



# City of Albuquerque

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

## Action Summary

### City Council

*Council President, Ken Sanchez, District 1*  
*Vice-President, Don Harris, District 9*

*Isaac Benton, District 2; Klarissa J. Peña, District 3*  
*Brad Winter, District 4; Cynthia D. Borrego, District 5*  
*Patrick Davis, District 6; Diane G. Gibson, District 7*  
*Trudy E. Jones, District 8*

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Monday, December 18, 2017

5:00 PM

Vincent E. Griego Chambers  
One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

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#### TWENTY-THIRD COUNCIL - SECOND MEETING

#### 1. ROLL CALL

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

#### 2. MOMENT OF SILENCE

**Pledge of Allegiance - Cynthia D. Borrego, Councilor, District 5**

#### 3. PROCLAMATIONS & PRESENTATIONS

#### 4. ECONOMIC DEVELOPMENT DISCUSSION

#### 5. ADMINISTRATION QUESTION & ANSWER PERIOD

#### 6. APPROVAL OF JOURNAL

December 4, 2017

#### 7. COMMUNICATIONS AND INTRODUCTIONS

#### 8. REPORTS OF COMMITTEES

Finance and Government Operations Committee - December 11, 2017

Land Use, Planning and Zoning Committee - December 13, 2017

## Deferrals/Withdrawals

- a. [O-17-45](#) Amending Chapters 1 And 2 Of The Revised Ordinances Of Albuquerque 1994 To Add A New Article And A New Section, Respectively, Relating To The Prioritization Of Fully Staffing And Funding The Albuquerque Police Department; Requiring An Independent Staffing, Compensation, And Recruiting Competitiveness Study Immediately And Every Five Years Thereafter (Harris, Sanchez)
- A motion was made by Vice-President Harris that this matter be Postponed to February 21, 2018. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
- b. [O-17-55](#) Prohibiting Elected Officials And Departments, Boards, Commissions And Advisory Groups Of The City Of Albuquerque From Organizing, Sponsoring, Advertising Or Hosting Political Forums (Winter)
- A motion was made by Councilor Winter that this matter be Postponed to January 17, 2018. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
- e. [R-16-145](#) F/S Directing The Administration To Install Four-Way Stop Signs At The Intersections Of Bataan Dr. And Gonzales Rd. SW, And Camino San Martin And 86th Street SW; Directing The Administration To Study 98th St. SW And Amole Mesa Dr. SW; Making An Appropriation (Peña)
- A motion was made by Councilor Peña that this matter be Withdrawn by Sponsor. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones

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

*Councilor Benton pulled EC-17-439 off the Consent agenda.*

*Councilor Sanchez pulled EC-17-459 off the Consent agenda.*

- a. [EC-17-437](#) Transmitting the Year End Status Report on FY/17 Objectives
- A motion was made by Vice-President Harris that this matter be Receipt Be Noted. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
- b. [EC-17-438](#) FY/17 Priority Objective Report, Goal 7, Objective 4, Cultural Services, Regarding the Albuquerque Museum Community History Series
- A motion was made by Vice-President Harris that this matter be Receipt Be Noted. The motion carried by the following vote:**

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

- d. [EC-17-440](#) Fourth Quarter Fiscal Year 2017 Priority Objectives Report for the Albuquerque Police Department

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

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

- e. [EC-17-441](#) Priority Objective Report, FY/17 Goal 7, Objective 3, Community Events

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

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

- f. [EC-17-442](#) FY/17 Priority Objective Report, Cultural Services - Library

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

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

- \*h. [EC-17-486](#) Mayor's Appointment of Salvator Perdomo to the Zoning Board of Appeals

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

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

- \*i. [EC-17-492](#) Mayor's Appointment of Timothy Waters to the Zoning Board of Appeals

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

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

- \*j. [EC-17-494](#) Mayor's Appointment of Mr. Robert Rayner to the Zoning Board of Appeals

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

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

- \*k. [EC-17-496](#) Mayor's Appointment of Ms. Malak Hakim to the Zoning Board of Appeals

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

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

- \*l. [EC-17-5](#) Mayor's Recommendation of Award to Intera Incorporation for "Operation and Maintenance of Los Angeles Landfill"
- A motion was made by Vice-President Harris that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
- \*m. [EC-17-6](#) Mayor's Recommendation of Award to RBC Capital for "Debt Obligation / Bonds and Swaps"
- A motion was made by Vice-President Harris that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
- \*n. [EC-17-7](#) Panorama Boulevard Vacation (Project# 1008435/17DRB-70180) Isaacson And Arfman PA and Surv-Tek Inc, agents for Mechenbier Construction Inc/Americus LLC, request Vacation Of Public Right-Of-Way for Old Panorama Boulevard with Tracts N-2, N-3-A, Tanoan Properties and Tract 18, High Desert, zoned R-D, located on the west side of Tramway Blvd NE between Academy Rd NE and San Antonio Dr NE containing approximately 24 acres
- A motion was made by Vice-President Harris that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
- o. [OC-17-1](#) Appointment of Ms. Laura Smigielski Garcia to the Accountability in Government Oversight Committee
- A motion was made by Vice-President Harris that this matter be Confirmed. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
- p. [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 Vice-President Harris that this matter be Withdrawn by Sponsor. The motion carried by the following vote:**

