



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, October 16, 2017

5:00 PM

Vincent E. Griego Chambers

One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

TWENTY-SECOND COUNCIL - FORTY-THIRD 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 - Don Harris, Councilor, District 9

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

October 4, 2017

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

Internal Operations Committee - October 4, 2017

Finance & Government Operations Committee - October 9, 2017

Land Use, Planning & Zoning Committee - October 11, 2017

Deferrals/Withdrawals

- g. [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 Harris that this matter be Postponed to November 20, 2017. The motion carried by the following vote:

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

Excused: 1 - Lewis

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

President Benton pulled EC-17-443 off the Consent agenda.

- *a. [EC-17-420](#) Declaring Parcel 3-QCD-1 at the I-25 and Rio Bravo Interchange, Not-Essential for Municipal Purposes

A motion was made by Vice-President Winter 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

- c. [EC-17-445](#) Mayor's Appointment of Mr. Adriano Lujan 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: 8 - Benton, Winter, Sanchez, Peña, Davis, Gibson, Jones, and Harris

Excused: 1 - Lewis

- d. [EC-17-446](#) Mayor's Appointment of Mrs. Kathryn Perea to the Balloon Fiesta Park Commission
- A motion was made by Vice-President Winter that this matter be Confirmed.
The motion carried by the following vote:**
- For:** 8 - Benton, Winter, Sanchez, Peña, Davis, Gibson, Jones, and Harris
- Excused:** 1 - Lewis
- e. [EC-17-447](#) Mayor's Appointment of Mr. Roger L Ebner to the Balloon Fiesta Park Commission
- A motion was made by Vice-President Winter that this matter be Confirmed.
The motion carried by the following vote:**
- For:** 8 - Benton, Winter, Sanchez, Peña, Davis, Gibson, Jones, and Harris
- Excused:** 1 - Lewis
- f. [EC-17-448](#) Mayor's Appointment of Mr. Edward Gerety to the Greater Albuquerque Bicycling Advisory Committee
- A motion was made by Vice-President Winter that this matter be Confirmed.
The motion carried by the following vote:**
- For:** 8 - Benton, Winter, Sanchez, Peña, Davis, Gibson, Jones, and Harris
- Excused:** 1 - Lewis
- g. [EC-17-449](#) Mayor's Appointment of Mr. Neil Katzman 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:** 8 - Benton, Winter, Sanchez, Peña, Davis, Gibson, Jones, and Harris
- Excused:** 1 - Lewis
- h. [EC-17-450](#) Mayor's Appointment of Ms. Julia Youngs to the Urban Enhancement Trust Fund
- A motion was made by Vice-President Winter that this matter be Confirmed.
The motion carried by the following vote:**
- For:** 8 - Benton, Winter, Sanchez, Peña, Davis, Gibson, Jones, and Harris
- Excused:** 1 - Lewis
- i. [EC-17-451](#) Mayor's Appointment of Ms. Nancy Zastudil to the Urban Enhancement Trust Fund
- A motion was made by Vice-President Winter that this matter be Confirmed.
The motion carried by the following vote:**
- For:** 8 - Benton, Winter, Sanchez, Peña, Davis, Gibson, Jones, and Harris

Excused: 1 - Lewis

- j. [EC-17-452](#) Mayor's Appointment of Mr. Michael L. Mitchell to the Veterans and Military Affairs Advisory Board

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

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

Excused: 1 - Lewis

- *k. [R-17-235](#) Approving And Authorizing The Filing Of A Grant Agreement For The Montañño Levee Drainage Project With The New Mexico Department Of Homeland Security & Emergency Management; And Providing For An Appropriation To The Municipal Development Department (Sanchez)

A motion was made by Vice-President Winter 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

- l. [O-17-57](#) Creating A Gross Receipts Investment Policy (GRIP) (Jones, by request)

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

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

Excused: 1 - Lewis

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

- b. [EC-17-443](#) Mayor's Recommendation of Wilson & Company, Inc., Engineers & Architects for On-Call Traffic Operations Engineering and NTMP

A motion was made by President Benton that this matter be Postponed to November 6, 2017. 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}**

- a. [AC-17-7](#) (Project #1011232/17EPC-40011) Anaya Law LLC, agent for Darlene M. Anaya, appeals the decision of the Environmental Planning Commission (EPC) to Approve a Zone Map Amendment (Zone Change)

for all or a portion of Tracts 224D3B, 225B2A1A1 & 226C2B, 225B2A1A2, 225B2B, 225B2C, 225B2D, 225B2E, 225B2F & 225B2A2, 225B2G, 225B2H, 225B2I, 226A, 227, 228, 232, 233A, 236-A, 236-B, and Land of J A Garcia Tract A, MRGCD Map #35, zoned M-1 and R-1 to C-2 and R-2, located North of I-40 and East of Rio Grande Blvd. between the Alameda Drain and Campbell Ditch, containing approximately 20 acres

