



# 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*

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Monday, November 4, 2019

5:00 PM

Vincent E. Griego Chambers

One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

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### TWENTY-THIRD COUNCIL - FORTY-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 - Brad Winter, Councilor, District 4**

#### 3. PROCLAMATIONS & PRESENTATIONS

#### 4. ECONOMIC DEVELOPMENT DISCUSSION

#### 5. ADMINISTRATION QUESTION & ANSWER PERIOD

#### 6. APPROVAL OF JOURNAL

October 21, 2019

#### 7. COMMUNICATIONS AND INTRODUCTIONS

##### Deferrals/Withdrawals

- a. [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 Harris that this matter be Postponed to February 3, 2020. The motion carried by the following vote:**

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

a. [O-19-72](#)

Amending §14-20, The “Dilapidated Commercial Buildings And Properties Ordinance” To Implement Permanent Procedures Following The Conclusion Of A 24-Month Pilot Project (Harris)

**A motion was made by Councilor Harris that this matter be Postponed to January 6, 2020. The motion carried by the following vote:**

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

b. [O-19-79](#)

Adopting Zoning Conversion Rules For Properties In Batch 2 Of The Phase 2 Zoning Conversion Effort As Directed By City Council Resolution 18-29 And Updating The Official Zoning Map (Benton and Jones, by request)

**A motion was made by Councilor Jones that this matter be Postponed to November 18, 2019. The motion carried by the following vote:**

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

d. [R-19-178](#)

Amending The Adopted Capital Implementation Program Of The City Of Albuquerque By Supplementing Current Appropriations For The Arenal/Crestview Bluff Open Space Land Acquisition (Peña)

**A motion was made by President Peña that this matter be Postponed to November 18, 2019. The motion carried by the following vote:**

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

b. [EC-19-467](#)

Agricultural Lease between City of Albuquerque and J & T Farms, Inc.

**A motion was made by President Peña that this matter be Postponed to December 2, 2019. The motion carried by the following vote:**

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

e. [R-19-189](#)

C/S Amending The Composition Of The Board Of Housing Commissioners For The Albuquerque Housing Authority (Peña, Benton)

**A motion was made by Councilor Benton that this matter be Postponed to November 18, 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-19-463](#) Amended Legal Department's Quarterly Litigation Report for the 1st Quarter of FY 2019 (greater than 10,000)  
**A motion was made by Vice-President Borrego that this matter be Receipt Be Noted. The motion carried by the following vote:**  
**For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- b. [EC-19-464](#) Explora Operating and Facility Lease Agreement  
**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-19-465](#) Reporting of expenditures by the Albuquerque Police Department related to the implementation of the Court Approved Settlement Agreement (CASA) - Third Quarter Fiscal Year 2019  
**A motion was made by Vice-President Borrego that this matter be Receipt Be Noted. The motion carried by the following vote:**  
**For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- e. [EC-19-469](#) Legal Department's Quarterly Litigation Reports for 2nd and 3rd Quarters of FY 2019  
**A motion was made by Vice-President Borrego that this matter be Receipt Be Noted. The motion carried by the following vote:**  
**For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- f. [EC-19-474](#) Mayor's Recommendation of Award to Jaynes Corporation and PacifiCap Construction LLC for "Uptown Transit Center Joint Development"  
**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
- g. [EC-19-475](#) Bond Sale Results for \$33,800,000 General Purpose & Storm Sewer General Obligations Bonds Series 2019 A, B & C  
**A motion was made by Vice-President Borrego that this matter be Receipt Be Noted. The motion carried by the following vote:**  
**For:** 9 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris
- h. [EC-19-476](#) Ground Lease Agreement between the City of Albuquerque and Miller Family Real Estate, L.L.C. - Los Altos Golf Course  
**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

- i. [EC-19-482](#) Project# PR-2019-002485 SD-2019-00110 San Mateo Place Right of Way Vacation: Albuquerque Public Schools (APS) requests Vacation of Public Right-of-Way for all or a portion of San Mateo Place NE, located south of Cutler Av NE and north of Interstate 40, containing approximately .398 acres
- 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
- j. [EC-19-483](#) Project# PR-2019-002598 SD-2019-00125 Costa Almeria Drive Right of Way Vacation: David Kines representing the La Luz Del Sol Landowners Association requests Vacation of Public Right-of-Way for all or a portion of Costa Almeria Drive NE, located west of Coors Blvd NW and north of Seville Ave NE, containing approximately .1023 acres
- 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
- k. [EC-19-484](#) Project# PR-2019-002694 SD-2019-00147 Tower Road Right of Way Vacation: CSI - Cartesian Surveys, Inc. agents for City of Albuquerque requests Vacation of Public Right-of-Way for all or a portion of Tower Rd SW east of 98th St SW, containing approximately 0.7176 acres
- 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
- l. [EC-19-489](#) Mayor's Appointment of Mr. Thomas E. Borst to the Municipal Golf 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
- m. [EC-19-490](#) Mayor's Appointment of Ms. Jessica H Lopez to the Arts 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
- n. [EC-19-491](#) Mayor's Appointment of Mr. Josue E Rodriguez to the Metropolitan Parks & Recreation 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

