



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

Monday, November 7, 2016

5:00 PM

Vincent E. Griego Chambers
One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

TWENTY-SECOND COUNCIL - TWENTY-FIRST 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 - Patrick Davis, Councilor, District 6

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

October 17, 2016

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

Land Use, Planning and Zoning Committee - October 26, 2016

Deferrals/Withdrawals

- d. [R-16-28](#) A Nuisance Dwelling Or Structure In Need Of Abatement At 373 64th St NW 87105 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 (Sanchez)

Attachments: [R-28](#)

A motion was made by Councilor Sanchez that this matter be Postponed to December 5, 2016. The motion carried by the following vote:

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

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

- a. [EC-16-185](#) Approval of the Status Report for Goal 3, Public Infrastructure, Objective 1, Begin the Development of the Aviation Center for Excellence (ACE)

Attachments: [EC-185](#)

A motion was made by Vice-President Peña 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-16-187](#) Status FY16 Goal 3, Objective 3: Complete Unser Reconstruction-Dellyne to Montano

Attachments: [EC-187](#)

A motion was made by Vice-President Peña 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

- c. [EC-16-188](#) Fourth Quarter Fiscal Year 2016 Priority Objective Report for the Albuquerque Police Department

Attachments: [EC-188](#)

A motion was made by Vice-President Peña 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

- e. [EC-16-192](#) Approving Real Estate Sale Agreement Lot 3 in Block 13 of Volcano Cliffs Subdivision, aka 8009 Emerald NW

Attachments: [EC-192](#)

A motion was made by Vice-President Peña 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-16-197](#) FY 2017 State Certification of Budget

Attachments: [EC-197](#)

A motion was made by Vice-President Peña 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

- g. [EC-16-198](#) Approving a Supplemental Agreement with Organizational Change Management LLC

Attachments: [EC-198](#)

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

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

- i. [EC-16-213](#) Mayor's Recommendation of T. Y. Lin International for Citywide On-Call Engineering Services (Transportation and Storm Drainage)

Attachments: [EC-213](#)

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

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

- j. [EC-16-214](#) Mayor's Recommendation of Parametrix for Citywide On-Call Engineering Services (Transportation and Storm Drainage)

Attachments: [EC-214](#)

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

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

- k. [EC-16-215](#) Mayor's Appointment of Dr. Michael A. Wartell to the Labor-Management Board

Attachments: [EC-215](#)

A motion was made by Vice-President Peña 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. [OC-16-18](#) 2016 Civilian Police Oversight Agency Semi-Annual Report

Attachments: [OC-18](#)

A motion was made by Vice-President Peña 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

m. [OC-16-20](#)

Office of Internal Audit's Annual Report for Fiscal Year (FY) 2016

Attachments: [OC-20](#)

A motion was made by Vice-President Peña 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. [OC-16-21](#)

Office of Inspector General's Annual Report for Fiscal Year (FY) 2016

Attachments: [OC-21](#)

A motion was made by Vice-President Peña 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

o. [R-16-90](#)

Authorizing The Mayor To Execute A Contract Agreement With The W.K. Kellogg Foundation For The Running Start For Careers Initiative And Providing An Appropriation To The Department Of Family And Community Services Beginning In FY17 (Peña, by request)

Attachments: [R-90](#)

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

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

p. [R-16-91](#)

Approving And Authorizing The Filing Of A Grant Application With The U.S. Department Of Veteran Affairs, Adaptive Sports Program Grant And That Upon Award Providing An Appropriation To Parks And Recreation Department In Fiscal Year 2017 (Winter, by request)

Attachments: [R-91](#)

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

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

q. [R-16-92](#)

Approving And Authorizing The Filing Of A Grant Application For An Air Pollution Control Grant With The U.S. Environmental Protection Agency And Providing An Appropriation To The Environmental Health Department In Fiscal Year 2017 (Benton, by request)

Attachments: [R-92](#)

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

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

r. [R-16-103](#)

Relating To Capital Projects; Making An Appropriation Within The Capital Acquisition Fund 305 For A Comprehensive Study Of The City's Golf Courses And Facilities (Benton)

Attachments: [R-103](#)

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

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

s. [R-16-105](#)

Amending The Adopted Capital Implementation Program Of The City Of Albuquerque Aviation Department By Approving New And Transferred Funds For Projects And Federal And State Grant Acceptance (Davis, by request)

Attachments: [R-105.pdf](#)

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

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

13. APPROVALS

d. [EC-16-189](#)

Approval of Lease Agreement between the City and Duke City BMX

Attachments: [EC-189](#)

A motion was made by Councilor Benton that this matter be Postponed to November 21, 2016. The motion carried by the following vote:

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

h. [EC-16-203](#)

Approval of Mayor's Permission to Proceed for Phase II and III of the "Evaluation and Implementation of Energy Efficiency and Reduced Maintenance on City Owned and Maintained Street Lighting"

Attachments: [EC-203](#)

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

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

11. ANNOUNCEMENTS

10. GENERAL PUBLIC COMMENTS

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

- a. [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

Attachments: [AC-16-9](#)

A motion was made by Councilor Jones for Adoption of Staff's Recommended Findings. The motion carried by the following vote:

