



# City of Albuquerque

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

## Letter of Introduction

### President

*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, August 1, 2016

5:00 PM

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### 1. COMMUNICATIONS

- a. [EC-16-147](#) Approval of the FY16 Outside Counsel for Legal Services Agreement between Kennedy Moulton & Wells PC and the City of Albuquerque  
Attachments: [EC-147](#)  
**Referred to the Finance & Government Operations Committee**
- b. [EC-16-148](#) Approval of the FY16 First Supplemental Agreement to the Legal Services Agreement between the Law Offices of Jonlyn M. Martinez, LLC and the City of Albuquerque  
Attachments: [EC-148](#)  
**Referred to the Finance & Government Operations Committee**
- c. [EC-16-149](#) Approval of the FY16 Outside Counsel for Legal Services Agreement between Yenson, Allen & Wosick PC and the City of Albuquerque  
Attachments: [EC-149](#)  
**Referred to the Finance & Government Operations Committee**
- d. [EC-16-150](#) Approval of the FY16 Outside Counsel for Legal Services Agreement between Wiggins Williams & Wiggins PC and the City of Albuquerque  
Attachments: [EC-150](#)  
**Referred to the Finance & Government Operations Committee**
- e. [EC-16-151](#) Approval of the FY16 First Supplemental Agreement to the Legal Services Agreement between Lorenz Law and the City of Albuquerque  
Attachments: [EC-151](#)  
**Referred to the Finance & Government Operations Committee**

- f. [EC-16-152](#) Approval of the FY16 Outside Counsel for Legal Services Agreement between Conklin Woodcock & Ziegler PC and the City of Albuquerque  
**Attachments:** [EC-152](#)  
**Referred to the Finance & Government Operations Committee**
- g. [EC-16-153](#) Approval of the FY15 Outside Counsel for Legal Services Agreement between Walz & Associates PC and the City of Albuquerque  
**Attachments:** [EC-153](#)  
**Referred to the Finance & Government Operations Committee**
- h. [EC-16-154](#) Approval of the FY16 Outside Counsel for Legal Services Agreement between Walz & Associates PC and the City of Albuquerque  
**Attachments:** [EC-154](#)  
**Referred to the Finance & Government Operations Committee**
- i. [EC-16-155](#) Approval of the First Supplemental Agreement to the Legal Services Agreement between Stelzner, Winter, Warburton, Flores, Sanchez & Dawes, PA and the City of Albuquerque  
**Attachments:** [EC-155](#)  
**Referred to the Finance & Government Operations Committee**
- j. [EC-16-156](#) Approval of the FY16 Outside Counsel for Legal Services Agreement between Butt, Thornton & Baehr, PC and the City of Albuquerque  
**Attachments:** [EC-156](#)  
**Referred to the Finance & Government Operations Committee**
- k. [EC-16-157](#) Approval of the FY16 Outside Counsel for Legal Services Agreement between Robles, Rael & Anaya, PC and the City of Albuquerque  
**Attachments:** [EC-157](#)  
**Referred to the Finance & Government Operations Committee**
- l. [EC-16-158](#) Legal Department's Quarterly Litigation Reports for 1st, 2nd, 3rd, and 4th Quarters of FY 2015 and 1st, 2nd, and 3rd Quarters of FY 2016  
**Attachments:** [EC-158](#)  
**Referred to the Finance & Government Operations Committee**
- m. [EC-16-159](#) Pre-Security Terminal Building and Landside Improvements for the Aviation Department  
**Attachments:** [EC-159](#)

**Referred to the Finance & Government Operations Committee**

- n. [EC-16-160](#) Pre-Security Terminal Building and Landside Improvements for the Aviation Department

**Attachments:** [EC-160](#)

**Referred to the Finance & Government Operations Committee**

- o. [EC-16-161](#) Declaring Lots 26A, Volcano Cliffs Subdivision, Unit 6 (3.22 Acres); Southerly 0.75-Acre portion (approximate, to be created by bulk plat) of Tract 9B, Volcano Cliffs Subdivision, Unit 6 (~0.75 Acres); and, Southerly 0.75-Acre portion (approximate, to be created by bulk plat) of Tract 10B, Volcano Cliffs Subdivision, Unit 6 (~0.75 Acres), as Not Essential for Municipal Purposes

