



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, November 2, 2015

5:00 PM

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

TWENTY-FIRST COUNCIL - FIFTY-FIRST 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 - Klarissa J. Peña, Councilor, District 3

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

Deferrals/Withdrawals

- a. [O-15-43](#) Amending The Merit System Ordinance Relating To Classified And Unclassified Service (Jones, Sanchez)

Attachments: [O-43](#)

A motion was made by Councilor Sanchez that this matter be Postponed to February 1, 2016. The motion carried by the following vote:

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

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

October 19, 2015

7. COMMUNICATIONS AND INTRODUCTIONS

A motion was made by President Garduño that the Letter of Introduction be approved. The motion carried by the following vote:

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

14. FINAL ACTIONS

- I. [R-15-261](#) Establishing Policy For The Recognition Of Indigenous People's Day In The City Of Albuquerque (Garduño)

Attachments: [R-261](#)

A motion was made by President Garduño that this matter be Passed. 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

10. ANNOUNCEMENTS

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

- a. [EC-15-413](#) Proposed Parking Agreement between the City of Albuquerque and Historic Hotel, LLC (dba Hotel Andaluz)

Attachments: [EC-413](#)

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

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

Excused: 3 - Sanchez, Gibson, and Harris

- b. [EC-15-414](#) Third Amendment to the Food and Beverage Concession Lease and Agreement for Black Mesa Coffee Co., Inc. to Adjust Support Space

Attachments: [EC-414](#)

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

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

Excused: 3 - Sanchez, Gibson, and Harris

c. [EC-15-422](#)

Mayor's Appointment of Mr. Dan T. Serrano to the Environmental Planning Commission

Attachments: [EC-422](#)

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

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

Excused: 3 - Sanchez, Gibson, and Harris

d. [EC-15-440](#)

Mayor's Appointment of Ms. Rebecca D. Velarde to the Affordable Housing Committee

Attachments: [EC-440](#)

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

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

Excused: 3 - Sanchez, Gibson, and Harris

e. [EC-15-441](#)

Mayor's Appointment of Mr. Paul D. Garver to the Balloon Fiesta Park Commission

Attachments: [EC-441](#)

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

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

Excused: 3 - Sanchez, Gibson, and Harris

f. [EC-15-442](#)

Mayor's Reappointment of Mr. Brian D. Leen to the Veterans and Military Affairs Advisory Board

Attachments: [EC-442](#)

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

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

Excused: 3 - Sanchez, Gibson, and Harris

g. [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)

Attachments: [R-165](#)

[R-165 Approved Committee Substitute](#)

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

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

Excused: 3 - Sanchez, Gibson, and Harris

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

- a. [AC-15-5](#) (Project#1008203/15EPC-40020) Emilio Chavez and Matthew Archuleta Appeal the Environmental Planning Commission's (EPC's) Approval of a Zone Map Amendment (zone change), for Tracts A2, A3, A4, Unser and Sage Market Place, located on Unser Street between Sage Road SW and Arenal Road SW

Attachments: [AC-15-5](#)

A motion was made by Councilor Jones to not accept submittal of new evidence by the appellant. The motion failed by the following vote:

For: 3 - Winter, Jones, and Harris

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

Abstain: 1 - Sanchez

A motion was made by Councilor Harris to not accept submittal of new evidence by the appellant. The motion carried by the following vote:

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

Abstain: 1 - Sanchez

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

For: 3 - Winter, Jones, and Harris

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

Abstain: 1 - Sanchez

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

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

Against: 3 - Winter, Jones, and Harris

Abstain: 1 - Sanchez

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

14. FINAL ACTIONS

- e. [O-15-64](#) Authorizing The Issue And Sale Of A Maximum Principal Amount Of \$2,500,000 City Of Albuquerque, New Mexico Gross Receipts Tax Improvement Revenue Bonds, Series 2015C To Be Issued For The Purpose Of Purchasing, Equipping And Making Improvements To Public Buildings And Real Property To Hold Impounded And Seized Cars For The Albuquerque Police Department; Providing For The Payment Of The Bonds From Gross Receipts Tax Revenues (Jones, by request)