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

For: 7 - Winter, Peña, Lewis, Davis, Gibson, Jones, and Harris

Against: 2 - Benton, and Sanchez

b. [AC-17-8](#)

(Project #1011232/17EPC-40011) North Valley Coalition, appeals the decision of the Environmental Planning Commission (EPC) to Approve a Zone Map Amendment (Zone Change) for all or a portion of Tracts 224D3B, 225B2A1A1 & 226C2B, 225B2A1A2, 225B2B, 225B2C, 225B2D, 225B2E, 225B2F & 225B2A2, 225B2G, 225B2H, 225B2I, 226A, 227, 228, 232, 233A, 236-A, 236-B, and Land of J A Garcia Tract A, MRGCD Map #35, zoned M-1 and R-1 to C-2 and R-2, located North of I-40 and East of Rio Grande Blvd. between the Alameda Drain and Campbell Ditch, containing approximately 20 acres

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

For: 7 - Winter, Peña, Lewis, Davis, Gibson, Jones, and Harris

Against: 2 - Benton, and Sanchez

14. FINAL ACTIONS

***a.** [O-17-49](#)

C/S Adopting The Integrated Development Ordinance (IDO) And IDO Zoning Conversion Map And Repealing The Comprehensive City Zoning Code (§14-16 et seq.) And Existing Zoning Map; Repealing The Landmarks And Urban Conservation Ordinance (§14-12 et seq.), The Subdivision Ordinance (§14-14 et seq.), And The Airport Zoning Ordinance (§14-15 et seq.), Whose Regulatory Purposes And Content Have Been Incorporated Into The IDO; Replacing References To The Repealed Ordinances In Various Locations Of Revised Ordinances Of Albuquerque, New Mexico, 1994 (ROA 1994) With References To The IDO In Order To Maintain Internal Consistency In ROA 1994; And Amending Various Ordinances To Compile Relevant Sections Of The Code Of Ordinances And To Maintain Internal Consistency With The IDO (Jones, Benton)

A motion was made by Councilor Jones that this matter be Postponed to November 6, 2017. The motion carried by the following vote:

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

***b.** [R-17-213](#)

C/S Repealing Resolutions And Plans Whose Regulatory Purpose And Content Has Been Replaced By The Integrated Development Ordinance (IDO) (§14-16, et seq.), Replacing References To Repealed Ordinances And Resolutions In Various Locations Of The Code Of Resolutions Of Albuquerque, New Mexico, With References To The IDO To Maintain Consistency; And Revising The Location In The Code Of Resolutions For Select Plans To Compile Relevant Sections Of The Code Of Resolutions And To Maintain Consistency With The IDO (Jones, Benton)

A motion was made by President Benton that this matter be Postponed to November 6, 2017. The motion carried by the following vote:

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

***c.** [R-17-240](#)

C/S Establishing A Process For IDO-Related Zone Map Amendments That Are To Be Processed By The City Planning Department Commencing On The Effective Date Of The IDO, And Concluding Within One Year Therefrom (Jones, Benton)

A motion was made by President Benton that this matter be Postponed to November 6, 2017. The motion carried by the following vote:

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

14. FINAL ACTIONS

d. [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 November 20, 2017. The motion failed by the following vote:

For: 2 - Benton, and Gibson

Against: 7 - Winter, Sanchez, Peña, Lewis, Davis, Jones, and Harris

A motion was made by Vice-President Winter that this matter be Recommended to the Finance & Government Operations Committee. The motion carried by the following vote:

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

Against: 1 - Gibson

e. [O-17-51](#)

F/S Amending The Traffic Code And The Municipal Ordinance Relating To Pedestrian Safety And Vehicle/Pedestrian Conflicts (Jones)

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

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

Against: 1 - Peña

A motion was made by Councilor Jones that this matter be Postponed as Substituted to November 6, 2017. The motion carried by the following vote:

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

Excused: 1 - Gibson

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

A motion was made by Councilor Jones that this matter be Postponed to November 6, 2017. The motion carried by the following vote:

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

Excused: 1 - Gibson

*h. [R-17-216](#) Approving The Application And Petition Of Eastside Development Inc., For Formation Of The Juan Tabo Hills Estates Public Improvement District Pursuant To The Public Improvement District Act, NMSA 1978, § 5-11-1 To -27 (2001, As Amended) And City Ordinance Enactment No. 0-2003-12, Council Bill No. F/S 0-03-84 (Harris)

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: 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: 7 - Benton, Winter, Sanchez, Peña, Davis, Gibson, and Harris

Excused: 2 - Lewis, and Jones

*i. [R-17-248](#) Concerning The Municipal Runoff Election To Be Held In The City Of Albuquerque, New Mexico, On Tuesday, The Fourteenth Day Of November 2017 (Benton, by request)

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, Peña, Davis, Gibson, Jones, and Harris

Excused: 1 - 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