**Attachments:** [EC-161](#)

**Referred to the Finance & Government Operations Committee**

- p. [EC-16-162](#) Declaring Tract B-2 J Group Addn. Plat of TRS B-1A & B-2 J Group Addn. Cont. 31,551 Sq. ft., Non-Essential for Municipal Purposes

**Attachments:** [EC-162](#)

**Referred to the Finance & Government Operations Committee**

- q. [EC-16-163](#) Lease Agreement Between Dos Amigos, a Co-Tenancy, and The City of Albuquerque, 1820 Randolph Road SE

**Attachments:** [EC-163](#)

**Referred to the Finance & Government Operations Committee**

- r. [EC-16-164](#) Approving Exchange Agreements

**Attachments:** [EC-164](#)

**Referred to the Finance & Government Operations Committee**

- s. [EC-16-165](#) Approving a Contract for Creative Startups (formally Global Center of Cultural Entrepreneurship), 1312 Basehart Rd. SE, Albuquerque, NM 87106

**Attachments:** [EC-165](#)

**Referred to the Finance & Government Operations Committee**

- t. [EC-16-166](#) Mayor's Recommendation of Award to Government Portfolio Advisors for "Fiduciary Investment Advisory Services"

**Attachments:** [EC-166](#)

**Referred to the Finance & Government Operations Committee**

- u. [EC-16-167](#) Mayor's appointment of Dr. W. Douglas Mills to the Arts Board  
**Attachments:** [EC-167](#)  
To be heard at the Council Meeting on 8/15/2016
- v. [EC-16-168](#) Mayor's appointment of Ms. Laurie A. Weahkee to the Commission on Indian Affairs  
**Attachments:** [EC-168](#)  
To be heard at the Council Meeting on 8/15/2016
- w. [EC-16-169](#) Mayor's Appointment of Mr. Brian L. White to the Cable Franchise & Hearing Board  
**Attachments:** [EC-169](#)  
To be heard at the Council Meeting on 8/15/2016
- x. [EC-16-170](#) Mayor's Appointment of Mr. Adam Silverman to the Biological Park Board  
**Attachments:** [EC-170](#)  
To be heard at the Council Meeting on 8/15/2016
- y. [EC-16-171](#) Mayor's Appointment of Mr. Ron T. Cossey to the Greater Albuquerque Recreational Trails Committee  
**Attachments:** [EC-171](#)  
To be heard at the Council Meeting on 8/15/2016
- z. [EC-16-172](#) Mayor's Appointment of Mr. Joaquin E. Romero to the Youth Advisory Council  
**Attachments:** [EC-172](#)  
To be heard at the Council Meeting on 8/15/2016
- aa. [EC-16-173](#) Mayor's Appointment of Ms. Suzanne M. Busch to the Water Protection Advisory Board  
**Attachments:** [EC-173](#)  
To be heard at the Council Meeting on 8/15/2016
- ab. [EC-16-174](#) Mayor's Appointment of Mr. Roland V. Penttila to the Water Protection Advisory Board  
**Attachments:** [EC-174](#)

**To be heard at the Council Meeting on 8/15/2016**

- ac. [AC-16-9](#) Timothy Flynn O'Brien Esq., Agent of Greater Gardner Neighborhood Association, appeals the June 10, 2016, declaratory ruling issued by Code Compliance Official, Andrew Garcia, regarding the operation of a solid waste transfer station and convenience center

**Referred to the Land Use Hearing Officer, scheduled for 8/16/2016**

- ad. [OC-16-15](#) Reappointment of Mr. Rex Throckmorton to the Board of Ethics & Campaign Practices

**Attachments:** [OC-15](#)

**To be heard at the Council Meeting on 8/15/2016**

- ae. [OC-16-16](#) Appointment of Member to the Accountability in Government Oversight Committee

**Attachments:** [OC-16](#)

**To be heard at the Council Meeting on 8/15/2016**

- af. [OC-16-17](#) Staff Recommendation to Appoint Mr. Johnny J. Armijo to the Police Oversight Board

**Attachments:** [OC-17.pdf](#)

**To be heard at the Council Meeting on 8/15/2016**

## **2. INTRODUCTIONS**

- a. [O-16-21](#) Establishing Reasonable Charges For Homeowners And Condominium Associations For The Preparation Of Disclosure Certificates, Disclosure Statements, Or Resale Certificates As Required By The New Mexico Homeowner Association Act And The New Mexico Condominium Act (Harris)

**Attachments:** [O-21](#)

**Referred to the Finance & Government Operations Committee**

- b. [R-16-68](#) Establishing The City Of Albuquerque's Management Of Revenues Generated By The ABQ Biopark Municipal Capital Outlay Gross Receipts Tax To Be Known As The ABQ Biopark Master Plan Implementation; Identifying Rules For Expenditures And Interest, Prohibitions, Creating A New Biopark Tax Fund 336, And Amendments (Jones, by request)

**Attachments:** [R-68](#)

**Referred to the Finance & Government Operations Committee**

- c. [R-16-69](#) Establishing A Fire Service Aide Program And Protocols For Fire Service Aides To Provide First-Responder Services For Non-Life Threatening Medical Calls, Including Persons Suffering From Intoxication And Substance Abuse In Public Places; Making An Appropriation (Davis)

**Attachments:** [R-69](#)

**Referred to the Finance & Government Operations Committee**

- d. [R-16-70](#) Approving And Authorizing The Acceptance Of Grant Funds Based On The Notice Of Grant Award For A Senior Companion Program Grant With The Corporation For National And Community Service And The New Mexico Aging And Long Term Services Department And Providing For An Appropriation To The Department Of Senior Affairs Senior Companion Program In Fiscal Year 2017 (Sanchez, by request)

**Attachments:** [R-70](#)

**Referred to the Finance & Government Operations Committee**

- e. [R-16-71](#) Authorizing The Issuance And Sale Of City Of Albuquerque, New Mexico Gross Receipts Tax Improvement Revenue Bonds, Series 2016C, Authorized To Be Issued By City Ordinance; Providing Certain Terms Of The Bonds, Awarding The Bonds To, And Providing The Price To Be Paid For The Bonds By, The Investment Bankers; And Providing For The Approval Of A Bond Purchase Agreement, Official Statement, Continuing Disclosure Agreement, And Certain Other Documents Pertaining To The Bonds; Making Certain Appropriations; And Ratifying Certain Actions Previously Taken (Benton, by request)

**Attachments:** [R-71](#)

**Referred to the Finance & Government Operations Committee**

- f. [R-16-72](#) A Nuisance Dwelling Or Structure In Need Of Abatement At 244 Smith St 87102 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-72](#)

**Referred to the Finance & Government Operations Committee**

- g. [R-16-73](#) Approving And Authorizing The Acceptance Of Grant Funds Based On The Notice Of Grant Award For A Retired And Senior Volunteer Program From The Corporation For National And Community Service

And The New Mexico Aging And Long Term Services Department And Providing For An Appropriation To The Department Of Senior Affairs Retired And Senior Volunteer Program In Fiscal Year 2017 (Peña)

**Attachments:**     [R-73](#)

**Referred to the Finance & Government Operations Committee**

- h.     [R-16-74](#)     Authorizing The Mayor To Execute A Contract Agreement 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, Pre-Kindergarten Program (Peña)

**Attachments:**     [R-74](#)

**Referred to the Finance & Government Operations Committee**

- i.     [R-16-75](#)     Authorizing The Mayor To Execute A Contract Agreement 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, Early Pre-Kindergarten Program (Jones, by request)

**Attachments:**     [R-75](#)

**Referred to the Finance & Government Operations Committee**

- j.     [R-16-76](#)     Adopting The City Of Albuquerque Comprehensive Emergency Management Plan (CEMP) (Winter, by request)

**Attachments:**     [R-76](#)

[R-76 Comprehensive Emergency Management Plan](#)

**Referred to the Finance & Government Operations Committee**

- k.     [R-16-77](#)     Accepting The Designation And Committing To The Standards Of Bee City USA (Benton, Winter)

**Attachments:**     [R-77](#)

**To be heard at the Council Meeting on 8/15/2016**

- l.     [R-16-78](#)     Authorizing A Grant Agreement With The U.S. Department Of Health And Human Services, Early Head Start Program And Providing An Appropriation To The Department Of Family And Community Services (Davis, by request)