Attachments: [O-64](#)

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

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

- b. [O-15-48](#) C/S(3) Amending The Open Space Trust Fund And Land Administration Ordinance (Benton, Sanchez)

Attachments: [O-48](#)

[O-48 Approved Committee Substitute](#)

[O-48 Approved Committee Substitute 2](#)

[O-48 Approved Committee Substitute 3.pdf](#)

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

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, Peña, Lewis, Gibson, and Jones

Excused: 1 - Harris

- c. [O-15-55](#) F/S Amending The Health, Safety And Sanitation Ordinance (Harris)

Attachments: [O-55](#)

[O-55 Approved Floor Substitute.pdf](#)

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

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

d. [O-15-63](#)

Amending The Appointment Method, Membership Requirements, And The Duties Of The Open Space Advisory Board (Benton)

Attachments: [O-63](#)

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

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

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

f. [R-15-171](#)

F/S(2) Establishing Procedures For Implementing Improvements And Expending Funds Within The Rio Grande Valley State Park By The City Of Albuquerque (Benton, Sanchez)

Attachments: [R-171](#)

[R-171 Approved Floor Substitute](#)

[R-171 Approved Floor Substitute 2.pdf](#)

A motion was made by Councilor Benton 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 Benton that this matter be Postponed as Substituted to November 16, 2015. The motion carried by the following vote:

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

g. [R-15-186](#)

A Nuisance Dwelling Or Structure In Need Of Abatement At 3005 Sioux St NW 87107 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-186](#)

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

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

- h. [R-15-222](#) C/S Amending The Northwest Mesa Escarpment Plan To Allow The Height Of Light Poles (Luminaries) To Exceed 40 Feet For The Athletic Fields On The City-Owned Property Located At 118th Street And Arroyo Vista Boulevard (Sanchez)

Attachments: [R-222](#)
[R-222 EPC Record](#)
[R-222 Approved Committee Substitute.pdf](#)

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

- i. [R-15-255](#) Setting Policy For The City That City Sponsored Events Where Alcohol Is Served Offer And Serve Local Microbrew From Albuquerque Based Small Brewers; And Encouraging That Contractors And Lessees Under City-Owned, Governmental Liquor Licenses Follow Suit (Harris)

Attachments: [R-255](#)

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

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

- j. [R-15-256](#) Amending The Tower/Unser Sector Development Plan (The "TUSDP") To Change The Zoning For Tract 2A, Westgate Mobile Home Park (The "Subject Property"), Approximately 14.5 Acres, From R-T Residential Zone To SU-1 For Mobile Home Development (Peña, by request)

Attachments: [R-256](#)
[R-256 EPC Record](#)

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

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

- k. [R-15-257](#) Directing That The City Pursue A Partnership With Bernalillo County And Potentially Other Local Governments For Energy Representation Before The PRC In The Current PNM Rate Case, And Reconsider Its Relationship With The New Mexico Industrial Energy Consumers Association (NMIEC) (Benton)

Attachments: [R-257](#)

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

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, Peña, Lewis, Gibson, and Jones

Against: 1 - Harris

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

A motion was made by Councilor Lewis to Reconsider the Letter of Introduction. The motion carried by the following vote:

For: 5 - Winter, Peña, Lewis, Jones, and Harris

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

A motion was made by Councilor Lewis that the rules be suspended to allow the removal of R-15-265 from the Letter of Introduction. The motion failed by the following vote:

For: 5 - Winter, Peña, Lewis, Jones, and Harris

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

[R-15-265](#)

Urging The New Mexico Legislature To Authorize An Election On A Proposed Amendment To Article II, Section 6 Of The Constitution Of The State Of New Mexico (Gibson)

Attachments: [R-265](#)

There being no further business, the meeting adjourned at 10:48 p.m.