



# 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, 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*

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Monday, February 1, 2016

5:00 PM

Vincent E. Griego Chambers  
One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

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### TWENTY-SECOND COUNCIL - FIFTH MEETING

#### 1. ROLL CALL

**Present** 9 - Dan Lewis, Klarissa Peña, Ken Sanchez, Isaac Benton, Brad Winter,  
Patrick Davis, 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

**January 20, 2016**

#### 7. COMMUNICATIONS AND INTRODUCTIONS

##### Deferrals/Withdrawals

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

**A motion was made by Councilor Jones that this matter be Postponed to  
March 7, 2016. The motion carried by the following vote:**

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

- d. [O-15-2](#) Amending The Balloon Fiesta Park Commission Ordinance, Chapter 10, Article 10 Of The Revised Ordinances Of Albuquerque (Jones)

**A motion was made by Councilor Jones that this matter be Postponed to March 7, 2016. The motion carried by the following vote:**

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

- h. [P-15-12](#) C/S Adopting A Proposition To Be Submitted To The Voters At The November 8, 2016 General Election Or Next Regular Municipal Election That Amends Article XVI Of The Charter Of The City Of Albuquerque Concerning Open And Ethical Elections (Harris)

**A motion was made by Councilor Harris that this matter be Postponed to February 17, 2016. The motion carried by the following vote:**

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

- i. [P-15-13](#) C/S Adopting A Proposition To Be Submitted To The Voters At The November 8, 2016, General Election Or Next Regular Municipal Election That Amends Article XIII Of The Charter Of The City Of Albuquerque Concerning Election Code (Harris)

**A motion was made by Councilor Harris that this matter be Postponed to February 17, 2016. The motion carried by the following vote:**

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

- j. [P-15-14](#) C/S Adopting A Proposition To Be Submitted To The Voters At The November 8, 2016 General Election Or Next Regular Municipal Election That Amends Article V Section 4 Of The Charter Of The City Of Albuquerque Concerning The Appointment And Reappointment Of The City Attorney And City Clerk (Harris)

**A motion was made by Councilor Harris that this matter be Postponed to February 17, 2016. The motion carried by the following vote:**

**For:** 9 - Lewis, Peña, Sanchez, Benton, Winter, Davis, 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-16-21](#) Phoenix Alley Vacation of Public Right-of-Way (Project#

1010532/15DRB-70259) T.I. Design Services Agents for Zahir Sharifi Request Vacation (Closing) of the North-South Public Alley in Block 2, City Realty Co.'s Addition No. 1, Located on the South Side of Phoenix Ave NW Between 4th St NW and 3rd St NW

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

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

**b. [EC-16-22](#)**

Valencia/Central Alley Vacation of Public Right-Of-Way (Project# 1010535 15DRB-70244) DAC Zoning & Land Use Services Agents for Coe Peterson, LLC Request the East/West Alley in Block 4, Santilla Place Addition Located North of Central Ave NE Between Cardenas Dr NE and Valencia Dr NE

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

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

**c. [EC-16-23](#)**

Skyline Vacation of Public Alley Right-Of-Way (Project# 1010540/15DRB-70251) Cartesion Survey Inc Agents for Robert Tinnin Request Vacation (Closing) for the Public Alley in Block 6, Skyline Heights Subdivision Located South of Central Ave SE Between Altez St SE and Conchas St SE

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

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

**d. [EC-16-24](#)**

Mayor's Recommendation of Gordon Environmental, Inc., for Citywide On-Call Environmental Engineering Services

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

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

**e. [EC-16-25](#)**

Mayor's Recommendation of Souder Miller & Assoc. for City Wide - On Call Traffic Operations Engineering and NTMP

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

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

**f. [EC-16-26](#)**

Mayor's Recommendation of Parsons Brinckerhoff, Inc. for Citywide On - Call Engineering Services (Transportation and Storm Drainage)

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

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

- g. [EC-16-27](#) Mayor's Recommendation of AECOM Technical Services, Inc. for City Wide On Call Engineering Services  
**A motion was made by President Lewis that this matter be Approved. The motion carried by the following vote:**  
**For:** 9 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- h. [EC-16-31](#) Mayor's Appointment of Ms. Diane H. Ogawa to the Indicators Progress Commission  
**A motion was made by President Lewis that this matter be Confirmed. The motion carried by the following vote:**  
**For:** 9 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- i. [EC-16-32](#) Mayor's Appointment of Mr. Matthew M. Beck to the Indicators Progress Commission  
**A motion was made by President Lewis that this matter be Confirmed. The motion carried by the following vote:**  
**For:** 9 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- j. [EC-16-33](#) Mayor's Appointment of Mrs. Elizabeth A. Mcdermott to the Balloon Museum Board of Trustees  
**A motion was made by President Lewis that this matter be Confirmed. The motion carried by the following vote:**  
**For:** 9 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- k. [EC-16-34](#) Mayor's Appointment of Ms. Alicia A. Romero to the Youth Advisory Council  
**A motion was made by President Lewis that this matter be Confirmed. The motion carried by the following vote:**  
**For:** 9 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- l. [EC-16-35](#) Mayor's Appointment of Ms. Antoinette P. Wright to the Para Transit Advisory Board  
**A motion was made by President Lewis that this matter be Confirmed. The motion carried by the following vote:**  
**For:** 9 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- m. [EC-16-36](#) Notice of Selection of Andrew G. Schultz as the Chairperson of the Board of Ethics and Campaign Practices  
**A motion was made by President Lewis that this matter be Receipt Be Noted. The motion carried by the following vote:**  
**For:** 9 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- n. [EC-16-37](#) Mayor's Reappointment of Dr. Drew J. Harrell to the EMS Medical