**Attachments:**     [R-78](#)

**Referred to the Finance & Government Operations Committee**

- m.     [R-16-79](#)     Making An Appropriation To The Albuquerque Police Department For

A 2016 National Crime Statistics Exchange (NCS-X) Implementation Assistance Program In The Operating Grants Fund (265) (Jones, by request)

**Attachments:** [R-79](#)

**Referred to the Finance & Government Operations Committee**

- n. [R-16-80](#) Authorizing The Mayor To Execute A Grant Agreement With The New Mexico Aging And Long-Term Services Department, And Providing An Appropriation To The Department Of Family And Community Services/Area Agency On Aging (AAA) (Harris, by request)

**Attachments:** [R-80](#)

**Referred to the Finance & Government Operations Committee**

- o. [R-16-81](#) Approving And Authorizing The Acceptance Of Grant Funds Based On The Notice Of Grant Award For A Foster Grandparent Program With The Corporation For National And Community Service And The New Mexico Aging And Long Term Services Department And Providing For An Appropriation To The Department Of Senior Affairs Foster Grandparent Program In Fiscal Year 2017 (Gibson, by request)

**Attachments:** [R-81](#)

**Referred to the Finance & Government Operations Committee**

- p. [R-16-82](#) Concerning A Special Election To Be Held In The City Of Albuquerque At The Next City General Election; To Submit To The Voters Of The City Of Albuquerque An Ordinance Proposed Pursuant To Article III, Section 3, The Direct Legislation Provision Of The City Charter, At The Next General Election To Be Held On November 8, 2016 To Approve Or Disapprove The Proposed Ordinance As Set Forth Herein; Prescribing Other Details In Connection With The Special Municipal Election (Davis)

**Attachments:** [R-82](#)

**Immediate Action Requested**

- q. [R-16-83](#) Concerning A Special Election To Be Held In The City Of Albuquerque At The Next City General Election; To Submit To The Voters Of The City Of Albuquerque An Ordinance Proposed Pursuant To Article III, Section 3, The Direct Legislation Provision Of The City Charter, At The Next General Election To Be Held On November 8, 2016 To Approve Or Disapprove The Proposed Ordinance As Set Forth Herein; Prescribing Other Details In Connection With The Special Municipal Election (Davis)

**Attachments:** [R-83](#)



**To be heard at the Council Meeting on 8/15/2016**

- r. [R-16-84](#) To Submit A Proposition To The Voters Of The City Of Albuquerque At A Special Municipal Election Held Concurrently With The November 8, 2016 General Election Proposing To Amend Article XVI, Sections 3(Q), 7(B), 12(A)(1), 12(B) And 15(A)(1) Of The Albuquerque City Charter Concerning Public Financing Available To Mayoral Candidates; And Prescribing Other Details In Connection With The Special Municipal Election (Harris)

**Attachments:** [R-84](#)

**Immediate Action Requested**

- s. [R-16-85](#) Enacting A Moratorium On The Construction Of A Bus Rapid Transit Line, aka Albuquerque Rapid Transit (ART), On Central Avenue Pending The Completion Of An Amended Finance And Operation Plan, The Adoption Of Such Amended Plans By The City Council And The Convening Of An Art Summit For Merchants And Property Owners (Sanchez)

**Attachments:** [R-85](#)

**Referred to the Finance & Government Operations Committee**

- t. [R-16-86](#) To Submit A Question To The Voters Of The City Of Albuquerque At A Special Municipal Election Held Concurrently With The November 8, 2016 General Election Concerning The Albuquerque Rapid Transit Project (The "ART"); And Prescribing Other Details In Connection With The Special Municipal Election (Gibson)

**Attachments:** [R-86](#)

**Referred to the Finance & Government Operations Committee**

- u. [R-16-87](#) Making Findings In Connection With The Montecito Estates Public Improvement District's Resolution Authorizing The Issuance And Sale Of Special Levy Refunding Revenue Bonds; Ratifying And Approving The Issuance And Sale Of The Montecito Estates Public Improvement District Special Levy Refunding Revenue Bonds, Series 2016, As Substantially Consistent With The Requirements Of City Ordinance Enactment No. 0-2003-12 And City Council Resolution Enactment No. 169-2003 (Lewis, by request)

**Attachments:** [R-87](#)

**Referred to the Finance & Government Operations Committee**