



City of Albuquerque

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

Action Summary

City Council

Council President, Klarissa J. Peña, District 3

Vice-President, Cynthia D. Borrego, District 5

Ken Sanchez, District 1; Isaac Benton, District 2

Brad Winter, District 4; Patrick Davis, District 6

Diane G. Gibson, District 7; Trudy E. Jones, District 8

Don Harris, District 9

Monday, January 7, 2019

5:00 PM

Vincent E. Griego Chambers

One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

TWENTY-THIRD COUNCIL - TWENTY-SIXTH MEETING

1. ROLL CALL

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

2. MOMENT OF SILENCE

Pledge of Allegiance - Isaac Benton, Councilor, District 2

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

December 17, 2018

7. COMMUNICATIONS AND INTRODUCTIONS

Deferrals/Withdrawals

- b. [O-18-36](#) Amending The Public Purchases Ordinance; Requiring City Council Approval Of Supplements For Professional/Technical Services And Supplements To Contracts Awarded Through The Competitive Sealed Proposal Process (Winter)

A motion was made by Councilor Winter that this matter be Postponed to February 4, 2019. The motion carried by the following vote:

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

8. REPORTS OF COMMITTEES

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

- a. [EC-18-265](#) Mayor's Recommendation of Award to Concentra Inc. for "Medical Health Center"

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

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

- b. [EC-18-282](#) Mayor's Recommendation of Molzen-Corbin & Associates for Engineering Consultant for Airfield Engineering On-Call Services for the Aviation Department at the Albuquerque International Sunport

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

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

- c. [EC-18-283](#) Mayor's Appointment of Ms. Camilla C. Feibelman to the Water Protection Advisory Board

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

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

- d. [EC-18-284](#) Mayor's Appointment of Mr. Terrence J. Brunner to the Albuquerque Development Commission

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

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

- e. [EC-18-285](#) Mayor's Appointment of Ms. Sarah M. Fetty to the Personnel Board

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

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

- f. [EC-18-286](#) Mayor's Appointment of Dr. Karl Braithwaite to the Personnel Board

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

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

g. [R-18-99](#)

Approving A Grant Application For The FY2019 Fire Protection Grant With The New Mexico State Fire Marshal's Office And Providing For An Appropriation To The Albuquerque Fire Rescue In Fiscal Year 2019 (Sanchez, by request)

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

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

h. [R-18-100](#)

Approving And Authorizing The Filing Of A Grant Application For An Air Pollution Control Grant With The U.S. Environmental Protection Agency And Providing An Appropriation To The Environmental Health Department In Fiscal Year 2019 (Gibson, by request)

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

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

i. [R-18-101](#)

Approving And Authorizing The Acceptance Of Grant Funds From The New Mexico State Highway And Transportation Department And Providing An Appropriation To The Parks And Recreation Department In Fiscal Year 2019 (Davis, by request)

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

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

j. [R-18-114](#)

Approving And Authorizing The Acceptance Of Grant Funds From The Cities For Financial Empowerment Fund, Inc. And Providing An Appropriation To The Legal Department For Fiscal Year 2019 (Peña, by request)

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

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

k. [O-17-1](#)

Adding A New Article 16 To Chapter 13, ROA 1994 Mandating Employer Paid Sick Leave To Employees Within The City Of Albuquerque; Prescribing Rules And Penalties; Setting An Effective Date (Sanchez, Harris)

A motion was made by Vice-President Borrego that this matter be Died on Expiration. The motion carried by the following vote:

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

l. [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 Vice-President Borrego that this matter be Died on Expiration. The motion carried by the following vote:

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

10. GENERAL PUBLIC COMMENTS

11. ANNOUNCEMENTS

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

- a. [AC-18-17](#) PR-2018-001293/VA-2018-00031/VA-2018-00165: David Vilar appeals the decision of the Zoning Hearing Examiner's (ZHE's) decision to deny a variance of 10 ft to the required 10 ft side yard setback upon the real property located at 12804 Piru Blvd SE

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

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

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

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

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

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

- b. [OC-18-20](#) Selection of the Inspector General

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

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

A motion was made by President Peña to take OC-18-20 off the table. The motion carried by the following vote:

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

A motion was made by Councilor Winter that this matter be Postponed to January 23, 2019. The motion carried by the following vote:

For: 5 - Borrego, Winter, Davis, Gibson, and Jones

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

14. FINAL ACTIONS

- a. [O-18-3](#) Amending The Municipal Solid Waste Collections And Disposal Rate Table To Incorporate Residential Rate Decreases In The Rate Appendix (Winter)
- A motion was made by Councilor Winter that this matter be Withdrawn by Sponsor. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- c. [R-18-96](#) Amending The Adopted Capital Implementation Program Of The City Of Albuquerque By Supplementing Current Appropriations For An Affordable Housing Development Project Within The Boundaries Of The West Central Metropolitan Redevelopment Area And Directing The Mayor To Execute The Related Development Agreement (Peña, Sanchez)
- A motion was made by President Peña that this matter be Amended. President Peña moved Amendment No. 1. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- A motion was made by Councilor Sanchez that this matter be Passed as Amended. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- d. [R-18-109](#) Establishing A Standard City-Wide Policy And Fee Structure For Renting Space In City Owned Community Centers, Senior Centers, And Multigenerational Centers (Winter)
- A motion was made by Councilor Winter that this matter be Passed. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- e. [R-18-113](#) City Of Albuquerque Project Recommendations To The Mid-Region Council Of Governments For Inclusion In The 2040 And 2045 Metropolitan Transportation Plans, And For Consideration Of Federal Funding In The Proposed FY 2020 To FY 2025 Transportation Improvement Program For The Albuquerque Metropolitan Planning (Benton)
- A motion was made by Councilor Benton that this matter be Passed. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris