



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, August 19, 2019

5:00 PM

Vincent E. Griego Chambers

One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

TWENTY-THIRD COUNCIL - FORTY-FIRST MEETING

1. ROLL CALL

Present 6 - Klarissa Peña, Ken Sanchez, Isaac Benton, Patrick Davis, Diane Gibson,
and Trudy Jones

Excused 3 - Cynthia Borrego, Brad Winter, and Don Harris

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

August 5, 2019

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

Finance & Government Operations Committee - August 12, 2019

Land Use, Planning and Zoning Committee - August 14, 2019**Deferrals/Withdrawals**

- e. [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 September 16, 2019. The motion carried by the following vote:

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

- i. [R-19-155](#) A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 600 Dallas St NE 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 September 16, 2019. The motion carried by the following vote:

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

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

Councilor Sanchez pulled EC-19-436 off the Consent Agenda.

- a. [EC-19-426](#) Mayor's Recommendation of Smith Engineering for City Wide On-Call Engineering Services for Hydrology, Hydraulics and Storm Drainage Work

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

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

- b. [EC-19-427](#) Mayor's Recommendation of Jacobs Engineering Group Inc. for Architectural Consultant for a Study and Possible Design and Construction Services for an Inline Baggage System at the Albuquerque International Sunport
- A motion was made by President Peña that this matter be Approved. The motion carried by the following vote:**
- For:** 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones
- Excused:** 3 - Borrego, Winter, and Harris
- c. [EC-19-428](#) Mayor's Recommendation of Cherry/See/Reames Architects PC for Architectural Consultant for City Wide On-Call Architectural Services
- A motion was made by President Peña that this matter be Approved. The motion carried by the following vote:**
- For:** 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones
- Excused:** 3 - Borrego, Winter, and Harris
- e. [EC-19-439](#) Mayor's Appointment of Ms. Dayan M. Hochman to the Airport Advisory Board
- A motion was made by President Peña that this matter be Confirmed. The motion carried by the following vote:**
- For:** 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones
- Excused:** 3 - Borrego, Winter, and Harris
- f. [EC-19-440](#) Mayor's Appointment of Ms. Veronica Chavez to the Veterans and Military Affairs Advisory Board
- A motion was made by President Peña that this matter be Confirmed. The motion carried by the following vote:**
- For:** 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones
- Excused:** 3 - Borrego, Winter, and Harris
- g. [EC-19-441](#) Mayor's Appointment of Ms. Donna J Griffin to the Albuquerque Energy Council
- A motion was made by President Peña that this matter be Confirmed. The motion carried by the following vote:**
- For:** 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones
- Excused:** 3 - Borrego, Winter, and Harris

- h. [EC-19-442](#) Mayor's Appointment of Mr. John L Mitchell to the Veterans and Military Affairs Advisory Board
- A motion was made by President Peña that this matter be Confirmed. The motion carried by the following vote:**
- For:** 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones
- Excused:** 3 - Borrego, Winter, and Harris
- i. [EC-19-443](#) Mayor's Appointment of Mr. Bobby Ehrig to the Veterans and Military Affairs Advisory Board
- A motion was made by President Peña that this matter be Confirmed. The motion carried by the following vote:**
- For:** 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones
- Excused:** 3 - Borrego, Winter, and Harris
- j. [EC-19-444](#) Mayor's Appointment of Mr. Michael S. Scisco to the Open Space Advisory Board
- A motion was made by President Peña that this matter be Confirmed. The motion carried by the following vote:**
- For:** 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones
- Excused:** 3 - Borrego, Winter, and Harris
- k. [EC-19-445](#) Mayor's Appointment of Mr. Thomas Walmsley to the Veterans and Military Affairs Advisory Board
- A motion was made by President Peña that this matter be Confirmed. The motion carried by the following vote:**
- For:** 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones
- Excused:** 3 - Borrego, Winter, and Harris
- l. [EC-19-446](#) Mayor's Appointment of Ms. Liz Cole to the Metropolitan Parks & Recreation Advisory Board
- A motion was made by President Peña that this matter be Confirmed. The motion carried by the following vote:**
- For:** 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones
- Excused:** 3 - Borrego, Winter, and Harris
- m. [EC-19-447](#) Mayor's Appointment of Dr. Thomas Zane Reeves to the Personnel Board
- A motion was made by President Peña that this matter be Confirmed. The motion carried by the following vote:**

