



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, May 7, 2018

5:00 PM

Vincent E. Griego Chambers
One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

TWENTY-THIRD COUNCIL - ELEVENTH 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 - Cynthia D. Borrego, Councilor, District 5

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

April 16, 2018

7. COMMUNICATIONS AND INTRODUCTIONS

Deferrals and Withdrawals

c. [OC-18-6](#) Selection of the City Auditor

A motion was made by President Sanchez that this matter be Postponed to May 21, 2018. The motion carried by the following vote:

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

- a. [O-17-45](#) Amending Chapters 1 And 2 Of The Revised Ordinances Of Albuquerque 1994 To Add A New Article And A New Section, Respectively, Relating To The Prioritization Of Fully Staffing And Funding The Albuquerque Police Department; Requiring An Independent Staffing, Compensation, And Recruiting Competitiveness Study Immediately And Every Five Years Thereafter (Harris, Sanchez)

A motion was made by Vice-President Harris that this matter be Postponed to June 4, 2018. The motion carried by the following vote:

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

- b. [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 the rules be suspended for the purpose of extending the expiration of O-17-50 by six months and that it be postponed to August 6, 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-18-71](#) Early Head Start Quarterly Report for October, November, December of 2017

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-18-100](#) Mayor's Appointment of Mr. Fred E. Mondragon to the Lodgers' Tax Advisory Board

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

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

- d. [EC-18-101](#) Mayor's Reappointment of Ms. Diane Harrison Ogawa to the Indicators Progress Commission

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

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

- e. [EC-18-104](#) Mayor's Appointment of Mr. David Stromberg to the Greater

Albuquerque Bicycling Advisory Committee

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

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

f. [EC-18-105](#)

Mayor's Appointment of Ms. Coby Livingstone to the Para Transit Advisory Board

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

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

g. [EC-18-106](#)

Mayor's Appointment of Mr. Steve P. Vatosow to the Central Avenue Business Advisory Board

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

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

h. [EC-18-107](#)

Mayor's Appointment of Mr. Tim Nisly to the Small Business Regulatory Advisory Committee

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

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

i. [EC-18-108](#)

Mayor's Appointment of Mr. Kenneth J. Carson, Jr to the Small Business Regulatory Advisory Committee

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

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

j. [EC-18-109](#)

Mayor's Appointment of Mr. Christopher M. Schroeder to the Information Services Committee

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

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

k. [EC-18-110](#)

Mayor's Appointment of Ms. Paulette M. Baca to the Small Business Regulatory Advisory Committee

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

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

l. [EC-18-111](#)

Mayor's Appointment of Mr. Michael M. Silva Jr to the Small Business Regulatory Advisory Committee

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

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

- m. [EC-18-112](#) Mayor's Reappointment of Mr. Jesse A. Herron to the Lodgers' Tax Advisory Board

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

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

- n. [EC-18-113](#) Mayor's Appointment of Mr. Matthew Biggs to the Small Business Regulatory Advisory Committee

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

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

- o. [EC-18-114](#) Mayor's Appointment of Ms. Crystiana M. Baca-Bosiljevac to the Biological Park Board

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

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

- p. [EC-18-115](#) Mayor's Appointment of Ms. Cynthia D. Serna to the Metropolitan Parks & Recreation Advisory Board

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

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

- q. [EC-18-116](#) Mayor's Appointment of Ms. Sandra McCardell to the Albuquerque Energy Council

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

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

- r. [EC-18-117](#) Mayor's Appointment of Mr. Troy Alan Bradley to the Balloon Museum Board of Trustees

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

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

- s. [R-17-234](#) Requesting That The U.S. Department Of Justice Provide An Accounting Of Certain Operations By The Federal Bureau Of Alcohol, Tobacco, Firearms And Explosives (The "ATF") And The United States Attorney's

Office For The District Of New Mexico In Albuquerque; Requesting A Congressional Hearing Into Certain ATF Operations; And Requesting That The ATF Abstain From Certain Future Such Operations That Are Detrimental To The Albuquerque Community (Davis)

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

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

t. [R-18-16](#)

Approving A Grant Agreement For The FY2017 Hazardous Materials Public Sector Training And Planning Grant With The New Mexico Department Of Homeland Security And Providing For An Appropriation To The Fire Department In Fiscal Year 2018 (Harris)

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

u. [R-18-17](#)

C/S Approving And Authorizing A Grant Application To The U.S. Department Of Housing And Urban Development For A 2018 Continuum Of Care Grant; And Providing An Appropriation To The Department Of Family And Community Services Beginning In Fiscal Year 2018 (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

13. APPROVALS

b. [EC-18-94](#)

Snow Heights Circle Vacation - Project# 1001081/ 18DRB-70038 - Tierra West LLC agent for Ben Sapir Family Trust request Vacation Of Public Right-Of-Way for all or a portion of Lots 023 031 N, 023 031 W, Parcel A-2, Parcel B, Snow Heights Addition, zoned C-2, located on Snow Heights Cir NE between Menaul Blvd NE and Eubank Blvd NE containing approximately 6.698 acres

A motion was made by Councilor Benton that this matter be Approved. 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

