



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, August 21, 2017

5:00 PM

Vincent E. Griego Chambers

One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

TWENTY-SECOND COUNCIL - THIRTY-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 - Isaac Benton, Councilor, District 2

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

Finance and Government Operations Committee - August 14, 2017

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

- a. [EC-17-370](#) Mayor's Recommendation of WHPacific, Inc. for Engineering Consultants

for Citywide On-Call Engineering Services

A motion was made by President Benton 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-17-372](#)

Mayor's Recommendation of Souder, Miller & Associates for Loma Hermosa/Glenrio Flood Plain Mitigation

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

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

e. [EC-17-374](#)

(Project# 1008699/17DRB-70066) Atlantic & Pacific Alley Vacation - Arch And Plan Land Use Consultants agents for Albuquerque Rescue Mission et. al. request Vacation Of Public Right-Of-Way for all of the East-West Alley in Block E, Atlantic And Pacific Addition located between 2ND St SW and 3RD St SW, between Coal Ave SW and Iron Ave SW

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

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

f. [EC-17-375](#)

(Project# 101170/17DRB-70062) Terrace Addition Alley Vacation - Cartesian Surveys Inc agents for Brad Hall and M&M Stores request Vacation Of Public Right-Of-Way for the East/West Alley in Block 4, Terrace Addition, located on the west side of Locust St SE between Lead Ave SE and Coal Ave SE

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

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

*h. [EC-17-386](#)

Approving Exchange Agreement

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

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

k. [EC-17-392](#)

Mayor's Appointment of Mr. Larry Hindman to the Municipal Golf Advisory Board

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

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

l. [EC-17-393](#)

Mayor's Appointment of Mr. Geoffrey Zehnder to the Transit Advisory Board

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

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

- m. [EC-17-394](#) Mayor's Appointment of Mr. Blayne Greiner to the Indicators Progress Commission

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

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

- n. [EC-17-396](#) Mayor's Appointment of Mr. Ivan Pineda-Dominguez to the Youth Advisory Council

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

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

- o. [EC-17-397](#) Mayor's Appointment of Mr. Michael Renaud to the Americans with Disabilities Act Advisory Council

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

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

- p. [EC-17-398](#) Mayor's Appointment of Mr. Matt W. Guthrie to the Balloon Fiesta Park Commission

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

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

- q. [EC-17-399](#) Mayor's Appointment of Mr. Dana Lehner to the Municipal Golf Advisory Board

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

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

- r. [EC-17-400](#) Mayor's Appointment of Mrs. Lee Ratzlaff to the Greater Albuquerque Bicycling Advisory Committee

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

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

- s. [EC-17-401](#) Mayor's Appointment of Ms. Rachel Hertzman to the Transit Advisory Board

A motion was made by President Benton that this matter be Confirmed. The

motion carried by the following vote:

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

- t. [EC-17-403](#) Mayor's Recommendation of Molzen Corbin for Engineering Consultants for the Aviation Department at the International Sunport and Double Eagle II Airport

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

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

- u. [EC-17-404](#) Mayor's Appointment of Mr. Paul Bernier to the Municipal Golf Advisory Board

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

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

- v. [EC-17-405](#) Mayor's Appointment of Ms. Linda Castagneri to the Library Advisory Board

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

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

- w. [EC-17-406](#) Mayor's Reappointment of Mr. Scott Steffen to the Technical Standard Committee

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

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

- *x. [EC-17-408](#) Mayor's Recommendation of Award (ROA) for RFP No. 201700030, "New Clean Renewable Energy Bond (NCREB) funded Solar Energy Projects"

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

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

- *y. [EC-17-409](#) Mayor's Recommendation of Award (ROA) for RFP No. 2017000035, "Personnel Hearing Officer"

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

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

- *z. [R-17-219](#) 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 2018 (Harris)

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

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

***aa.** [R-17-222](#)

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 2018 (Peña, by request)

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

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

***ab.** [R-17-224](#)

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 2018 (Jones, by request)

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

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

***ac.** [R-17-225](#)

Approving And 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) Beginning In Fiscal Year 2018 (Gibson, by request)

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

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

***ad.** [R-17-231](#)

Adjusting Fiscal Year 2018 Appropriations To Provide For A Sponsorship Of The Americas Mayors Conference And Summit (Davis)

A motion was made by President Benton 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:

- b. [EC-17-371](#) Mayor's Recommendation of Bohannon Huston, Inc. for Near Heights (Pueblo Alto) Storm Drain Improvements
- A motion was made by Councilor Gibson 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-17-373](#) (Project# 101195/17DRB-70098) La Mesa Alley Vacation - Bob Lopez agent for Sergio & Azucena Valles requests Vacation Of Public Right-Of-Way for the East-West Alley in Block 2 (Tracts A & B), La Mesa Subdivision zoned C-2, located on the north side of Central Ave NE between Alcazar St NE and Chama St NE containing approximately .8587 acres
- A motion was made by President Benton that this matter be Postponed to September 18, 2017. The motion carried by the following vote:**
- For:** 7 - Benton, Winter, Sanchez, Peña, Davis, Gibson, and Jones
- Excused:** 2 - Lewis, and Harris
- *g. [EC-17-382](#) Declaring Not Essential for Municipal Purposes 9.24 Acres Within A Portion of SEC 31 T.11 N., R.2 E., N.M.P.M.
- A motion was made by President Benton that this matter be Approved. The motion carried by the following vote:**
- For:** 7 - Benton, Winter, Sanchez, Peña, Davis, Gibson, and Jones
- Excused:** 2 - Lewis, and Harris
- *i. [EC-17-388](#) Approving a Supplemental Agreement with Organizational Change Management LLC
- A motion was made by President Benton that this matter be Approved. The motion carried by the following vote:**
- For:** 8 - Benton, Winter, Sanchez, Peña, Davis, Gibson, Jones, and Harris
- Excused:** 1 - Lewis
- *j. [EC-17-390](#) Lease Agreement between Ayala Properties, LLC and the City of Albuquerque for the DWI Seizure Lot located at 5048 Edith NE
- A motion was made by President Benton that this matter be Approved. The motion carried by the following vote:**
- For:** 7 - Benton, Winter, Sanchez, Davis, Gibson, Jones, and Harris
- Against:** 1 - Peña
- Excused:** 1 - Lewis