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

- n. [EC-19-448](#) Mayor's Appointment of Mrs. Marney Hupper to the Albuquerque Museum Board of Trustees

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

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

- o. [EC-19-449](#) Mayor's Appointment of Ms. Nancy Montañño to the Cable Franchise & Hearing Board

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

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

- p. [EC-19-450](#) Mayor's Appointment of Mr. Michael J. Burd to the Veterans and Military Affairs Advisory Board

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

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

- *q. [OC-19-34](#) New Mexico Municipal League Annual Conference Delegates

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

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

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

- d. [EC-19-436](#) Tony Sanchez Drive Right of Way Vacation (Project# PR-2019-002296 SD-2019-00072) Willow Wood Homeowner's Association requests Vacation Of Public Right-Of-Way for all or a portion of Tony Sanchez Drive SE located south of Jewel Cave Rd SE and north of Gibson Ave SE, containing approximately .154 acres

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

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

14. FINAL ACTIONS

- m. [R-19-179](#) Calling Upon The State Of New Mexico To Establish A Process That Provides For The Issuance Of Court Orders That Would Require The Relinquishment Of Firearms For Some Period Of Time Under Circumstances Of Extreme Risk (Benton)

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

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

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

For: 4 - Sanchez, Benton, Davis, and Gibson

Against: 2 - Peña, and Jones

Excused: 3 - Borrego, Winter, and Harris

10. GENERAL PUBLIC COMMENTS

11. ANNOUNCEMENTS

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

- a. [AC-19-3](#) PR-2018-001261 VA-2018-00028 VA-2019-00053: South Broadway Neighborhood Association, appeal the decision of the Zoning Hearing Examiner's (ZHE's) decision to Approve a conditional use to allow light vehicle sales and vehicle rentals ("Application") upon the real property located at 1301 Broadway Blvd SE

A motion was made by Councilor Benton that this matter be Remanded to the Zoning Hearing Examiner. The motion carried by the following vote:

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

b. [AC-19-6](#)

Project #2018-001402/SI-2018-00171/VA-2019-00103: Thomas P. Gulley and Hessel Yntema III, Yntema Law Firm P.A., Agent for Taylor Ranch Neighborhood Association and surrounding property owners, appeal the decision of the Environmental Planning Commission (EPC) to approve a Site Plan-EPC for all or a portion of Lots 1 through 3, Block 1, Plat of West Bank Estates together with Tract A1, Lands of Suzanne H Poole, and Tracts C-1 and Lot 4-A of Plat of Tracts C-1, C-2 and Lot 4-A, Lands of Suzanne H Poole being a Replat of Tract C, Lands of Suzanne H Poole, Tract C, Annexation Plat Land in Section 25 and 36, T11N R2E, Lot 4, Block 1 West; zoned R-A, located at 5001 Namaste Road NW, between La Bienvenida Place NW and the Oxbow Open Space, containing approximately 23 acres

A motion was made by Councilor Sanchez for Adoption of Findings. The motion carried by the following vote:

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

A motion was made by Councilor Sanchez that AC-19-6 be reconsidered. The motion carried by the following vote:

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

A motion was made by Councilor Sanchez for Adoption of Findings. The motion carried by the following vote:

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

c. [AC-19-7](#)

Project #2018-001402/SI-2018-00171/VA-2019-00103: Thomas P. Gulley and Hessel Yntema III, Yntema Law Firm P.A., Agent for Taylor Ranch Neighborhood Association and surrounding property owners, appeal the decision of the Environmental Planning Commission (EPC) to approve a Site Plan-EPC for all or a portion of Lots 1 through 3, Block 1, Plat of West Bank Estates together with Tract A1, Lands of Suzanne H Poole, and Tracts C-1 and Lot 4-A of Plat of Tracts C-1, C-2 and Lot 4-A, Lands of Suzanne H Poole being a Replat of Tract C, Lands of Suzanne H Poole, Tract C, Annexation Plat Land in Section 25 and 36, T11N R2E, Lot 4, Block 1 West; zoned R-A, located at 5001 Namaste Road NW, between La Bienvenida Place NW and the Oxbow Open Space, containing approximately 23 acres

A motion was made by Councilor Sanchez for Adoption of Findings. The motion carried by the following vote:

