



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

Monday, March 6, 2017

5:00 PM

Vincent E. Griego Chambers

One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

TWENTY-SECOND COUNCIL - TWENTY-NINTH 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 - Dan Lewis, Councilor, District 5

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

February 22, 2017

7. COMMUNICATIONS AND INTRODUCTIONS

Deferrals/Withdrawals

- d. [O-16-30](#) C/S Amending The Public Purchases Ordinance; Requiring Competitive Bids For Capital Project Change Orders In Excess Of A Certain Percent Of The Original Awarded Project Cost (Gibson, Benton)

A motion was made by Councilor Gibson that this matter be Postponed to March 20, 2017. The motion carried by the following vote:

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

I. [R-17-156](#)

Amending Resolution R-15-253 (Enactment No. R-2015-102) Which Created A Collaborative Process For Behavioral Health Reform Beginning With The City Of Albuquerque And Bernalillo County Through The Albuquerque/Bernalillo County Government Commission (Benton)

A motion was made by President Benton that this matter be Postponed to March 20, 2017. The motion carried by the following vote:

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

8. REPORTS OF COMMITTEES

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

a. [EC-17-261](#)

Status FY17 Goal 3, Objective 3: Complete construction of Osuna Phase I

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-17-262](#)

FY17 Status Update Goal 3, Objective 2 (Council Bill No. F/S R-16-40, Enactment No. R-2016-043) Bridge Maintenance

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

c. [EC-17-291](#)

Mayor's Appointment of Mrs. Lydia A. Riley to the Area Agency On Aging Advisory Council

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

d. [EC-17-292](#)

Mayor's Appointment of Mr. David A. Ferrance to the Cable Franchise & Hearing Board

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-17-293](#)

Mayor's Reappointment of Mrs. Dara Ambriz to the ABQ Volunteers

Advisory Board

**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. [OC-17-23](#)

Semi-Annual Communication from the Open Space Advisory Board

**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

h. [OC-17-24](#)

Reappointment of Ms. Joanne Fine to the Police Oversight Board

**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. [OC-17-25](#)

Reappointment of Rev. Dr. David Z. Ring III to the Police Oversight Board

**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

j. [R-16-126](#)

Adjusting Department Of Family And Community Services Fiscal Year 2017 City Housing Fund Appropriations To Provide For The Acquisition Of Property To Be Used For An Affordable Housing, Transitional Housing And Behavioral Health Services Project In Collaboration With Bernalillo County (Gibson)

**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

k. [R-17-155](#)

Approving A Grant Application To The Department Of Housing And Urban Development For A 2017 Continuum Of Care Grant; And Providing An Appropriation To The Department Of Family And Community Services (Benton, by request)

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

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

l. [R-17-157](#)

Authorizing The Aviation Department To Continue To Impose Rental Car Company Customer Facility Charges And Off-Airport Rental Car Company Airport Use Fee, And Authorizing Expenditures From Customer Facility Charge Revenue (Davis, by request)

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

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

m. [R-17-163](#)

Rescinding Section 4 Of F/S R-11-259 Which Designated A Portion Of District 2 Set-Aside 2011 General Obligation Bond Funds For Acquisition Of Land For A Pocket Park (Benton)

A motion was made by Vice-President Winter that this matter be Passed. 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}

f. [EC-17-294](#)

Development Agreement with Greater Albuquerque Housing Partnership (GAHP) Utilizing Workforce Housing Trust Funds in the Amount of Four Million Dollars (\$4,000,000) for the Construction of a 107-Unit Affordable Rental Housing Development Project located in the Raynolds Addition Neighborhood

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

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

Against: 1 - Gibson

10. GENERAL PUBLIC COMMENTS

11. ANNOUNCEMENTS

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

a. [AC-17-1](#)

Joshua Skarsgard, agent for Galardi Group, appeals the decision of the Zoning Board of Appeals (BOA) to Remand an Appeal of the Zoning Hearing Examiner's (ZHE's) decision to Approve a Special Exception to allow a drive-up service window associated with a restaurant on Lot 8-A, Block 4, University Heights Addition, zoned SU-2/C-1 pursuant to the University Neighborhoods Sector Development Plan (UNSDP). Staff Planner: Catalina Lehner

