



City of Albuquerque

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

Action Summary

City Council

Council President, Isaac Benton, District 2

Vice-President, Brad Winter, District 4

Ken Sanchez, District 1; Klarissa J. Peña, District 3

Dan Lewis, District 5; Patrick Davis, District 6

Diane G. Gibson, District 7; Trudy E. Jones, District 8

Don Harris, District 9

Wednesday, January 4, 2017

5:00 PM

Vincent E. Griego Chambers

One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

TWENTY-SECOND COUNCIL - TWENTY-FIFTH MEETING

1. ROLL CALL

Present 9 - Isaac Benton, Brad Winter, Ken Sanchez, Klarissa Peña, Dan Lewis,
Patrick Davis, Diane Gibson, Trudy Jones, and Don Harris

2. MOMENT OF SILENCE

Pledge of Allegiance - Ken Sanchez, Councilor, District 1

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

December 19, 2016

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

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

- a. [EC-16-241](#) Report of FY/16 Outstanding Encumbrances Reappropriated in FY/17

Attachments: [EC-241](#)

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

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

b. [EC-16-252](#)

Cherry Lane Vacation (Project# 1004036/16DRB-70190) Precision Surveys Inc agents for ETG Properties, LLC request Vacation Of Public Right-Of-Way for a portion of Cherry Lane NW between Lots 31 And 32-A, Rio Grande Gardens Addition, zoned SU-2/ LD RA-2, located at the terminus of Cherry Lane NW between Rio Grande Blvd NW and Apple Lane NW

Attachments: [EC-252](#)

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

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

c. [EC-16-253](#)

Retalbo Road Vacation (Project# 1009506/16DRB-70178) Bohannon Huston Inc agents for Victory Land LLC and the City Of Albuquerque request Vacation-Public Right-Of-Way for Retalbo Road NW and all or a portion of Tracts 7 - 9C, 10B, 10C, & 24-27 of Unit 6, and Tract 14 of Unit 9, Volcano Cliffs zoned SU-2/ VCRR, located west of Quivira Dr NW between Gila Rd NW and Villa Real Rd NW, containing approximately 65.4 acres

Attachments: [EC-253](#)

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

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

d. [EC-16-254](#)

Mayor's Appointment of Ms. Joni M. Palmer to the Albuquerque Museum Board of Trustees

Attachments: [EC-254](#)

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

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

e. [EC-16-255](#)

Mayor's Reappointment of Ms. Roxanne Rivera-Wiest to the Albuquerque Housing Authority Board

Attachments: [EC-255](#)

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

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

- f. [EC-16-256](#) Mayor's Reappointment of Ms. Debby Knotts to the Senior Affairs Advisory Council
Attachments: [EC-256](#)
A motion was made by Vice-President Winter that this matter be Confirmed.
The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris
- g. [EC-16-257](#) Mayor's Reappointment of Mr. Derek R. Bohannon to the Environmental Planning Commission
Attachments: [EC-257](#)
A motion was made by Vice-President Winter that this matter be Confirmed.
The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris
- h. [EC-16-258](#) Mayor's Reappointment of Mrs. Karen L. Hudson to the Environmental Planning Commission
Attachments: [EC-258](#)
A motion was made by Vice-President Winter that this matter be Confirmed.
The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris
- i. [EC-16-259](#) Mayor's Reappointment of Dr. Kerry J. Howe to the Water Protection Advisory Board
Attachments: [EC-259](#)
A motion was made by Vice-President Winter that this matter be Confirmed.
The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris
- k. [RA-16-3](#) Amending The City Council Rules Of Procedure Article III, Procedures, Relating To The Provision Of Funding For Cultural, Educational And Social Service Projects (Gibson)
Attachments: [RA-3.pdf](#)
A motion was made by Vice-President Winter that this matter be Withdrawn by Sponsor. The motion carried by the following vote:
For: 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris

10. GENERAL PUBLIC COMMENTS

11. ANNOUNCEMENTS

14. FINAL ACTIONS

- j. [R-16-134](#) Authorizing The Removal Of Certain Uncollectible Accounts From The City's Accounts Receivable Records For FY 2012 & Prior (Jones, by request)

Attachments: [R-134](#)

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

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

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

- a. [AC-16-15](#) (Project #1008952/16EPC-40034 & 40035) Timothy Flynn-O'Brien Appeals the Environmental Planning Commission's Approval of a Sector Development Plan Map Amendment (Zone Change) & Site Development Plan for Building Permit for all or a portion of Tract A, Morningstar at Palomas, zoned SU-2 for O-1 to SU-2 C-1, located on Palomas Ave. NE between Wyoming Blvd. NE, and Barstow St. NE, containing approximately .9 acre

Attachments: [AC-16-15](#)

A motion was made by Vice-President Winter that this matter be Postpone Adoption of Findings to January 18, 2017. The motion carried by the following vote:

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

Against: 1 - Sanchez

- b. [AC-16-16](#) Hessel E. Yntema, agent for Deanna M. Baca, San Jose Neighborhood Association, appeals the decision of the Zoning Board of Appeals (BOA) to Deny the Appeal, thereby Affirming the Zoning Hearing Examiner's (ZHE's) decision to grant a Conditional Use to allow R-2 uses in a SU-2/MR (Mixed Residential) zone

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

A motion was made by President Benton that this matter be to accept withdrawal of the appeal and to vacate the lower decisions of the Zoning Hearing Examiner and the Board of Appeals. The motion carried by the following vote:

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

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

14. FINAL ACTIONS

- a. [O-16-11](#) F/S Adopting A New Article In Chapter 14 ROA 1994, Zoning, Planning And Building, To Be Known As The "Vacant Commercial Buildings Ordinance" (Harris, Davis)

Attachments: [O-11](#)
[O-11 EPC Record](#)
[O-11 Approved Committee Substitute.pdf](#)
[O-11 Approved Floor Substitute.pdf](#)

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

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

Against: 1 - Jones

A motion was made by Councilor Harris that this matter be Postponed as Substituted to January 18, 2017. The motion carried by the following vote:

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

Against: 2 - Peña, and Jones

- i. [R-16-140](#) F/S Creating New Priority Objectives Within The Public Safety Goal And Establishing Additional City Policy Relating To The Processing Of Untested Sexual Assault Evidence Kits In The Possession Of The Albuquerque Police Department (Lewis)

Attachments: [R-140](#)
[R-140 Approved Floor Substitute.pdf](#)

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

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

- g. [R-16-137](#) C/S Amending The Rio Bravo Sector Development Plan Zone Map From R-LT To R-2 For Tracts RR-3-A And RR-3-B For Two Parcels Of Approximately 27-Acres Abutting The South Side Of Dennis Chavez Blvd, Just North Of 98th Street (Peña, by request)

Attachments: [R-137](#)
[R-137 Approved Committee Substitute.pdf](#)

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

For: 6 - Winter, Sanchez, Peña, Lewis, Gibson, and Jones

Against: 2 - Benton, and Davis

Excused: 1 - Harris

- b. [O-16-27](#) Revising ROA 1994 To Change The Terms “Developing Urban,” “Established Urban,” “Redeveloping Urban,” And “Central Urban” Areas That Refer To Designated Comprehensive Plan Areas, Which Are Being Updated To Areas Of Change And Areas Of Consistency (Jones, Benton)
- Attachments:** [O-27](#)
- A motion was made by President Benton that this matter be Postponed to January 18, 2017. The motion carried by the following vote:**
- For:** 7 - Benton, Winter, Sanchez, Davis, Gibson, Jones, and Harris
- Excused:** 2 - Peña, and Lewis
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- c. [R-16-108](#) Adopting An Updated Albuquerque/ Bernalillo County Comprehensive Plan (Jones, Benton)
- Attachments:** [R-108](#)
[R-108 Attachment and Exhibits.pdf](#)
- A motion was made by President Benton that this matter be Amended. President Benton moved Amendment No. 1. The motion carried by the following vote:**
- For:** 6 - Benton, Winter, Davis, Gibson, Jones, and Harris
- Excused:** 3 - Sanchez, Peña, and Lewis
- A motion was made by President Benton that this matter be Postponed as Amended to January 18, 2017. The motion carried by the following vote:**
- For:** 7 - Benton, Winter, Lewis, Davis, Gibson, Jones, and Harris
- Excused:** 2 - Sanchez, and Peña
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- d. [R-16-109](#) Revising Code Of Resolutions (ROA 1994) To Update Terms In Annexation Policies That Refer To Designated Comprehensive Plan Areas, Which Are Being Updated As Part Of The Comprehensive Plan Update (Jones, Benton)
- Attachments:** [R-109](#)
- A motion was made by President Benton that this matter be Postponed to January 18, 2017. The motion carried by the following vote:**
- For:** 7 - Benton, Winter, Lewis, Davis, Gibson, Jones, and Harris
- Excused:** 2 - Sanchez, and Peña
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- h. [R-16-139](#) Amending The Adopted Capital Implementation Program Of The City Of Albuquerque To Provide For A Soccer Stadium Feasibility Study And Authorizing The Director Of Council Services To Enter Into A Contract For Completion Of The Study (Lewis)
- Attachments:** [R-139](#)

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

For: 6 - Benton, Sanchez, Lewis, Gibson, Jones, and Harris

Against: 2 - Winter, and Davis

Excused: 1 - Peña

k. [R-16-147](#)

Concerning The Future Management Of Candelaria Farm Preserve As A Nature Study Area And Wildlife Preserve (Benton)

Attachments: [R-147](#)

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

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

Excused: 1 - Peña

A motion was made by President Benton that this matter be Amended. President Benton moved Amendment No. 2. The motion carried by the following vote:

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

Against: 1 - Jones

Excused: 1 - Peña

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

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

Excused: 1 - Peña

e. [R-16-123](#)

Making An Appropriation To The Albuquerque Police Department To Provide For Additional Police Service Aide Positions (Sanchez)

Attachments: [R-123.pdf](#)

A motion was made by Councilor Sanchez that this matter be Postponed to January 18, 2017. The motion carried by the following vote:

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

Excused: 1 - Peña

f. [R-16-125](#)

Establishing A Property Crime Reduction Pilot Program (Winter, Davis)

Attachments: [R-125.pdf](#)

A motion was made by Vice-President Winter that this matter be Postponed to January 18, 2017. The motion carried by the following vote:

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

Excused: 1 - Peña

- j. [R-16-144](#) Renaming The Pedestrian Overpass Crossing Gibson Blvd SE Between Carlisle Blvd SE And Amherst Dr SE, As The Marshall Kovitz Overpass In Honor Of Marshall Kovitz's Many Contributions And Dedication To The City Of Albuquerque (Davis)

Attachments: [R-144](#)

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

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

Excused: 1 - Peña

- *l. [R-17-153](#) Calling For An Economic Impact Evaluation Relating To The City's Proposed Solid Waste Transfer Station And Convenience Center At Comanche And Edith (Benton)

Attachments: [R-153](#)

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

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

Against: 1 - Jones

Excused: 1 - Peña