



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, May 20, 2019

5:00 PM

Vincent E. Griego Chambers

One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

TWENTY-THIRD COUNCIL - THIRTY-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 - Klarissa J. Peña, President, District 3

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

May 6, 2019

14. FINAL ACTIONS:

- c. [RA-19-4](#) Amending The City Council Rules Of Procedure: Article II, Sections 1 And 2, Dealing With The Timing Of The Election Of The President And Vice President; Article II, Section 3 Relating To Powers And Duties Of The President; Article I Section 8(H), And Article III Section 4(B) To Adjust Cross References; Article III Section 3 Relating To Votes Required For Rule Suspensions; Article III, Section 6(A) Relating To Bill

Submission And Voting Requirements; Article III, Section 6(C) Relating To Bill Titles; Article III, Section 8 Relating To Approvals; Article III, Section 11 Relating to Voting by Phone; Article III, Section 21 Relating to Contractors for the Council; And Article III, Section 24 Prescribing Land Use Hearing Officer Procedures (Borrego, Sanchez)

A motion was made by President Peña that this matter be Amended. President Peña moved Floor Amendment No. 1. The motion carried by the following vote:

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

Excused: 1 - Sanchez

A motion was made by President Peña that this matter be Amended. President Peña moved Floor Amendment No. 2. The motion carried by the following vote:

For: 5 - Peña, Borrego, Benton, Davis, and Harris

Against: 3 - Winter, Gibson, and Jones

Excused: 1 - Sanchez

A motion was made by President Peña that this matter be Amended. President Peña moved Floor Amendment No. 3. The motion carried by the following vote:

For: 6 - Peña, Borrego, Benton, Davis, Gibson, and Harris

Against: 2 - Winter, and Jones

Excused: 1 - Sanchez

A motion was made by Vice-President Borrego that this matter be Amended. Vice-President Borrego moved Floor Amendment No. 4. The motion carried by the following vote:

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

Excused: 1 - Sanchez

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

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

Excused: 1 - Sanchez

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

Land Use, Planning and Zoning Committee - May 15, 2019

Committee of the Whole - May 16, 2019

Deferrals/Withdrawals

- a. [R-18-78](#) A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 115 Charleston St SE 87108 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, by request)
- A motion was made by Councilor Davis that this matter be Postponed to August 19, 2019. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- *h. [R-19-146](#) Amending The Boundary Of The East Gateway Metropolitan Redevelopment Area To Designate An Additional Area For Inclusion Within The MRA, Making Certain Findings And Determinations Pursuant To The Metropolitan Redevelopment Code, And Authorizing And Directing The Metropolitan Redevelopment Agency To Update The Metropolitan Redevelopment Plan For The East Gateway Metropolitan Redevelopment Area Consistent With This Resolution (Harris)
- A motion was made by Councilor Harris that this matter be Postponed to June 17, 2019. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- *g. [R-18-102](#) Amending The Boundary Of The West Central Metropolitan Redevelopment Area To Designate An Additional Area For Inclusion Within The Mra, Making Certain Findings And Determinations Pursuant To The Metropolitan Redevelopment Code, And Authorizing And Directing The Metropolitan Redevelopment Agency To Update The Metropolitan Redevelopment Plan For The West Central Metropolitan Redevelopment Area Consistent With This Resolution (Peña)
- A motion was made by President Peña that this matter be Postponed to June 17, 2019. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

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

- a. [EC-19-378](#) Mayor's Appointment of Ms. Adena Martinez to the Americans with Disabilities Act Advisory Council
- 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

- b. [EC-19-379](#) Mayor's Appointment of Mr. Robert Sullo to the Library 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
- c. [EC-19-380](#) Mayor's Appointment of Mr. Steve Borbas to the Senior Affairs Advisory Council
- 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-19-381](#) Mayor's Appointment of Ms. Kristina Chongsirirwatana to the Biological Park 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
- e. [EC-19-382](#) Mayor's Appointment of Ms. Laura Vanoni to the Balloon Fiesta Park 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
- f. [EC-19-395](#) Mayor's Appointment of Ms. Keely D. Frazier to the Para Transit 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
- g. [EC-19-397](#) Mayor's Appointment of Mr. Michael V. Marcotte to the Cable Franchise & Hearing 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
- h. [EC-19-403](#) Mayor's Appointment of Mrs. Kathy Foster to the Transit 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
- i. [EC-19-384](#) Mayor's Appointment of Dr. Ellen Bernstein to the Bernalillo County/Albuquerque Census 2020 Complete Count Committee

**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

j. [EC-19-385](#)

Mayor's Appointment of Mr. Robert Rhatigan to the Bernalillo County/Albuquerque Census 2020 Complete Count Committee

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

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

k. [EC-19-386](#)

Mayor's Appointment of Mr. L. Adrien Lawyer to the Bernalillo County/Albuquerque Census 2020 Complete Count Committee

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

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

l. [EC-19-387](#)