10. GENERAL PUBLIC COMMENTS

11. ANNOUNCEMENTS

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

[AC-17-4](#)

(Project #1011160/17EPC-40003) Crestino Romero appeals the decision of the Environmental Planning Commission (EPC) to Approve a zone map amendment (zone change) to change the zoning from R-1 Residential to R-2 Residential for Lot 11A, Coleman Addition, located at 1303 Menaul Blvd. NW

A motion was made by Councilor Sanchez to accept new evidence. The motion failed by the following vote:

For: 4 - Sanchez, Peña, Gibson, and Harris

Against: 5 - Benton, Winter, Lewis, Davis, and Jones

A motion was made by Councilor Jones that this matter be Denied and Findings be adopted at the September 6, 2017 meeting. 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}

*a. [EC-17-411](#)

Approval of the Global Management Performance Contract for Implementation of Energy Efficiency Plan

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

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

Against: 1 - Peña

14. FINAL ACTIONS

*a. [O-17-53](#)

Approving A Project Involving Raytheon Company 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 Improvement And Leasing Of A Facility To Design, Integrate And Fabricate Prototype Engineering And Development Systems; 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 (Harris)

A motion was made by Councilor Harris that this matter be Amended.

Councilor Harris moved Amendment No. 1 (Exhibit 52). 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 Harris 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

b. [R-17-177](#)

F/S Directing The City Administration To Evaluate The Performance Of The Albuquerque Rapid Transit (A.R.T.) Project As It Impacts Traffic Along Central Avenue, Changes In Transit Ridership, And Changes In Traffic On Specified Alternative Routes After It Has Been In Operation For The Sixty-Day Period Starting Two Years, Per FTA Standards, After Project Completion Compared With The Same Sixty-Day Period In 2015, The Same Sixty-Day Period In 2013, And The Same Sixty-Day Period In 2010; And To Work With Adjacent Communities To Mitigate Any Negative Impacts Identified By Those Assessments, To Include An Option To Re-Open Dedicated Transit Lanes To General Traffic. The Results Of The Assessments Outlined Below Are To Be Evaluated By A Third Party That Is Independent Of Both The City Transit Department And MRCOG (Harris)

A motion was made by Councilor Lewis that this matter be Amended. Councilor Lewis moved Amendment No. 1. (No initial vote on this motion due to the following motion having precedence.)

A motion was made by Councilor Lewis that this matter be Postponed to September 6, 2017. The motion failed by the following vote:

For: 4 - Sanchez, Peña, Lewis, and Harris

Against: 5 - Benton, Winter, Davis, Gibson, and Jones

The postponement motion having failed, a vote was taken on Councilor Lewis' Amendment No. 1 (Exhibit 54). The motion failed by the following vote:

For: 4 - Sanchez, Peña, Lewis, and Harris

Against: 5 - Benton, Winter, Davis, Gibson, and Jones

A motion was made by Councilor Davis that this matter be Amended. Councilor Davis moved Amendment No. 2.

A motion was made by Councilor Lewis that this matter be Postponed to September 6, 2017. President Benton ruled the motion out of order.

The motion having been ruled out of order, a vote was taken on Councilor Davis' Amendment No. 2 (Exhibit 55). The motion carried by the following vote:

For: 6 - Benton, Winter, Peña, Davis, Gibson, and Jones

Against: 3 - Sanchez, Lewis, and Harris

A motion was made by Councilor Davis that this matter be Amended. Councilor Davis moved Amendment No. 3 (Exhibit 56). The motion carried by the following vote:

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

Against: 2 - Lewis, and Harris

A motion was made by Councilor Harris that this matter be Postponed to September 18, 2017. (No vote taken)

A motion was made by Councilor Lewis that this matter be Withdrawn. (No vote taken)

Councilor Lewis stated for the record that he removes his name as co-sponsor of this legislation.

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

For: 5 - Benton, Sanchez, Peña, Lewis, and Harris

Against: 4 - Winter, Davis, Gibson, and Jones

c. [R-17-208](#)

Appointment Of Directors To The Governing Body Of The Lower Petroglyphs Tax Increment Development District Pursuant To The Tax Increment For Development Act, NMSA 1978, §§ 5-15-1 To -28 (2006, As Amended), Sections 4-10-1 To 8 ROA 1994, And City Council Bill No. F/S R-17-185; And Repealing All Actions Inconsistent With This Resolution (Sanchez)

A motion was made by Councilor Sanchez that this matter be Amended. Councilor Sanchez moved Amendment No. 1 (Exhibit 57). 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 Sanchez 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

***d.** [R-17-228](#)

Establishing A Moratorium For Irving Boulevard Prohibiting The Use Of Local, State And Federal Funds In The Moratorium Boundaries, Removing The Irving Project From The Transportation Improvement Program Of The Albuquerque Metropolitan Transportation Plan And Repealing Resolution 15-226 (Lewis)

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