**o.** [EC-19-492](#)

Mayor's Appointment of Ms. Cailyn P Kilcup to the Small Business Regulatory Advisory 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-19-493](#)

Mayor's Appointment of Mr. Paul W Beck to the Metropolitan Parks & Recreation 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

**q.** [EC-19-494](#)

Mayor's Appointment of Mr. Chris L Crum to the Metropolitan Parks & Recreation 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

**r.** [R-19-194](#)

Approving Grant Funds Awarded For The FY2020 EMS Fund Act With The New Mexico Department Of Health And Providing For An Appropriation To Albuquerque Fire Rescue In Fiscal Year 2020 (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

**s.** [R-19-195](#)

Authorizing The Removal Of Certain Uncollectible Accounts From The City's Accounts Receivable Records For FY 2015 & Prior (Harris, 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

### 13. APPROVALS

**d.** [EC-19-466](#)

Approving Real Estate Sale Agreement for Fire Station 2, Lots numbered One (1), Two (2) and Three (3), in Block Twenty-eight (28) of the Huning Highland Addition Containing (approximately 0.4752 acres)

**A motion was made by Councilor Benton that this matter be Postponed to November 18, 2019. 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}

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

- c. [EC-19-468](#) Ground Lease Agreement between City of Albuquerque and Operating Engineers Local 953 Journeyman & Apprenticeship Training Trust Fund

**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

- d. [EC-19-473](#) Request to Approve Supplemental Agreement with the Albuquerque Hispano Chamber of Commerce to Oversee the Creation and Launch of a Public Engagement Campaign

**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

- h. [R-19-200](#) Naming The North Domingo Baca Multigenerational Center Gymnasium And Indoor Track The "Brad Winter Gymnasium" (Gibson, Davis)

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

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

**Against:** 1 - Peña

**Abstain:** 1 - Winter

- g. [R-19-193](#) Declaring The Property At 5401 Kathryn Avenue Southeast A Public Nuisance; Directing The Owner Enter Into A Nuisance Abatement Agreement With The City; Directing The City Attorney To File Nuisance Proceedings With The Court For Noncompliance (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: 8 - Peña, Borrego, Sanchez, Benton, Davis, Gibson, Jones, and Harris

**Excused:** 1 - Winter

**A motion was made by Councilor Davis 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

f. [R-19-192](#)

Declaring The Property At 3801 Central Avenue North East A Public Nuisance; Directing The Owner Enter Into A Nuisance Abatement Agreement With The City; Directing The City Attorney To File Nuisance Proceedings With The Court For Noncompliance (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 - Peña, Borrego, Sanchez, Benton, Winter, Davis, Gibson, Jones, and Harris

**A motion was made by Councilor Davis 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

\*j. [M-19-6](#)

Reaffirming The City Of Albuquerque's Commitment To The Prevention Of Child Abuse And Neglect And Urging The New Mexico Legislature To Strengthen State Laws Pertaining To Violence Against Children (Borrego)

**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

c. [O-19-81](#)

Amending Chapter 9, Article 2, Of The Revised Ordinances Of Albuquerque To Remove The Requirements For Annual Companion Animal Licenses And Replace Such Licenses With The Companion Pet Microchip Requirement And Registration Of Such Microchips With The Albuquerque Animal Care Center (Gibson, by request)

**A motion was made by Councilor Gibson 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. [RA-19-5](#)

Amending The City Council Rules Of Procedure Article III, Section 4.A. Relating To The Order Of Business (Peña)

**A motion was made by Councilor Gibson that this matter be Postponed to November 18, 2019. The motion failed by the following vote:**

**For:** 4 - Winter, Davis, Gibson, and Jones

**Against:** 4 - Peña, Borrego, Sanchez, and Harris

**Excused:** 1 - Benton

**A motion was made by Councilor Winter that this matter be Amended. Councilor Winter moved Amendment No. 1. The motion carried by the following vote:**

**For:** 6 - Peña, Borrego, Sanchez, Winter, Davis, and Harris

**Against:** 2 - Gibson, and Jones

**Excused:** 1 - Benton

**A motion was made by President Peña that this matter be Passed as Amended.**

**The motion carried by the following vote:**

**For:** 6 - Peña, Borrego, Sanchez, Winter, Davis, and Harris

**Against:** 2 - Gibson, and Jones

**Excused:** 1 - Benton