 - Garduño, Winter, Sanchez, Benton, Lewis, Gibson, Jones, and Harris
- Excused:** 1 - Peña
- c. [EC-15-288](#) Approval of the Second Supplemental to add monies for Outside Counsel Legal Services between Scott T. Greenwood, Attorney at Law and the City of Albuquerque
- A motion was made by President Garduño that this matter be Postponed to June 1, 2015. The motion carried by the following vote:**
- For:** 7 - Garduño, Winter, Sanchez, Benton, Lewis, Gibson, and Harris
- Against:** 1 - Jones
- Excused:** 1 - Peña
- 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 June 15, 2015. The motion carried by the following vote:**
- For:** 8 - Garduño, Winter, Sanchez, Benton, Lewis, Gibson, Jones, and Harris
- Excused:** 1 - Peña
- b. [O-15-43](#) Amending The Merit System Ordinance Relating To Classified And Unclassified Service (Jones, Sanchez)
- A motion was made by Councilor Sanchez that this matter be Postponed to June 15, 2015. The motion carried by the following vote:**
- For:** 8 - Garduño, Winter, Sanchez, Benton, Lewis, Gibson, Jones, and Harris
- Excused:** 1 - Peña

- g. [R-15-171](#) F/S Establishing Procedures For Implementing Improvements And Expending Funds Within The Rio Grande Valley State Park By The City Of Albuquerque (Benton, Sanchez)
- A motion was made by Councilor Benton that this matter be Postponed to June 1, 2015. The motion carried by the following vote:**
- For:** 8 - Garduño, Winter, Sanchez, Benton, Lewis, Gibson, Jones, and Harris
- Excused:** 1 - Peña

- h. [R-15-192](#) Directing That The Police Oversight Board Prioritize Training And Development Of Certain Rules And Regulations At Its Initial Meetings (Winter, Garduño)
- A motion was made by Vice-President Winter that this matter be Postponed to June 1, 2015. The motion carried by the following vote:**
- For:** 8 - Garduño, Winter, Sanchez, Benton, Lewis, Gibson, Jones, and Harris
- Excused:** 1 - Peña

## 9. GENERAL PUBLIC COMMENTS

## 10. ANNOUNCEMENTS

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

- b. [EC-15-323](#) Mayor's Appointment of Mr. James M. Collie 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:** 8 - Garduño, Winter, Sanchez, Benton, Lewis, Gibson, Jones, and Harris
- Excused:** 1 - Peña
- c. [EC-15-324](#) Mayor's Recommendation of Dekker/Perich/Sabatini, Ltd. for Architectural Services for Double Eagle II/Albuquerque International Sunport Hangar or Manufacturing Facility
- 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, Benton, Lewis, Gibson, Jones, and Harris
- Excused:** 1 - Peña

- d. [EC-15-330](#) Mayor's Appointment of Mr. Dathan L. Weems to the ABQ Volunteer Advisory Board
- A motion was made by Vice-President Winter that this matter be Confirmed.**  
**The motion carried by the following vote:**
- For:** 8 - Garduño, Winter, Sanchez, Benton, Lewis, Gibson, Jones, and Harris
- Excused:** 1 - Peña
- e. [EC-15-331](#) Mayor's Reappointment of Mr. Christopher J. Couls 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:** 8 - Garduño, Winter, Sanchez, Benton, Lewis, Gibson, Jones, and Harris
- Excused:** 1 - Peña
- f. [EC-15-332](#) Mayor's Appointment of Ms. Angela M. Romero to the Balloon Museum Board of Trustees
- A motion was made by Vice-President Winter that this matter be Confirmed.**  
**The motion carried by the following vote:**
- For:** 8 - Garduño, Winter, Sanchez, Benton, Lewis, Gibson, Jones, and Harris
- Excused:** 1 - Peña
- g. [EC-15-333](#) Mayor's Reappointment of Mr. Scott B. Wilson to the EMS Providers Advisory Committee
- A motion was made by Vice-President Winter that this matter be Confirmed.**  
**The motion carried by the following vote:**
- For:** 8 - Garduño, Winter, Sanchez, Benton, Lewis, Gibson, Jones, and Harris
- Excused:** 1 - Peña
- h. [EC-15-334](#) Mayor's Appointment of Mrs. Brenda D. Boatman to the Metropolitan Parks & Recreation Advisory Board
- A motion was made by Vice-President Winter that this matter be Withdrawn by Administration. The motion carried by the following vote:**
- For:** 8 - Garduño, Winter, Sanchez, Benton, Lewis, Gibson, Jones, and Harris
- Excused:** 1 - Peña
- i. [EC-15-335](#) Mayor's Appointment of Mrs. Patricia C. Vasquez 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:** 8 - Garduño, Winter, Sanchez, Benton, Lewis, Gibson, Jones, and Harris

**Excused:** 1 - Peña

- j. [R-15-200](#) Acknowledging And Adopting The Renaming Of “Dog Biscuit Hill” In The Rio Grande Valley State Park As The “Patrick J. Baca Open Space Unit Of The Rio Grande Valley State Park;” Accepting Maintenance And Management Of This Unit (Benton, Sanchez)

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

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

**Excused:** 1 - Peña

- k. [R-15-201](#) Amending The Adopted Capital Implementation Program Of The City Of Albuquerque By Changing The Scope Of Existing Projects Relating To The International District Library And Singing Arrow Community Center (Garduño, Harris)

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

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

**Excused:** 1 - Peña

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

- a. [EC-15-322](#) Mayor's Appointment of Ms. Marie Q. Julienne to the Personnel Board

**A motion was made by Councilor Benton that this matter be Postponed to June 1, 2015. The motion carried by the following vote:**

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

**Excused:** 1 - Peña

### 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 Councilor Jones that this matter be To Accept the Land Use Hearing Officer Recommendation and Findings. The motion failed by the following vote:**

**For:** 3 - Lewis, Jones, and Harris

**Against:** 4 - Garduño, Sanchez, Benton, and Gibson

**Abstain:** 1 - Winter

**Excused:** 1 - Peña

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

- a. [EC-15-280](#) FY15 Priority Objective Report: Public Safety Goal 2, Objective 13 - Increase the Number of Recruits to APD and Bolster New Officer Hiring, 2nd Quarter Report
- A motion was made by President Garduño that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 8 - Garduño, Winter, Sanchez, Benton, Lewis, Gibson, Jones, and Harris
- Excused:** 1 - Peña
- b. [EC-15-281](#) FY15 Priority Objective Report: Public Safety Goal 2, Objective 14 - Migrate Training to APD Academy On-line, APD's Distance Learning System, 2nd Quarter Report
- A motion was made by President Garduño that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 8 - Garduño, Winter, Sanchez, Benton, Lewis, Gibson, Jones, and Harris
- Excused:** 1 - Peña
- d. [EC-15-314](#) Stipulated Order Establishing the Independent Monitor's Office and the Payment of Monitoring Expenses to James D. Ginger, Ph.D., CEO, Public Management Resources, Inc.
- A motion was made by President Garduño that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 6 - Winter, Sanchez, Benton, Gibson, Jones, and Harris
- Against:** 2 - Garduño, and Lewis
- Excused:** 1 - Peña
- \*e. [EC-15-327](#) Fourth Supplemental Agreement with Sawmill Community Land Trust for the Purpose of Developing Madera Crossing, a 57-unit multifamily affordable housing project utilizing an existing \$2,555,860.00 grant of HOME Investment Partnerships Funds and providing an additional repayable new loan in HOME funds for \$1,593,428.00 due to MFA rescinding the Low Income Housing Tax Credits (LIHTC) awarded to Developer for Madera Crossing in December 2014
- A motion was made by Councilor Benton that this matter be Approved. The motion carried by the following vote:**
- For:** 8 - Garduño, Winter, Sanchez, Benton, Lewis, Gibson, Jones, and Harris
- Excused:** 1 - Peña

- \*f. [EC-15-328](#) Supportive Housing and Case Management Services Agreement with St. Martin's Hospitality Center (SMHC) in the amount of Six Hundred and Twenty-Five Thousands (\$625,000.00) to provide supportive housing and case management services to a minimum of sixty (60) persons experiencing chronic homelessness and/or are precariously housed that have mental illness, behavioral health or co-occurring disorders

