



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, June 18, 2018

5:00 PM

Vincent E. Griego Chambers
One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

TWENTY-THIRD COUNCIL - FOURTEENTH 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 - Trudy E. Jones, Councilor, District 8

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

June 4, 2018

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

Finance and Government Operations Committee - June 11, 2018

Land Use, Planning and Zoning Committee - June 13, 2018

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

Councilor Jones pulled EC-18-157 and EC-18-158 off the consent agenda.

- *a. [EC-18-141](#) Approval of Supplement Agreement with Federal Engineering for Land Mobile Radio Consulting Services and the Development of a Land Mobile Radio Request for Proposal
- A motion was made by President Sanchez that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
- b. [EC-18-144](#) High Street Vacation - Project# 1000060/18DRB-70105 - Isaacson and Arfman PA, agents for New Mexico Heart, Inc. request Vacation of Public Right-of-Way for all or a portion of tract(s) D-1-B, Gateway Subdivision, zoned SU-2/C-3, located on a portion of High St NE between north of Slate Ave NE & to north terminus Street containing approximately .117 acres
- A motion was made by President Sanchez that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
- c. [EC-18-146](#) Mayor's Recommendation of Greer Stafford/SJCF Architecture, Inc. for Architectural Consultants for Joan Jones Community Center
- A motion was made by President Sanchez that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
- d. [EC-18-147](#) Mayor's Recommendation of Parametrix for Engineering Consultant for the Alameda Drain Trail
- A motion was made by President Sanchez 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-18-148](#) Mayor's Recommendation of Molzen Corbin for On Call Engineering for the Albuquerque International Sunport and Double Eagle II Airport
- A motion was made by President Sanchez 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-18-149](#) Mayor's Appointment of Mr. Alan F. Weitzel to the Albuquerque Museum Board of Trustees
- 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
- g. [EC-18-150](#) Mayor's Appointment of Ms. Beverly R. Bendicksen to the Albuquerque Museum Board of Trustees
- 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
- h. [EC-18-151](#) Mayor's Appointment of Dr. Bruce J. Perlman, PhD to the Indicators Progress 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
- i. [EC-18-152](#) Mayor's Appointment of Ms. Irene Entila to the Greater Albuquerque Bicycling Advisory Committee
- 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
- j. [EC-18-153](#) Mayor's Appointment of Ms. Mary V. Hinderla to the Para Transit Advisory Board
- 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
- k. [EC-18-154](#) Mayor's Reappointment of Ms. Carole C. Sullivan to the Urban Enhancement Trust Fund
- 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
- l. [EC-18-155](#) Mayor's Reappointment of Ms. Denise P. Pepin to the Old Town Portal Market Advisory Board
- 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

- m. [EC-18-156](#) Mayor's Appointment of Mr. Matthew Butkus to the Affordable Housing Committee
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
- p. [EC-18-159](#) Mayor's Appointment of Dr. Wendy Wintermute, PhD to the Indicators Progress 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
- q. [EC-18-160](#) Approval of a Contract for Troy Luna dba Comprehensive Counseling 505 LLC
A motion was made by President Sanchez that this matter be Approved. The motion carried by the following vote:
For: 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
- r. [EC-18-161](#) Mayor's Appointment of Ms. Diane Mourning Brown to the Affordable Housing Committee
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
- *s. [OC-18-7](#) Approving an Agreement with Chavez Law Firm P.C. for Land Use Appeals and Liquor License Hearing Services in Fiscal Year 2019
A motion was made by President Sanchez that this matter be Approved. The motion carried by the following vote:
For: 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
- *t. [R-18-33](#) Approving The FY2019 Audit Plan As Submitted By The Accountability In Government Oversight Committee (Jones, by request)
A motion was made by President Sanchez 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-18-43](#) Approving The Appointment Of A Director To Fill A Vacancy On The Governing Body Of The Mesa Del Sol Tax Increment Development Districts 1 Through 5; And Repealing All Actions Inconsistent With This Resolution (Davis)
A motion was made by President Sanchez that this matter be Passed. The motion carried by the following vote:

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

- v. [R-18-44](#) Approving The Appointment Of A Director To Fill A Vacancy On The Governing Body Of The Winrock Town Center Tax Increment Development Districts 1 And 2 (Collectively, The "District"); And Repealing All Actions Inconsistent With This Resolution (Gibson)

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

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

- w. [O-18-6](#) Amending The Effective Date Of The Integrated Development Ordinance To Add An Additional 12 Months To The Review Period (Borrego)

A motion was made by President Sanchez 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

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

- n. [EC-18-157](#) Mayor's Appointment of Ms. Tanesia R. Hale-Jones to the Biological Park Board

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

- o. [EC-18-158](#) Mayor's Appointment of Mr. Israel Chavez to the Transit Advisory Board

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-18-167](#) Appointment of Michael J. Geier to the Position of Chief of the Albuquerque Police Department

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

- a. [EC-18-142](#) Collective Bargaining Agreement with the International Association of Fire Fighters, Local 244 (IAFF)

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

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

- b. [EC-18-143](#) Collective Bargaining Agreement with the Albuquerque Police Officers Association (APOA)
- A motion was made by President Sanchez that this matter be Approved. 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. [EC-18-168](#) Veto of R-18-28, Relating To Economic Development Assistance In Support Of A Proposed Topgolf Project
- A motion was made by President Sanchez that this matter be Overridden. The motion carried by the following vote:**
- For:** 8 - Sanchez, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
- Against:** 1 - Harris