Mayor's Appointment of Ms. Alexandra D Paisano to the Bernalillo County/Albuquerque Census 2020 Complete Count Committee

**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

m. [EC-19-388](#)

Mayor's Appointment of Dr. Monica M. Kowal to the Bernalillo County/Albuquerque Census 2020 Complete Count Committee

**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

n. [EC-19-389](#)

Mayor's Appointment of Mr. Zhibin "Bing" Hong to the Bernalillo County/Albuquerque Census 2020 Complete Count Committee

**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

o. [EC-19-390](#)

Mayor's Appointment of Ms. Adelamar N. Alcantara to the Bernalillo County/Albuquerque Census 2020 Complete Count Committee

**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

p. [EC-19-391](#)

Mayor's Appointment of Mr. Nathaniel Hughes to the Bernalillo County/Albuquerque Census 2020 Complete Count Committee

**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

q. [EC-19-392](#)

Mayor's Appointment of Mrs. Hana E. Gossett to the Bernalillo County/Albuquerque Census 2020 Complete Count Committee

**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

r. [EC-19-393](#)

Mayor's Appointment of Mr. Courtenay J. Eichhorst to the Bernalillo County/Albuquerque Census 2020 Complete Count Committee

**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

s. [EC-19-394](#)

Mayor's Appointment of Ms. Virginia Dickson to the Bernalillo County/Albuquerque Census 2020 Complete Count Committee

**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

t. [EC-19-396](#)

Mayor's Appointment of Mr. Felipe J. Rodriguez to the Bernalillo County/Albuquerque Census 2020 Complete Count Committee

**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

u. [EC-19-398](#)

Mayor's Appointment of Mr. Ronald R. Royster to the Bernalillo County/Albuquerque Census 2020 Complete Count Committee

**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

v. [EC-19-399](#)

Mayor's Appointment of Ms. Tessah Latson to the Bernalillo County/Albuquerque Census 2020 Complete Count Committee

**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

w. [EC-19-400](#)

Mayor's Appointment of Ms. Anni M. Lemming to the Bernalillo County/Albuquerque Census 2020 Complete Count Committee

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

x. [EC-19-401](#)

Mayor's Appointment of Mr. Jacob Vigil to the Bernalillo County/Albuquerque Census 2020 Complete Count Committee

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

y. [EC-19-404](#)

Mayor's Appointment of Ms. Beverly A. McMillan to the Bernalillo County/Albuquerque Census 2020 Complete Count Committee

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

z. [EC-19-405](#)

Mayor's Appointment of Mr. George V. Luján to the Bernalillo County/Albuquerque Census 2020 Complete Count Committee

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

10. GENERAL PUBLIC COMMENTS

14. FINAL ACTIONS:

A motion was made by President Peña that the rules be suspended for the purpose of pulling R-19-148 out of the Finance and Government Operations Committee and placing it on tonight's agenda for final action. The motion carried by the following vote:

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

*aa. [R-19-148](#)

Approving And Authorizing The Acceptance Of Grant Funds From The W.K. Kellogg Foundation And Providing An Appropriation To The Legal Department For Fiscal Years 2019 Through 2021 (Peña, by request)

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

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

11. ANNOUNCEMENTS

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

- a. [AC-19-5](#) Project #2018-001840 / RZ-2019-00053: University Heights Association Appeal the decision of the Environmental Planning Commission (EPC) to Approve a Zone Map Amendment for all or a portion of Lot 13, Block 25, University Heights, zoned RM-L to MX-T, located at 123 Girard Blvd. SE on the northwest corner of Girard Blvd. and Silver Ave. SE, containing approximately 0.2 acre
- 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 - Borrego, Sanchez, Benton, Winter, Gibson, Jones, and Harris
- Against:** 2 - Peña, and Davis

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

- a. [EC-19-402](#) Approval of the Second Supplemental Agreement to add HOME funding to the PY 2018 Inca Street Development Agreement with Greater Albuquerque Housing Partnership (GAHP)
- A motion was made by President Peña 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-19-406](#) Approval of Outside Counsel for Legal Services Agreement with Lynn & Associates, LLC
- A motion was made by President Peña that this matter be Approved. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

14. FINAL ACTIONS

- b. [R-19-150](#) Adopting Interim Procedures For The Development Review Board Until The First Annual Update To The Integrated Development Ordinance Has Been Completed (Jones)
- A motion was made by Councilor Jones that this matter be Passed. The motion carried by the following vote:**
- For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- *d. [R-19-138](#) Appropriating Funds For Operating The Government Of The City Of Albuquerque For Fiscal Year 2020, Beginning July 1, 2019 And Ending June 30, 2020; Adjusting Fiscal Year 2019 Appropriations; And Appropriating Capital Funds (Jones, by request)

A motion was made by President Peña that the rules be suspended for the purpose of considering a Floor Substitute for R-19-138 this evening. 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 that this matter be Substituted. The motion carried by the following vote:

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

A motion was made by Vice-President Borrego that this matter be Amended. Vice-President Borrego moved Floor 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 Benton that this matter be Amended. Councilor Benton moved Floor Amendment No. 2. 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 Jones that this matter be Amended. Councilor Jones moved Floor Amendment No. 3. The motion failed by the following vote:

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

Against: 5 - Peña, Sanchez, Benton, Davis, and Harris

A motion was made by Councilor Davis that the rules be suspended for the purpose of allowing Floor Amendment No. 4 to be considered. 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 Davis that this matter be Amended. Councilor Davis moved Floor Amendment No. 4.