## Control Board

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

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

**p.** [EC-15-5](#)

Priority Objective Report, FY/15 Goal, 7, Objective 1, Revamp Programming for Spanish-speaking Residents at South Broadway Cultural Center

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

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

**q.** [EC-15-10](#)

Revenue Report for First Quarter Fiscal Year 2016

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

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

**r.** [OC-16-6](#)

Report and Recommendations of the 2015 City Charter Review Task Force

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

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

**s.** [M-16-1](#)

Opposing House Bill 55 Amending New Mexico's Human Rights Act To Permit Discrimination Against Persons Based On Sexual Orientation Or Gender Identity (Davis)

**A motion was made by President Lewis that this matter be Withdrawn by Sponsor. The motion carried by the following vote:**

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

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

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

**o.** [EC-15-4](#)

Priority Objective Report, FY/15 Goal, 7, Objective 2, Develop the Rail Yards for Usage for Arts and Cultural Events

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

**For:** 8 - Lewis, Peña, Sanchez, Winter, Davis, Gibson, Jones, and Harris

**Against:** 1 - Benton

**a.** [OC-15-4](#)

Selection of the Inspector General

**A motion was made by Councilor Benton that this matter be Postponed to April 4, 2016. The motion carried by the following vote:**

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

**b.**     [EC-15-17](#)

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

**A motion was made by President Lewis that this matter be Postponed to April 4, 2016. The motion carried by the following vote:**

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

## **14. FINAL ACTIONS**

**a.**     [O-14-20](#)

F/S Amending The Zoning Code To Add A Definition For Secondary Dwelling Units, Make Secondary Dwelling Units A Conditional Use In The RO-1, RA-1 And R-LT And R-T 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 Winter that the rules be suspended for the purpose of preventing O-14-20 from dying on expiration and that this matter be Postponed to April 4, 2016. The motion failed by the following vote:**

**For:** 4 - Peña, Sanchez, Benton, and Winter

**Against:** 5 - Lewis, Davis, Gibson, Jones, and Harris

**A motion was made by Councilor Benton that this matter be Amended. Councilor Benton moved Amendment No. 1. The motion died for lack of a second.**

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

**For:** 5 - Benton, Winter, Davis, Gibson, and Jones

**Against:** 4 - Lewis, Peña, Sanchez, and Harris

**A motion was made by Councilor Jones for reconsideration of the vote on O-14-20. The motion carried by the following vote:**

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

**a.**     [O-14-20](#)

F/S Amending The Zoning Code To Add A Definition For Secondary Dwelling Units, Make Secondary Dwelling Units A Conditional Use In The RO-1, RA-1 And R-LT And R-T 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 Amended. Councilor Benton moved Amendment No. 1. The motion failed by the following**

**vote:****For:** 4 - Peña, Benton, Davis, and Gibson**Against:** 5 - Lewis, Sanchez, Winter, Jones, and Harris**A motion was made by Councilor Benton that this matter be Passed. The motion failed by the following vote:****For:** 4 - Benton, Davis, Gibson, and Jones**Against:** 5 - Lewis, Peña, Sanchez, Winter, and Harris**c.** [O-15-62](#)

Amending The City Of Albuquerque Code Of Ordinances Section Pertaining To Alternative Methods For Construction Of Sidewalks (Jones)

**A motion was made by Councilor Jones that this matter be Passed. The motion carried by the following vote:****For:** 9 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris**e.** [O-16-3](#)

F/S Amending The Traffic Code, Chapter 10, Article 5, Part I Of The Revised Ordinances Of Albuquerque To Decrease The Required Buffer Between Mobile Food Units And Site-Built Restaurants And To Authorize Mobile Food Units To Operate Within That Buffer After Those Establishments' Business Hours (Benton)

**A motion was made by Councilor Benton that this matter be Substituted. The motion carried by the following vote:****For:** 9 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris**A motion was made by Councilor Benton that this matter be Postponed as Substituted to March 7, 2016. The motion carried by the following vote:****For:** 9 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris**f.** [R-16-6](#)

Amending The Adopted Capital Implementation Program Of The City Of Albuquerque By Approving New Projects, Supplementing Current Appropriations, Grant Acceptance, And Administratively Closing Completed Projects (Davis, by request)

**A motion was made by Councilor Davis that this matter be Amended. Councilor Davis moved Amendment No. 1. The motion carried by the following vote:****For:** 9 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris**A motion was made by Vice-President Peña that this matter be Amended. Councilor Peña moved Amendment No. 1. The motion carried by the following vote:****For:** 8 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, and Harris**Against:** 1 - Jones**A motion was made by Councilor Davis that this matter be Passed as Amended. The motion carried by the following vote:**

**For:** 8 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, and Harris

**Against:** 1 - Jones

**g.** [R-16-9](#)

F/S Authorizing The Giving Of Notices For Bids For The Sale Of City Of Albuquerque, New Mexico General Obligation Bonds Consisting Of \$71,523,000 General Obligation General Purpose Bonds, Series 2016A And \$6,500,000 General Obligation Storm Sewer Bonds, Series 2016B (Davis, by request)

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

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

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

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

*There being no further business, the meeting adjourned at 10:06 p.m.*