



# 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, August 15, 2016

5:00 PM

Vincent E. Griego Chambers  
One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

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### TWENTY-SECOND COUNCIL - SIXTEENTH MEETING

#### 1. ROLL CALL

**Present** 8 - Dan Lewis, Klarissa Peña, Ken Sanchez, Isaac Benton, Brad Winter,  
Patrick Davis, Diane Gibson, and Trudy Jones

**Excused** 1 - Don Harris

#### 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

August 1, 2016

#### 7. COMMUNICATIONS AND INTRODUCTIONS

#### 8. REPORTS OF COMMITTEES

Finance & Government Operations Committee - August 8, 2016

**Deferrals/Withdrawals**

- a. [EC-16-108](#) Priority Objective Report, FY/16 Goal 7, Objective 4, Regarding a Feasibility Study to Determine the Economic Benefits of Holding a Major Regional Folk Festival in Albuquerque
- A motion was made by President Lewis that this matter be Postponed to September 7, 2016. The motion carried by the following vote:**
- For:** 8 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, and Jones
- Excused:** 1 - Harris

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

*Councilor Davis pulled EC-16-169 off the consent agenda.*

- \*a. [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
- A motion was made by Vice-President Peña that this matter be Approved. The motion carried by the following vote:**
- For:** 8 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, and Jones
- Excused:** 1 - Harris
- \*b. [EC-16-163](#) Lease Agreement Between Dos Amigos, a Co-Tenancy, and The City of Albuquerque, 1820 Randolph Road SE
- A motion was made by Vice-President Peña that this matter be Approved. The motion carried by the following vote:**
- For:** 8 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, and Jones
- Excused:** 1 - Harris
- \*c. [EC-16-164](#) Approving Exchange Agreements
- A motion was made by Vice-President Peña that this matter be Approved. The motion carried by the following vote:**
- For:** 8 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, and Jones
- Excused:** 1 - Harris

- \*d. [EC-16-165](#) Approving a Contract for Creative Startups (formally Global Center of Cultural Entrepreneurship), 1312 Basehart Rd. SE, Albuquerque, NM 87106
- A motion was made by Vice-President Peña that this matter be Approved. The motion carried by the following vote:**
- For:** 8 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, and Jones
- Excused:** 1 - Harris
- \*e. [EC-16-166](#) Mayor's Recommendation of Award to Government Portfolio Advisors for "Fiduciary Investment Advisory Services"
- A motion was made by Vice-President Peña that this matter be Approved. The motion carried by the following vote:**
- For:** 8 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, and Jones
- Excused:** 1 - Harris
- f. [EC-16-167](#) Mayor's Appointment of Dr. W. Douglas Mills to the Arts Board
- A motion was made by Vice-President Peña that this matter be Confirmed. The motion carried by the following vote:**
- For:** 8 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, and Jones
- Excused:** 1 - Harris
- g. [EC-16-168](#) Mayor's Appointment of Ms. Laurie A. Weahkee to the Commission on Indian Affairs
- A motion was made by Vice-President Peña that this matter be Confirmed. The motion carried by the following vote:**
- For:** 8 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, and Jones
- Excused:** 1 - Harris
- i. [EC-16-170](#) Mayor's Appointment of Mr. Adam Silverman to the Biological Park Board
- A motion was made by Vice-President Peña that this matter be Confirmed. The motion carried by the following vote:**
- For:** 8 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, and Jones
- Excused:** 1 - Harris
- j. [EC-16-171](#) Mayor's Appointment of Mr. Ron T. Cossey to the Greater Albuquerque Recreational Trails Committee
- A motion was made by Vice-President Peña that this matter be Confirmed. The motion carried by the following vote:**
- For:** 8 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, and Jones

**Excused:** 1 - Harris

- k. [EC-16-172](#) Mayor's Appointment of Mr. Joaquin E. Romero to the Youth Advisory Council

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

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

**Excused:** 1 - Harris

- l. [EC-16-173](#) Mayor's Appointment of Ms. Suzanne M. Busch to the Water Protection Advisory Board