A motion was made by Councilor Harris that this matter be Amended. Councilor Harris moved Amendment No. 1 to Floor Amendment No. 4. The motion carried by the following vote:

For: 6 - Peña, Borrego, Sanchez, Winter, Jones, and Harris

Against: 3 - Benton, Davis, and Gibson

A motion was made by Councilor Davis that this matter be Amended. Councilor Davis moved Floor Amendment No. 4. The motion carried by the following vote:

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

Against: 1 - Borrego

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

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

- *e. [R-19-147](#) Accepting The Report And Recommendations From The Center For Community Progress And Creating A Vacant, Abandoned Substandard Properties (VASP) Working Group And Making An Appropriation (Gibson)
- A motion was made by Councilor Gibson that this matter be Passed. The motion carried by the following vote:**
- For:** 8 - Peña, Borrego, Benton, Winter, Davis, Gibson, Jones, and Harris
- Excused:** 1 - Sanchez
- *f. [R-19-149](#) Approving And Adopting The 2019 Action Plan And Program Investment Summary For The Expenditure Of Community Development Block (CDBG) Grant, Home Investment Partnerships Program (HOME) And Emergency Solutions Grant (ESG) Funds; Providing An Appropriation To The Department Of Family And Community Services For 2019 U.S. Department Of Housing And Urban Development (HUD) Entitlement Funds (Peña, by request)
- A motion was made by President Peña that this matter be Passed. The motion carried by the following vote:**
- For:** 8 - Peña, Borrego, Benton, Winter, Davis, Gibson, Jones, and Harris
- Excused:** 1 - Sanchez

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

There may be motions to pull each of the following items, a through e, out of the Finance and Government Operations Committee and place them on the June 3, 2019 Council agenda for action.

- a. [O-19-54](#) Amending The Municipal Elections Ordinance To Implement Ranked Choice Voting (Benton, Davis, Winter)
- No motion made.**
- b. [O-19-60](#) Amending Chapter 8, Article 2, Part 4, Section 6 Of The Revised Ordinances Of Albuquerque (The "Traffic Code") Relating To Racing On Streets And Drag Racing; Prohibiting Racing Or Drag Racing On City Streets; Prohibiting Spectating Of Racing Or Drag Racing Or Spectating Preparations For The Same (Winter)
- A motion was made by Councilor Winter to pull O-19-60 out of the Finance and Government Operations Committee and place it on the June 3, 2019 Council Agenda for final action. The motion carried by the following vote:**
- For:** 8 - Peña, Borrego, Benton, Winter, Davis, Gibson, Jones, and Harris
- Excused:** 1 - Sanchez

- c. [P-19-2](#) Adopting A Proposition To Be Submitted To The Voters At The November 5, 2019 Regular Local Election Proposing To Amend Article IV, Sections 1, 2, And 3 Of The Albuquerque City Charter Concerning Council Districts (Benton)
- A motion was made by Councilor Benton to pull P-19-2 out of the Finance and Government Operations Committee and place it on the June 3, 2019 Council Agenda for final action. The motion carried by the following vote:**
- For:** 6 - Benton, Winter, Davis, Gibson, Jones, and Harris
- Against:** 2 - Peña, and Borrego
- Excused:** 1 - Sanchez
- d. [R-19-142](#) Amending The Adopted Capital Implementation Program Of The City Of Albuquerque By Approving New Projects, Supplementing Current Appropriations And Changing The Scope Of Existing Projects (Peña, Davis, Sanchez)
- A motion was made by President Peña to pull R-19-142 out of the Finance and Government Operations Committee and place it on the June 3, 2019 Council Agenda for final action. The motion carried by the following vote:**
- For:** 8 - Peña, Borrego, Benton, Winter, Davis, Gibson, Jones, and Harris
- Excused:** 1 - Sanchez
- e. [R-19-144](#) Approving And Authorizing A Grant Application To The U.S. Department Of Housing And Urban Development For A 2019 Continuum Of Care Grant; And Providing An Appropriation To The Department Of Family And Community Services Beginning In Fiscal Year 2019 (Peña, by request)
- A motion was made by President Peña to pull R-19-144 out of the Finance and Government Operations Committee and place it on the June 3, 2019 Council Agenda for final action. The motion carried by the following vote:**
- For:** 8 - Peña, Borrego, Benton, Winter, Davis, Gibson, Jones, and Harris
- Excused:** 1 - Sanchez