14. FINAL ACTIONS

- a. [O-18-19](#) F/S Approving A Project Involving Albuquerque Investors, LLC And TopGolf USA Albuquerque, LLC Pursuant To The Local Economic Development Act And The Local Economic Development Act Plan Ordinance To Support The Construction Of A Sports Entertainment And Restaurant Services Facility To Be Located On A 14-Acre In-Fill Site And Related Improvements; 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; Waiving Any Conflicts Between This Ordinance And The Local Economic Development Act Plan Ordinance; And Repealing All Actions Inconsistent With This Ordinance (Gibson, Sanchez)
- A motion was made by Councilor Gibson that this matter be Substituted. 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 to suspend the rules for the purpose of allowing this ordinance to be adopted the same evening it is substituted. 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 Gibson that this matter be Tabled. The motion carried by the following vote:**
- For:** 7 - Sanchez, Benton, Peña, Winter, Borrego, Davis, and Gibson
- Against:** 2 - Harris, and Jones

A motion was made by President Sanchez that this matter be removed from the table. 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 Gibson that this matter be Amended. Councilor Gibson 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 Harris that this matter be Amended. The motion died for lack of a second.

A motion was made by President Sanchez that this matter be Passed as Substituted, as Amended. The motion carried by the following vote:

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

Against: 1 - Harris

10. GENERAL PUBLIC COMMENTS

11. ANNOUNCEMENTS

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

- b. [AC-18-9](#) Project #1011500/18BOA-20006/18ZHE-80016: Ralph Dilibero appeals the decision of the Zoning Board of Appeals (BOA) to Deny an Appeal of the Zoning Hearing Examiner's (ZHE's) decision to approve a special exception pursuant to Zoning Code §14-16-4-2(C)(2), Variance Criteria: a Variance of 5 off-street parking spaces to the required 21 off-street parking spaces [Zoning Code Section 14-16-3-1(A)(26)] to allow for a proposed change of use for Lot 1-A, Block 2-A, Vista Larga Addition, zoned C-2, located at 2800 Indian School Rd. NE

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

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

- a. [AC-18-6](#) Project #1005206/17EPC-40054 & 17EPC-40067: Dayan Hochman, of Roybal-Mack & Cordova, P.C, agents for Larry Tucker, appeal the decision of the Environmental Planning Commission (EPC) to Approve a Sector Development Plan Map Amendment (Zone Change) and an associated, As-Built Site Development Plan for Building Permit for an approximately 0.6 acre site known as Lot 8 and the additional south seven feet and eight inches of Lot 7, Lot 9, and Lot 10, Block 24, Huning's Highlands Addition

A motion was made by Councilor Jones to Grant the Appeal and Uphold the Land Use Hearing Officer Decision and Findings. The motion failed by the following vote:

For: 4 - Borrego, Davis, Gibson, and Jones

Against: 4 - Sanchez, Harris, Benton, and Peña

Recused: 1 - Winter

A motion was made by President Sanchez that this matter be Remanded to the Environmental Planning Commission with Instructions. The motion carried by the following vote:

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

Recused: 1 - Winter

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

- *c. [EC-18-166](#) Mayor's Recommendation of Dyron Murphy Architects, P.C. Architectural Consultant for Dennis Chavez Community Center - Phase II and John Marshall Health and Social Services Center

A motion was made by President Sanchez that this matter be Approved. 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 the rules be suspended for the purpose of extending the City Council meeting until 10:45 p.m. The motion carried by the following vote:

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

14. FINAL ACTIONS

- b. [O-18-22](#) Approving A Project Involving Infomedia Group, Inc, D/B/A Carenet Healthcare Services 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 Renovation And Construction Of 23,452 Square Feet Of Commercial Rental Space In Downtown Albuquerque And Related Improvements For A Healthcare Customer Service Call Center; 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 (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

- c. [R-18-31](#) Making An Appropriation In FY/18 From Unspent, Unencumbered Funds Within The General Fund (110) For The Mariachi Spectacular De Albuquerque (Gibson, Borrego)
- A motion was made by Councilor Borrego 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. [R-18-32](#) F/S Establishing A Deadline For The Administration To Submit A Recommendation Of Award To Acquire Property, Plan, Design And Construct A Single-Site Supportive Housing Project For Persons Who Are Suffering From Behavioral Health Issues And In Need Of Housing, And Adjusting Department Of Family And Community Services Fiscal Year 2018 City Housing Fund Appropriations (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
- e. [R-18-42](#) Declaring The Intent Of The City Of Albuquerque, New Mexico, Subject To The Satisfaction Of Certain Conditions, To Issue Metropolitan Redevelopment Bonds In An Aggregate Principal Amount Not To Exceed \$30,000,000 In Connection With The Acquisition, Construction And Equipping Of The Bank Of The West Center Project For The Purpose Of Inducing Roma Fourth Capital, LLC, A New Mexico Limited Liability Company, Or Its Successors And Assigns, To Locate The Project In The City And To Develop The Project In The City As Described In The Project Plan (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
- *f. [R-18-45](#) Approving And Authorizing The Filing Of Grant Applications And The Acceptance Of Potential Grant Awards For Multiple Transit Department Programs From The Federal Transit Administration (FTA) Of The U.S. Department Of Transportation And Providing For An Appropriation To The Transit Department (Sanchez, by request)
- A motion was made by President Sanchez that this matter be Passed. The motion carried by the following vote:**
- For:** 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones

- *g. [R-18-46](#) Approving And Authorizing The Acceptance Of FY16 - 2014 GO Bonds From The State Of New Mexico For Public Libraries/ Albuquerque/ Bernalillo County Library System, And Providing For An Appropriation To The Cultural Services Department In Fiscal Year 2018 (Sanchez, by request)

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

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