



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, Trudy E. Jones, District 8

Isaac Benton, District 2; Klarissa J. Peña, District 3
Brad Winter, District 4; Dan Lewis, District 5
Rey Garduño, District 6; Diane G. Gibson, District 7
Don Harris, District 9

Monday, June 9, 2014

5:00 PM

Vincent E. Griego Chambers
One Civic Plaza

Albuquerque/Bernalillo County Government Center

TWENTY-FIRST COUNCIL - SIXTEENTH MEETING SPECIAL MEETING

1. ROLL CALL

Present 8 - Ken Sanchez, Isaac Benton, Klarissa Peña, Brad Winter, Rey Garduño,
Diane Gibson, Trudy Jones, and Don Harris
Excused 1 - Dan Lewis

2. MOMENT OF SILENCE

Pledge of Allegiance - Trudy E. Jones, Vice-President, District 8

3. PROCLAMATIONS & PRESENTATIONS

5. ADMINISTRATION QUESTION & ANSWER PERIOD

6. APPROVAL OF JOURNAL

May 19, 2014 and May 28, 2014

7. COMMUNICATIONS AND INTRODUCTIONS

Deferrals/Withdrawals

- d. [O-14-15](#) Immediately Suspending The Operation Of The Police Oversight Commission Pending The Establishment Of A New Oversight System (Benton, Sanchez)

A motion was made by Councilor Benton that this matter be Postponed to August 4, 2014. The motion carried by the following vote:

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

Excused: 1 - Lewis

a. [O-14-12](#)

Amending Chapter 6, Article 9, ROA 1994, Regarding Public Improvement Districts, To Provide For The Establishment Of Candidate Election Policies And Procedures For Public Improvement Districts Located Within The City (Lewis, by request)

A motion was made by President Sanchez that this matter be Postponed to June 16, 2014. The motion carried by the following vote:

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

Excused: 1 - Lewis

[O-14-14](#)

Imposing An Excise Tax Equal To One-Eighth Of One Percent (0.125%) Of Gross Receipts To Be Used For The Purpose Of Funding Essential Services (Peña, Sanchez)

A motion was made by Councilor Peña that this matter be Postponed to August 4, 2014. The motion carried by the following vote:

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

Excused: 1 - Lewis

j. [R-14-61](#)

Concerning A Special Municipal Bond Election To Be Held In The City Of Albuquerque On November 4, 2014; Submitting To A Vote Of The Qualified, Registered Electors And Nonresident Municipal Electors At Such Special Election Questions Relating To The Repurposing Of Certain General Obligation Street Bonds For Metropolitan Redevelopment Purposes (Harris)

A motion was made by Councilor Harris that this matter be Postponed to June 16, 2014. The motion carried by the following vote:

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

Excused: 1 - Lewis

9. ANNOUNCEMENTS

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

a. [EC-14-80](#)

Comparative Survey of Police Officers' Compensation

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

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

Excused: 1 - Lewis

c. [EC-14-90](#)

Mayor's Reappointment of Mr. Dan C. Wilkinson Sr. to the Metropolitan Parks and Recreation Board

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

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

Excused: 1 - Lewis

d. [EC-14-91](#)

Mayor's Reappointment of Mr. Raymond G. Salazar to the Airport Advisory Board

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

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

Excused: 1 - Lewis

e. [EC-14-92](#)

Mayor's Appointment of Dr. Kerry J. Howe to the Water Protection Advisory Board

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

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

Excused: 1 - Lewis

f. [EC-14-93](#)

Mayor's Reappointment of Mr. Loren J. Hines to the Open Space Advisory Board

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

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

Excused: 1 - Lewis

g. [R-14-53](#)

Authorizing The Mayor To Execute The Albuquerque Business Education Compact Recommendations And Providing An Appropriation To The Department Of Family And Community Services (Winter)

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

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

Excused: 1 - Lewis

h. [R-14-56](#)

Approving And Authorizing The Acceptance Of Grant Funds From The New Mexico State Library For The Basic State Grants In Aid And

Providing For An Appropriation To The Cultural Services Department In Fiscal Year 2014 (Sanchez)

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

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

Excused: 1 - Lewis

- i. [R-14-57](#) Expressing The City's Support For Nob Hill Main Street To Collaborate In A Community Development Revitalization Program (Garduño)

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

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

Excused: 1 - Lewis

- j. [P-14-3](#) Adopting A Proposition To Be Submitted To The Voters At The Next General Election Concerning The Imposition Of A Quarter Of One Percent Essential Services Gross Receipts Tax (Peña)

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

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

Excused: 1 - Lewis

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

- b. [EC-14-89](#) Mayor's Reappointment of Mr. Paul Silverman to the Albuquerque Development Commission

