



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, November 5, 2018

5:00 PM

Vincent E. Griego Chambers
One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

TWENTY-THIRD COUNCIL - TWENTY-SECOND 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 - Diane G. Gibson, Councilor, District 7

3. PROCLAMATIONS & PRESENTATIONS

4. ECONOMIC DEVELOPMENT DISCUSSION

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

October 15, 2018

October 18, 2018 Special Meeting

7. COMMUNICATIONS AND INTRODUCTIONS

8. REPORTS OF COMMITTEES

Deferrals/Withdrawals

- a. [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 this matter be Postponed to January 7, 2019. The motion carried by the following vote:

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

n. [O-18-40](#)

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 Maintenance Of Campaign In Off Years Ordinance (Sanchez)

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

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

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

a. [EC-18-231](#)

Lodgers' Tax Advisory Board Quarterly Reporting - FY'18 Program Highlights & Recommendations

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

b. [EC-18-234](#)

Early Head Start Quarterly Report for April, May and June 2018

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-18-239](#)

Bethel Avenue SE Vacation (Project# PR-2018-001459 / SD-2018-00068) DAC Enterprises agents for Peter Gineris c/o Cornerstone Capital requests Vacation Of Public Right-Of-Way for all or a portion of Lots A-F and Lots 1-5, Kirkland Addition Unit 3, zoned R-ML, located on Bethel Ave SE between Mulberry St. SE and Kirtland Park, containing approximately 2.0 acres

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

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

d. [EC-18-244](#)

Mayor's Appointment of Mrs. Barbara Carmona-Young to the Senior Affairs Advisory 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

- e. [EC-18-245](#) Mayor's Appointment of Ms. Brandi Stone to the ABQ Volunteers 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
- f. [EC-18-246](#) Mayor's Appointment of Ms. Joie Glenn to the Senior Affairs Advisory 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
- g. [EC-18-247](#) Mayor's Appointment of Mr. William A. Moore to the 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
- h. [R-18-73](#) Approving And Authorizing The Acceptance Of Grant Funds Based On Applications For Federal And State Assistance For The Senior Corps Programs Including The Foster Grandparent Program (FGP), The Retired And Senior Volunteer Program (RSVP), And The Senior Companion Program (SCP), With The Corporation For National And Community Service (CNCS) And The New Mexico Aging And Long Term Services Department (ALTSD) And Providing For An Appropriation To The Department Of Senior Affairs In Fiscal Year 2019 (Jones, 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
- i. [R-18-88](#) Approving The Appointment Of A Director To Fill A Vacancy On The Governing Body Of The Saltillo Public Improvement District Caused By The Resignation Of A Certain Director Pursuant To The Public Improvement District Act, NMSA 1978, Sections 5-11-1 Through 27 NMSA, As Amended, City Enactment No. O-2003-12, City Enactment No. R-2007-150, And Repealing All Actions Inconsistent With This Resolution (Borrego)
- 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

14. FINAL ACTIONS

- d. [O-18-21](#) C/S Amending The Uniform Housing Code, Sections 14-3-1-1 Through 14-3-5-99 ROA 1994, Relating To Minimum Dwelling Safety And Sanitation Standards, Identification Of Hazardous Dwelling Conditions, Nuisance Abatement, Administration And Enforcement (Gibson)
- A motion was made by Councilor Gibson that this matter be Amended. Councilor Gibson 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 Councilor Gibson 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

10. GENERAL PUBLIC COMMENTS

11. ANNOUNCEMENTS

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

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

- a. [EC-18-227](#) Mayor's Recommendation of Souder Miller and Associates for City Wide, On-Call Surveying Services
- A motion was made by President Sanchez that this matter be Approved. The motion carried by the following vote:**
- For:** 6 - Sanchez, Harris, Benton, Peña, Borrego, and Davis
- Against:** 3 - Winter, Gibson, and Jones
- b. [EC-18-228](#) Mayor's Recommendation of Lee Gamelsky Architect for Architectural Design and Construction of a Computer "Mirror" Facility at the Albuquerque International Sunport
- A motion was made by President Sanchez that this matter be Approved. The motion carried by the following vote:**
- For:** 6 - Sanchez, Harris, Benton, Peña, Borrego, and Davis
- Against:** 3 - Winter, Gibson, and Jones
- c. [EC-18-243](#) Development Agreement with HopeWorks and YES Housing, Inc. (Co-Developers) Utilizing Four Million Dollars (\$4,000,000) (\$2,000,000 City Affordable Housing Funds and \$2,000,000 Bernalillo County Funds) for the construction of Hope Village, a 42-Unit Single Site Permanent Supportive Housing Development Project in the Wells Park Neighborhood

