



# 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*

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Wednesday, October 4, 2017

5:00 PM

Vincent E. Griego Chambers

One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

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### TWENTY-SECOND COUNCIL - FORTY-SECOND 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 - Trudy E. Jones, Councilor, District 8**

#### 3. PROCLAMATIONS & PRESENTATIONS

#### 4. ECONOMIC DEVELOPMENT DISCUSSION

#### 5. ADMINISTRATION QUESTION & ANSWER PERIOD

#### 6. APPROVAL OF JOURNAL

September 18, 2017

#### 7. COMMUNICATIONS AND INTRODUCTIONS

##### Deferrals/Withdrawals

- a. [O-17-50](#) C/S Amending The City Of Albuquerque Code Of Ordinances Article 6 In Chapter 13 ROA 1994, The "Pawnbrokers Ordinance"; Adding Provisions For Certain Buyers Of Precious Metals And Gems (Gibson)

**A motion was made by Councilor Gibson that this matter be Postponed to October 16, 2017. The motion carried by the following vote:**

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

- b. [O-17-51](#) C/S Amending The Traffic Code And The Municipal Ordinance Relating To Vehicle Solicitations By Pedestrians (Jones)

**A motion was made by Councilor Jones that this matter be Postponed to October 16, 2017. The motion carried by the following vote:**

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

- c. [O-17-52](#) Repealing The Safety In Public Places Ordinance (Jones)

**A motion was made by Councilor Jones that this matter be Postponed to October 16, 2017. The motion carried by the following vote:**

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

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

- a. [EC-17-339](#) Reporting of expenditures by the Albuquerque Police Department related to the implementation of the Court Approved Settlement Agreement (CASA) - Third Quarter Fiscal Year 2017

**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-17-340](#) 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-17-341](#) FY/17 Department of Family & Community Services Priority Objective Report, Objective 9

**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

- d. [EC-17-342](#) 2016 Bi-Annual Home Owner Rehabilitation Program Status Report

**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. [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 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
- i. [EC-17-376](#) Approval of the Status Report for Goal 8, Governmental Excellence and Effectiveness, Objective 1, a summary of the Sunport Community Tour Program
- 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
- j. [EC-17-377](#) Approval of the Status Report for Goal 3, Public Infrastructure, Objective 1, Begin the Terminal Improvements Pre-Security
- 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
- k. [EC-17-378](#) Approval of the Status Report for Goal 3, Public Infrastructure, Objective 1, Begin the Development of the Aviation Center for Excellence (ACE)
- 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
- l. [EC-17-380](#) FY17 Priority Objective Report: Human and Family Development Goal 1, Objective 11 - Propose and present a plan outlining scenarios for complete enterprise fund cost recovery for operation of City golf courses and other golf facilities, including a proposal of rate increases as necessary. If the rate increases cannot cover the costs of City General Fund subsidies to the Golf Operating Fund, propose facility closures, dispositions or other changes in ownership and management of the facilities as required. Solicit input on the plan from the Golf Advisory Board. Submit a status report to the Mayor and City Council by the end of the second quarter of FY/17
- 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

- m. [EC-17-381](#) Early Head Start Quarterly Report for January, February and March of 2017  
**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
- n. [EC-17-387](#) Approving a Supplemental Agreement with Mr. John Liberatore  
**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
- o. [EC-17-389](#) Lease Agreement between City of Albuquerque and Operating Engineers Local 953 Journeyman & Apprenticeship Training Trust Fund  
**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
- p. [EC-17-402](#) Revenue & Expense Report for Third Quarter Fiscal Year 2017  
**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
- q. [EC-17-410](#) Mayor's Recommendation of Award (ROA) for RFP No. 201700026, "Albuquerque/Bernalillo County Ground-Level Ozone Photochemical Modeling and Analysis"  
**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
- r. [EC-17-430](#) Mayor's Appointment of Ms. Diva L Miramontes to the Youth 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
- s. [EC-17-431](#) Mayor's Appointment of Mr. John Frazier to the Municipal Golf 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
- t. [EC-17-432](#) Mayor's Appointment of Mr. Emmanuel Ohiri to the Youth 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

- u. [EC-17-433](#) Mayor's Appointment of Ms. Sally Hebert to the Municipal Golf 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

- v. [EC-17-434](#) Mayor's Appointment of Mr. Daniel Strones to the Americans with Disabilities Act 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

- w. [OC-17-31](#) 2016 Civilian Police Oversight Agency Semi-Annual Report

**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

- x. [R-17-220](#) Approving And Authorizing The Filing Of A Grant Application For Transit Enhancements, Facility Rehab And Technology Projects With The Federal Transit Administration (FTA) Of The U.S. Department Of Transportation And Providing For An Appropriation To The Transit Department (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

- y. [R-17-221](#) Approving And Authorizing The Acceptance Of State Of New Mexico Litter Control And Beautification Grant Funds, A Grant Under The New Mexico Litter Control And Beautification Act With The New Mexico State Tourism Department; And Providing For An Appropriation To The City Of Albuquerque Solid Waste Management Department (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

- z. [R-17-223](#) Authorizing A Grant Agreement With The U.S. Department Of Health And Human Services, Early Head Start Program And Providing An Appropriation To The Department Of Family And Community Services

Beginning In Fiscal Year 2018 (Jones, 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

aa. [R-17-226](#)

Approving And Authorizing The Filing Of A Grant Application For Revenue Vehicle Purchase With The Federal Transit Administration (FTA) Of The U.S. Department Of Transportation And Providing For An Appropriation To The Transit Department (Winter, 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

ab. [R-17-238](#)

Setting The Official List Of City Council Meetings From January 2018 Through December 2018 (Winter)

**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

ac. [R-17-239](#)

Determining Reasonable Notice Of Public Meetings Of The City Council (Winter)

**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}

e. [EC-17-360](#)

Early Head Start Quarterly Report for April, May and June of 2016

**A motion was made by President Benton 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

f. [EC-17-361](#)

Early Head Start Quarterly Report for July, August and September of 2016

**A motion was made by President Benton 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

g. [EC-17-362](#)

Early Head Start Quarterly Report for October, November and December of 2016

**A motion was made by President Benton 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

## 10. GENERAL PUBLIC COMMENTS

## 11. ANNOUNCEMENTS

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

## 14. FINAL ACTIONS

- d. [O-17-56](#) Amending Section 13-5-3-3(A) ROA 1994 Of The Grant Of Cable Television Franchise Ordinance To Extend The Expiration Date By Six Months From October 1, 2017 To April 1, 2018 (Jones)

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

**For:** 6 - Benton, Peña, Davis, Gibson, Jones, and Harris

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

**Recused:** 1 - Winter

- e. [R-17-203](#) Amending The University Neighborhoods Sector Development Plan To Clarify And Update The Regulations For The SU-2/DR Diverse Residential Townhouse Lot Size And Density (Davis, 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:** 8 - Benton, Winter, Sanchez, Peña, Davis, Gibson, Jones, and Harris

**Excused:** 1 - Lewis

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

**For:** 5 - Benton, Sanchez, Gibson, Jones, and Harris

**Against:** 2 - Winter, and Davis

**Excused:** 2 - Peña, and Lewis

- f. [R-17-233](#) Establishing That No New Recognized Or Non-Recognized Neighborhood Associations Shall Be Created Under The Existing Neighborhood Association Recognition Ordinance Unless In Compliance With Certain Interim Procedures While The Neighborhood Association Recognition Ordinance Is Updated (Benton)

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

**Excused:** 2 - Peña, and Lewis

**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, Peña, Davis, Gibson, Jones, and Harris

**Excused:** 1 - Lewis

**\*g.** [R-17-247](#)

Extending The Moratorium Established By R-17-160 For A Time Period Of Up To Nine Months Or Until The Updated Integrated Development Ordinance Is Made Effective, Whichever Occurs First, 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 Passed. The motion carried by the following vote:**

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

**Excused:** 1 - Lewis