A motion was made by Councilor Garduño that this matter be Postponed to June 16, 2014. The motion carried by the following vote:

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

Excused: 1 - Lewis

- a. [EC-14-70](#) Approval of the First Supplemental to Amend Scope of Services and Add Monies for FY14 Outside Counsel for Legal Services Agreement Between Wiggins, Williams & Wiggins, PC and the City of Albuquerque

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

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

Excused: 1 - Lewis

- b. [EC-14-71](#) Approval of First Supplemental to Amend the Scope of Services and

Add Monies for FY14 Outside Counsel Legal Services Agreement between Butt, Thornton & Baehr PC and the City of Albuquerque

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

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

Excused: 1 - Lewis

- c. [EC-14-72](#) Approval of the First Supplemental to Amend Scope of Services and Add Monies for FY14 Outside Counsel for Legal Services Agreement between Walz & Associates and the City of Albuquerque

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

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

Excused: 1 - Lewis

- d. [EC-14-74](#) Approval of the First Supplemental to Add Monies for FY14 Outside Counsel for Legal Services Agreement between Conklin, Woodcock & Ziegler PC and the City of Albuquerque

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

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

Excused: 1 - Lewis

13. FINAL ACTIONS

- b. [O-14-13](#) F/S(2) Amending Chapter 9, Article 4, Part 1 ROA 1994, The Police Oversight Ordinance, To Abolish The Police Oversight Commission And Establish The Civilian Police Oversight Agency With New Or Amended Duties, Qualifications And Responsibilities, And Adopting Related Amendments Dealing With The Civilian Police Oversight Agency And The Internal Review Office (Garduño, Winter)

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

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

Excused: 1 - Lewis

A motion was made by Councilor Winter that this matter be Postponed as Substituted to August 18, 2014. The motion carried by the following vote:

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

Excused: 1 - Lewis

- f. [R-14-40](#) C/S Reallocating Funds To Address Deferred Parks Maintenance

(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: 8 - Sanchez, Benton, Peña, Winter, Garduño, Gibson, Jones, and Harris

Excused: 1 - Lewis

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

For: 5 - Sanchez, Benton, Peña, Garduño, and Gibson

Against: 3 - Winter, Jones, and Harris

Excused: 1 - Lewis

g. [R-14-52](#)

Nuisance Abatement At 714 Cromwell Ave. SW Is 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 (Benton, by request)

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

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

Excused: 1 - Lewis

***e.** [O-14-16](#)

Adopting An Early Head Start Program Governance Ordinance, Creating An Early Head Start Program Governance Advisory Committee, And Providing For Reports To The City Council (Garduño)

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

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

Excused: 1 - Lewis

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

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

Excused: 1 - Lewis

h. [R-14-55](#)

F/S Commissioning A Study To Assess The Gaps In The City, County And State's Funding For Certain Social Service Programs; Appropriating Funding For That Purpose (Peña)

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

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

Excused: 1 - Lewis

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

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

Excused: 1 - Lewis

i. [R-14-59](#)

F/S Relating To Public Service Company Of New Mexico's Plan To Replace 836 Megawatts At The San Juan Generating Station; Urging The New Mexico Public Regulation Commission To Modify PNM's Plan And Claims For Cost Recovery (Benton, Gibson)

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

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

Excused: 1 - Lewis

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

For: 5 - Sanchez, Benton, Peña, Garduño, and Gibson

Against: 3 - Winter, Jones, and Harris

Excused: 1 - Lewis

[RA-14-1](#)

F/S Amending The City Council Rules Of Procedure Regarding Public Comment And Decorum At City Council Meetings (Sanchez)

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

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

Excused: 1 - Lewis

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 - Benton, Winter, Gibson, Jones, and Harris

Against: 3 - Sanchez, Peña, and Garduño

Excused: 1 - Lewis

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

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

Against: 1 - Garduño

Excused: 1 - Lewis

I. [OC-14-1](#)

Adopting a Statement of the Issue for filing with the City Clerk Pursuant to the Intragovernmental Conference Committee Article; Appointing a member to the Intragovernmental Conference Committee; Appointing the Council's designee for presentation to the Intragovernmental Conference Committee (Sanchez)

A motion was made by President Sanchez that this matter be Postponed to June 16, 2014. The motion carried by the following vote:

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

Excused: 1 - Lewis

m. [M-14-5](#)

Calling For The State Of New Mexico, The City Of Albuquerque, And Bernalillo County To Form A Task Force To Discuss Joint Funding Opportunities And To Propose Recommendations To Address The Issues Surrounding And Concerning Mental Health Issues Within The State Of New Mexico (Winter, Benton)

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

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

Excused: 1 - Lewis

There being no further business, the meeting adjourned at 10:59 p.m.