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

- b. [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 Postponed to January 7, 2019. The motion carried by the following vote:

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

- c. [O-18-18](#) F/S Amending Section 9-8-99 ROA 1994 And Section 8-2-1-60 ROA 1994 To Add Or Increase The Amount Of A Fine Associated With A Littering Offense (Borrego)

A motion was made by Councilor Borrego 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 President Sanchez that this matter be Postponed as Substituted to November 19, 2018. The motion carried by the following vote:

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

- e. [O-18-27](#) F/S Adopting Small Wireless Facilities Regulations To Authorize And Regulate Certain Small Wireless Facilities Installations Within City Rights Of Ways Or On City-Owned Utility Poles (Davis, Jones, Peña, Sanchez)

A motion was made by President Sanchez 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 President Sanchez that the rules be suspended for the purpose of allowing F/S O-18-27 to be adopted the same evening it is 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 President Sanchez that this matter be Passed as Substituted. The motion carried by the following vote:

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

- f. [O-18-28](#) Repealing The Cruising On Public Streets Ordinance (§ 8-2-1) (Peña)

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

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

Excused: 1 - Davis

g. [R-18-66](#)

Directing The Cultural Services Department To Develop A Special Interest Vehicle Club Recognition Program (Peña)

A motion was made by Councilor Peña that this matter be Amended. Councilor Peña 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 Councilor Peña that this matter be Amended. Councilor Peña 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 carried by the following vote:

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

A motion was made by Councilor Peña 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

h. [R-18-74](#)

Declaring The Intent Of The City Council Of The City Of Albuquerque, New Mexico, To Hold A Hearing To Consider The Formation Of Renewable Energy Financing District For The Purpose Of Encouraging, Accommodating And Financing Renewable Energy Improvements To Commercial Properties Within The District, And To Consider For Adoption An Ordinance Approving Such Formation; And Directing The Publication In A Newspaper Of General Circulation Within The City Of A Notice Of Public Hearing To Consider The Adoption Of An Ordinance Approving The Formation Of The District (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 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones

A motion was made by Councilor Davis 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

i. [O-18-32](#)

Approving The Formation Of The Albuquerque Renewable Energy Financing District Pursuant To The Renewable Energy Financing District Act, NMSA (1978) § 5-18-1 Et Seq; Determining The Method Of Including Commercial Real Property Within The District And The Purposes For Which The District Is Formed; Approving The Manner Of Collection Of A Renewable Energy Improvement Assessment To Be Imposed Upon Real Property Included In The District; Providing For Governance Of The District; Providing For The Inclusion Of Real Property

Within The District By Subsequent Resolutions; And Related Matters
(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 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones

A motion was made by Councilor Davis 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

j. [O-18-34](#)

Amending The Official Zone Map From R-1D To R-1B For All Or A Portion Of Tract C Correction Plat Of Valle Prado Unit 3 And Tract 6 Bulk Land Plat Of The Trails Unit 3A; And To Maintain R-1D Within 200 Feet From The Petroglyph National Monument And From R-1D To R-1B For The Remainder Of Tract 2 Bulk Land Plat Of The Trails Unit 3A And Tract H Plat Of Durango Unit 1 (Borrego, by request)

A motion was made by Councilor Borrego that this matter be Passed. 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 Davis for Reconsideration of O-18-32. The motion carried by the following vote:

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

i. [O-18-32](#)

Approving The Formation Of The Albuquerque Renewable Energy Financing District Pursuant To The Renewable Energy Financing District Act, NMSA (1978) § 5-18-1 Et Seq; Determining The Method Of Including Commercial Real Property Within The District And The Purposes For Which The District Is Formed; Approving The Manner Of Collection Of A Renewable Energy Improvement Assessment To Be Imposed Upon Real Property Included In The District; Providing For Governance Of The District; Providing For The Inclusion Of Real Property Within The District By Subsequent Resolutions; And Related Matters
(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 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones

A motion was made by Councilor Davis 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

k. [O-18-35](#)