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

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

14. FINAL ACTIONS

- g. [O-17-36](#) F/S Authorizing The Issuance And Sale Of \$34,107,000 City Of Albuquerque, New Mexico General Obligation Bonds, Consisting Of \$22,850,000 General Purpose General Obligation Bonds, Series 2017A, And \$11,257,000 Short-Term General Obligation Bonds, Series 2017B, Authorized At An Election Of The City Held On October 6, 2015 To Finance Projects Relating To Public Safety, Citizens' Centers, Parks And Recreation, Facilities And Equipment, Library, Public Transportation, Zoo, Biological Park And Museum Facilities, Storm Sewers, And Streets (Harris, by request)
- 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, Davis, Gibson, Jones, and Harris
- Excused:** 1 - Lewis
- A motion was made by Councilor Harris that this matter be Passed as Substituted. The motion carried by the following vote:**
- For:** 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris
- e. [O-17-33](#) C/S Amending City's Purchasing Ordinance 5-5-31 Relating To Pay Equity Reporting And Requirements For The Gender Pay Equity Preference For City Procurements (Gibson)
- A motion was made by Councilor Gibson that this matter be Passed. The motion carried by the following vote:**
- For:** 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris
- f. [O-17-35](#) Approving A Project Involving CSI Aviation, Inc. Pursuant To The Local Economic Development Act And City Ordinance F/S O-04-10, The City's Implementing Legislation For That Act, To Support The Construction Of An Aircraft Hangar, Office Space And Related Improvements; Authorizing The Execution Of A Project Participation Agreement And Other Documents In Connection With The Project; Making Certain Determinations And Findings Relating To The Project; Ratifying Certain Actions Taken Previously; And Repealing All Actions Inconsistent With This Ordinance (Lewis, 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:** 6 - Benton, Sanchez, Peña, Davis, Gibson, and Harris
- Against:** 3 - Winter, Lewis, and Jones
- A motion was made by Councilor Lewis that this matter be Passed as Amended. The motion carried by the following vote:**
- For:** 9 - Benton, Winter, Sanchez, Peña, Lewis, Davis, Gibson, Jones, and Harris
- i. [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)

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

For: 7 - Benton, Winter, Sanchez, Peña, Lewis, Jones, and Harris

Against: 2 - Davis, and Gibson

j. [R-16-142](#)

Calling For A Study Of The Need For, Feasibility Of And Methodology Of Implementation Of Consolidating Public Safety Services Within The Incorporated And Unincorporated Areas Of Bernalillo County; Designating Funding For The Study (Lewis, Sanchez, Benton)

A motion was made by President Benton that this matter be Postponed to March 20, 2017. The motion carried by the following vote:

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

k. [R-16-143](#)

Resolution To Provide Justice To Victims Of Sexual Assault By Establishing Timeframes And Practices For Processing Sexual Assault Evidence Kits By The Albuquerque Police Department (Davis)

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

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

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

*o. [R-17-166](#)

Widening Sidewalks In The Historic Nob Hill Corridor To Increase Pedestrian Safety, Walkability, And Commerce (Davis)

A motion was made by Councilor Lewis that this matter be Postponed to March 20, 2017. The motion carried by the following vote:

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

a. [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)

A motion was made by Vice-President Winter that this matter be Continued to March 20, 2017. The motion carried by the following vote:

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

Against: 1 - Sanchez

- b. [R-16-108](#) Adopting An Updated Albuquerque/ Bernalillo County Comprehensive Plan (Jones, Benton)

A motion was made by Vice-President Winter that this matter be Continued to March 20, 2017. The motion carried by the following vote:

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

Against: 1 - Sanchez

- c. [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)

A motion was made by Vice-President Winter that this matter be Continued to March 20, 2017. The motion carried by the following vote:

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

Against: 1 - Sanchez

- h. [O-17-37](#) Amending The Americans With Disabilities Act Advisory Council Ordinance §2-6-5-1 Through §2-6-5-6, ROA 1994; Reducing The Number Of Advisory Council Members And Revising Member Qualifications (Peña)

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

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

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

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

- m. [R-17-159](#) Amending Resolution R-16-147, Concerning The Future Management Of Candelaria Farm Preserve As A Nature Study Area And Wildlife Preserve, To Clarify Responsibilities For The Process Of Creating A Resource Management Plan (Benton)

A motion was made by President Benton that this matter be Postponed to March 20, 2017. The motion carried by the following vote:

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

- n. [R-17-160](#) Declaring A Moratorium Of Up To Six Months Or Until The Updated Integrated Development Ordinance Is Finally Acted Upon By The City Council, Whichever First Occurs, On Zone Changes And The Issuance Of Certain Building Permits For Mixed Use Development

Pursuant To The NFMXD Zone Within The Adopted Boundaries Of
The North 4th Street Rank Three Corridor Plan (Benton)

**A motion was made by President Benton that this matter be Postponed to
March 20, 2017. The motion carried by the following vote:**

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

There being no further business, the meeting adjourned at 11:08 p.m.