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

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

**Excused:** 1 - Harris

- m. [EC-16-174](#) Mayor's Appointment of Mr. Roland V. Penttila to the Water Protection Advisory Board

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

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

**Excused:** 1 - Harris

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

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

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

**Excused:** 1 - Harris

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

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

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

**Excused:** 1 - Harris

- p. [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)

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

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

**Excused:** 1 - Harris

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

- h. [EC-16-169](#) Mayor's Appointment of Mr. Brian L. White to the Cable Franchise & Hearing Board

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

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

**Excused:** 1 - Harris

### 10. GENERAL PUBLIC COMMENTS

### 11. ANNOUNCEMENTS

### 14. FINAL ACTIONS

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

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

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

**Excused:** 1 - Harris

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

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

**Excused:** 1 - Harris

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

- a. [AC-16-7](#) Matt Myers, agent for Guardian Storage, Appeals the Zoning Board of Appeal's (BOA's) decision to Grant the Appeal, thereby Reversing the Zoning Hearing Examiner's (ZHE's) Approval of a special exception to section 14-16-2-16(B)(21): a Conditional Use to allow storage of household goods, equipment or material reasonable to neighborhood function, in a C-1(SC) zone for all or a portion of Lot 1, Bosque Plaza, zoned C-1(SC), located on 3600 Bosque Plaza Lane NW

**A motion was made by Councilor Jones that this matter be Remanded to the Zoning Hearing Examiner, and the City Council will bring forth findings at the September 7, 2016 meeting. The motion carried by the following vote:**

**For:** 6 - Lewis, Benton, Winter, Davis, Gibson, and Jones

**Against:** 2 - Peña, and Sanchez

**Excused:** 1 - Harris

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

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

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

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

**Excused:** 1 - Harris

## 14. FINAL ACTIONS

- \*a. [R-16-71](#) F/S Authorizing The Issuance And Sale Of \$17,750,000 City Of Albuquerque, New Mexico Gross Receipts Tax Improvement Revenue Bonds, Series 2016C, Authorized To Be Issued By City Ordinance Twenty-Second Council Bill No. O-16-20; 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; Providing For Other Details Concerning The Bonds; Approving Documents Relating To The Bonds; Making Certain Appropriations; And Ratifying Certain Actions Previously Taken (Benton, by request)

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

**For:** 7 - Lewis, Peña, Benton, Winter, Davis, Gibson, and Jones

**Excused:** 2 - Sanchez, and Harris

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

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

**Excused:** 1 - Harris

**\*b.** [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)

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

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

**Excused:** 1 - Harris

**c.** [O-16-17](#)

F/S Amending The Accountability In Government Ordinance, Chapter 2, Article 10 Of The Revised Ordinances Of Albuquerque (Gibson)

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

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

**Excused:** 1 - Harris

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

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

**Excused:** 1 - Harris

**A motion was made by Councilor Gibson that this matter be Postponed as Substituted, as Amended to September 7, 2016. The motion carried by the following vote:**

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

**Excused:** 1 - Harris

**\*e.**     [R-16-85](#)

C/S Requiring The Administration To Provide An Amended Design And Finance Plan For The Bus Rapid Transit Project Known As Albuquerque Rapid Transit (ART) And To Convene A Summit Of Business And Property Owners To Identify Recommendations (Sanchez)

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

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

**Excused:**   1 -   Harris

**\*f.**     [R-16-88](#)

Amending The Adopted Capital Implementation Program Of The City Of Albuquerque By Approving New Projects From The Proceeds Of City Of Albuquerque, New Mexico Gross Receipts Tax Improvement Revenue Bonds Series 2016C (Davis)

**A motion was made by Vice-President Peña that this matter be Amended. Vice-President Peña moved Amendment No. 1. The motion carried by the following vote:**

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

**Excused:**   1 -   Harris

**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 Jones

**Excused:**   1 -   Harris