14. FINAL ACTIONS

- e. [R-18-21](#) Urging The New Mexico State Legislature To Support And Enact "Medical Aid In Dying (MAID)," Also Known As The End Of Life Options Act (Gibson, Benton)

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

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

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

- a. [AC-18-5](#) Project #1011083/17BOA-20010, 16ZHE-80328: Martina Mesmer appeals the Board of Appeals Approval of a special exception, with conditions, to Zoning Code Section §14-16-2-6(B)(10): a Conditional Use to allow a community center in an R-1 zone for Tract A, Singing Arrow Park located within Canada Village Second Unit, zoned R-1, located at 13001 Singing Arrow Ave. SE

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

For: 7 - Sanchez, Benton, Peña, Winter, Borrego, Davis, and Jones

Recused: 2 - Harris, and Gibson

- b. [AC-18-6](#) Project #1005206/17EPC-40054 & 17EPC-40067: Dayan Hochman, of Roybal-Mack & Cordova, P.C, agents for Larry Tucker, appeal the decision of the Environmental Planning Commission (EPC) to Approve a Sector Development Plan Map Amendment (Zone Change) and an associated, As-Built Site Development Plan for Building Permit for an approximately 0.6 acre site known as Lot 8 and the additional south seven feet and eight inches of Lot 7, Lot 9, and Lot 10, Block 24, Huning's Highlands Addition

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

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

Recused: 1 - Winter

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

- a. [EC-17-379](#) Status FY17 Goal 3, Objective 6, Provide an assessment of methods to accelerate the process of street reconstruction and rehabilitation design and implementation, particularly with regard to smaller special projects initiated by the City Council

A motion was made by President Sanchez 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

12. PUBLIC HEARINGS

- b. [AC-18-6](#) Project #1005206/17EPC-40054 & 17EPC-40067: Dayan Hochman, of Roybal-Mack & Cordova, P.C, agents for Larry Tucker, appeal the decision of the Environmental Planning Commission (EPC) to Approve a Sector Development Plan Map Amendment (Zone Change) and an associated, As-Built Site Development Plan for Building Permit for an approximately 0.6 acre site known as Lot 8 and the additional south seven feet and eight inches of Lot 7, Lot 9, and Lot 10, Block 24, Huning's Highlands Addition

A motion was made by President Sanchez to take AC-18-6 off the table. The motion carried by the following vote:

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

Recused: 1 - Winter

A motion was made by Councilor Benton that this matter be To Reject the Land Use Hearing Officer Recommendation. The motion carried by the following vote:

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

Against: 3 - Sanchez, Peña, and Borrego

Recused: 1 - Winter

13. APPROVALS

- b. [EC-18-70](#) Recommendation of Award to SMG for "Management and Operations for City of Albuquerque Convention Center, Civic Plaza, Albuquerque Baseball Complex and Convention Center Parking Garage"

A motion was made by President Sanchez that this matter be Approved. President Sanchez withdrew his motion.

A motion was made by President Sanchez that this matter be Postponed to May 21, 2018. The motion failed by the following vote:

For: 2 - Sanchez, and Benton

Against: 7 - Harris, Peña, Winter, Borrego, Davis, Gibson, and Jones

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

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

Against: 2 - Winter, and Davis

- *d. [EC-18-118](#) Approving an Agreement with New Mexico Bioscience Authority to

Create a Bioscience "Community Bioscience Ready Program"

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

c. [O-18-15](#)

Adopting Amendments To The Integrated Development Ordinance (IDO) For Certain Dimensional Standards In Low Density Residential Zones (Jones)

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

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

Against: 1 - Benton

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: 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 failed by the following vote:

For: 2 - Benton, and Gibson

Against: 7 - Sanchez, Harris, Peña, Winter, Borrego, Davis, and Jones

A motion was made by Councilor Jones 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

d. [R-18-19](#)

Creating A Task Force To Identify Solutions And Make Recommendations To Preserve Lands And Property For Balloon Landings During The Albuquerque International Balloon Fiesta (Harris)

A motion was made by Vice-President Harris that this matter be Amended. Councilor Harris 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 Vice-President Harris 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-18-22](#)

C/S Rescinding C/S R-09-345 Which Established A Policy Regarding A

Fee Structure For Renting Space In City Owned Community Centers, Health And Social Service Centers And Senior Centers; And Directing The Family And Community Services Department And Senior Affairs Department To Develop A Standard City-Wide Policy And Fee Structure For Renting Space In City Owned Community Centers, Health And Social Service 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 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones

g. [R-18-29](#)

F/S Repealing And Replacing C/S R-17-240; Establishing A Process For IDO-Related Zoning Conversions That Are To Be Processed By The City Planning Department Commencing On The Effective Date Of The IDO, And Concluding Within One Year Therefrom (Jones, Benton)

A motion was made by Councilor Jones that this matter be Substituted. 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 Jones that the rules be suspended for the purpose of allowing R-18-29 to be adopted the same evening it's substituted. 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 Jones that this matter be Passed as Substituted. The motion carried by the following vote:

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

Excused: 1 - Harris

h. [R-18-30](#)

Amending The 2017 Action Plan And Program Investment Summary Of The 2013 - 2017 Consolidated Plan To Provide Funding For The Acquisition Of A Parcel Of Land (Borrego, by request)

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

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

Excused: 1 - Jones