



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

Monday, April 2, 2018

5:00 PM

Vincent E. Griego Chambers
One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

TWENTY-THIRD COUNCIL - NINTH 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 - Klarissa J. Peña, Councilor, District 3

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

March 19, 2018

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

Finance and Government Operations Committee - March 26, 2018

Land Use, Planning and Zoning Committee - March 28, 2018

Deferrals and 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 May 7, 2018. The motion carried by the following vote:

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

- g. [R-18-11](#) A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 128 Wisconsin NE 87123 Within The City Limits Of Albuquerque, New Mexico Is So Ruined, Damaged And Dilapidated As To Be A Menace To The Public Comfort, Health, Peace Or Safety And That It Is To Be Required To Be Removed (Davis)

A motion was made by Councilor Davis that this matter be Postponed to May 21, 2018. 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}

- a. [EC-17-456](#) Mayor's Appointment of Ms. Shari Weinstein to the Landmarks and Urban Conservation Commission

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

- b. [EC-18-33](#) Status FY18 Goal 3, Objective 2, Complete Construction of 12th and Menaul Improvements

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

- c. [EC-18-34](#) FY18 Status Update Goal 3, Objective 1 - Bridge Maintenance

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-18-35](#) First Amendment to Short Term Use Agreement between City of Albuquerque and AUI Inc., for 5710 Avalon Road NW
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
- e. [EC-18-57](#) Sole Source Purchase of The Lund University Cardiac Arrest System (LUCAS) Cardiopulmonary Resuscitation (CPR) Device
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
- f. [EC-18-64](#) Mayor's Appointment of Mr. Damon J. Maddox to the Landmarks and Urban Conservation Commission
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
- g. [EC-18-66](#) Mayor's Recommendation of Weston Solutions, Inc. for City Wide On-Call NPDES Watershed Based Permit Compliance
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
- h. [EC-18-67](#) Mayor's Recommendation of Bohannan Huston, Inc. for Emergency Action Plan (EAP) - Arroyo Del Oso Dam
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
- i. [EC-18-72](#) Mayor's Re-appointment of Mr. Jonathan Sanchez to the Arts Board
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
- j. [EC-18-73](#) Mayor's Appointment of Mr. Devont'e K. Watson to the Library Advisory Board
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
- k. [EC-18-75](#) Mayor's Appointment of Mrs. Samia Assed to the Human Rights Board

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

- I. [EC-18-76](#) Mayor's Appointment of Ms. Meghan E. Ferguson Mraz to the Arts Board

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

- m. [EC-18-77](#) Mayor's Appointment of Mr. Stanley Allen to the Urban Enhancement Trust Fund

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

- n. [R-18-10](#) Authorizing The Continuation Of A Passenger Facility Charge At Albuquerque International Sunport (Jones, 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

- o. [R-18-13](#) Approving And Authorizing The Acceptance Of A Grant From PetSmart Charities For The Animal Welfare Department To Occupy An Adoption Booth At The PetSmart Everyday Adoption Center (EAC) Location And Provide An Appropriation To Animal Welfare Department (Harris)

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

14. FINAL ACTIONS

- *i. [O-18-11](#) Adopting Amendments To The Integrated Development Ordinance (IDO) And Repealing Or Rescinding Sections Of The Code Of Ordinances That Have Been Integrated Into The IDO (Benton, Jones)

A motion was made by Councilor Jones that this matter be Amended. Councilor Jones moved Amendment No. 1 (Ex. 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 Benton that this matter be Amended. Councilor Benton moved Amendment No. 2 (Ex. 2). 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 Jones that this matter be Amended. Councilor Jones moved Amendment No. 3 (Ex. 3). 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 Jones that this matter be Amended. Councilor Jones moved Amendment No. 4 (Ex. 4). 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 Jones that this matter be Amended. Councilor Jones moved Amendment No. 5 (Ex. 5). The motion carried by the following vote:

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

Against: 2 - Peña, and Borrego

A motion was made by President Sanchez that this matter be Amended. President Sanchez moved Amendment No. 6 (Ex. 6). The motion carried by the following vote:

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

Excused: 2 - Harris, and Benton

A motion was made by Councilor Benton to Postpone Amendment No. 7 (Ex. 7) to April 16, 2018. 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 Harris to Reconsider Amendment No. 7 (Ex. 7). 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 Benton to withdraw the motion for deferral on Amendment No. 7 (Ex. 7). The motion carried by the following vote:

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

[O-18-11](#)

Adopting Amendments To The Integrated Development Ordinance (IDO) And Repealing Or Rescinding Sections Of The Code Of Ordinances That Have Been Integrated Into The IDO (Benton, Jones)

A motion was made by Councilor Winter to move an Amendment No. 8 (Ex. 8 Revised). The motion carried by the following vote:

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

Against: 1 - Borrego

A motion was made by Councilor Davis that this matter be Amended. Councilor Davis moved Amendment No. 9 (Ex. 9). 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 Amended. Councilor Davis moved Amendment No. 10 (Ex. 10). 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 Benton that this matter be Amended. Councilor Benton moved Amendment No. 11 (Ex. 11). 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 Jones that this matter be Amended. Councilor Jones moved Amendment No. 12 (Ex. 12). The motion carried by the following vote:

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

A motion was made by President Sanchez that this matter be Amended. President Sanchez moved Amendment No. 13 (Ex. 13). 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 Jones that this matter be Amended. Councilor Jones moved Amendment No. 14 (Ex. 14). 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 Jones that this matter be Passed as Amended. The motion carried by the following vote:

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

***j.** [R-18-27](#)

Requiring Pedestrian Crossing Improvements At Or Near The Intersection Of Louisiana Boulevard And Natalie Avenue And The Formation Of A Task Force To Study Pedestrian Improvements At Major Roadway Intersections Near Primary And Secondary Schools (Gibson, Winter)

A motion was made by Councilor Gibson that this matter be Passed. 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}

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

- a. [EC-18-74](#) Mayor's Appointment of Ms. Rebecca Avitia to the Albuquerque Development Commission
- 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
- b. [EC-18-78](#) Appointment of Esteban Aguilar Jr. to the position of Albuquerque City Attorney
- 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

- b. [O-18-7](#) Creating A Department Of Facilities Management And Maintenance Within The City Of Albuquerque (Jones)
- A motion was made by Councilor Jones that this matter be Amended. Councilor Jones 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 Jones that this matter be Passed as Amended. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
- c. [O-18-8](#) Adopting A Uniform Administrative Code And Technical Codes Prescribing Minimum Standards Regulating The Construction, Alteration, Moving, Repair And Use And Occupancies Of Buildings And Structures And Building Service Equipment And Installations Including Plumbing, Swimming Pools, Electrical, Mechanical, Signs, Solar, Energy Conservation, Building Conservation And The Abatement Of Dangerous Buildings Within The City Of Albuquerque; Providing For The Issuance Of Permits And Collecting Fees Therefore; Repealing Chapter 14, Article 1, ROA 1994, The Present Uniform Administrative Code And Technical Codes; Providing For Penalties For Violation Of The Code (Jones, by request)
- A motion was made by Councilor Gibson that this matter be Amended. Councilor Gibson moved Amendment No. 1. Councilor Gibson withdrew her motion on Amendment No. 1.**

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

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

d. [O-18-12](#)

Amending The Criminal Code Of Albuquerque To Remove Marijuana Offenses And Related Penalties; Amending Chapter Eleven Of The Code Of Ordinances To Establish Civil Penalties For Possession Of One Ounce Or Less Of Marijuana Or Marijuana Paraphernalia (Davis, Benton)

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

For: 5 - Sanchez, Benton, Peña, Davis, and Gibson

Against: 4 - Harris, Winter, Borrego, and Jones

e. [O-18-13](#)

Amending Section 13-5-3-3(A) ROA 1994 Of The Grant Of Cable Television Franchise Ordinance To Extend The Expiration Date By An Additional Six Months From April 1, 2018 To October 1, 2018 (Jones)

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

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

Recused: 1 - Winter

f. [R-18-4](#)

Directing The Albuquerque Police And Fire Departments To Establish A Training Program In Collaboration With The Autism Society To Train First-Responders To Identify Individuals With Autism And To Develop Strategies For Safe Interactions (Davis)

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

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

h. [R-18-15](#)

Designating Workforce Housing Trust Funds For An Affordable Housing Project (Benton)

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