F/S Relating To The Redevelopment, Leasing And Sale Of A

Metropolitan Redevelopment Project And The Issuance Of Metropolitan Redevelopment Revenue Bonds Payable From Rental Payments Therefor; Approving The Metropolitan Redevelopment Application Entitled "Broadstone Northpoint Metropolitan Redevelopment Bond Application"; Authorizing The Acquisition Of Land And Existing Improvements And Construction Of A Building Within The Coronado Metropolitan Redevelopment Area; Authorizing The Disposition By Lease And Sale Of The City's Interest In Such Project To Broadstone Northpoint, LLC, Its Successors And Assigns; Authorizing The Issuance And Sale Of The City Of Albuquerque, New Mexico Metropolitan Redevelopment Revenue Bonds (Broadstone Northpoint Project) Series 2018 In The Principal Amount Of \$35,700,000 To Provide Funds To Finance A Portion Of The Costs Of The Construction Of The Project; Authorizing The Execution And Delivery Of An Indenture, Lease Agreement, Bond Purchase Agreement, The Bonds, And Other Documents In Connection With The Issuance Of The Bonds And The Project; Ratifying Certain Actions Taken Previously; And Repealing All Actions Inconsistent With This Ordinance (Winter, by request)

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

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

Excused: 1 - Peña

- I.** [O-18-38](#) F/S Amending Article XII, Section 2 Of The City Charter, And Amending Article XIII, Sections 2, 4, 9, And 10 Of The City Charter (Sanchez, Jones)

A motion was made by President Sanchez that this matter be Postponed to November 19, 2018. The motion carried by the following vote:

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

Excused: 1 - Peña

- m.** [O-18-39](#) F/S Amending The City Of Albuquerque Charter, Chapter 2, Article 4, Part 5, ROA 1994, And Chapter 2, Article 4, Part 8, ROA 1994; Opting In To Local Elections (Sanchez)

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

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

Excused: 1 - Peña

A motion was made by President Sanchez that this matter be Postponed as Substituted to November 19, 2018. The motion carried by the following vote:

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

Excused: 1 - Peña

o. [P-18-1](#)

F/S Adopting Propositions To Be Submitted To The Voters At The Next Special Local Election, Proposing To Amend Article XVI Of The Albuquerque City Charter Concerning Public Financing And To Amend Article VI Of The Albuquerque City Charter Concerning Charter Amendments (Sanchez)

A motion was made by President Sanchez 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 Gibson that this matter be Amended. Councilor Gibson 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 President Sanchez that this matter be Amended. President Sanchez moved Amendment No. 2. The motion failed by the following vote:

For: 3 - Sanchez, Borrego, and Davis

Against: 6 - Harris, Benton, Peña, Winter, Gibson, and Jones

A motion was made by President Sanchez that this matter be Postponed as Substituted, as Amended to November 19, 2018. The motion carried by the following vote:

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

p. [R-18-83](#)

F/S Concerning A Special Local Election To Be Held In The City Of Albuquerque On February 5, 2019; Submitting To A Vote Of The Qualified, Registered Electors At Such Special Local Election Questions Amending Article II, Sections 2 And 3; Article IV, Section 4; Article V, Section 2; Article VI, Section 4; Article VIII, Section 14 And Article XVI, Sections 3, 4, 6, 7, 8, 12, 15, 20 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; Prescribing Other Details In Connection With Such Special Local Election (Sanchez)

A motion was made by President Sanchez 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 Gibson that this matter be Amended. Councilor Gibson 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 President Sanchez that this matter be Postponed as Substituted, as Amended to November 19, 2018. The motion carried by the following vote:

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

q. [O-18-42](#)

F/S Authorizing The Issue And Sale Of \$1,569,000 City Of Albuquerque, New Mexico Short-Term Lodgers' Tax Improvement Revenue Bonds, Taxable Series 2018 For The Purpose Of Designing, Developing, Constructing, Reconstructing, Rehabilitating, Renovating, Modernizing, Enhancing And Otherwise Improving (I) The City's Civic Plaza, And (II) Isotopes Park; Providing For The Payment Of The Series 2018 Bonds From Certain Lodgers' Tax Revenues; Providing For The Collection Of Certain Lodgers' Taxes; Providing For The Terms And Other Details Concerning The Series 2018 Bonds; Providing For Certain Documents Pertaining To The Series 2018 Bonds; Authorizing The Sale Of The Series 2018 Bonds To The State Of New Mexico; Prescribing Other Details In Connection With The Series 2018 Bonds And The Payment Thereof; And Ratifying Prior Action Taken In Connection Therewith (Sanchez, by request)

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

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

r. [R-18-82](#)

Directing The Planning Department To Collaborate With The City Council Office And Other Local And State Government Agencies To Convene A Micro-Enterprise Development Fair (Peña)

A motion was made by Councilor Peña that this matter be Amended. Councilor Peña 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 Councilor Peña 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