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

Excused: 1 - Peña

- b. [AC-16-10](#) Peggy Norton, Agent for North Valley Coalition, appeals the June 10, 2016 declaratory ruling issued by Code Compliance Manager Andrew Garcia, regarding the Edith Solid Waste Transfer Station and Convenience Center

Attachments: [AC-16-10](#)

A motion was made by Councilor Jones for Adoption of Staff's Recommended Findings. The motion carried by the following vote:

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

- c. [AC-16-13](#) (Project #1010902/16EPC-40028) Robert Shultis appeals the Environmental Planning Commission's (EPC's) Approval of a Site Development Plan for Building Permit for all or a portion of Lot 12A, Paradise Hills Investment Properties, Unit 1, zoned SU-1 for C-1 Uses, located on Buglo NW, between Lyons NW and Justin NW, containing approximately .76 acre

Attachments: [AC-16-13](#)

A motion was made by Councilor Jones that this matter be to Accept the Land Use Hearing Officer's Recommendation and Findings, with the exception of the findings and analysis on page 3, line 49 through page 5, line 76. The motion carried by the following vote:

For: 7 - Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

Against: 1 - Lewis

Abstain: 1 - Peña

- d. [AC-16-14](#) (Project#1010146/16AA-10036) Kathleen Conlin appeals the Planning Director's decision to approve a request for a 25-foot architecturally integrated Wireless Telecommunications Facility (WTF), at 1025 Lomas Blvd. NW, pursuant to Zoning Code §14-16-3-17 (Wireless

Telecommunication Regulations)

Attachments: [AC-16-14](#)

A motion was made by Councilor Davis that this matter be To Accept the Land Use Hearing Officer Recommendation and Findings. The motion carried by the following vote:

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

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

14. FINAL ACTIONS

- a. [O-16-25](#) Amending Section 14-5-1-6 ROA 1994 Of The Flood Hazard Control Ordinance To Adopt The Latest Version Of The Federal Emergency Management Agency (FEMA) Floodplain Maps (Jones, by request)
- Attachments: [O-25](#)
- 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
- b. [O-16-26](#) Adopting A New Section Or Article 2 Chapter 12 ROA 1994, Offenses Relating To Public Order And Safety Within The Criminal Code Of Albuquerque; Proscribing Criminal Threats Against Schools Or Public Places (Davis)
- Attachments: [O-26](#)
- A motion was made by Councilor Davis that this matter be Passed. The motion carried by the following vote:
- For: 9 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- c. [R-15-188](#) Declaring The Intent Of The City Council Of The City Of Albuquerque, New Mexico To Consider For Adoption A Resolution Approving The Formation Of The Lower Petroglyphs Tax Increment Development District; Approving, Subject To Further Proceedings Of The City Council, A Tax Increment Development Plan For The District, The Purposes Of The District, Identification Of Gross Receipts Tax Increment And Property Tax Increment Financing Mechanisms, And Bonds Secured By Gross Receipts Tax Increment Revenue And Property Tax Increment Revenue (Sanchez)
- Attachments: [R-188](#)
- 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: 8 - Lewis, Peña, Sanchez, Benton, Winter, Davis, Jones, and Harris

Against: 1 - Gibson

A motion was made by Councilor Sanchez that this matter be Postponed as Amended to December 5, 2016. The motion carried by the following vote:

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

e. [R-16-69](#)

C/S Establishing A Basic Life Support Rescue Program And Protocols For Fire Basic Life Support Rescue Units 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](#)

[R-69 Approved Committee Substitute.pdf](#)

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

f. [R-16-93](#)

Designating The Coronado Metropolitan Redevelopment Area, Making Certain Findings And Conclusions Pursuant To The Metropolitan Redevelopment Code, And Authorizing And Directing The Metropolitan Redevelopment Agency To Prepare A Metropolitan Redevelopment Plan For The Coronado Metropolitan Redevelopment Area (Winter, by request)

Attachments: [R-93](#)

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

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

g. [R-16-94](#)

Approving The Coronado Metropolitan Redevelopment Area Plan (Winter, by request)

Attachments: [R-94](#)

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

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

h. [R-16-104](#)

Amending The Adopted Capital Implementation Program Of The City Of

Albuquerque By Approving A New Gymnasium Project For The North Domingo Baca Multigenerational Center (Winter)

Attachments: [R-104](#)

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

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

i. [R-16-107](#)

Reserving Funds Within The Council Projects Fund For The Purpose Of Increasing ProView's Coverage Of Local High School Sports (Lewis, Sanchez)

Attachments: [R-107](#)

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

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

j. [R-16-112](#)

Concerning A Special Municipal Election To Be Held In The City Of Albuquerque Concurrently With The February 7, 2017, School Board Election To Submit To The Voters Of The City Of Albuquerque Amendments To 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; Prescribing Other Details In Connection With The Special Municipal Election (Harris, Davis)

Attachments: [R-112](#)

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

For: 7 - Peña, Sanchez, Benton, Davis, Gibson, Jones, and Harris

Excused: 1 - Lewis

Recused: 1 - Winter

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

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Harris

Against: 1 - Jones

Excused: 1 - Lewis

Recused: 1 - Winter

There being no further business, the meeting adjourned at 9:00 p.m.