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

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

**Excused:** 1 - Peña

- \*g. [EC-15-337](#) Appointment of Natalie Y. Howard to the Position of City Clerk

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

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

**Excused:** 1 - Peña

## 14. FINAL ACTIONS

- c. [O-15-49](#) Amending Chapter 10, Article 2, Section 4 ROA 1994 Relating To Bio Park Rates; Removing Charges For Train Rides To Allow Train Fees To Be Independently Set By The Bio Park Society (Benton)

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

**For:** 7 - Garduño, Winter, Benton, Lewis, Gibson, Jones, and Harris

**Against:** 1 - Sanchez

**Excused:** 1 - Peña

- d. [R-14-86](#) C/S Amending The Sawmill/Wells Park Sector Development Plan To Update The Road Network And Transportation Design In Chapter 6; Replacing Sections 2 And 3, And Adding Sections 12 And 13 (Benton)

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

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

**Excused:** 1 - Peña

e. [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 Amended. Councilor Benton moved Amendment No. 1. The motion carried by the following vote:**

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

**Excused:** 1 - Peña

**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 - Garduño, Winter, Sanchez, Benton, Lewis, Gibson, Jones, and Harris

**Excused:** 1 - Peña

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

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

**Excused:** 1 - Peña

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

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

**Excused:** 1 - Peña

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

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

**Excused:** 1 - Peña

i. [R-15-199](#)

F/S Making Findings In Connection With The Boulders Public Improvement District's Resolution Authorizing The Issuance And Sale Of Special Levy Revenue Bonds; Ratifying And Approving The Issuance And Sale Of The Boulders Public Improvement District Special Levy Revenue Bonds, Series 2015, As Substantially Consistent With The Requirements Of City Ordinance Enactment No. 0-2003-12 And City Council Resolution No. R-2012-47, Enactment No. R-2012-35 (Lewis)

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

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

**Excused:** 1 - Peña

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

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

**Excused:** 1 - Peña

**j.**     [P-15-8](#)

To Be Submitted To The Voters On The City Of Albuquerque Municipal Election Ballot Of October 6, 2015, Amending Article V, Section 4 Of The Charter Of The City Of Albuquerque, Concerning The Duties Of The Mayor; Specifying That The Appointment Of The Chief Of Police And Fire Chief Will Require The Advice And Consent Of The City Council (Sanchez, Benton)

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

**For:** 6 - Garduño, Sanchez, Benton, Lewis, Gibson, and Harris

**Against:** 2 - Winter, and Jones

**Excused:** 1 - Peña

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

**For:** 1 - Benton

**Against:** 7 - Garduño, Winter, Sanchez, Lewis, Gibson, Jones, and Harris

**Excused:** 1 - Peña

**A motion was made by Councilor Sanchez that this matter be Postponed as Amended to June 1, 2015. The motion carried by the following vote:**

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

**Excused:** 1 - Peña

**k.**     [P-15-9](#)

Adopting A Proposition To Be Submitted To The Voters At The October 6, 2015 City Of Albuquerque Municipal Election Ballot That Amends Article III, Section 3 Of The Charter Of The City Of Albuquerque, Concerning Direct Legislation By Voter Initiative So That Proposed Measures Shall Be Submitted To The City's Electors Only At General Elections Or Regular Municipal Elections; And That Amends The Calculation For The Minimum Number Of Petition Signatures (Sanchez)

**A motion was made by Councilor Sanchez that this matter be Postponed to June 1, 2015. The motion carried by the following vote:**

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

**Excused:** 1 - Peña

I. [P-15-10](#)

Adopting A Proposition To Be Submitted To The Voters At The October 6, 2015 City Of Albuquerque Municipal Election That Amends Article VI Of The Charter Of The City Of Albuquerque Concerning Charter Amendments (Sanchez)

**A motion was made by Councilor Sanchez that this matter be Postponed to June 1, 2015. The motion carried by the following vote:**

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

**Excused:** 1 - Peña