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

- a. [AC-19-3](#) PR-2018-001261 VA-2018-00028 VA-2019-00053: South Broadway Neighborhood Association, appeal the decision of the Zoning Hearing Examiner's (ZHE's) decision to Approve a conditional use to allow light vehicle sales and vehicle rentals ("Application") upon the real property located at 1301 Broadway Blvd SE
- A motion was made by Councilor Sanchez that AC-19-3 be reconsidered. The motion carried by the following vote:**
- For:** 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones
- Excused:** 3 - Borrego, Winter, and Harris
- A motion was made by Councilor Benton that this matter be Remanded to the Zoning Hearing Examiner. The motion carried by the following vote:**
- For:** 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones
- Excused:** 3 - Borrego, Winter, and Harris

FINAL ACTIONS

- a. [O-19-67](#) Amending Article III, Section 3, Article VI, Section 4 And Article XVI, Sections 3, 6, 7, 12, And 20 Of The Charter, Amending Chapter 2, Article 4, Part 13, ROA 1994, The Filing Of Petitions Ordinance, And Amending Chapter 2, Article 4, ROA 1994, To Add The Limitations On Seed Money And Maintenance Of Campaign In Off Years Ordinances (Sanchez, by request)
- A motion was made by Councilor Sanchez that this matter be Passed. The motion carried by the following vote:**
- For:** 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones
- Excused:** 3 - Borrego, Winter, and Harris
- b. [R-19-165](#) Adopting Propositions To Be Submitted To The Voters At The Next Local Election To Be Held In The City Of Albuquerque Concerning Questions Amending Article II, Sections 2 And 3; Article IV, Section 4; Article V, Section 2; And Article XVI, Sections 3, 4, 6, 7, 8, 10, 12, 15, And 21, Of The Albuquerque City Charter; And Adding Section 22 To Article XVI Of The Albuquerque City Charter, Providing The Form Of The Questions And The Designation Clause For Such Questions On The Ballot (Sanchez, by request)
- A motion was made by Councilor Sanchez that this matter be Passed. The motion carried by the following vote:**
- For:** 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones
- Excused:** 3 - Borrego, Winter, and Harris

- *c. [R-19-180](#) Rescinding R-19-164 And Concerning A Bond Election To Be Held In The City Of Albuquerque At The Next Regular Local Election On November 5, 2019; Submitting To A Vote Of The Qualified Electors At Such Regular Local Election Certain Questions For Authorizing The Issuance Of General Obligation Bonds In Varying Principal Amounts And For Specified Public Purposes And, Providing The Form Of The Bond Questions And The Designation Clause For Such Questions On The Ballot; Prescribing Other Details In Connection With Such Bond Election And Bonds; And Ratifying Action Previously Taken In Connection Therewith (Sanchez)

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

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

- *d. [R-19-181](#) Rescinding Section 1 Of R-19-166 Concerning The Local Election To Be Held In The City Of Albuquerque On November 5, 2019 And Setting The Date Of The Run-Off Election For December 10, 2019 (Sanchez)

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

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

- f. [R-18-79](#) A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 113 Eubank Blvd 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, by request)

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

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

Against: 1 - Peña

Excused: 3 - Borrego, Winter, and Harris

- g. [R-19-152](#) A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 516 Kentucky 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 Passed. The motion carried by the following vote:

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

Against: 1 - Peña

Excused: 3 - Borrego, Winter, and Harris

h. [R-19-153](#)

A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 247 Espanola St NE 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 Passed. The motion carried by the following vote:

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

Against: 1 - Peña

Excused: 3 - Borrego, Winter, and Harris

j. [R-19-156](#)

A Nuisance, Substandard Dwelling Or Structure In Need Of Abatement At 8400 Chico Rd NE 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 September 16, 2019. The motion carried by the following vote:

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

k. [R-19-174](#)

Approving The Major Expansion Of The Old Albuquerque High School Metropolitan Redevelopment Area And Renaming The Expanded Area As The East Downtown/ Huning Highlands/ South Martineztown Metropolitan Redevelopment Area, Making Certain Findings And Conclusions Pursuant To The Metropolitan Redevelopment Code (Benton, by request)

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: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

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

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

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

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

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

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

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

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

I. [R-19-175](#)

Approving The East Downtown/ Huning Highlands/ South Martineztown Metropolitan Redevelopment Area Plan (Benton, by request)

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: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

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

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris

A motion was made by Councilor Benton that this matter be Postponed as Amended to September 4, 2019. The motion carried by the following vote:

For: 6 - Peña, Sanchez, Benton, Davis, Gibson, and Jones

Excused: 3 - Borrego, Winter, and Harris