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

q. [O-17-59](#)

Amending Chapter 10, Article 1, ROA 1994 To Allow The City Council, By Resolution, To Close Facilities, Including Parking Lots, Within City Parks Earlier Than The Posted Park Closing Time (Winter)

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

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

r. [R-17-251](#)

Approving And Authorizing The Acceptance Of A Grant Agreement With The State Of New Mexico, Department Of Health For An Evidence-Based Chronic Disease Self-Management Education Program And Providing An Appropriation To The Department Of Senior Affairs (Gibson, by request)

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

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

s. [R-17-254](#)

Appropriating Funds To The Capital Implementation Program For The 2017 General Obligation Program (Harris, by request)

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

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

t. [R-17-258](#)

Approving And Authorizing A Certified Local Government Subgrant From The State Of New Mexico Department Of Cultural Affairs Historic Preservation Division For The Route 66 Historic Building Inventory And Registry Project And Providing An Appropriation To The Planning Department (Benton)

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

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

\*u. [R-17-260](#)

Approving And Authorizing Acceptance Of A Letter Of Award From The National Endowment For The Arts (NEA) And Making An Appropriation To The Cultural Services Department In Fiscal Year 2018 (Benton, by request)

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

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

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

- c. [EC-17-439](#) Solid Waste Management Department, Priority Objective Report, FY 17 Goal 5, Regarding Cost Effectiveness, Air Quality Impacts and Carbon Footprint Effects of Using Compressed Natural Gas In Lieu of Diesel Fuel
- A motion was made by Councilor Benton that this matter be Postponed to January 17, 2018. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
- g. [EC-17-459](#) Updated Integrated Waste Management Plan 2017
- A motion was made by President Sanchez that this matter be Postponed to January 17, 2018. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones

## 10. GENERAL PUBLIC COMMENTS

## 11. ANNOUNCEMENTS

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

- a. [AC-17-11](#) (Project #107412/17EPC-40024, 17EPC-40025, 17EPC-40026) Frank Salazar, Agent for Cherry Hills Civic Association appeals the decision of the Environmental Planning Commission (EPC) to Approve a Zone Map Amendment (Zone Change) and related Site Development Plans for Subdivision and Building Permit for all or a portion of Tract B-2, Yorba Linda Subdivision and a portion of Tract A, Hoffmantown Baptist Church Site, zoned SU-1 for Church and related facilities and SU-1 for Church & Related Facilities and a Telecommunications Facility, to SU-1 for Senior Living Facility and related services, including on-premise liquor consumption, located on Harper Rd. NE, between Ventura St. NE and Wyoming Blvd. NE, containing approximately 14.2 acres
- A motion was made by Vice-President Harris that this matter be To Accept the Land Use Hearing Officer Recommendation and Findings. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones

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

- a. [EC-17-1](#) Appointment of Sarita Nair, JD, MCRP to the position of Chief Administrative Officer
- A motion was made by Councilor Benton that this matter be Confirmed. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones

- b. [EC-17-2](#) Appointment of Sunalei Stewart, JD, MA, CFE to the position of Deputy Chief Administrative Officer
- A motion was made by President Sanchez that this matter be Confirmed. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
- c. [EC-17-3](#) Appointment of Sanjay Bhakta, CPA, CGFM, CFE, CGMA to the position of Chief Financial Officer
- A motion was made by President Sanchez that this matter be Confirmed. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
- d. [EC-17-4](#) Appointment of Lawrence Rael, MPA to the position of Chief Operations Officer
- A motion was made by President Sanchez that this matter be Confirmed. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones

## 14. FINAL ACTIONS

- f. [R-17-250](#) Creating A Cruising Task Force To Explore Options And Make Recommendations To Promote Responsible Cruising In The City Of Albuquerque (Peña, Benton)
- A motion was made by Councilor Peña that this matter be Passed. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
- c. [O-17-60](#) Enacting The Albuquerque “Security Assistance Funding District Ordinance;” Providing For The Designation Of Security Assistance Funding (SAF) Districts Upon Application To The City By A Certain Number Of Merchants Or Real Property Owners In The Proposed District; Requiring The Creation Of A Security Plan For The Designated District; Providing For City Matching Grants To Help Defray The Cost Of Security Improvements Described In A District’s Security Plan (Davis)
- A motion was made by Councilor Borrego that this matter be Amended. Councilor Borrego moved Amendment No. 1. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
- A motion was made by Councilor Davis that this matter be Passed as Amended. The motion carried by the following vote:**
- For:** 8 - Sanchez, Harris, Benton, Winter, Borrego, Davis, Gibson, and Jones

**Against:** 1 - Peña

- d. [O-17-61](#) Amending The Revised Ordinances Of Albuquerque Relating To The Albuquerque Rapid Transit (ART) Program And The Operation And Use Of Transit Vehicles And Facilities (Benton, by request)

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

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

## 15. OTHER BUSINESS: {Reports, Presentations, and Other Items}

- a. Approval of Committee Appointments

**A motion was made by President Sanchez that the Committee Appointments dated December 15, 2017 be approved. The motion carried by the following vote:**

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