



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, October 1, 2018

5:00 PM

Vincent E. Griego Chambers
One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

TWENTY-THIRD COUNCIL - NINETEENTH 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 - Patrick Davis, Councilor, District 6

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

September 17, 2018

7. COMMUNICATIONS AND INTRODUCTIONS

Deferrals/Withdrawals

- a. [EC-18-215](#) Mayor's Appointment of Ms. Kara Grant to the Lodgers' Tax Advisory Board

A motion was made by President Sanchez that this matter be Postponed to December 3, 2018. The motion carried by the following vote:

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

- a. [O-17-50](#) C/S(3) Amending The City Of Albuquerque Code Of Ordinances Article 6 In Chapter 13 ROA 1994, The "Pawnbroker Ordinance" (Gibson)

A motion was made by Councilor Gibson that this matter be Postponed to November 5, 2018. The motion carried by the following vote:

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

8. REPORTS OF COMMITTEES

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

- a. [EC-18-209](#) Mayor's Recommendation of Award to Demand Energy for "Pre-Construction Services, Distributed Energy Resource Management System, Network Operations and Operations & Maintenance"

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

- b. [EC-18-210](#) Revenue & Expense Report for Third Quarter Fiscal Year 2018

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-18-211](#) Reporting of expenditures by the Albuquerque Police Department related to the implementation of the Court Approved Settlement Agreement (CASA) - Third Quarter Fiscal Year 2018

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-18-229](#) Mayor's Recommendation of Studio Southwest Architects for Architectural Consultants for Australia at ABQ BioPark Zoo

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-18-230](#) Mayor's Recommendation of AECOM for Townsend Drainage Improvements

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. [R-18-60](#)

Approving A Grant Application For The FY2018 Fire Prevention And Safety Grant With The Federal Emergency Management Agency (FEMA) And The Department Of Homeland Security (DHS) And Providing For An Appropriation To The Fire Department In Fiscal Year 2018 (Peña, by request)

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

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

g. [R-18-61](#)

Approving And Authorizing The Mayor To Execute The Third Year Of A Four Year Grant Agreement With The New Mexico Aging And Long-Term Services Department, And Providing An Appropriation To The Department Of Family And Community Services/Area Agency On Aging (AAA) Beginning In Fiscal Year 2019 (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

h. [R-18-63](#)

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 (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

i. [R-18-64](#)

Approving A Grant Application For The FY2017 Assistance To Firefighters Grant With The Federal Emergency Management Agency (FEMA) And The Department Of Homeland Security (DHS) And Providing For An Appropriation To The Fire Department In Fiscal Year 2018 (Davis, by request)

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

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

j. [R-18-70](#)

Approving And Authorizing The Filing Of Grant Applications And The Acceptance Of Potential Grant Awards For Multiple Albuquerque Police Department Law Enforcement Programs From Associated Grantor Agencies And Providing For An Appropriation To The City Of Albuquerque (Sanchez, 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

10. GENERAL PUBLIC COMMENTS

11. ANNOUNCEMENTS

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

- a. [AC-18-10](#) Project #PR-2018-001357/1011571/18ZHE-80067: South Broadway Neighborhood Association appeals the decision of the Zoning Hearing Examiner's (ZHE's) decision to approve a special exception to Section 14-16-2-23(A), South Broadway SDP p. 46 III (B)(1) and 14-16-2-17(A) (13)(b): a Conditional Use to allow C-2 permissive uses in the SU-2/NCR zone for all or a portion of Lot 8, Block 7 & 1, Eastern Addn Second Extension zoned SU-2, located on 1806 Broadway Blvd SE

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

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

Against: 2 - Benton, and Peña

- b. [AC-18-11](#) Project #1011613/18ZHE-80103: Ramon and Anna Padilla appeals the Zoning Hearing Examiner's (ZHE's) denial of a variance to Section 14-16-3-3(B)(2)(b) of the Albuquerque Comprehensive Zoning Code: a Variance of 18 feet to the 20 foot corner side yard setback to allow an existing accessory structure for all or a portion of Lot 22A, Block 28, Brentwood Hills zoned R-1, located at 12301 Los Arboles 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

- c. [AC-18-12](#) Project #VA-2018-001377/BP-2018-015054: Michael Voorhees Appeals the Decision of the Planning Department to Approve a Building Permit, located at 6328 Camino Alto NW

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

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

- *b. [EC-18-235](#) Honeywell International, Inc. Double Eagle II Hangar Lease and

Agreement

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

14. FINAL ACTIONS**b. [O-18-29](#)**

C/S Amending The Traffic Code To Implement Minimum Standards For Shared Active Transportation Programs As They Relate To Operation And Maintenance In The Public Right-Of-Way (Davis)

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: 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. 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 Benton that this matter be Amended. Councilor Benton moved Amendment No. 3. The motion died for lack of a second.

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, Peña, Winter, Borrego, Davis, Gibson, and Jones

Against: 1 - Benton

***g. [R-18-85](#)**

Declaring A Moratorium On The Operation Of Any New Shared Bicycle Or Electric Scooter Service Within The City For A Time Period Of Three Months Or Until A Regulatory Framework Is Established, Whichever Occurs First (Benton)

A motion was made by Councilor Benton that this matter be Passed. The motion died for lack of a second.

e. [R-18-69](#)

Utilizing Available General Fund Balance To Add A Lateral Police Officer Class; Providing An Appropriation To APD In The General Fund In Fiscal Year 2019 (Harris, Borrego)

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

c. [R-18-62](#)

Formalizing A Collaborative Effort Between The City Of Albuquerque And Bernalillo County To Preserve Crestview Bluff As An Historic Urban Green Area (Peña, Sanchez)

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

d. [R-18-65](#)

Placing A Temporary Reprieve Of Enforcement Regarding The Prohibition On Existing Barbed Tape, Razor Wire, Barbed Wire Or Similar Materials, And Indicating The Council's Desire To Consider Amending The Integrated Development Ordinance As It Relates To Barbed Tape, Razor Wire, Barbed Wire Or Similar Materials To Reflect The Conditions Prior To The Passage Of The Integrated Development Ordinance (Davis, Winter)

A motion was made by Councilor Benton that this matter be Amended. Councilor Benton 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: 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones

*f. [R-18-75](#)

To Support New Mexico's Development Of A Public Option Buy-In For Healthcare Coverage To Better Ensure Affordability And Choice (Borrego)

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 Borrego 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